



MEMORANDUM

FOR : **The Directors**
Policy and Planning Service
Legal Affairs Service
Climate Change Service

The Bureau Directors
Land Management Bureau
Forest Management Bureau
Environmental Management Bureau

The Officer-in-Charge
Mines and Geo-sciences Bureau

The Administrator
National Mapping and Resource Information Authority

FROM : **The Director**
Legislative Liaison Office

SUBJECT : **REQUEST FOR COMMENTS ON THE EXECUTIVE DRAFT OF
THE NATIONAL LAND USE ACT FROM THE PRESIDENTIAL
LEGISLATIVE LIAISON OFFICE**

DATE : 3 March 2023

The Presidential Legislative Liaison Office will conduct a Core Group discussion on the proposed National Land Use Act (NaLUA) on 08 March 2023, Wednesday, 8:00 a.m. - 12:00 p.m. at Luxent Hotel, Quezon City. They are requesting the participation of a Senior Official from the Department to attend.

In this regard, may we request your comments on the **attached updated draft executive version of the NaLUA Bill**, in preparation for the upcoming Core Group discussion. Kindly send your comments via email at denrlo@denr.gov.ph on or before 7 March 2023, 5 PM.

For information and action, please.


ROMIROSE B. PADIN

cc: Undersecretary for Special Concerns and Legislative Affairs



Republic of the Philippines
Office of the President
PRESIDENTIAL LEGISLATIVE LIAISON OFFICE

MEMORANDUM

FROM : **SEC. MARK LLANDRO L. MENDOZA**
Presidential Adviser on Legislative Affairs and Head, PLLO

FOR : **The Secretary of Environment and National Resources**
The Secretary of Agrarian Reform
The Secretary of the National Economic and Development Authority
The Secretary of Human Settlements and Urban Development
The Officer-in-Charge and Senior Undersecretary, Department of Agriculture

SUBJECT : **CORE GROUP DISCUSSION ON THE NATIONAL LAND USE ACT (NALUA)**

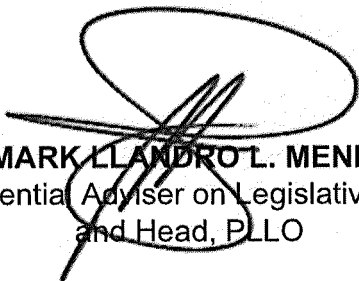
DATE : 01 March 2023

I have the honor to inform the esteemed Secretaries that PLLO will conduct a **Core Group discussion on the proposed National Land Use Act (NaLUA)** on **08 March 2023, Wednesday, 8:00 a.m. - 12:00 p.m.** at **Luxent Hotel, Quezon City.**

I have the further honor to request the participation of a **Senior Official** from your respective Departments to ensure the quality and depth of discussion of the issues surrounding the NaLUA and to consolidate the Common Executive Draft of the proposed legislative measure. Attached for your reference, is the proposed draft of the NaLUA.

I have the final honor to request the confirmation of attendance of your Department's respective Senior Official through **Mr. Jay Pascual** or **Ms. Vermillon Soria** at phone numbers **(+63) 920 938 1729 / (+63) 905 539 7105** or email **jpascual@pllo.gov.ph / vsoria@pllo.gov.ph.**

Please accept the assurances of my highest consideration.


Sec. MARK LLANDRO L. MENDOZA
Presidential Adviser on Legislative Affairs
and Head, PLLO



Nineteenth Congress
First Regular Session

HOUSE BILL NO. _____

Introduced by Representative

AN ACT

**INSTITUTING A NATIONAL LAND USE POLICY, PROVIDING THE
IMPLEMENTING MECHANISMS AND APPROPRIATING FUNDS
THEREFOR**

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

CHAPTER I

INTRODUCTORY PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the “*National
Land Use Act*”.

SEC. 2. *Declaration of Principles and Policies.* – All lands of the public
domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of
potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other
natural resources are owned by the State. With the exception of agricultural
lands, all other natural resources shall not be alienated.

