



HOUSE OF REPRESENTATIVES

H. No. 6545

BY REPRESENTATIVES BAG-AO, BELLO, FERRER (J.), ANGARA, RODRIGUEZ (R.), RODRIGUEZ (M.) ARROYO (D.), MACAPAGAL-ARROYO (G.), CASTELO, CERILLES, BIAZON, TAÑADA, ABAD, ABAYA, ACHARON, AGGABAO, AGYAO, APACIBLE, AQUINO, ARQUIZA, BAGUILAT, BANAL, BATOCABE, BENALDO, CAJAYON, CALIMBAS-VILLAROSA, CARI, CATAMCO, CO, CORTUNA, DIMAPORO (F.), DUAVTI, EBDANE, EVARDONE, FERNANDEZ, FLORES, FORTUNO, GARBIN, GARIN (J.), GARIN (S.), GOLEZ (A.), GONZALES (A.), GONZALEZ, GUANLAO, GULLAS, HATAMAN-SALLIMAN, HERRERA-DY, LAGMAN, LICO, LOYOLA, MACAPAGAL ARROYO (J.), OCAMPO, PADILLA, PAEZ, PALMONES, PANGANDAMAN (M.), PARAS, PING-AY, PRIMICIAS-AGABAS, QUIMBO, RELAMPAGOS, RIVERA, ROMAN, ROMUALDO, SALIMBANGON, SARMIENTO (M.), SARMIENTO (C.), TEODORO, TOMAWIS, UMALI (A.), UNABIA, VERGARA, VILLAFUERTE, VIOLAGO AND ZUBIRI, PER COMMITTEE REPORT NO. 2388

AN ACT INSTITUTING A NATIONAL LAND USE AND MANAGEMENT POLICY, PROVIDING THE IMPLEMENTING MECHANISMS THEREFOR AND FOR OTHER PURPOSES

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

1
2
3
4

CHAPTER I

INTRODUCTORY PROVISIONS

SECTION 1. *Title.* – This Act shall be known and cited as the
“National Land Use and Management Act of the Philippines”.

1 SEC. 2. *Declaration of Policies and Principles.* – It is the policy of
2 the State to:

3 (a) Provide for a rational, holistic and just allocation, utilization,
4 management and development of the country's land and water resources so that
5 their use is consistent with the principles of equity, social justice,
6 environmental integrity and sustainable development for the common good;

7 (b) Hold owners and users of land responsible for developing and
8 conserving their lands thereby making these productive and supportive of
9 sustainable development and environmental stability in accordance with the
10 principle that the use of land bears a social function and that all economic
11 agents shall contribute to the common good;

12 (c) Treat groups of islands, including parts of islands, interconnecting
13 waters and other natural features which are so closely interrelated, as forming
14 an intrinsic geographical, economic and political entity, or which historically
15 have been regarded as such entity; and

16 (d) Strengthen the capacity of the local government units (LGUs) to
17 manage and maintain ecological balance within their territorial jurisdiction, in
18 partnership with the national government in accordance with the Philippine
19 Constitution and Republic Act No. 7160 or the Local Government Code of
20 1991.

21 Towards this end, the State shall institutionalize land use and physical
22 planning as a mechanism for identifying, determining and evaluating
23 appropriate land use and allocation patterns that promote and ensure:

24 (1) Maintenance and preservation of environmental integrity and
25 stability;

26 (2) Sustainable and just management and utilization of natural
27 resources;

28 (3) Disaster risk reduction and climate risk-based planning;

1 (4) Protection of prime agricultural lands for food security, with
2 emphasis on self-sufficiency through efficient and sustainable use of land
3 resources consistent with the principles of sound agricultural development,
4 natural resources development and agrarian reform;

5 (5) Protection and conservation of the country's natural heritage,
6 permanent forestlands, natural forests, critical watersheds and key biodiversity
7 areas to ensure adequate forest cover to maintain ecological processes in the
8 country;

9 (6) Sustainable development and management of water resources;

10 (7) Settlements, transportation and other infrastructure development in
11 support of inclusive growth and rural, urban and regional development;

12 (8) Improved access to affordable housing by increasing its supply
13 through direct allocation, better access to unutilized lands and multiple-use and
14 higher densities, where appropriate;

15 (9) Respect for and protection of the traditional resource right of the
16 Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their
17 ancestral domains; compliance with free and prior informed consent of
18 ICCs/IPs; and recognition of customary laws and traditional resource use and
19 management, knowledge and practices in ancestral domains;

20 (10) Equitable access to land through State intervention that guarantees
21 its affordability to the basic sectors;

22 (11) Energy security or energy self-sufficiency; and

23 (12) Meaningful participation of the basic sectors.

24 SEC. 3. *Scope.* – This Act shall apply to all lands and all resources
25 therein, whether public, private, government-owned, and/or in the possession
26 of any person(s), whether natural or juridical and shall guide the rational,
27 holistic and just allocation, utilization, development and management of the

1 country's land and water resources including such activities that bear impact on
2 said resources.

3 SEC. 4. *Definition of Terms.* –

4 (a) *Agricultural land* refers to lands devoted to or suitable for the
5 cultivation of the soil, planting of crops, growing of trees, raising of livestock,
6 poultry, fish or aquaculture production, including the harvesting of such farm
7 products, and other farm activities and practices performed in conjunction with
8 such farming operations, by persons whether natural or juridical, and not
9 classified by law as mineral land, forest land, residential land, commercial land
10 or industrial land.

11 (b) *Agricultural land use conversion* refers to the undertaking of any
12 development activity which modifies or alters the physical characteristics of
13 agricultural lands to render them suitable for nonagricultural purposes with an
14 approved order of conversion issued exclusively by the Department of
15 Agrarian Reform (DAR).

16 (c) *Alienable and disposable lands of the public domain* refers to lands
17 of the public domain which have been delineated, classified and certified as
18 such and available for disposition under Commonwealth Act No. 141,
19 otherwise known as the "Public Land Act", as amended;

20 (d) *Ancestral domains* refer to all areas generally belonging to
21 ICCs/IPs as defined in Republic Act No. 8371, otherwise known as the
22 "Indigenous Peoples Rights Act (IPRA) of 1997".

23 (e) *Ancestral Domain Sustainable Development and Protection Plan*
24 *(ADSDPP)* refers to a plan formulated and pursued in accordance with the
25 rights of ICCs/IPs to manage and develop the land as well as natural and
26 human resources within their ancestral domains based on their indigenous
27 knowledge systems and practices on the principle of self-determination.

1 (f) *Coastal area/zone* refers to a band of dry land and the adjacent
2 ocean space (water and submerged land) in which terrestrial processes and uses
3 directly affect oceanic processes and uses, and vice versa. Its geographic
4 extent may include areas within a landward limit of one (1) kilometer from the
5 shoreline at high tide to include mangrove swamps, brackish water ponds, nipa
6 swamps, estuarine rivers, sandy beaches and other areas within a seaward limit
7 of two hundred (200) meters isobath to include coral reefs, algal flats, seagrass
8 beds and other soft-bottom areas.

9 (g) *Comprehensive Land Use Plan (CLUP)* refers to a document
10 embodying a set of policies, accompanied by maps and similar illustrations that
11 serve as a policy guide for determining the future use of lands and natural
12 resources within the territorial jurisdiction of the LGUs. It represents the
13 community-desired pattern of population distribution and proposes future
14 allocation of land and resources to various activities. It includes the processes
15 and criteria employed in such determination of allocation of land and
16 resources. It is a plan for the long-term management of the local territory
17 covering a period of thirty (30) years based on the four (4) categories of land
18 use planning provided in Section 6 of this Act.

19 (h) *Comprehensive land use planning* refers to the act of defining the
20 allocation, utilization, development and management of all lands within a given
21 territory or jurisdiction according to the inherent characteristics of the land
22 itself and supportive of sustainable, economic, demographic, socio-cultural and
23 environmental objectives as an aid to decision-making and legislation.

24 (i) *Critical watershed* refers to watersheds or forestlands that have
25 been identified and evaluated to provide critical and vital natural, ecological,
26 environmental and physical beneficial services such as water, biodiversity,
27 energy, irrigation, social and cultural, among others to a specific area or
28 community and whose existing biophysical condition demands immediate

1 rehabilitation, protection and management to prevent its further denudation,
2 deterioration and exploitation.

3 (j) *Cultural heritage* refers to the totality of cultural properties whether
4 natural or man-made, preserved and developed through time, and passed on for
5 posterity.

6 (k) *Customary laws* refer to a body of written and/or unwritten rules,
7 usages, customs and practices traditionally and continually recognized,
8 accepted and observed by respective ICCs/IPs consistent with the IPRA.

9 (l) *Danger zones* refer to areas with high level of threat to the lives and
10 well-being of the people that cannot be addressed through scientific, physical
11 and engineering methods, and are not suitable for settlement and permanent
12 structures. Areas can only be declared as danger zones after conducting proper
13 technical studies and public consultations with the affected families.

14 (m) *Development plan* refers to a document that defines the activities
15 and measures that the national government or LGUs intend to implement over
16 a specified period of time in order to achieve the defined set of development
17 goals identified in the national or local physical framework plans. It integrates
18 socioeconomic, financial, fiscal, legal and legislative, institutional and sectoral
19 plans of the national government or any of its instrumentality or a particular
20 LGU, consistent with the objectives identified in spatial plans such as land use
21 plans or physical framework plans. It may include an analysis of problems and
22 resources, definition of goals and objectives, policy guidelines, project and
23 target achievements, and an implementation mechanism which defines the roles
24 and contributions expected from the government and the private sector.

25 (n) *Disaster-prone areas* or *geo-hazard areas* refer to areas frequented
26 by and/or vulnerable to experience weather, climatic, hydrologic, geologic and
27 other natural disturbances or calamities.

1 (o) *Disaster risk reduction* refers to the concept and practice of
2 reducing disaster risks through systematic efforts to analyze and manage the
3 causal factors of disasters, including reduced exposure to hazards, lessened
4 vulnerability of people and property, wise management of land and the
5 environment, and improved preparedness for adverse events.

6 (p) *Ecologically-fragile lands* refer to lands within critical watersheds,
7 brackish and freshwater wetlands, pasture lands, inland rivers and waterways,
8 coastal and settlement areas, and croplands which require rehabilitation,
9 protection and whose continued unsustainable use would result in physical
10 risks and threats to life and property, public health and safety, as well as
11 adversely affect the productivity of lowland agricultural areas and stability of
12 the upland system.

13 (q) *Ecotourism* refers to a form of sustainable tourism within a natural
14 and/or cultural heritage area where community participation, protection and
15 management of natural resources, culture and indigenous knowledge and
16 practices, environmental education and ethics, as well as economic benefits are
17 fostered and pursued for the enrichment of host community and satisfaction of
18 visitors.

19 (r) *Energy resource lands* refer to lands where naturally occurring or
20 indigenous energy resources exist in sufficient quantity and/or quality as to be
21 economically viable for exploration, development, production, utilization and
22 distribution purposes.

23 (s) *Energy resources* refer to surface or subsurface substances that
24 serve as energy sources. These are traditionally mineral fuel deposits such as
25 coal, petroleum, natural gas or renewable resources from geothermal, hydro
26 reservoirs, or nonconventional sources including ocean waves, solar, wind,
27 biomass and other similar resources which serve the same purpose.

1 (t) *Environmentally critical areas* refer to areas declared by law as:
2 (1) areas for natural parks, watershed reserves, wildlife preserves and
3 sanctuaries; (2) areas set aside for aesthetic and visual value; (3) areas that
4 constitute the habitat for any endangered or threatened species of indigenous
5 Philippine wildlife, both flora and fauna; (4) areas of unique historic,
6 archaeological or scientific interests; (5) areas that are traditionally occupied
7 by ICCs/IPs; (6) areas with critical slopes; (7) areas frequented and/or hard hit
8 by natural calamities such as, but not limited to, geologic hazards, floods,
9 typhoons and volcanic activities; (8) recharge areas of aquifers; (9) mangrove
10 areas; (10) coral reefs; (11) mossy and virgin forests; (12) rivers and
11 riverbanks; (13) swamp forests and marshlands; and (14) foreshore lands.

12 (u) *Exhausted mineral resources* refer to a situation where the mineral
13 resources in specific sites are no longer in sufficient quantity or quality to
14 justify additional expenditure for extraction or utilization.

15 (v) *Flood plain* refers to the portion of a river valley adjacent to a river
16 channel which is covered with water when the river overflows its banks at
17 flood stages and which usually consists of silt deposited by the stream.

18 (w) *Flood-prone areas* refer to low-lying areas usually adjacent to large
19 or active water bodies and therefore experience regular or seasonal inundation
20 as a result of changes in the mean water level of these bodies or because of
21 land reclamation and other artificial interference with the natural processes.

22 (x) *Food security* refers to the policy objective of meeting the food
23 availability, accessibility and affordability requirements of the present and
24 future generations of Filipinos in a sustainable manner, through local
25 production or importation in cases of shortage based on a micro-level situation,
26 or both, and taking into account the country's existing and potential resource
27 endowments and related production advantages, and consistent with the overall
28 national development objectives and policies.

1 (y) *Food self-sufficiency* refers to the policy objective of meeting the
2 food requirements through intensive local food production in a sustainable
3 manner based on the country's existing and potential resources and related
4 production advantages.

5 (z) *Forest* refers to an ecosystem or an assemblage of ecosystems
6 dominated by trees and other woody vegetation; a community of plants and
7 animals interacting with one another and its physical environment.