Pursuant to the constitutional provision or mandate, it is the policy of the
State to provide for a rational, holistic, and just allocation, utilization,

1 management, and development of the country's land to ensure their optimum
2 use, consistent with the principle of sustainable development.

3 The State recognizes the need for rational, optimal and sustainable
4 settlements development, consistent with the principles of environmental
5 management and equitable access to land and security.

6 Toward this end, the State institutionalizes land use and physical planning
7 as mechanisms for identifying, determining, and evaluating appropriate land use
8 and allocation patterns that promote and ensure:

9 (a) Sustainable management and utilization of natural resources;

10 (b) Maintenance and preservation of environmental integrity and
11 stability specifically the perpetual protection of permanent forests and
12 watershed for the attainment of food, water and energy sufficiency;

13 (c) Disaster risk-reduction and climate change resiliency;

14 (d) Protection of prime agricultural lands for food security in basic
15 commodities with emphasis on self-sufficiency in rice and corn;

16 (e) Water security through sustainable development and management
17 of water resources towards water security;

18 (f) Settlements, transportation and infrastructure development in
19 support of urban, rural and regional development and inclusive growth;

20 (g) Harmony between the rights and the varied interests of every
21 Filipino within the framework of people empowerment, decentralization, social
22 justice, and equity;

1 (h) Respect for and protection of the sustainable traditional resource
2 rights of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)
3 to their ancestral domains to ensure their economic, social, and cultural well-
4 being as well as recognition of the applicability of customary laws and
5 sustainable traditional resource use and management, knowledge, and practices
6 in ancestral domains in compliance with free and prior informed consent of
7 ICC/IPs;

8 (i) Protection of the rights of basic sectors to equitable access to the
9 country's land;

10 (j) Protection, preservation, and development of the Filipino
11 historical, cultural and built cultural heritage and resources for the deeper
12 understanding of our history and culture as a people;

13 (k) Attainment of energy security and self-sufficiency; and

14 (l) Market orientation where the interplay of market forces and fair
15 trade within the framework of ecological development and equity consideration
16 is encouraged and adopted as the basic parameter in achieving efficiency in land
17 use and allocation.

18 It is also the policy of the State to ensure that local government units
19 (LGUs) share with the national government the responsibility of managing and
20 maintaining ecological balance within their territorial jurisdiction as stated in
21 the 1987 Constitution and Republic Act (RA) No. 7160, as amended, also
22 known as the "*Local Government Code of 1991*". Guided by the principle that

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

6 SEC. 3. **Scope.** – This Act applies to all lands and all resources in the
7 country, whether public, private, government-owned or in the possession of any
8 person, whether natural or juridical, and serves as guide for the rational, holistic
9 and just allocation, utilization, development and management of the land and
10 water resources in the country, including such activities that bear impact on
11 those resources.

12 SEC. 4. **Definition of Terms.** – As used in this Act:

13 (a) *Agricultural land* refers to land of public domain which have been
14 devoted to agricultural activity as defined under RA 6657, as amended,
15 otherwise known as the “*Comprehensive Agrarian Reform Law of 1998*,” and
16 not further classified for residential, commercial or industrial use and such other
17 uses as may be provided by law;

18 (b) *Agricultural land use conversion* refers to the undertaking of any
19 development activity which modifies or alters the physical characteristics of
20 agricultural lands to render them suitable for non-agricultural purposes with an
21 approved order of conversion issued exclusively by the Department of Agrarian
22 Reform (DAR);

1 (c) *Alienable and disposable (A&D) lands* refer to lands of the public
2 domain which have been delineated, classified, and certified as open and
3 available for disposition under the provisions of Commonwealth Act No.141, as
4 amended, otherwise known as “*The Public Land Act;*”

5 (d) *Ancestral domains* refer to all areas generally belonging to
6 indigenous cultural communities or indigenous peoples as defined in RA 8371,
7 otherwise known as “*The Indigenous Peoples’ Rights Act of 1997;*”

8 (e) *Basic sector* refers to a group of people not referring to any
9 organize groups such as but not limited to women, youth, elderly, differently
10 abled, peasants and fisher folk;

11 (f) *Coastal area or zone* refers to a band of dry land and the adjacent
12 ocean space, water and submerged land, in which terrestrial processes and uses
13 directly affect oceanic processes and uses and *vice versa*, the geographic extent
14 of which includes areas within a landward limit of one (1) kilometer from the
15 shoreline at high tide to include mangrove swamps, brackish water ponds, nipa
16 swamps, estuarine rivers, sandy beaches and other areas within a seaward limit
17 of two hundred (200) meters isobaths to include coral reefs, algal flats, seagrass
18 beds, and other soft-bottom areas;

19 (g) *Comprehensive Land Use Plan (CLUP)* refers to a plan embodying
20 a set of polices accompanied by maps and similar illustrations that serves as a
21 policy guide for determining the future use of lands and natural resources within
22 the territorial jurisdiction of the LGU, representing the community desired

1 pattern of population distribution and proposes future allocation of land and
2 resources to various activities including the processes and criteria employed in
3 such determination of allocation of land and resources for a long-term
4 management of the local territory covering a period of minimum of ten (10)
5 years reviewable not earlier than every five (5) years;

6 (h) *Critical habitats* refer to areas outside protected areas as defined in
7 RA 7586, otherwise known as the “*National Integrated Protected Areas System*
8 *Act of 1992*”, that are known habitats of threatened species and designated as
9 such based on scientific data taking into consideration species endemicity or
10 richness, presence of human-made pressures or threats to the survival of wildlife
11 living in the area;

12 (i) *Critical watershed* refers to watersheds or forestlands that have
13 been identified and evaluated to provide critical and vital natural, ecological,
14 environmental and physical beneficial services such as water biodiversity,
15 energy, irrigation, social and cultural, among others, to a specific area or
16 community and whose biophysical condition demands immediate rehabilitation,
17 protection and management to prevent its further denudation, deterioration and
18 exploitation;

19 (j) *Cultural heritage* refers to the totality of cultural properties,
20 whether natural or human made, preserved and developed through time and
21 passed on for posterity;

1 (k) *Customary laws* refer to a body of written or unwritten rules,
2 usages, customs and practices traditionally and continually recognized,
3 accepted, and observed by respective ICCs/IPs, consistent with RA 8371;

4 (l) *Development plan* refers to the activities and measures that the
5 national government or LGUs intend to implement over a specified period of
6 time to achieve the defined set of development goals identified in the national or
7 local physical framework plans integrating socio-economic, financial, fiscal,
8 legal and legislative institutional and sectoral plans of the national government
9 or any of its instrumentalities or a particular LGU, consistent with the objectives
10 identified in spatial plans such as land use plans or physical framework plans
11 including an analysis of problems and resources, definition of goals and
12 objectives, policy guidelines, project and target achievements and an
13 implementation mechanism which defines the roles and contributions expected
14 from the government and the private sector;

15 (m) *Ecologically fragile areas* refer to areas within critical watersheds,
16 brackish and freshwater wetlands, pasture lands, inland rivers and waterways
17 coastal and settlement areas, and croplands which require rehabilitation,
18 protection and whose continued unsustainable use would result in physical risks
19 and threats to life and property, public health and safety as well as adversely
20 affect the productivity of lowland agricultural areas and stability of the upland
21 system;

1 (n) *Ecotourism* refers to a form of sustainable tourism within a natural
2 or cultural heritage area where community participation, protection and
3 management of natural resources, culture and indigenous knowledge and
4 practices, environmental education and ethics, as well as economic benefits are
5 fostered and pursued for the enrichment of host community and satisfaction of
6 visitors;