8 (aa) *Forestlands* refer to lands of the public domain which have been
9 inventoried, assessed and classified as public forest, permanent forest or forest
10 reserves and forest reservations.

11 (bb) *Forest Land Use Plan (FLUP)* refers to the allocation of
12 forestlands into their appropriate uses consistent with existing biophysical
13 conditions such as topography, soil type, land use, climate, water sources and
14 socioeconomic, cultural and political realities. Forest land use planning should
15 be able to delineate protection and production forests.

16 (cc) *Forest Land Subclassification* refers to the process of determining
17 the most appropriate and sustainable use of forestlands such as protection
18 forest, production forest, national parks, recreation areas, grazing/pasture and
19 other uses taking into account ecological, social and economic considerations.

20 (dd) *Foreshore land* refers to a string of land margining a body of
21 water, the part of a seashore between the low-water line usually at the seaward
22 margin of a low tide terrace and the upper limit of wave wash at high tide often
23 marked by a beach scarp or berm.

24 (ee) *Free, Prior and Informed Consent (FPIC)* means the consensus of
25 all members of the ICCs/IPs to be determined in accordance with their
26 respective customary laws and practices, free from any external manipulation,
27 interference and coercion, and obtained after fully disclosing the intent and

1 scope of the activity, in a language and process understandable to the
2 community.

3 (ff) *Geo-hazards* refer to nature and human-induced geological
4 processes that have potential to cause destruction and pose a threat or risk to a
5 person's life and property. These may include, but are not limited to, ground,
6 water and weather-related conditions, volcanic and earthquake-induced
7 hazards such as ground shaking, ground rupture, earthquake-induced
8 landslides, liquefaction and tsunami

9 (gg) *Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)*
10 refer to groups of people or homogenous societies identified by self-ascription
11 and ascription by others, who have continuously lived as an organized
12 community on communally bounded and defined territory, and who have,
13 under claims of ownership since time immemorial, occupied, possessed and
14 utilized such territories, sharing common bonds of language, customs,
15 traditions and other distinctive cultural traits, or who have, through resistance
16 to political, social and cultural inroads of colonization, nonindigenous religions
17 and cultures, became historically differentiated from the majority of Filipinos.
18 ICCs/IPs shall likewise include peoples who are regarded as indigenous on
19 account of their descent from the populations which inhabited the country,
20 at the time of conquest or colonization, or at the time of inroads of
21 nonindigenous religions and cultures, or the establishment of present State
22 boundaries, who retain some or all of their own social, economic, cultural and
23 political institutions, but who may have been displaced from their traditional
24 domains or who may have resettled outside their ancestral domains.

25 (hh) *Inland waters* refer to waters, which are not coastal and marine
26 waters, and not subject to acquisitive prescription consistent with the
27 provisions of Presidential Decree No. 1067 or the Water Code of the
28 Philippines.

1 (ii) *Integrated watershed management* refers to a planning strategy or
2 program for watershed areas that complement environmentally-sound soil and
3 water management practices with mechanisms for ensuring greater
4 responsibility, involvement or participation of individuals, groups,
5 communities and other stakeholders benefiting from these areas and
6 water-related infrastructure.

7 (jj) *Key biodiversity areas (KBAs)* represent the most important sites
8 for biodiversity conservation worldwide. These are places of international
9 importance for the conservation of biodiversity through protected areas and
10 other governance mechanisms. They are identified nationally using simple,
11 standard criteria, based on their importance in maintaining species populations.

12 (kk) *Land* refers to resources, both artificial and natural, found on the
13 surface, below and above the ground including inland waters and the air
14 therein.

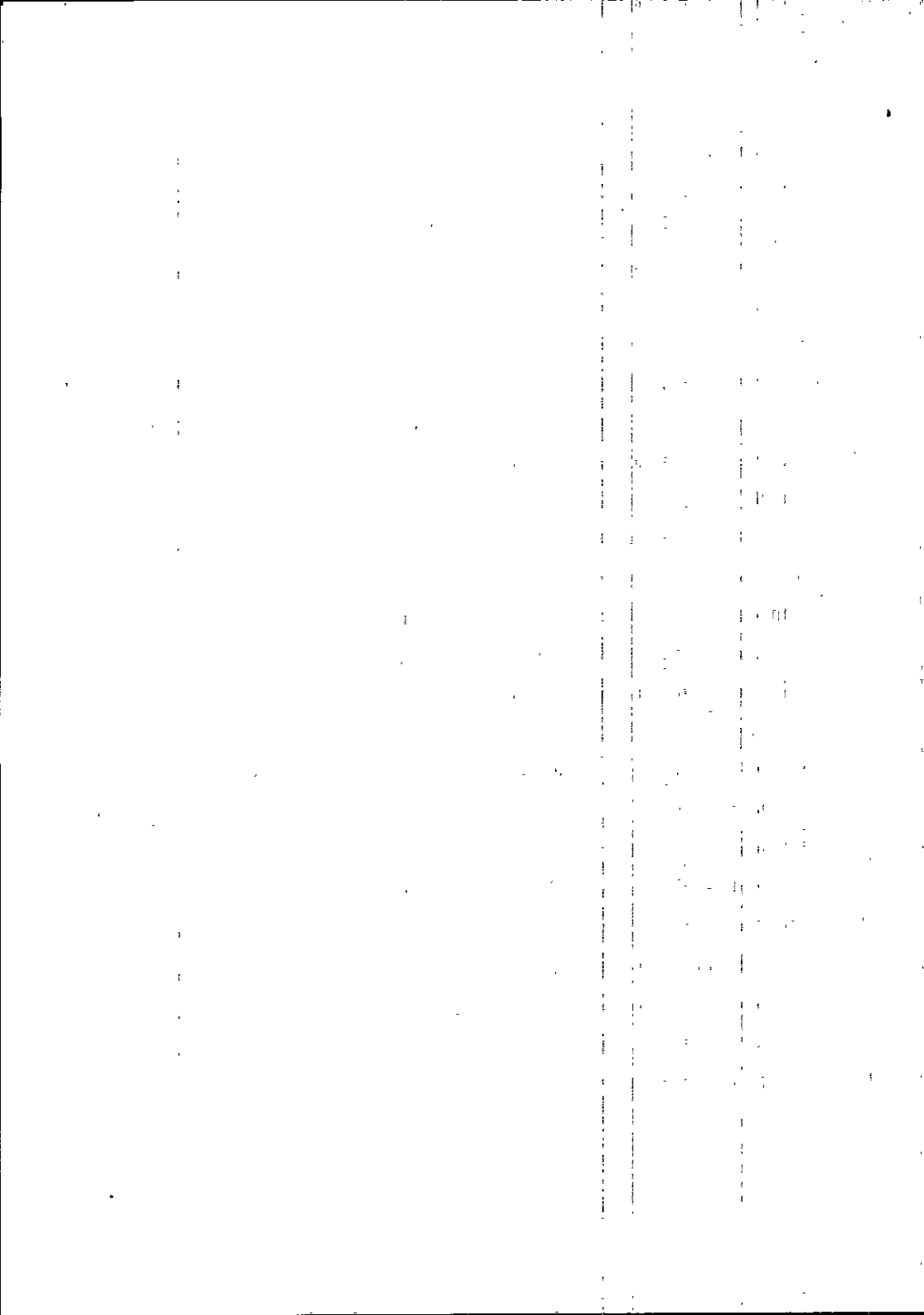
15 (ll) *Land subclassification* refers to the act of determining and
16 assigning specific uses of classified lands of the public domain, such as forest
17 or timber lands, alienable or disposable agricultural lands, national parks and
18 mineral lands in accordance with existing laws and this Act.

19 (mm) *Land use* refers to the manner of allocation, utilization,
20 management and development of land.

21 (nn) *Land use classification* refers to the act of delineating or allocating
22 lands according to protection land use, production land use, settlements
23 development and infrastructure development as defined and provided for in
24 this Act.

25 (oo) *Land Use Policy Council (LUPC)* refers to the administrative,
26 policy-making and regulatory body created under this Act.

27 (pp) *Mandatory public hearings/consultations* refer to the mechanism
28 to ensure the involvement of affected sectors and communities in land use



1 planning, from the barangay to the national level. To ensure the social
2 acceptability of the plans, it should involve giving notice of
3 hearing/consultation to affected sectors through publication or posting in
4 conspicuous places, conduct of a reasonable number of hearings, solicitation of
5 positions to arrive at a consensus. Public presentation and validation of the
6 planning results shall also be undertaken before the final adoption of the plans.

7 (qq) *Marine protected area (MPA)* refers to a defined area of the sea
8 established and set aside by law, administrative regulation or any other
9 effective means in order to conserve and protect a part of or the entire enclosed
10 environment, through the establishment of management guidelines. It includes
11 all declared areas governed by specific rules or guidelines in order to protect
12 and manage activities within the enclosed area.

13 (rr) *Mineral exploration* refers to the systematic searching or
14 prospecting for mineral resources including energy resources.

15 (ss) *Mineral lands* refer to lands of the public domain, excluding those
16 in permanent forestlands and protection lands, where mineral resources are
17 found in sufficient quantity and quality for extraction, development and
18 utilization.

19 (tt) *Multiple use of land resources* refer to the utilization or
20 management strategy for any land, which allows any activity, involving one or
21 more of its resources, depending on the result of prior evaluation on its
22 numerous beneficial uses that will produce the optimum benefits to the
23 development and progress of the country and the public welfare without
24 impairment or with the least injury to its other resources.

25 (uu) *Municipal waters* include not only streams, lakes, inland bodies of
26 water and tidal waters within the municipality which are not included within
27 the protected areas as defined under Republic Act No. 7586 or the National
28 Integrated Protected Areas System (NIPAS) Act of 1992, public forest, timber

1 (xx) *Network of Protected Areas for Agriculture and Agro-industrial*
2 *Development (NPAAAD)* refers to agricultural areas identified by the
3 Department of Agriculture (DA) through the Bureau of Soils and Water
4 Management (BSWM), in coordination with the National Mapping and
5 Resource Information Authority (NAMRIA) in order to ensure the efficient
6 utilization of land for agriculture and agro-industrial development and promote
7 sustainable growth. The NPAAAD covers all irrigated areas; all irrigable
8 lands already covered by irrigation projects; all alluvial plains; lands highly
9 suitable for agriculture whether irrigated or not; agro-industrial croplands or
10 lands planted to industrial crops that support the validity of existing
11 agricultural infrastructure and agro-based enterprises; highlands or areas
12 located at an elevation of five hundred (500) meters or above and have the
13 potential for growing semi-temperate and high value crops; all agricultural
14 lands that are ecologically fragile the conversion of which will result in serious
15 environmental degradation; and all mangrove areas and fish sanctuaries.

16 (yy) *Permanent forests or forest reserves* refer to lands of the public
17 domain which have been identified and determined to be needed for protection,
18 conservation, preservation and management as forests and shall be reserved,
19 conserved and protected into perpetuity for such purpose.

20 (zz) *Permanent forestlands* refer to forestlands, within public or
21 private lands, that have been identified, determined and demarcated on the
22 ground by the State to serve such purpose and shall be protected, conserved,
23 preserved, maintained and managed as forestlands free from any form of
24 utilization, exploitation or development, and reserved permanently as such for
25 the benefit and use of future generations.

26 (aaa) *Physical framework plans* refer to the national, regional or
27 provincial indicative plans that outline the overall and macro-level physical
28 development objectives, priorities, directions and strategies in its respective

1 levels as prepared, reviewed, integrated and finalized by the national, regional
2 and provincial land use councils/boards, respectively, based on the CLUPs of
3 the LGUs and the national policy guidelines relating to land use and
4 environmental management to prevent or mitigate the adverse effects of
5 inappropriate resource utilization on food security, the people's welfare and
6 their environment.

7 (bbb) *Premature or illegal conversion* refers to any activity that
8 modifies or alters the physical characteristics of agricultural lands to render
9 them suitable for nonagricultural purposes without an approved order of
10 conversion from the DAR Secretary.

11 (ccc) *Prime agricultural lands* refer to all contiguous irrigated areas
12 and irrigable lands already covered by irrigation projects; all alluvial plain
13 lands highly suitable for agriculture, whether irrigated or not, that have been
14 identified to satisfy the country's needs for food self-sufficiency and security;
15 agro-industrial croplands or lands presently planted and suitable to industrial
16 and high value crops; highlands or areas located at elevation of five hundred
17 (500) meters or above and have the potential for growing semi-temperature and
18 high value crops outside of declared permanent forestlands and protection
19 forests and not located in ecologically-fragile and environmentally-critical
20 areas.

21 (ddd) *Production forest* refers to forest land located in production lands
22 managed primarily for the production of timber and other tree products.

23 (eee) *Production land use* refers to the direct and indirect utilization of
24 land to generate outputs resulting from the following activities: agricultural,
25 fish farming or aquaculture, timber or agro-forestry, grazing and pasture,
26 mining, indigenous energy resource development, industry and tourism.

27 (fff) *Protected areas* refer to portions of land and water set aside by
28 reason of their unique physical and biological significance, managed to

1 enhance biological diversity and protected against human exploitation.
2 For purposes of this Act, these shall also include all natural forests and
3 agricultural lands identified and delineated under this Act.

4 (ggg) *Protection forests* refer to forests and forestlands, in both public
5 and private lands, that have been identified and determined by the State for the
6 beneficial use of present and future generations and shall be preserved,
7 conserved, protected and maintained as such free from any form of utilization,
8 exploitation or development.