7 (o) *Energy resources* refer to surface or subsurface substances that
8 serve as energy resources including traditionally mineral fuel deposits such as
9 coal petroleum, natural gas or renewable resources from geothermal, hydro
10 reservoirs or non-conventional sources such as ocean waves, solar, wind,
11 biomass, and other similar resources which serve the same purpose;

12 (p) *Energy resource lands* refer to lands where naturally occurring or
13 indigenous energy resources exist in sufficient quantity or quality as to be
14 economically viable for exploration, development production, utilization and
15 distribution purposes;

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

19 (r) *Flood-prone areas* refer to low lying areas usually adjacent to large
20 or active water bodies and which therefore experience regular or seasonal
21 inundation as a result of changes in the mean water level of these bodies or

1 because of land reclamation and other artificial interference with the natural
2 processes;

3 (s) *Foreshore land* refers to a string of land margining a body of
4 water, the part of a seashore between the low-water line usually at the seaward
5 margin of a low tide terrace and the upper limit of wave wash at high tide
6 marked by a beach scarp or berm;

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

10 (u) *Forest lands* refer to one of the four classifications of land under
11 the Constitution under the public domain classified or determined as suitable for
12 forest purposes and not classified as mineral land, national park or agricultural
13 land such as all permanent forest reserves, forest reservations, and all the
14 remaining unclassified lands of the public domain;

15 (v) *Geo-hazard* refers to nature and human-induced geological
16 processes that may cause destruction and pose a threat or risk to life or property
17 including ground water and weather-related conditions, volcanic and earthquake
18 induced hazards such as ground shaking ground rupture, earthquake-induced
19 landslides, liquefaction and tsunami;

20 (w) *Illegal conversion* refers to any activity that modifies or alters the
21 physical characteristics of agricultural lands to render them suitable for non-

1 agricultural purposes without an approved order or conversion from the
2 Secretary of Agrarian Reform;

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

19 (y) *Key Biodiversity Areas (KBAs)* refer to the present most important
20 sites for biodiversity conservation worldwide which are considered places of
21 international importance for the conservation of biodiversity through protected
22 areas and other governance mechanisms and which are identified nationally

1 using simple standard criteria based on their importance in maintaining species
2 populations;

3 (z) *Land* refers to resources, both artificial and natural, found on the
4 surface, below, and above the ground, including inland waters and the air
5 therein;

6 (aa) *Land use* refers to the manner of allocation, utilization,
7 management and development of land;

8 (bb) *Land use classification* refers to the act of delineating or allocating
9 lands according to protection land use, production land use, settlements
10 development and infrastructure development as provided for in this Act;

11 (cc) *Mandatory public hearings or consultations* refer to the
12 mechanism of involving the concerned stakeholders and communities in land
13 use planning, from the barangay to the national level, to ensure the social
14 acceptability of the plans including giving notice of hearing or consultation to
15 the concerned stakeholders through publication or posting in conspicuous
16 places, conducting a reasonable number of hearings, and soliciting positions to
17 arrive at a consensus through public presentations and validation of the planning
18 results undertaken before the final adoption of the plans;

19 (dd) *Marine protected area* refers to a defined area of the sea
20 established and set aside by law, administrative regulation or any other effective
21 means to conserve and protect a part of the entire enclosed environment,
22 through the establishment of management guidelines including all declared

1 areas governed by specific rules or guidelines to protect and manage activities
2 within the enclosed area;

3 (ee) *Mineral lands* refer to lands of the public domain, excluding those
4 in permanent forestlands and protection lands, where mineral resources are
5 found in sufficient quantity and quality for extraction, development and
6 utilization;

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

12 (gg) *National park* refers to forest reservation, essentially of natural
13 wilderness character, which has been withdrawn from settlement, occupancy or
14 any form of exploitation, except in conformity with the approved management
15 plan and set aside as such exclusively to conserve the area or preserve the
16 scenery, natural and historic objects, wild animals and plants therein, and to
17 provide enjoyment of these features in such areas including lands and waters of
18 the public domain classified as such in the 1987 Constitution such as all areas
19 under the NIPAS primarily designated for the conservation of native plants and
20 animals and associated habitats and cultural diversity;