9 (hhh) *Protection land use* refers to the use of land primarily reserved
10 for rehabilitation, conservation and protection purposes, and the promotion of
11 the country's ecological and life-support systems.

12 (iii) *Public domain* refers to lands belonging to the State which may
13 be classified as agricultural, forest or timber, mineral, or national park as
14 provided for in the Constitution.

15 (jjj) *Reclassification of agricultural lands* refer to the act of
16 specifying how agricultural lands shall be utilized for nonagricultural uses
17 such as residential, industrial or commercial through the local planning and
18 zoning processes pursuant to the Local Government Code of 1991 and subject
19 to the requirements and procedure for conversion. It is equivalent to land
20 subclassification as defined in this Act for classified lands of the public domain
21 and also includes the reversion of nonagricultural lands to agricultural use.

22 (kkk) *Resettlement sites* refer to areas identified by the appropriate
23 national agency or by the LGU, with respect to areas within its jurisdiction,
24 which shall be used for the relocation of the underprivileged and homeless, as
25 defined under Republic Act No. 7279 or the "Urban Development and Housing
26 Act (UDHA) of 1992".

27 (III) *Restoration* refers to returning forest land to its original forested
28 state in terms of species' composition, structure, function and productivity.

1 (mmm) *Restoration zones* refer to forest areas where activities are
2 conducted to restore its forested state.

3 (nnn) *River basin* refers to the horizontal projection of area from
4 which a river and its tributaries receive surface water originating from
5 precipitation.

6 (ooo) *Settlements* refer to communities or built-up environment areas
7 where people prefer to live in.

8 (ppp) *Settlements development* refers to any improvement on existing
9 settlements or any proposed development of certain areas for settlement
10 purposes. It also involves the spatial distribution of population, identification
11 of the roles and functions of key urban centers, determination of relationships
12 among settlement areas, and the provision of basic services and facilities of
13 identified major settlement areas or growth centers.

14 (qqq) *Shoreline* refers to a strip of land covering at least one (1)
15 kilometer from the point where seawater reaches during the highest high tide.

16 (rrr) *Socialized housing zones* refer to lands identified and designated
17 by the LGUs as sites for socialized housing pursuant to Article IV of the
18 UDHA and its implementing guidelines.

19 (sss) *Strategic Agriculture and Fisheries Development Zones*
20 (*SAFDZs*) refer to areas within the NPAAAD identified for production,
21 agro-processing and marketing activities to help develop and modernize, with
22 the support of the government, the agriculture and fisheries sectors in an
23 environmentally and socio-culturally sound manner.

24 (ttt) *Subclassification or reclassification of agricultural lands* refers
25 to the process undertaken by the LGUs of allocating declared agricultural lands
26 in their respective territorial jurisdictions to specific uses such as residential,
27 industrial or commercial purposes. It is only one of the bases for application
28 for land conversion by the owners thereof.

1 (uuu) *Sustainable development* refers to the development objective of
2 meeting the needs of the present generation without compromising the ability
3 of future generations to meet their own needs consistent with the principles of
4 social equity, efficiency and environmental integrity.

5 (vvv) *Sustainable traditional resource rights* refer to the rights of
6 ICCs/IPs to sustainably use, manage, protect and conserve: (1) land, air, water
7 and minerals; (2) plants, animals and other organisms; (3) collecting, fishing
8 and hunting grounds; (4) sacred sites; and (5) other areas of economic,
9 ceremonial and aesthetic value in accordance with their indigenous knowledge,
10 beliefs, systems and practices.

11 (www) *Tourism development areas* refer to specific sites for tourism
12 development located in areas identified as priorities in the national and
13 regional tourism master plans as well as those designated through legislative
14 and executive issuances as tourist spots and tourist zones which can be
15 developed into tourism estates or integrated resort, leisure, recreation
16 complexes and other tourism-related facilities.

17 (xxx) *Tourism ecozone* refers to tourism development areas, outside
18 protection lands, which have been granted Special Economic Zone status,
19 through the Philippine Export Zone Authority (PEZA) registration and
20 issuance of the required Presidential Proclamation, with its metes and bounds
21 delineated by said Proclamation, pursuant to Republic Act 7916 or "The
22 Special Economic Zone Act of 1995", as amended.

23 (yyy) *Tourism estates* refer to large tracts of land with well-defined
24 boundaries in any area, excluding those in protection lands, identified in the
25 Philippine tourism master plan and regional tourism master plan, by
26 proclamation of the President and/or by acts of Congress and/or by local
27 legislation and declared suited for the development of an integrated tourism

1 and resort complex with prescribed carrying capacities and limits for its
2 facilities and activities.

3 (zzz) *Tourist spot* refers to a particular area/site/spot, man-made or
4 natural, known for its unique tourist/visitor-drawing attributes and activities.
5 It may be classified according to its social, cultural, natural, historical,
6 aesthetic, visual, scientific, religious and recreational significance.

7 (aaaa) *Tourist zone* refers to a geographic area with well-defined
8 boundaries proclaimed as such by the President of the Philippines and/or by
9 acts of Congress. No development projects for any purpose shall be initiated
10 and introduced within the zone prior to the formulation of a tourism master
11 development plan which shall be undertaken in coordination with the
12 Department of Tourism (DOT) and the Philippine Tourism Authority (PTA).
13 A tourist zone is established for the enhancement and/or the conservation of
14 cultural and historical heritage and for the appreciation and enjoyment of the
15 local population and its visitors.

16 (bbbb) *Urban areas* refer to all cities regardless of their population
17 density and to municipalities with a population density of at least five hundred
18 (500) persons per square kilometer.

19 (cccc) *Urbanizable areas* refer to sites and lands which, considering
20 present characteristics and prevailing conditions, display marked and great
21 potential of becoming urban areas within a period of five (5) years.

22 (dddd) *Urban forestry* or *green space* refers to the establishment or
23 setting-up of areas for mini-forest, eco-parks or small nature parks, in both
24 public and private lands, wetlands, man-made lagoons and lakes systems,
25 riverbanks and shores, grasslands, roof and rock gardens, lining roads and
26 highways with trees, shrubs or ornamental plants, and ground landscaping of
27 schools, hospitals and other government agencies in order to improve the
28 environment in urban areas.

1 (eeee) *Water security* refers to the sufficient access throughout the year
2 to the minimum daily requirement of clean water to maintain a healthy life.

3 (ffff) *Water use* refers to the appropriation of water for domestic,
4 municipal, irrigation, power generation, inland fisheries, poultry and livestock,
5 industrial and commercial, environmental and recreational use.

6 (gggg) *Watershed* refers to a topographically delineated area of land
7 from which rainwater can drain as surface run-off *vis-a-vis* a specific stream or
8 river system to a common outlet point which may be a dam, irrigation system
9 or urban water supply take-off point, or where the stream discharges into a
10 river, lake or the sea.

11 (hhhh) *Zoning* refers to the regulatory tool for delineating the specific
12 land uses in accordance with the approved CLUP within the territorial
13 jurisdiction of a city/municipality and specifying the conditions for their
14 regulation, subject to the limitations imposed by law and competent authority.

15 (iiii) *Zoning ordinance* refers to a local law passed by the sangguniang
16 bayan or sangguniang panlungsod approving the development control/zoning
17 plan in accordance with an approved or adopted CLUP of the
18 city/municipality, and providing for the regulations and other conditions on the
19 land uses including the limitation on the infrastructure that may be placed
20 within the city's/municipality's territorial jurisdiction. It incorporates the
21 protected areas, protected agricultural lands and ancestral lands as provided for
22 in this Act.

23 CHAPTER II

24 FRAMEWORK FOR LAND USE PLANNING

25 SEC. 5. *Basic Land Use Considerations.* – Various land uses as
26 categorized in the succeeding section shall be determined in a manner that
27 promotes the policies and principles defined in Section 2 of this Act, and shall
28 consider the following elements therein, among others:

1 (a) Protection land use category as defined in Section 6 shall prevail
2 over existing production land use category. The State shall undertake the
3 necessary action in changing the classification of these production areas;

4 (b) Preservation, conservation, rehabilitation and protection to
5 perpetuity of permanent forestlands, critical watersheds, key biodiversity areas,
6 environmentally-critical and ecologically-fragile areas and prime agricultural
7 lands from any other land use, conversion, disposition, intrusion, utilization
8 and development aside from its determined use and limits;

9 (c) Protection of natural forests and natural resources, ensures
10 environmental stability, conserve biological diversity, improve ecosystem
11 functions and provide long-term ecological and economic benefits. Designated
12 restoration areas are designed to revive the ecosystem's functions and services
13 of forests as well as improve the economic and ecological benefits of local
14 communities;

15 (d) Protection of forest and wetlands from infrastructure development
16 to preserve the ecological services they provide which are essential to
17 economic development. These activities include, but not limited to, river
18 channelization and dredging, large scale irrigation and river diversions which
19 reduce riverine habitat and alters flood patterns and natural flow regimes,
20 reduce downstream water availability for agriculture and contribute to
21 salinization through saltwater intrusion in coastal areas;

22 (e) Resolution of land use conflicts which are life-threatening or
23 threatening to public safety, sustainability of key production resources or
24 employment activities and the delivery of basic services and are harmful or
25 destructive to protected areas, flora, fauna and other protected natural
26 resources. Greater consideration shall be given to the human and tenurial
27 rights of vulnerable groups in resolving land use conflicts;

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

7 (g) Respect for existing customary rights and traditional land uses of
8 ICCs/IPs;

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

12 (i) The availability of natural resources including indigenous energy
13 resources for energy security and self-sufficiency. However, infrastructure
14 energy projects such as dams with large reservoirs in natural ecosystems shall
15 not be allowed if it would interrupt the connectivity of river systems, disrupt
16 fish spawning and migration, and alter seasonal flood regimes.

17 SEC. 6. *Categories of Land Uses for Planning Purposes.* – In
18 determining and defining the national, regional and provincial framework plans
19 and CLUPs, land uses shall be grouped into four (4) major functional uses as
20 follows:

21 (a) Protection Land Use refers to the use of land primarily reserved
22 for rehabilitation, conservation and protection purposes and the promotion of
23 the country's ecological and life-support systems. Planning for protection land
24 use intends to achieve environmental stability and ecological integrity, ensure a
25 balance between resource use and the preservation of some areas with
26 environmental, aesthetic, educational, cultural and historical significance, aid
27 and protect people and human-made structures from the ill-effects of natural
28 hazards.

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

4 (1) Natural and restored forests, which consist of:

5 (i) All existing areas within forest land containing primary and
6 secondary forests of whatever types of species;

7 (ii) All existing areas within forest land containing secondary-growth
8 or residual forests of whatever types of species;

9 (iii) Areas identified as key biodiversity areas (KBAs);

10 (iv) Restoration areas;

11 (v) All mangrove forests;

12 (vi) All easement areas as defined by Presidential Decree No. 1067,
13 otherwise known as the "Water Code of the Philippines"; and

14 (vii) All other areas that would be deemed appropriate for protection,
15 as defined by the DENR, subject to the approval of the National Land Use
16 Policy Council (NLUPC) as described in Section 55 hereof.

17 (2) Rehabilitated and/or reforested, degraded mining areas;

18 (3) Critical ecosystems for protection, such as:

19 (i) Coral reefs;

20 (ii) Marshes and wetlands;

21 (iii) Lakes and rivers;

22 (iv) Caves; and

23 (v) Waterfalls.

24 (4) Disaster-prone areas that include areas subject to, or may be
25 subject to:

26 (i) Recurrent flooding;

27 (ii) Liquefaction;

28 (iii) Tsunamis;

- 1 (iv) Mass wasting;
2 (v) Volcanic eruption;
3 (vi) Direct impact of seismic activity; and
4 (vii) Other areas that pose a high degree of hazard to human occupation
5 and activity.

6 (5) Critical watershed areas;

7 (6) Marine protected areas;

8 (7) All prime agricultural lands as defined under this Act;

9 (8) Ecologically fragile and environmentally-critical areas whose
10 conversion will result to serious environmental problems and threats to public
11 health and safety;

12 (9) Natural and human-made areas/sites of cultural, historical and
13 anthropological significance, which are declared and recognized as such
14 internationally; and

15 (10) All other areas not included and declared as production areas shall
16 become protection areas.

17 (b) Production Land Use refers to the most efficient, sustainable and
18 equitable utilization, development and management of land for productive
19 purposes which are not classified for protection land use defined in this
20 section. Areas included in this category are agricultural lands, coastal and
21 marine zones, production forests, mineral lands, energy resource lands,
22 industrial and tourism development areas where productive activities could be
23 undertaken to meet the country's requirements for economic growth and
24 development. Production land use shall comprise of, but shall not be limited
25 to:

26 (1) Other agricultural lands not identified as prime agricultural lands.
27 They shall consist of, but shall not be limited to:

28 (i) Lands with soils are suitable for agricultural development;

1 (ii) All alluvial plain lands that are suitable for agricultural production
2 and/or can be devoted to food production;

3 (iii) All lands that are traditional sources of staple food;

4 (iv) All crop lands required to attain a certain scale of production to
5 sustain the economic viability of existing agro-based industries in the
6 municipality, city or province; and

7 (v) All lands in areas not highly prone to natural hazards that are
8 suitable for the production of tree crops and other cash crops.