21 (hh) *Network of Protected Areas for Agriculture and Agro-Industrial*
22 *Development* refers to agricultural areas identified by the Department of

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

14 (ii) *Physical framework plans* refer to the national, regional or
15 provincial indicative plans that outline the over-all and macro-level physical
16 development objectives, priorities, directions and strategies in its respective
17 levels as prepared, reviewed, integrated and finalized by the national, regional
18 and provincial land use councils or boards respectively based on the CLUPs of
19 the LGUs and the national policy guidelines relating to land use and
20 environmental management to prevent or mitigate the adverse effects of
21 inappropriate resource utilization on food security, the welfare of the people and
22 their environment;

1 (jj) *Prime agricultural lands* refer to all contiguous irrigated areas and
2 irrigable lands already covered by irrigation projects, including all alluvial plain
3 lands highly suitable for agriculture, whether irrigated or not that have been
4 identified to satisfy the need for self-sufficiency and security and agro-industrial
5 croplands or lands presently planted and suitable to industrial and high value
6 crops, highlands or areas located at an elevation of five hundred meters (500) or
7 above, and have potential for growing semi-temperate and high value crops
8 outside of declared permanent forestlands and protection forests, and are not
9 located in ecologically fragile and environmentally critical areas;

10 (kk) *Production land use* refers to the most efficient, sustainable, and
11 equitable utilization, development and management of land for productive
12 purposes which are not classified for protection land use;

13 (ll) *Protected areas* refer to portions of land and water set aside by
14 reason of their unique physical and biological diversity and protected against
15 human exploitation including all natural forests and agricultural lands identified
16 and delineated under this Act;

17 (mm) *Reclassification of agricultural lands* refer to the act of specifying
18 how agricultural lands are classified or used for non-agricultural uses such as
19 residential, industrial or commercial purposes, through the local planning and
20 zoning processes pursuant to RA 7160 and subject to the requirements and
21 procedure for conversion;

1 (nn) *Resettlement areas* refer to areas identified by the appropriate
2 national agency or by the LGU with respect to areas within its jurisdiction
3 which are used for the relocation of the underprivileged and homeless, as
4 defined under RA 7279, otherwise known as the “*Urban Development and*
5 *Housing Act of 1992;*”

6 (oo) *River basin* refers to the horizontal projection of area from which a
7 river and its tributaries receive surface water originating from precipitation;

8 (pp) *Settlements* refer to communities or built-up environment areas
9 where people prefer to live in;

10 (qq) *Settlements development* refers to any improvement on existing
11 settlements or any proposed development of certain areas for settlement
12 purposes involving the spatial distribution of population, identification of the
13 roles and functions of key urban centers, determination of relationships among
14 settlement areas, and the provision of basic services and facilities of identified
15 major settlement areas of growth centers;

16 (rr) *Shoreline* refers to a strip of land covering of at least one (1)
17 kilometer from the point where seawater reaches during the highest high tide;

18 (ss) *Sustainable development* refers to the development objective of
19 meeting the needs of the present generation without compromising the ability of
20 future generations to meet their own needs consistent with the principles of
21 social equity, efficiency and environmental integrity;

1 (tt) *Tourism development areas* refer to specific sites for tourism
2 development located in areas identified as priorities in the national and regional
3 tourism master plans and those designated through legislative and executive
4 issuances as tourist spots and tourist zones which may be developed into
5 tourism estates or integrated resort, leisure, recreation complexes, and other
6 tourism related facilities;

7 (uu) *Tourism ecozone* refers to tourism development areas, outside of
8 protection lands which have been granted special economic zone status through
9 the Philippine Export Zone Authority (PEZA) registration and issuance of the
10 required Presidential Proclamation, with its metes and bounds, delineated by
11 said proclamation, pursuant to RA 7916, as amended, otherwise known as "*The*
12 *Special Economic Zone Act of 1995*";