9 (2) Coastal, inland water and marine zones such as fishponds;

10 (3) Production forests such as:

11 (i) All areas within forest land not classified as protection forests in
12 Section 6(a) and shall be devoted to the production of timber and/or non-forest
13 products or the establishment of industrial tree plantations, tree farms,
14 woodlots, agro-forestry or as multiple-use forests;

15 (ii) All areas within forestlands considered as rangelands for grazing
16 purposes; and

17 (iii) All areas within forestlands managed under the community-based
18 forest management in areas not classified as protection forests.

19 (4) Rangelands for grazing;

20 (5) Industrial development areas; and

21 (6) Tourism development areas, including potential small islands for
22 similar purposes.

23 (c) Settlements and Institutional Land Use refers to the use of urban
24 and rural lands for settlements development purposes and/or improvement on
25 existing settlements involving the spatial distribution of population,
26 identification of the roles and functions of key urban centers, determination of
27 relationships among settlement areas, and the provision of basic services and
28 facilities to such settlements.

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

5 (1) Effective integration of activities within and among settlements,
6 allowing efficient movement of people and production of commodities through
7 the provision of appropriate land, infrastructure and facilities; and

8 (2) Access of the population to housing, education, health care,
9 recreation, transportation and communication, sanitation, and basic utilities
10 such as water, power, waste disposal and other services.

11 (d) Infrastructure Land Use refers to the use of land dedicated to the
12 provision of basic services that foster economic and other forms of integration
13 necessary for producing or obtaining the material requirements of Filipinos, in
14 an efficient, responsive, safe and ecologically friendly built environment.
15 It includes among others subsectors like: road networks, transportation and
16 communication facilities, social services, environmental service facilities and
17 utilities.

18 *Provided*, That the determination of the functional uses of lands within
19 ancestral domains should be consistent with the land use categories provided
20 for in this Act: *Provided, further*, That other sub-categories of land uses in
21 delineated ancestral domains may be formulated by the concerned ICCs/IPs
22 themselves in accordance with their particular needs and traditional resource
23 and management systems.

24 SEC. 7. *Land Use Plans for Ancestral Domains.* – Land use plans of
25 ancestral domains shall be formulated by the ICCs/IPs themselves in
26 accordance with their particular needs and traditional resource and
27 management systems with the assistance of the NCIP, the LGUs and civil

1 society organizations (CSOs) concerned. Such plans shall be recognized and
2 adopted in the barangay, city/municipal, provincial, regional and national
3 physical framework plans.

4 Physical framework plans made prior to the delineation of ancestral
5 domains included in such plans or ordinances shall, without prejudice to the
6 rights of the ICCs/IPs concerned, adopt different land use categories in
7 accordance with their particular needs and traditional resource and
8 management systems.

9 In cases where there are no ADSDPPs, the LGU and the ICCs/IPs shall
10 jointly formulate the land use plan within the ancestral domain until such time
11 that the ICCs/IPs have formulated their ADSDPPs.

12 SEC. 8. *Adoption of Multiple Uses of Land.* -- The primary and
13 alternative uses of a specific land resource shall be determined and evaluated
14 by the respective local land use boards prior to any decision for the assignment
15 of its use. Areas feasible for sustainable land resource use may be considered
16 multiple-use zones wherein settlements, tourism, agriculture, agro-forestry and
17 extraction activities and other income-generating or livelihood activities may
18 be allowed except areas under protection land use.

19 *Provided,* That multiple uses of land resources shall be in accordance
20 with priorities in land use allocation identified in the approved physical
21 framework and land use plans wherein such multiple uses are compatible with
22 the original land use and planning, and that no reclassification shall be
23 allowed.

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

CHAPTER III

SPECIAL AREAS OF CONCERN

ARTICLE ONE

LAND CLASSIFICATION

SEC. 9. *Review of Land Classification.* – The NLUPC shall review and assess the current land classification system and definitions used in the country to ensure that it reflects the actual use of lands in the country.

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

SEC. 10. *Adoption of the Assessment Report.* – Upon validation and affirmation by local land use boards, the land classification assessment report submitted by the LMB shall be adopted by the NLUPC in the formulation of its *planning guidelines*.

ARTICLE TWO

NIPAS AREAS

SEC. 11. *Integrated Management Strategy.* – For more effective planning, management and protection of protected areas at the provincial and municipal/city levels, the Protected Area Management Plan (PAMP) referred to in the NIPAS Act shall be incorporated in the PFPF and CLUPs if applicable, wherein protected area zoning shall be reflected.

ARTICLE THREE

AGRICULTURAL LANDS

SEC. 12. *Priority Areas for Agricultural Development.* – Priority areas for agricultural development are the areas distributed under agrarian reform, areas that can be covered by the CARP and the NPAAAD. The mapping of the NPAAAD under the Agriculture and Fisheries Modernization

1 Act (AFMA) shall be completed not later than one (1) year from the effectivity
2 of this Act.

3 SEC. 13. *Conversion of Agricultural Lands.* – All lands considered
4 and identified as prime agricultural lands shall be maintained, managed and
5 protected for agricultural use and shall not be subjected to any form of
6 conversion or reclassification.

7 All other agricultural lands not identified as prime agricultural lands can
8 only be converted to nonagricultural uses upon issuance of a DAR conversion
9 order: *Provided,* That such conversion shall not drastically change the nature
10 of the overall land uses in the surrounding and adjacent areas from its existing
11 land use.

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

17 *Provided, further,* That pending the completion of mapping activities of
18 the specific areas under the NPAAAD and the SAFDZs under the AFMA and
19 their incorporation in the National Physical Framework Plan (NPPF), the
20 application for conversion of these areas shall not be given due course by the
21 DAR.

22 ARTICLE FOUR

23 ANCESTRAL DOMAIN

24 SEC. 14. *Priority Areas for Agricultural Development Within Ancestral*
25 *Domain.* – Agricultural lands within ancestral domain shall be developed in
26 accordance with their ADSDPP.

1 SEC. 15. *Respect for Ancestral Domains.* – The Ancestral Domain
 2 Management Plan (ADMP) or ADSDPP shall be adopted in the CLUP and/or
 3 other plans that the LGU is mandated to produce. The extent of the ancestral
 4 domains shall be reflected in the land use plan, where it will be zoned as such
 5 in the zoning ordinance and shall be co-managed by the LGU and IP
 6 community. Additionally, the ADSDPP shall be included in the investment
 7 plans of the LGU.

8 SEC. 16. *Ancestral Domain Policy Adoption.* – Ancestral domain
 9 policies shall be adopted in the LGU's land use policy framework. However,
 10 in the event that the ADMP/ADSDPP is still in the formulation stage or
 11 remains to be formulated, the right to self-determination and traditional
 12 resource and management systems and processes shall be upheld at all times as
 13 provided for by the IPRA of 1997.

14 ARTICLE FIVE

15 FOREST LANDS AND RESERVATION OF WATERSHED

16 SEC. 17. *Permanent Forestlands.* – All forestlands are classified as
 17 forest or timberlands. Titles, settlements, permits, leases, and/or agreements
 18 within critical habitats, critical watershed areas, protected areas and KBAs,
 19 shall be reviewed, and their legality be affirmed. All erroneous titles,
 20 settlements, permits, leases and/or agreements within permanent forestlands
 21 shall be cancelled or revoked in due course. Noncompliance with and
 22 violations of these instruments shall be grounds for their cancellation or
 23 revocation: *Provided*, That the applicable provisions of the IPRA of 1997
 24 shall be respected.

25 Upon recommendation by the LGU, or the Forest Board, the DENR
 26 Secretary shall revoke the abovementioned instruments.

1 SEC. 18. *Additional Areas to be Included as Permanent Forestlands.* –

2 The following lands are needed for environmental protection and forestry
3 purposes and shall not be classified as agricultural lands or for other land use:

4 (a) Isolated patches of forest, regardless of size and/or area, with rocky
5 terrain or which protect a spring water source for communal use;

6 (b) All mangroves and swamplands including twenty (20)-meter wide
7 strips facing oceans, lakes and other bodies of water not yet classified as
8 alienable and disposable lands;

9 (c) Ridge tops and plateaus regardless of size found within or
10 surrounded wholly or partially by forestlands where headwaters emanate;

11 (d) Twenty (20)-meter wide strips of land from the edge of the normal
12 high waterline of rivers and streams with channels of at least five (5) meters in
13 width which are not yet classified as alienable and disposable;

14 (e) Areas needed for public interest such as research or experimental
15 purposes; and

16 (f) Areas considered as environmentally critical because of their
17 vulnerability to damage from landslides, volcanic eruptions and other natural
18 causes.

19 SEC. 19. *Reversion of Alienable and Disposable Lands to Forestlands.*

20 – Upon the recommendation of the DENR Secretary, duly reviewed and
21 endorsed by the NLUPC, and after due consultations with the concerned LGUs
22 and the affected parties, Congress may authorize the reversion of alienable and
23 disposable lands of the public domain or portion thereof to forestlands.

24 SEC. 20. *Critical Watershed Areas.* – The DENR, in coordination
25 with the DA, the LGUs concerned and other government agencies, including
26 government-owned and -controlled corporations and after mandatory public
27 hearings/consultations, shall identify and delineate critical watershed areas that

1 need to be protected, rehabilitated, enhanced and/or withdrawn from uses that
2 contribute to their further degradation.

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

12 The DENR and the concerned LGUs shall jointly implement the
13 watershed management plan subject to regular consultations with and
14 involvement of the community and other stakeholders in the implementation of
15 the plan.

16 SEC. 22. *Establishment and Management of National Parks.* – All
17 areas proclaimed by the President and Congress to be under the NIPAS
18 pursuant to the NIPAS Act, unless disestablished, including those identified
19 initial components of the NIPAS as KBAs shall comprise the national parks
20 classification of the public domain. The DENR and the concerned LGUs shall
21 ensure that such areas are integrated in the CLUP and physical framework
22 plans: *Provided, however,* That the preparation of management plans of
23 protected areas/national parks shall be in accordance with the provisions of the
24 NIPAS Act and other laws establishing or declaring a specific area as
25 protection areas.

26 SEC. 23. *Establishment of Restoration Zones.* – Restoration areas
27 shall be designated in the management plan as such. Designation of restoration
28 zones is compulsory in all forest management plans.

ARTICLE SIX

COASTAL ZONES

1
2
3 SEC. 24. *Criteria for the Allocation and Utilization of Lands Within the*
4 *Coastal Zones.* – The allocation and utilization of lands within the coastal
5 zones shall be subject to the following guidelines:

6 (a) Areas vegetated with mangrove species shall be protected,
7 preserved and managed as mangrove forest land and shall not be converted to
8 other uses;

9 (b) Areas that meet all accepted criteria on elevation, soil type, soil
10 depthtopography, supply for successful fishpond development and are not
11 identified as mangrove protected areas, shall be utilized for aquaculture
12 purposes as long as a 4:1 ratio for mangroves and fishponds is maintained to
13 support ecological processes in mangrove ecosystems;

14 (c) Areas subclassified as mangrove and still suitable for use as such,
15 or due to environmental conditions need to be preserved as mangrove but are
16 devoid of mangrove stands, shall not be converted to other uses. The DENR
17 shall ensure that these lands shall be reforested within a given period of time;

18 (d) Areas accessible to the sea and identified for fisherfolk settlement
19 and housing, but are not part of, or are not within any protected land use areas
20 shall be allocated to traditional fisherfolk who are inhabitants of the coastal
21 communities and/or members of registered fisherfolk organizations and/or
22 holders of stewardship lease contracts or titles to ancestral domains or any
23 form of property right arrangements who participate in coastal resource
24 management initiatives, subject to the usual census procedures of the Housing
25 and Urban Development Coordinating Council (HUDCC). The State shall
26 endeavor to issue marine tenurial rights to organizations concerned based on a
27 criteria to be established by the NLUPC;

1 (e) Areas that are neither subclassified as mangrove, fisherfolk
2 settlement nor fishpond may be devoted to recreational or tourism purposes:
3 *Provided*, That such undertaking will not result in environmental degradation
4 and displacement of small fisherfolks;

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

7 (g) Areas which have been allocated for small infrastructure needed by
8 municipal fisherfolk shall be allowed, including areas for gears and boats, and
9 post-harvest facilities; and

10 (h) Areas which form part of foreshore lands as defined in this Act,
11 including those under lease agreements or arrangements shall undergo zoning
12 and evaluation so their boundaries, actual sizes and corresponding uses can be
13 determined while ensuring that mangrove protection or restoration zones are
14 considered to keep the required 4:1 ratio between mangroves and fishponds.

15 **SEC. 25. Coastal Land Zone Subclassification.** – All public lands in
16 the coastal zones shall be subclassified into any of the following: fishponds,
17 mangroves, protection from tidal surge for preservation of biodiversity,
18 habitats and sanctuaries for endangered wildlife, fisherfolk settlement or
19 recreational/tourism areas. No subclassification of coastal zones to different
20 uses shall be done without the following:

21 (a) Conduct of a comprehensive inventory and resource and
22 environmental assessment by the DENR with respective LGUs and accredited
23 nongovernment organizations/people's organizations (NGOs/POs) within their
24 jurisdiction. The result of such assessment along with a list of all existing
25 applications and expired Foreshore Lease Agreements shall be posted in three
26 (3) conspicuous places in the affected localities; and

1 (b) Prior consultation with local Fisheries and Aquatic Resource
2 Management Councils (FARMCs) formed under Republic Act No. 8550 or
3 “The Philippine Fisheries Code of 1998”.

4 SEC. 26. *Zoning of Coastal Areas.* – The LGUs, in coordination with
5 the DENR, the FARMCs, local fisherfolk organizations and other affected
6 sectors such as women and youth, shall conduct the Coastal Zoning Resource
7 Management Plan (CZRMP) which shall be incorporated in the CLUP.
8 Management zones defined in the CZRMP should be reflected in the CLUP
9 and the subsequent Zoning Ordinance (ZO).

10 SEC. 27. *Tourism and Recreation Zone.* – The designation of areas
11 for tourism and resorts near to or over fishery areas or ports thereof shall be
12 with the consent of the concerned LGUs and FARMCs, and subject to the
13 policies and guidelines set forth in this Act.

14 SEC. 28. *Protection of Waterways, Easements and Flood Plains.* –
15 Structures of any kind shall not be built in waterways and easements. Pursuant
16 to Presidential Decree No. 1067 or the Water Code of the Philippines, the
17 banks of rivers and streams and the shores of the seas and lakes throughout
18 their entire length and within a zone of three (3) meters in urban areas, twenty
19 (20) meters in agricultural areas and forty (40) meters in forest areas, along
20 their margins are subject to the easement of public use only in the interest of
21 recreation, navigation, floatage, fishing and salvage.

22 The protection of flood plains shall adopt a river basin management
23 approach, in order to come up with integrated flood mitigation interventions.
24 Development within flood plains and other flood-prone areas must be
25 controlled or, if allowed, must be so sited, constructed and serviced that life of
26 occupants are not put at risk and that disruptions during floods are minimized.
27 The identification and characterization of flood-prone areas and flood plains

1 shall be an integral part of the CLUP preparation. Through the CLUPs and
2 ZO, LGUs shall establish land use regulations to mitigate flood risks.

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

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

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

ARTICLE EIGHT

ENERGY RESOURCES

1
2
3 SEC. 34. *Guidelines for the Utilization and Allocation of Lands for*
4 *Energy Resource Exploration, Development, Production, Utilization and*
5 *Distribution Purposes.* – To ensure that the objectives of maintaining
6 ecological balance and maximizing the power potential from indigenous
7 energy resources in the most economically and environmentally-acceptable
8 means are realized, the allocation and utilization of lands shall be guided by
9 the following, consistent with existing regulations and laws on energy
10 resources;

11 (a) Indigenous energy resource exploration and development for the
12 purpose of creating a national energy resource inventory and data base as well
13 as an energy resource block map shall be allowed subject to the
14 implementation of the complementary watershed and other land management
15 plans;

16 (b) Indigenous energy resource exploration, development production,
17 utilization and distribution shall be subject to the appropriate requirements and
18 processes of the Philippine Environmental Impact Statement (EIS) system.
19 Each project shall secure an Environmental Compliance Certificate (ECC)
20 prior to project implementation to ensure that adequate and appropriate
21 environmental management measures and optimum methods for resource
22 access and recovery are used;

23 (c) Protected areas defined in Section 6 shall be closed to any kind of
24 energy resource development;

25 (d) Energy reservations or portions thereof which have become or have
26 been established to be non-economically viable to operate or are no longer
27 used for energy purposes shall be reclassified to other land uses, subject to
28 existing laws covering energy reservations; and

1 (e) Renewable energy shall be preferred over other energy resource.

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

10 ARTICLE NINE

11 SETTLEMENTS DEVELOPMENT

12 SEC. 36. *Towns, Cities and Settlements Development.* – The
13 development of towns, cities and settlements through the zoning ordinances of
14 cities and municipalities shall be guided by urban zoning standards designed to
15 maximize existing urban spaces.

16 SEC. 37. *Settlements Within Geo-hazard Areas and/or High*
17 *Risk/Danger Zones.* – Settlements within geo-hazard areas and/or high
18 risk/danger zones shall not be allowed. In cases where there are existing
19 settlements within geo-hazard areas and/or high risk/danger zones, the
20 concerned government agencies shall provide assistance to concerned LGUs
21 and settlers in instituting safety and corrective measures to address the
22 potential danger or risk.

23 SEC. 38. *Designation of Waste Disposal Site.* – Each city or
24 municipality shall identify, designate and allocate an area within its territorial
25 jurisdiction to serve as waste disposal site within one (1) year from the
26 effectivity of this Act. The LGUs, in coordination with the DENR or any other
27 competent authority, shall identify solid waste disposal sites in order to

1 fast-track the conduct of the Environmental Impact Assessment (EIA) study
2 and to facilitate the processing of the ECC. The site or area shall be identified
3 in the city's or municipality's CLUP. For this purpose, cities and
4 municipalities shall establish their solid waste management program.
5 Likewise, as provided under Section 33 of the Local Government Code of
6 1991, cities and municipalities may, through appropriate ordinances, bind
7 themselves towards the establishment of a common solid waste management
8 program.

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

14 SEC. 39. *Designation and Zoning of Socialized Housing Zones.* -
15 Each city or municipality in urban or urbanizable and rural areas shall
16 designate lands for socialized housing and resettlement areas for the immediate
17 and future needs of the underprivileged and homeless in their territory,
18 pursuant to existing laws and regulations.

19 The designated sites for socialized housing shall be located in
20 residential zones and shall be zoned as socialized housing zones that are
21 integrated in the city's or municipality's ZO, duly approved by the NLUPC,
22 pursuant to existing laws and regulations. Preference shall be given to lands
23 proximate to public transportation facilities which may include *inter alia*
24 railways and public terminals.

25 Fisherfolk settlements and housing in coastal municipalities shall be
26 zoned near the sea for easy access to their livelihood as provided under
27 Sections 24, 25 and 26 hereof.

1 The location of resettlement areas may either be on-site or off-site and
2 shall be within the city or municipality and shall consider accessibility of the
3 affected community to employment, economic activities and social services.

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

14 SEC. 40. *Zoning of Identified Sites for Socialized Housing.* -- The
15 identified sites for socialized housing shall be located in residential zones,
16 identified by the city's or municipality's ZO duly approved by the NLUPC.
17 However, for cities and municipalities where the identified sites are not within
18 the said residential zones, the location shall be within the priority sites and
19 conform with the suitability criteria as defined in Sections 6.3 and 6.4 of the
20 guidelines in HUDCC Resolution No. 521, Series of 1992, or as may be
21 defined in subsequent issuances. The identified sites shall be zoned as
22 socialized housing zones as defined herein.

23 The current ZO of the LGUs shall be reviewed and revised such that the
24 socialized housing component shall be integrated thereto.

25 SEC. 41. *Valuation of Lands for Socialized Housing.* -- Equitable land
26 valuation guidelines for socialized housing shall be set by the Department of
27 Finance (DOF) on the basis of the market value reflected in the zonal

1 valuation, or in its absence, on the latest real property tax declaration. For sites
2 already occupied by qualified beneficiaries under the UDHA, and sites
3 identified as socialized housing zones as defined in this Act, the DOF shall
4 factor into the valuation, the blighted status of the land as certified by the LGU
5 or the National Housing Authority (NHA).

6 SEC. 42. *Criteria for Settlement Sites.* – The following are the criteria
7 for identifying settlement areas:

8 (a) Within alienable and disposable lands but not in environmentally-
9 critical, geo-hazard or other protection areas;

10 (b) Along established urban growth directions;

11 (c) With provisions for or can be provided with basic services and
12 utilities;

13 (d) Within the zero to eight percent (0-8%) slope range; and

14 (e) Accessible from existing built-up areas and other employment
15 centers through existing or proposed roads and other transportation facilities.

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

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

ARTICLE TEN

INDUSTRIAL DEVELOPMENT AREAS/SITES

SEC. 45. *Criteria for Designating Industrial Development Areas.* -

The identification and establishment of industrial development areas shall conform to the provisions of the Special Economic Zone Act (SEZA) of 1995, the Comprehensive Agrarian Reform Law (CARL), the IPRA, the UDHA, the Fisheries Code and the AFMA, taking into consideration the following:

(a) Identified network of areas for agricultural development and protected agricultural areas pursuant to the AFMA;

(b) National policies on the regional dispersal of industries and agri-based industrial development;

(c) Identified growth areas and corridors in the National Development Plan;

(d) 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;

(6) Identified socialized housing zones; and

(7) 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 become an integral part of the land use plan and zoning ordinance of the city or municipality where these areas are located. The laws on CARP Extension with Reforms (CARPER), the IPRA, the UDHA, the Fisheries Code, the AFMA and the Local Government Code shall apply to all special economic zones and free ports.

ARTICLE ELEVEN

TOURISM DEVELOPMENT AREAS

1
2
3 SEC. 46. *Criteria for Designating Tourism Development Areas.* – The
4 identification, selection and development of tourism development areas and
5 tourism estates shall be done in consultation and coordination with the
6 concerned LGUs, national government agencies, the private sector and the
7 affected communities. Tourism development areas shall likewise include those
8 covered by legislative and executive issuances such as tourist spots, tourist
9 zones and tourism ecozones which can be developed into tourism estates or
10 integrated resort, leisure and recreation complexes and other tourism-related
11 facilities as well as those identified in the national, regional, and area-specific
12 tourism master plans and other sector plans, such as ecotourism
13 and agri-tourism sites: *Provided,* That such sites designated for tourism
14 development are outside of areas identified for protection land use. As much
15 as practicable, community-based tourism shall be the principal mode of tourist
16 spot operation. The laws on CARPER, IPRA, UDHA, Fisheries Code, AFMA,
17 Local Government Code and the National Ecotourism Strategy shall apply in
18 all tourist zones and tourist development areas.

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

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

1 The NHCP and the NM, in consultation with the NCCA and the
2 HLURB, shall designate heritage zones to protect the historical and cultural
3 integrity of a geographical area significant to national history.

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

8 ARTICLE TWELVE

9 INFRASTRUCTURE DEVELOPMENT

10 SEC. 48. *Allocation and Use of Land for Infrastructure Development.*

11 – Land, whether public or private, shall be allocated and utilized for priority
12 infrastructure projects that are supportive of national or local development
13 objectives. The National Economic and Development Authority (NEDA), in
14 consultation with the concerned national government agencies, the LGUs and
15 the private sector, shall identify and periodically review, update and/or revise
16 the list of priority infrastructure projects under an overall national strategic
17 infrastructure development plan subject to the provisions of this Act, the
18 AFMA and the IPRA: *Provided*, That such national strategic infrastructure
19 development plan shall be consistent and integrated in the objectives and
20 directions of the NPPF.

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

23 (a) Respond to immediate and vital requirements of the national and
24 regional economy with priority to improving production-market integration,
25 inter-nodal transport, conveyance and logistics linkages, rural infrastructure
26 and the development of the agriculture and fisheries sectors;

27 (b) Upgrade existing facilities to international public safety standards;

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

1 (d) Mitigate the destructive effects of natural disaster-causing
2 phenomena or those that shall serve as alternatives to existing infrastructures
3 found in natural hazard-prone areas.

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

10 *Provided, further*, That the proponent of the infrastructure project shall
11 follow the rules on just and humane eviction or demolition under Section 28 of
12 the UDHA as a last resort, notwithstanding the provisions of Republic Act
13 No. 8975, prohibiting lower courts from issuing temporary restraining orders,
14 preliminary injunctions or preliminary mandatory injunctions and that the
15 proponent shall follow provisions of the IPRA, particularly those pertaining to
16 the rights of ICCs/IPs in case of displacement.

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

20 SEC. 49. *Infrastructure Projects Within Geo-hazard Areas.* -
21 Construction of priority infrastructure projects within geo-hazard areas shall be
22 allowed; *Provided*, That mitigating and/or preventive measures are adopted
23 and implemented to address the potential adverse economic, socio-cultural and
24 environmental impacts that will emanate from these infrastructure projects,
25 subject to the findings and recommendations of a feasibility study/EIA in
26 accordance with Presidential Decree No. 1586 (EIS System) and Republic Act
27 No. 4846 or the Cultural Properties Preservation and Protection Act.

1 Existing projects that did not go through the process of an EIA and
2 which pose threats to the environment, or the integrity of historic,
3 archaeological, or scientifically significant areas, or impinge on critical
4 ecosystems, may be terminated immediately, or gradually phased-out
5 and relocated, or maintained up to their life span, subject, however,
6 to mitigating measures: *Provided*, That the rules on mandatory public
7 hearings/consultations and just and humane eviction or demolition shall also be
8 observed prior to the termination, gradual phase-out, or relocation of projects
9 that will necessarily involve dislocation or displacement of people in the area.

10 CHAPTER IV

11 PHYSICAL FRAMEWORK AND LAND USE PLAN

12 SEC. 50. *National Land Use Planning Process*. – The physical
13 framework and land use planning process shall be participatory, following a
14 combined bottom-up and top-down approach, with mandatory public
15 hearings/consultations conducted at all levels, and shall consider available and
16 updated multidisciplinary scientific information of land uses.

17 A set of national policy guidelines and standards for physical planning
18 shall be formulated by the NLUPC. These shall guide the preparation and
19 formulation of the national, regional and provincial physical framework plans
20 (NPPF/RPPF/PPFP) and city/municipal CLUPs.

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

24 The NPPF shall define the national strategy and objectives of the
25 country's urban, rural and regional development. It shall guide the rational
26 distribution of population, access to economic opportunities and social
27 services, sustainable utilization of resources and maintenance of environmental
28 integrity.