13 (vv) *Tourism estates* refer to large tracts of land with well-defined
14 boundaries in any area, excluding those protection lands, identified in the
15 Philippine tourism master plan and regional tourism by proclamation of the
16 President or by acts of Congress or by local legislation and declared suited for
17 the development of an integrated tourism and resort complex with prescribed
18 carrying capacities and limits for its facilities and activities;

19 (wv) *Tourist spot* refers to a particular area, site or spot, man-made or
20 natural, known for its unique tourist or visitor-drawing attributes and activities
21 and which may be classified according to its social, cultural, natural, historical,
22 aesthetic, visual, scientific, religious, or recreational significance;

1 (xx) *Tourist zone* refers to a geographic area with well-defined
2 boundaries proclaimed as such by the President of the Philippines or by acts of
3 Congress where development projects for any purpose are initiated and
4 introduced prior to formulation of a tourism master development plan which are
5 undertaken in coordination with the Department of Tourism (DOT) and the
6 Tourism Infrastructure Enterprise Zone (TIEZA) for the enhancement or the
7 conservation of cultural and historical heritage, and for the appreciation and
8 enjoyment of the local population and its visitors;

9 (yy) *Urban areas* refer to all cities regardless of their population density
10 and to municipalities with a population density of at least five hundred (500)
11 persons per square kilometer;

12 (zz) *Urbanizable areas* refer to sites and lands which, considering
13 present characteristics and prevailing conditions, display great potential of
14 becoming urban areas within a period of five (5) years from the effectivity of
15 this Act;

16 (aaa) *Urban forest or green space* refers to the establishment or setting
17 up of areas for mini-forest, eco-parks or small nature parks, in both public and
18 private lands, wetlands, man-made lagoons and lakes systems, riverbanks and
19 shores, grasslands, roof and rock gardens, lining roads and highways with trees,
20 shrubs, or ornamental plants, and ground landscaping of schools, hospitals, and
21 other government agencies in order to improve the environment in urban areas;

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

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

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

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

22

CHAPTER II

1 **PHYSICAL FRAMEWORK AND LAND USE PLAN**

2 SEC. 5. *National Physical Framework Plan.* – The National Land Use
3 Commission (NLUC) created in Section 17 herein shall draft the National
4 Physical Framework Plan (NPFP) which shall have a timeframe of thirty (30)
5 years, with regular review and updating every ten (10) years. The NPFP, which
6 guides the planning and management of the country's land and other physical
7 resources at the national and sub-national levels, shall indicate broad spatial
8 directions and policy guidelines on settlements development, production land
9 use, protection land use, social services and utilities, and transportation and
10 communication. The Regional Physical Framework Plans (RPFs), Provincial
11 Physical Framework and Development Plans (PPFDs), and CLUPs, which
12 shall also have a 30-year timeframe and cover the physical development of their
13 respective territories, shall be consistent with the national physical framework
14 plan: *Provided*, That the integration and harmonization of the physical
15 framework plans at all levels shall be iterative to ensure that the concerns of
16 both top and bottom levels of government are considered. The physical and land
17 use plans prepared at all levels shall have internal consistency specifically on,
18 but not limited to, the development, management and conservation of
19 forestlands found within a given territory and the linkages of the major land use
20 categories to ensure their complementation in the utilization, development and
21 management of resources. The NLUC shall issue procedural guidelines which
22 shall guide the formulation and integration or harmonization process: *Provided*,

1 That the National Economic Development Authority (NEDA), Department of
2 Human Settlements and Urban Development (DHSUD), Department of the
3 Interior and Local Government (DILG) and other agencies will continue to
4 issue guidelines on the content of the plans consistent with their respective
5 agency mandates.