1 Furthermore, it shall consider the existing Regional Physical Framework
2 Plans (RPFs), Provincial Physical Framework Plans (PPFPs) and CLUPs of
3 the LGUs.

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

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

14 The period of coverage of the national, regional and provincial
15 framework plans and comprehensive municipal land use plans shall be for
16 thirty (30) years with regular review and updating every ten (10) years.

17 **SEC. 51. *National Physical Framework Plan (NPFP)*.** – The NPFP
18 shall guide the planning and management of the country's land and other
19 physical resources at the national and sub-national levels and indicate broad
20 spatial directions and policy guidelines on protection land use, production
21 land use, settlement development and infrastructure development. The NPFP
22 shall be the basis for adopting the land use and physical planning-related
23 guidelines, including zoning and other land use control standards that will
24 guide the formulation of the city/municipal ZOs.

25 The NLUPC, in consultation with concerned sectors and communities
26 shall update the NPFP after such period that the objectives and goals set by the
27 NPFP have been substantially achieved. It shall also formulate and issue the
28 appropriate planning guidelines and standards through which all physical

1 planning and land use and management of resources shall be reviewed,
2 prepared, formulated and monitored.

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

6 SEC. 52. *Regional Physical Framework Plan (RPFPP)*. – The RPFPP
7 shall provide broad spatial directions and policy guidelines on protection land
8 use, production land use, settlement development and infrastructure
9 development at the regional level and guide the formulation of the PPFPPs. The
10 RPFPP shall consider the existing PPFPPs and the CLUPs of the LGUs within the
11 territorial jurisdiction of the region.

12 The Regional Land Use Policy Council (RLUPC), created under Section
13 62 of this Act, shall formulate and periodically update the RPFPP based on the
14 guidelines issued by the NLUPC, in a manner consistent with and following the
15 objectives of the NPFPP. Likewise, the Medium-Term Regional Development
16 Plan (MTRDP) and the Medium-Term Regional Development Investment
17 Program (MTRDIP) shall be guided by and made consistent with the
18 objectives identified in the RPFPP.

19 SEC. 53. *Provincial Physical Framework Plan (PPFP)*. – The PPFP
20 shall determine the physical development of the entire provincial territory,
21 consolidate and harmonize the comprehensive land use plans of component
22 cities and municipalities, consistent with the RPFPP. It shall reflect the
23 indicative land use management and physical development direction of the
24 province.

25 Further, the PPFP shall serve as basis for other sectoral and
26 development plans related to land, natural resources and infrastructure
27 facilities, including the development plan of the province; reconciliation and
28 rationalization of land use proposals among component cities and

1 municipalities and with the higher level framework plan; guiding development
2 agencies and private developers, particularly those that undertake large-scale
3 projects; and providing a basis for resolving conflicts arising from the
4 implementation of land use plans and development projects involving two (2)
5 or more municipalities.

6 The PFPF shall serve as the basis for the preparation of the Provincial
7 Development Plan (PDP) and Provincial Development Investment Program
8 (PDIP). The PFPF, the PDP, the PDIP and/or the Provincial Physical
9 Framework and Development Plan (PFPFD) shall serve as the basis for the
10 formulation of sectoral action plans of national government agencies in the
11 province and all LGUs within its jurisdiction. The province may opt to prepare
12 their PDP alongside the preparation of PFPF and consolidate them into a
13 PFPFD: *Provided*, That PFPFD shall remain consistent with the PFPF:
14 *Provided, further*, That any review or changes in the PFPF shall coincide with
15 the overall review process of the NFPF.

16 The Provincial Land Use Planning and Management Board (PLUPMB),
17 created under this Act, shall ensure that the PFPF is consistent with the
18 national and regional planning framework and guidelines issued by the
19 NLUPC/RLUPC. The PFPF shall be presented to the Provincial Development
20 Council (PDC) for endorsement to the Sangguniang Panlalawigan, who shall
21 formally adopt and approve the PFPF. The approved PFPF shall be submitted
22 to the RLUPC for consolidation and integration into the RFPF.

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

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

10 The CLUP shall delineate actual boundaries on the ground within the
11 territorial jurisdiction, embody the desired land use patterns of the barangay,
12 city or municipality; translate and integrate sectoral plans; and provide
13 appropriate policies for each of the four (4) land use planning categories. The
14 spatial directions prescribed in the CLUP shall serve as the basis for the
15 preparation and formulation of the Comprehensive Development Plan (CDP)
16 and Local Development Investment Programs (LDIPs) of the LGUs.

17 Consistent with the national standards and guidelines prescribed
18 in Section 50 hereof, the cities and municipalities shall, in consultation with the
19 concerned sectors, prepare their respective CLUPs. The City/Municipal Land
20 Use Planning and Management Board (C/MLUPMB), created under this Act,
21 shall be responsible for the preparation and formulation of the CLUP and
22 ensure its consistency with the national and regional physical planning
23 guidelines and standards. Under the general supervision of the respective
24 C/MLUPMB, the City/Municipal Planning and Development
25 Coordinator/Office (C/MPDC/O) shall provide technical, secretariat and
26 administrative support in the preparation, consultation, integration and
27 formulation process of the respective CLUPs of each city or municipality.

1 The CLUPs shall be submitted by the city/municipal local development
2 councils (LDCs) for adoption and approval of the Sangguniang Bayan. The
3 approved CLUPs shall be submitted to the province for integration into the
4 PFPF.

5 CHAPTER V

6 IMPLEMENTING STRUCTURE AND MECHANISM

7 SEC. 55. *Creation of the National Land Use Policy Council (NLUPC).*

8 – The National Land Use Committee (NLUC) under the NEDA Board (NB) is
9 hereby converted into the NLUPC which shall exercise the powers and
10 responsibilities identified under this Act. It shall further assume the functions
11 of the NEDA Board-National Land Use Committee (NB-NLUC), which is
12 hereby abolished, and the powers and functions pertaining to land use
13 planning vested by law to the HLURB. The NLUPC shall act as the highest
14 policy-making body on land use and resolve land use policy conflicts between
15 or among agencies, branches or levels of the government. It shall integrate
16 efforts, monitor developments relating to land use and the evolution of
17 policies, and regulate and direct land use planning processes.

18 SEC. 56. *Composition of the NLUPC.* – The NLUPC shall be headed
19 by the Secretary of the NEDA as Chairperson. It shall choose a Vice
20 Chairperson from among the members of the Council, who shall assume the
21 functions of the Chairperson in case of absence. The NLUPC shall meet at
22 least once every quarter.

23 The members of the Council shall be the following:

24 (a) The Secretary of the Department of Agrarian Reform (DAR);

25 (b) The Secretary of the Department of Agriculture (DA);

26 (c) The Secretary of the Department of Environment and Natural
27 Resources (DENR);

1 (d) The Secretary of the Department of the Interior and Local
2 Government (DILG);

3 (e) The Chairperson of the National Commission on Indigenous
4 Peoples (NCIP);

5 (f) The Chairperson of the Housing and Urban Development
6 Coordinating Council (HUDCC);

7 (g) The President of the League of Cities of the Philippines (LCP);

8 (h) The President of the League of Municipalities of the Philippines
9 (LMP);

10 (i) Two (2) representatives each from four (4) basic sectors directly
11 involved in land use, namely: the urban poor, the peasants, the fisherfolk and
12 the indigenous peoples who shall be appointed by the respective National
13 Anti-Poverty Commission (NAPC) sectoral councils. Of the eight (8) sectoral
14 representatives, at least four (4) shall be women; and

15 (j) The Head of the NLUPC Secretariat, appointed by the Council,
16 shall be a nonvoting *ex officio* member.

17 Cabinet Secretaries who are members of the Council may designate their
18 duly authorized and permanent representatives whose ranks shall in no case be
19 lower than Undersecretary.

20 SEC. 57. *Powers and Functions of the NLUPC.* - The NLUPC shall
21 have the following powers and functions:

22 (a) Guide the determination and identification of the country's strategic
23 land use development and physical planning objectives, priorities and
24 direction, as well as recommend the adoption, passage or amendment of laws
25 to ensure that plans, programs, projects and activities, including local
26 government initiatives affecting land use are consistent with national
27 development objectives;

1 (b) Formulate the necessary national policy guidelines in the
2 preparation of the country's physical framework plans, including the setting of
3 limits/target key land uses needed for protection, production, settlements and
4 infrastructure for present and future needs;

5 (c) Ensure that policies, guidelines and standards on land use and
6 physical planning, including zoning, shall be followed by the RLUPC, local
7 land use boards and concerned national agencies;

8 (d) Consolidate, harmonize and integrate the RPPF, PFPF and CLUPs
9 and ensure their consistency with the NPPF;

10 (e) Ensure the consistency of other national development and sectoral
11 plans and programs, including the MTPDP and MTPIP, with the NPPF;

12 (f) Integrate and harmonize all laws and policies relevant to land use in
13 order to come up with a rational, cohesive and comprehensive national land
14 use framework and, if warranted, recommend to Congress the adoption,
15 passage or amendment of laws to ensure that sectoral plans, projects and
16 activities, including local government initiatives affecting land use are
17 consistent with national development objectives;

18 (g) Resolve policy conflicts on land uses between or among agencies,
19 branches or levels of government and unresolved land use policy conflicts at
20 the regional level;

21 (h) Call upon other government agencies for the proper implementation
22 of this Act; and

23 (i) Review the NPPF every ten (10) years.

24 SEC. 58. *NLUPC Secretariat.* – The existing unit of the NEDA in
25 charge of land use and physical planning coordination shall act as the NLUPC
26 Secretariat.

1 SEC. 59. *Functions of the NLUPC Secretariat.* – The Secretariat
2 shall have the following functions:

3 (a) Establish and manage an accurate, updated and publicly accessible
4 national land resource information and management system that shall integrate
5 and process information on land use and allocation generated by the various
6 national government agencies; define information requirements at various
7 levels; and standardize information inputs and outputs including scales and
8 symbols used in territorial and sectoral maps;

9 (b) Undertake the gathering of data and the conduct of studies
10 pertaining to land use planning including studies on the management of
11 identified uses and such other studies not undertaken by other government
12 agencies;

13 (c) Coordinate with and assist other government agencies and LGUs in
14 planning, developing and implementing their land use classification programs
15 and provide, to the extent possible, technical assistance and guidance;

16 (d) Monitor and coordinate the activities of concerned agencies and
17 entities of the government, as well as the LGUs, in the enforcement and
18 implementation of policies and regulations relating to land use and resource
19 management and development;

20 (e) Call on any department, bureau, office, agency or instrumentality of
21 the government and/or private entity and organizations for cooperation,
22 support and assistance in the performance of its functions;

23 (f) Assist the LGUs in the formation of land use policy boards at the
24 local levels, provide the necessary technical assistance and develop a long-term
25 capability-building program to enable them to undertake a participatory and
26 effective land use planning;

27 (g) Monitor and coordinate the gathering of data, the conduct of studies
28 and researches pertaining to land use planning including studies on the

1 management of identified land uses and such other studies undertaken by other
2 government agencies and entities;

3 (h) Ensure a multi-stakeholder participation in the development,
4 updating and sharing of a National Spatial Database Information and Mapping
5 System as a policy, planning and decision-making tool;

6 (i) Develop assessment tools on the existing CLUPs;

7 (j) Monitor the development and enforcement by agencies and
8 organizations of the various laws, guidelines, codes or technical standards
9 adopted with this Act; and

10 (k) Formulate a national institutional capability-building program for
11 land use and management to address the specific weaknesses of various
12 government agencies and LGUs based on the results of assessment studies and
13 needs.

14 CHAPTER VI

15 REGIONAL AND LOCAL LAND USE POLICY BODIES

16 SEC. 60. *Regional Land Use Policy Council (RLUPC)*. - At the
17 regional level, the RLUPC will be institutionalized, replicating the NLUPC
18 structure and composition. It shall be chaired by the NEDA Regional Director
19 and shall have the following functions:

20 (a) Adopt regional policies and guidelines which are consistent with
21 the national planning guidelines issued by the NLUPC in the preparation and
22 formulation of the respective provincial physical planning and comprehensive
23 land use plans of LGUs within its jurisdiction;

24 (b) Guide the provinces and highly-urbanized cities and independent
25 component cities in preparing and periodically updating their PDPFPs and
26 CLUPs, respectively, to ensure consistency with regional and national plans
27 and policies and to facilitate the integration of such plans to the regional plans;

1 (c) Prepare and periodically update the RPPF, taking into consideration
2 national polices and lower level plans;

3 (d) Review, prior to adoption by respective Sanggunians, the PPFs
4 and CLUPs of highly-urbanized and independent component cities to ensure
5 consistency with the RPPF and national policies set forth by the NLUPC;

6 (e) Decide and resolve policy conflicts on land use planning,
7 classification and allocation that may arise between or among regional line
8 agencies, provinces and cities/municipalities;

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

11 (g) Coordinate and monitor the land use activities of regional line
12 agencies and LGUs;

13 (h) Evaluate consistency of major programs and projects of regional
14 agencies and entities with the RPPF and their impact on land use and the
15 environment;

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

18 (j) Perform other related functions as may be directed by the NLUPC.

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

26 SEC. 61. *Provincial Land Use Planning and Management Board*
27 *(PLUPMB)*. – The PLUPMB is hereby created in all provinces under this Act
28 to oversee the preparation, integration, adoption and approval of the PPF and

1 shall ensure its consistency with approved national and regional planning
2 guidelines. The PLUPMB shall also be directly responsible for the effective
3 management and implementation of the approved PPFPP and ensure that any
4 existing and future development initiatives, programs and projects introduced
5 within its jurisdiction are consistent with and supportive of the land use
6 resource management and physical planning objectives, directions and
7 character identified in the approved PPFPP.

8 SEC. 62. *Powers and Responsibilities of the PLUPMB.* – The
9 following are the powers and responsibilities of the PLUPMB:

10 (a) Review and issue the necessary provincial planning guidelines
11 and/or implementing policies for the preparation and formulation of the
12 respective CLUPs of highly-urbanized cities/component cities/municipalities
13 within its jurisdiction as provided for by approved national and regional
14 planning policies and guidelines;

15 (b) Oversee the preparation, formulation, consolidation and integration
16 of the CLUPs of highly-urbanized cities/component cities/municipalities within
17 its jurisdiction into the PPFPP and ensure its consistency with the approved
18 National and Regional Planning Guidelines;

19 (c) Submit to the PDC the draft CLUP for its transmission to the
20 Sangguniang Panlalawigan and for the PDC to use it as reference for
21 consistency and complementation with other development plans;

22 (d) Review, monitor and assess the implementation and
23 operationalization of the approved CLUP and its consistency with physical
24 planning and land use management objectives and goals identified in the
25 CLUP;

26 (e) After an appropriate period of time or upon instruction and advice
27 by the NLUPC, conduct and initiate a progress review of the PPFPP and the
28 achievement of its stated objectives and goals and update the PPFPP;

1 (f) Decide and resolve policy conflicts on land use planning,
2 classification, and allocation that may arise between or among
3 cities/municipalities and facilitate the resolution of any unresolved land use
4 conflict, including political boundary conflicts at the city/municipal level;

5 (g) Advise the Sangguniang Panlalawigan on all matters pertaining to
6 land use and physical planning;

7 (h) Promote cooperation and sharing of resources between and among
8 component LGUs of the province or with neighboring LGUs to address
9 common land use and development issues including those related to
10 geo-physical hazards, watershed and river basin management, coastal and
11 marine waters, climate change impact and disaster risks; and

12 (i) Assist the Sangguniang Panlalawigan in reviewing the submitted
13 CLUPs of component cities/municipalities to ensure consistency with the
14 PPFPP.

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

19 SEC. 63. *Composition of the PLUPMB.* – The PLUPMB shall be
20 composed of the following thirteen (13) members to be selected based on the
21 rules to be formulated by the NLUPC as provided for in this Act:

22 (a) Provincial Planning and Development Coordinator (PPDC);

23 (b) Chairperson of the Sangguniang Panlalawigan Committee on
24 Environment and Natural Resources;

25 (c) Provincial Chapter President – League of Municipalities and/or
26 League of Cities;

27 (d) Provincial Agrarian Reform Officer (PARO);

28 (e) Provincial Environment and Natural Resources Officer (PENRO);

1 (f) Provincial Agricultural Officer (PAO);

2 (g) NCIP Provincial Officer;

3 (h) One (1) representative from the local business/private sector
4 association/chamber of commerce, who shall be appointed from among the
5 accredited organizations within their respective development councils;

6 (i) Four (4) representatives from the basic sector groups (the urban
7 poor, the fisherfolk, the farmers, the indigenous peoples): *Provided*, That at
8 least two (2) representatives shall be women: *Provided, further*, That the
9 representatives shall be appointed from among the accredited organizations
10 within their respective development councils; and

11 (j) Designated Board Chairperson to be chosen among the members.

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

22 Aside from the PPD/O, the PLUPMB may call upon other local and
23 national government offices and agencies such as the local Engineer, the
24 Assessor and the local field representatives of the DA, the DPWH, the DOTC,
25 the DOT, the DENR, the DAR, the DECS, the NCIP and other concerned
26 national agencies to assist the PLUPMB in the performance of its roles and
27 mandates.

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

7 SEC. 64. *City/Municipal Land Use Planning and Management Board*
8 *(C/MLUPMB)*. - A City/Municipal Land Use Planning and Management
9 Board or (C/MLUPMB) is hereby created under this Act in all municipalities
10 and cities, including highly-urbanized and component cities, to oversee the
11 preparation, integration, adoption and approval of their respective CLUPs and
12 shall ensure the consistency of such plans with approved national, regional and
13 provincial planning guidelines. The C/MLUPMB shall also be directly
14 responsible for the effective management and implementation of the approved
15 CLUP and for ensuring that any existing and future local policies, including
16 ZOs, development initiatives, programs and projects introduced within its
17 jurisdiction are consistent with and supportive of the land use resource
18 management and physical planning objectives, directions and character
19 identified by the approved CLUP.

20 SEC. 65. *Powers and Responsibilities of the C/MLUPMB*. - The
21 following are the powers and responsibilities of the C/MLUPMB:

22 (a) In coordination with the City/Municipal Planning and Development
23 Office/Coordinator, review and issue the necessary local planning guidelines
24 and/or implementing policies for the preparation and formulation of the
25 CLUPs within its jurisdiction as provided for by the approved national,
26 regional and provincial planning policies and guidelines;

27 (b) Ensure the input of the barangays within the jurisdiction of the
28 respective city/municipality on sectoral, temporal and spatial dimensions of the

1 plan and its consistency with the approved national, regional and provincial
2 planning guidelines;

3 (c) Review, monitor and assess the implementation and
4 operationalization of the approved CLUP and its consistency with the physical
5 planning and land use management objectives and goals identified in the
6 CLUP;

7 (d) Submit to the LDC the draft CLUP for its transmission to the
8 Sanggunian and for the LDC to use it as basis for consistency and
9 complementation with other development plans;

10 (e) Decide and resolve policy conflicts on land use planning,
11 classification, and allocation that may arise between or among barangays and
12 facilitate the resolution of any unresolved land use conflict, including boundary
13 conflicts involving barangays;

14 (f) Based on the CLUP, review and endorse for approval/disapproval
15 applications for locational clearances, building and zoning permits and/or other
16 planning-related requirement for any project, both private and public, that is
17 submitted to the LGU for issuance;

18 (g) Advise the Sangguniang Bayan on all matters pertaining to land use
19 and physical planning; and

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

25 SEC. 66. *Composition of the C/MLUPMB.* - The C/MLUPMB shall
26 be composed of the following twelve (12) members and shall be headed by a
27 Chairperson:

- 1 (a) City/Municipal Planning and Development Coordinator
2 (C/MPDC);
- 3 (b) Chairperson, SB Committee on Environment and Natural
4 Resources;
- 5 (c) President of the Association of Barangay Captains (ABC);
- 6 (d) Municipal Agrarian Reform Officer (MARO);
- 7 (e) LGU Environment and Natural Resources Officer (City/Municipal
8 ENRO);
- 9 (f) Municipal Agriculture Officer (MAO);
- 10 (g) One (1) representative from the local business/private sector
11 association/chamber of commerce, who shall be appointed from among the
12 accredited organizations within their respective development councils;
- 13 (h) Four (4) representatives from the basic sector groups (the urban
14 poor, the fisherfolk, the farmers and the indigenous peoples): *Provided*, That
15 at least two (2) representatives shall be women: *Provided, further*, That the
16 representatives shall be appointed from among the accredited organizations
17 within their respective development councils; and
- 18 (i) Designated Board Chairperson to be chosen among the members.

19 Except for *ex officio* members, the members of the C/MLUPMB shall
20 be appointed for a term of three (3) years, subject however to the elected office
21 held, government employment and/or official designation in the LGU, national
22 agency and/or local business/private sector association or basic sector group
23 representation in the Board. The NLUPC, within ninety (90) days from its
24 establishment, shall formulate the rules for the selection of the Chairperson and
25 members of the C/MLUPMB. The City/Municipal Planning and Development
26 Coordinator/Office (C/MPDC/O) shall provide technical secretariat and
27 administrative support and resources for the effective operation of the
28 C/MLUPMB.

1 consultations: *Provided*, That such processes and guidelines shall be prepared
2 and issued by the NLUPC within six (6) months from the effectivity of this
3 Act.

4 CHAPTER VIII

5 MAPPING AND DATA MANAGEMENT FOR LAND USE PLANNING

6 SEC. 69. *National Spatial Database Information and Mapping System*
7 (*NSDJIMS*). – Within six (6) months from the effectivity of this Act, a National
8 Spatial Database Information and Mapping Inter-Agency Mapping Support
9 System shall be created, with NAMRIA as the lead agency, under the
10 supervision and guidance of the NLUPC. The supporting agencies include the
11 BSWM, the Forest Management Bureau (FMB), the LMB, the Protected Areas
12 and Wildlife Bureau (PAWB), the MGB, the Philippine Institute of
13 Volcanology and Seismology (PHIVOLCS), the DAR, the DA, the NCIP, the
14 National Water Resources Board (NWRB), the DOE, the National Disaster
15 Risk Reduction and Management Council (NDRRMC) and other relevant
16 government agencies as may be determined by the NLUPC. The System shall
17 be responsible for creating a database for the production of base and decision
18 maps for all planning levels of standard scales and other indicators, based on
19 *the planning guidelines and standards approved by the NLUPC.*

20 SEC. 70. *Compiling of Datasets.* – All pertinent and updated data
21 from supporting agencies of the System shall be submitted to the NAMRIA for
22 compilation and integration into the national spatial database information and
23 mapping system.

24 SEC. 71. *Maps for Planning.* – Within one (1) year after the
25 NLUPC's approval of the guidelines and standards for planning at all levels,
26 the NAMRIA shall submit to the NLUPC all maps required for national,
27 provincial, cities and municipalities planning. The NLUPC shall forward these

1 maps to the respective PLUPMBs and C/MLUPMBs after it has reviewed and
2 approved them.

3 Pertinent maps to be produced by the NSDIMS shall include, among
4 others:

- 5 (a) Topographic Maps;
- 6 (b) Geologic Maps;
- 7 (c) Hydrologic Maps;
- 8 (d) Climate Maps;
- 9 (e) Soils Maps;
- 10 (f) Slope Maps;
- 11 (g) Mineral Resources Maps;
- 12 (h) Existing Land Use Maps;
- 13 (i) Land Suitability Maps for:
 - 14 (1) Settlements;
 - 15 (2) Agriculture;
 - 16 (3) Industrial areas; and
 - 17 (4) Others.
- 18 (j) Agricultural Maps:
 - 19 (1) Network of Protected Areas for Agricultural and Agro-industrial
20 Development;
 - 21 (2) Commodity Specific Development Guide Maps;
 - 22 (3) Land Limitation Maps;
 - 23 (4) Cropping System Zones Maps;
 - 24 (5) Hydro-ecological Conditions Map; and
 - 25 (6) Irrigation Systems Maps.
- 26 (k) Land Classification Maps;
- 27 (l) Municipal Waters Delineation Maps and MPAs;
- 28 (m) Geo-Hazards Maps;

- 1 (1) Flood Prone Areas;
- 2 (2) Hazard Zonation Maps for Volcanoes;
- 3 (3) Map of Fault Systems;
- 4 (4) Tsunami Prone Areas; and
- 5 (5) Erosion Prone Areas.
- 6 (n) Tourism Maps;
- 7 (o) Transportation Maps;
- 8 (p) Traffic Flow;
- 9 (q) Areas Served by:
 - 10 (1) Power;
 - 11 (2) Telecommunications; and
 - 12 (3) Water.
- 13 (r) Facilities:
 - 14 (1) Health;
 - 15 (2) Education; and
 - 16 (3) Power.
- 17 (s) Domestic Water Supply;
- 18 (t) Industrial Areas;
- 19 (u) Population Distribution;
- 20 (v) Ancestral Domains;
- 21 (w) NIPAS Areas;
- 22 (x) Areas Suitable for Urban Expansion;
- 23 (y) Watershed Areas;
- 24 (z) Forestlands:
 - 25 (1) Protection;
 - 26 (2) Production; and

1 (3) Restoration:

2 (i) Key Biodiversity Areas (KBAs); and

3 (ii) Marine Protected Areas.

4 SEC. 72. *Final Determination and Ground Delineation of the*
5 *Country's Permanent Forest Line.* – As mandated under the Constitution and
6 hereby provided for under this Act, the final determination and ground
7 delineation of the country's permanent forest line shall be completed within
8 one (1) year from the effectivity of this Act: *Provided,* That appropriations for
9 the fulfillment of this provision shall be included in the annual appropriations
10 of the DENR: *Provided, further,* That the complete report of the delineation of
11 the country's permanent forest line shall be submitted to the NLUPC for
12 appropriate integration in the country's strategic land use development plan
13 and policies.

14 SEC. 73. *Completion and Updating of Existing Cadastral Surveys.* –
15 The completion of incomplete cadastral surveys of LGUs and the updating of
16 existing surveys shall be given priority consideration and allocation of
17 resources in the implementation of this Act. The DENR shall include in its
18 annual appropriations the completion and updating of all incomplete and
19 existing cadastral surveys of all LGUs in the country: *Provided,* That such
20 surveys and maps shall be integrated into the national spatial database
21 information and mapping system.

22 In cases of ancestral domains, self-delineation by the ICCs/IPs of their
23 ancestral lands shall be employed to determine boundaries as provided for
24 under the IPRA.

25 SEC. 74. *Ground Delineation.* – For effective planning to take place
26 at the local level and for the easy enforcement of the ZO of each
27 city/municipality, land uses must be identifiable both on the map and on the
28 ground. A Joint Committee comprised of the LGU, as represented by its

1 M/CLUPMB, and of the national government agency concerned, to be assisted
2 by the C/MPDC, shall identify and delineate on the ground the land uses within
3 their jurisdiction. The following shall be given priority:

4 (a) Forestlands:

5 (1) Protection; and

6 (2) Production.

7 (b) Ancestral Domains;

8 (c) NIPAS Areas:

9 (1) Strict Protection Zone; and

10 (2) Multiple Use Zone.

11 (d) Watershed Areas:

12 (1) Critical; and

13 (2) Multiple-Use.

14 (e) Network of Protected Areas for Agricultural and Agro-industrial
15 Development (NPAAAD);

16 (f) Socialized Housing Sites and Settlement Expansion Areas;

17 (g) Extents of Environmentally Constrained Areas;

18 (h) Easement Areas; and

19 (i) Critical Coastal Areas:

20 (1) Mangroves; and

21 (2) Sea Grasses.

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

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

1 SEC. 75. *National Geo-hazard Mapping Program.* – Within thirty (30)
2 days from the effectivity of this Act, a nationwide geo-hazard mapping
3 program shall be initiated jointly thru the NLUPC by the PHIVOLCS, the
4 PAGASA, the NAMRIA, the MGB, and the DOE, in coordination with the
5 NDRRMC, the Regional Disaster Risk Reduction and Management Councils
6 (RDRRMCs), and other concerned government agencies. The program shall
7 include the generation of indicative geo-hazard zoning maps that will outline
8 areas in the Philippines which are prone to liquefaction, landslides, flooding,
9 lahar, ground rupturing, tsunami, river erosion, coastal erosion, sinkhole
10 collapse, earthquake, lava flow, pyroclastic flow, base surge and other natural
11 hazards.

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

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

22 SEC. 76. *Scope and Nature of Responsibilities of Other National*
23 *Government Agencies.* – All concerned national government agencies/bodies
24 shall periodically report to the NLUPC on the various activities and
25 accomplishments on land use. Likewise, they shall provide their respective
26 sectoral/development plans and provide technical and administrative support if
27 called upon by the NLUPC for the implementation of the provisions of this
28 Act.

1 SEC. 81. *Priority in Giving Technical Assistance to LGUs.* – In
2 providing technical assistance and other forms of support related to land use
3 management and implementation of development plans, national government
4 agencies shall give priority to cities and municipalities with approved CLUPs
5 and ZOs.

6 ARTICLE TWO

7 SANCTIONS AND PENALTIES

8 SEC. 82. *Fine for Failure to Commence or Complete the Development*
9 *of Agricultural Lands with Approved Conversion Order.* – For agricultural
10 lands with approved conversion orders, the provisions of Republic Act
11 No. 6657 (CARL), as amended by Republic Act No. 9700, shall apply. The
12 landowner and/or the designated developer or duly authorized representative
13 who or which fail/s to commence and/or complete the development plan
14 defined in the conversion order shall be jointly and severally penalized. The
15 following fines based on the zonal value of the land at the time the fine shall be
16 imposed:

17 (a) Failure to commence within one (1) year from the date of the
18 conversion order:

- 19 (1) Six percent (6%) for the first three (3) hectares;
20 (2) Fifteen percent (15%) for the next three (3) hectares; and
21 (3) Thirty percent (30%) for the remaining area.

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

26 (b) Failure to complete sixty percent (60%) of the approved conversion
27 plan within a specified time frame shall result to the automatic revocation by
28 the DAR of the conversion plan on the undeveloped portion. The land shall

1 be reverted to its original use as agricultural land and shall be covered under
2 the CARP for land distribution.

3 SEC. 83. *Persons Abetting Illegal Conversion.* - Any person
4 initiating, causing, inducing or abetting illegal conversion shall be punished
5 with imprisonment from six (6) to twelve (12) years or a fine of not less than
6 One hundred thousand pesos (P100,000.00), or both, at the discretion of the
7 court.

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

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

20 SEC. 84. *Penalty for Reclassification of Protected Agricultural Lands*
21 *and Exceeding the Limit of Areas Allowed for Reclassification.* - Any person
22 initiating, causing, inducing or abetting the reclassification to nonagricultural
23 uses of protected agricultural areas as defined in Section 13 hereof shall be
24 penalized with imprisonment of twelve (12) years or a fine of not less than One
25 hundred thousand pesos (P100,000.00), or both, at the discretion of the court.

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

1 entitlements accruing to the public position, and perpetual disqualification to
2 run or apply for any elective or appointive public position.

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

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

9 SEC. 85. *Payment of Disturbance Compensation.* - Following the
10 order of priority stated in Section 22 of Republic Act. No. 6657, as amended
11 by Republic Act No. 9700, agricultural lessees and share tenants, regular farm
12 workers, seasonal farm workers, other farm workers, actual tillers or occupants
13 of public lands, collective or cooperative of the above beneficiaries, and others
14 directly working on the land affected by agricultural land use conversion, shall
15 be entitled to the payment of disturbance compensation equivalent to five (5)
16 times the average of the gross harvests on the landholding during the preceding
17 five (5) calendar years or a certain percentage of the converted land, whichever
18 is higher, as determined by the DAR.

19 SEC. 86. *Authority to Impose Fine.* - The DAR shall have the
20 authority to impose the penalty provided under the preceding section.

21 SEC. 87. *Withdrawal of Local Development Permits and/or Licenses.*
22 - Upon receipt of notice from the DAR, the concerned agencies, city or
23 municipality shall withdraw and/or revoke any development permit and/or
24 other licenses that may be necessary to develop the agricultural land subject of
25 conversion.

26 SEC. 88. *Utilization of Fines.* - The fines collected under Section 84
27 hereof shall automatically accrue to the Agrarian Reform Fund consistent with
28 the provision of the CARL.

1 SEC. 89. *Failure to Formulate, Implement and/or Enforce the CLUPs*
2 *and Zoning Ordinances (ZOs).* – Consistent with due process, the NLUPC, in
3 coordination with the DILG, shall investigate, review and recommend the
4 filing of charges against local chief executives and other local officials and
5 *employees responsible for the formulation, implementation and/or enforcement*
6 *of the CLUPs in the following cases:*

7 (a) Failure of the CLUPs/ZOs to conform to the guidelines provided in
8 the NFPF;

9 (b) Failure to complete the preparation of the CLUP despite the
10 availability of funds, resources and support by the Sanggunian concerned;

11 (c) Failure to provide appropriate budgetary allocation to effect its
12 implementation; and

13 (d) *Failure to implement and enforce the CLUP/ZO due to negligence*
14 *of duty.*

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

19 (a) Three (3) to six (6) months, in case of noncompletion of the CLUP;
20 or

21 (b) Three (3) to six (6) months, in case of nonconformity with the
22 NFPF; or

23 (c) Six (6) to nine (9) months, in case of nonimplementation of the
24 CLUP.

25 Failure to comply with the provisions of the IPRA in the formulation of
26 the CLUP shall be penalized according to Section 72 of the IPRA.

1 SEC. 90. *Illegal Conversion of City or Municipal Parks, Communal*
2 *Forests and Tree Parks in Subdivisions.* – Penalties in the amount of One
3 hundred thousand pesos (P100,000.00) to Five hundred thousand pesos
4 (P500,000.00), or imprisonment of six (6) years and one (1) day to twelve (12)
5 years, or both, at the discretion of the court shall be imposed for each of the
6 following offenses:

7 (a) Converting or causing the conversion of a city/municipal park,
8 communal forest or tree parks within subdivisions established pursuant to
9 Presidential Decree No. 953, requiring the planting of trees in certain places,
10 into other uses including the construction of permanent buildings;

11 (b) Destroying or causing damage to the timberlands and other forest
12 products found in the abovementioned forest and parks;

13 (c) Setting the abovementioned forest and parks on fire, or negligently
14 permitting a fire to be set therein; and

15 (d) Assisting, aiding or abetting another person to commit the offenses
16 stated in this section.

17 The offender shall likewise be imposed a fine equivalent to eight (8)
18 times the commercial value of the forest products destroyed without prejudice
19 to payment of the full cost of rehabilitation of the areas as determined by the
20 DENR.

21 The maximum penalty prescribed shall be imposed upon the offender
22 who repeats the same offense, and double the maximum penalty upon the
23 offender who commits the same offense for the third time or more.

24 All improvements made therein, as well as all vehicles, domestic
25 animals and equipment of any kind used in the commission of the offense shall
26 be forfeited in favor of the government.

1 If not suitable for use by the DENR, said improvements, vehicles,
2 domestic animals and equipment shall be sold at public auction and the
3 proceeds from which shall accrue to the Forest Conservation and Development
4 Fund (FCDF).

5 CHAPTER XI

6 TRANSITORY AND FINAL PROVISIONS

7 SEC. 91. *Mandatory Review Every Ten (10) Years.* – Congress shall
8 undertake a mandatory review of this Act at least once every ten (10) years
9 from its effectivity or as often as it may be deemed necessary to ensure that
10 land use policies and guidelines remain responsive to changing circumstances.

11 For this purpose, Congress may call on to the NLUPC to undertake the
12 necessary researches and consultations.

13 SEC. 92. *Convening of the NLUPC.* – Within thirty (30) days from
14 the effectivity of this Act, the Chairperson shall convene the NLUPC. The
15 head of the NLUPC Secretariat shall immediately assume his/her position.

16 SEC. 93. *Implementing Rules and Regulations (IRR).* – Within ninety
17 (90) days from the effectivity of this Act, the NLUPC shall promulgate its IRR
18 including the rules on the selection of the members of the C/MLUPMB and the
19 PLUPMB. It shall take effect upon its publication in the *Official Gazette* or in
20 at least two (2) newspapers of national circulation.

21 SEC. 94. *Congressional Oversight Committee on the Land Use Act.* –
22 A Congressional Oversight Committee shall be created. It shall be composed
23 of seven (7) members from the Senate and seven (7) members from the House
24 of Representatives. The members from the Senate shall be appointed by the
25 Senate President based on proportional representation of the parties or
26 coalitions therein with at least two (2) Senators representing the minority.
27 The members from the House of Representatives shall be appointed by the

1 Speaker of the House of Representatives also based on proportional
2 representation of the parties or coalitions therein with at least two (2) members
3 representing the minority.

4 The Congressional Oversight Committee shall function for a period of
5 not more than three (3) years to oversee the implementation of this Act.
6 The secretariat of the Congressional Oversight Committee shall be drawn from
7 the existing secretariat personnel of the committees comprising the oversight.
8 The funding for the committee shall be taken from the appropriations of both
9 the House of Representatives and the Senate.

10 SEC. 95. *Transfer of Powers and Functions.* - The functions of the
11 HLURB on land use planning as provided for under Sections 5a, 5b, 5c, 5d, 5e
12 and 5f of Executive Order No. 648, Series of 1991 and Executive Order No.
13 72, Series of 1993, shall be immediately transferred to the NLUPC and its
14 appropriate sub-national/LGU structures.

15 SEC. 96. *Appropriations.* - The amount needed for the initial
16 implementation of this Act shall be charged against the current year's
17 appropriations of the NEDA Board-National Land Use Committee
18 (NB-NLUC). Thereafter, such sums as may be necessary for the continued
19 implementation of this Act shall be included in the annual General
20 Appropriations Act.

21 SEC. 97. *Review of Existing Land Use Plans.* - Provinces, cities and
22 municipalities with existing land use plans shall review, revise, reconcile and
23 harmonize the same with the guidelines and standards issued by the NLUPC
24 within one (1) year from the effectivity of this Act.

25 SEC. 98. *Access to Information.* - Access to records and documents
26 pertaining to official acts, transactions or decisions as well as to data used as
27 basis for policy development by the NLUPC shall be made available to the
28 public.

1 SEC. 99. *Repealing Clause.* – Section 10 of the AFMA and Sections
2 447(a2vii) and 458(a2viii) of the Local Government Code and their related
3 laws and administrative issuances are hereby modified by Section 13 hereof.
4 The pertinent provisions of Executive Order No. 72, Series of 1993, are also
5 modified accordingly. Section 11 of the AFMA as to the penalty for
6 agricultural inactivity and premature conversion is also modified by Section 83
7 hereof. Letter of Instruction No. 1350, Series of 1983, Presidential
8 Proclamation No. 2282, Series of 1983, and all other general and special laws,
9 acts, decrees, executive orders, proclamations and administrative regulation, or
10 any part thereof which are inconsistent with this Act are hereby repealed or
11 modified accordingly.

12 All republic acts, executive orders, rules and regulations, and other
13 issuances or parts thereof that are inconsistent with the provisions of this Act
14 are hereby repealed or amended accordingly.

15 SEC. 100. *Non-impairment Clause.* – Nothing in this Act shall be
16 construed as to diminish, impair rights recognized, granted, or available to
17 marginalized or the basic sectors under existing laws including, but not limited
18 to, Republic Acts Numbered 7279 and 6657 as amended by Republic Acts
19 Numbered 9700, 8371, 8550 and 7942.

20 SEC. 101. *Separability Clause.* – If, for any reason, any section or
21 provision of this Act is declared unconstitutional or invalid, the other sections
22 or provisions not affected thereby shall remain in full force and effect.

23 SEC. 102. *Effectivity Clause.* – This Act shall take effect fifteen (15)
24 days after its publication in the *Official Gazette* or in at least two (2) national
25 newspapers of general circulation.

Approved,