6 **SEC. 6. *Regional Physical Framework Plans.*** – In consultation with
7 concerned sectors, the Regional Land Use Policy Council (RLUPC) shall define
8 the desired spatial arrangement of land-using activities in the entire region,
9 consolidating and harmonizing the provincial physical framework plans of
10 provinces and independent cities within the territorial jurisdiction of the region.
11 The Regional Physical Framework Plan, which depicts an end-state scenario
12 toward which efforts and activities are directed, shall consist of spatially-based
13 and area-focused policies, consistent with those in the national framework for
14 physical planning, to guide detailed physical, socio-economic, sectoral and
15 investment planning.

16 **SEC. 7. *Provincial Physical Framework and Development Plans***
17 ***(PPFDP).*** – In consultation with concerned sectors, the Provincial Planning and
18 Development Office (PPDO) shall prepare a Provincial Physical Framework
19 and Development Plan (PPFDP) which shall define the province's development
20 vision, economic and social development policies, general land uses, and inter-
21 city/municipal transportation system. The PPFDP shall harmonize the land use
22 plans of component cities and municipalities, taking into consideration shared

1 resources and planning concerns, and define the uses of land and other
2 resources within the province consistent with the policies in the regional
3 physical framework plan. The programs, projects and activities prescribed in the
4 PPFDP shall be integrated into the provincial development investment program.
5 The PPDO shall submit the PPFDP to the Provincial Land Use Policy Council
6 (PLUPC), as provided under Section 23 of this Act, for review and endorsement
7 to *sangguniang panlalawigan*, which shall adopt the same pursuant to Section
8 468 (2) (vii) of RA 7160.

9 **SEC. 8. *City/Municipal Land Use Plans.*** – The City/Municipal Planning
10 and Development Office (C/MPDO), in consultation with concerned sectors
11 through mandatory conduct of public hearings, shall prepare the CLUP to
12 determine the specific uses of land and other physical resources therein
13 including areas co-managed with the national government and, as appropriate,
14 the ancestral domain areas. The CLUP shall be consistent with the PPFDP and
15 shall define the city or municipal development vision, appropriate economic,
16 environmental and social development policies, densities and transportation
17 system.

18 The CLUP may be formulated as a component of a Comprehensive Land
19 Use and Development Plan (CLUDP), which merges the traditionally separate
20 CLUP and comprehensive development plan to address the disconnect between
21 spatial and sectoral factors and to ensure the complementation between the
22 medium- and long-term concerns. The CLUP shall be translated into a zoning

1 ordinance by the concerned *sanggunian* to regulate the uses of land, including
2 the limitations on height, density and bulk of buildings and other infrastructure
3 that may be placed thereon.

4 SEC. 9. ***Physical Framework and Land Use Planning Process.*** – The
5 land use and physical planning process shall be formulated following a
6 combined bottom-up and top-down approach. The NLUC, in consultation with
7 the concerned sectors through the mandatory conduct of public hearings, shall
8 formulate, periodically update and ensure the implementation of the NPFP that
9 shall prescribe and influence the country’s land use and physical development.
10 The NPFP shall operationalize the policies provided in this act and will be the
11 basis for adopting land use and physical planning-related guidelines and
12 standards, including zoning and other land use control standards that will guide
13 the formulation of city/municipal zoning ordinances. The policies prescribed in
14 the NPFP shall be integrated into the MTPDP and Medium-Term Philippine
15 Investment Program.

16 SEC. 10. ***Revision of Existing Planning Guidelines.*** – The existing
17 planning guidelines on the NPFP, regional development physical framework
18 and PDPFP shall be reviewed and revised pursuant to Sections 5, 6, 7, and 9 of
19 this Act.

20 **CHAPTER III**

21 **FRAMEWORK FOR LAND USE PLANNING**

1 SEC. 11. *Basic Objective of Land Use or Physical Framework*

2 **Planning.** – The primary objective of a physical framework plan is to describe
3 existing land uses and to identify an integrating physical framework, including
4 an overall vision, policies on social and economic development and
5 environmental protection and supporting transportation and other infrastructure
6 facilities, that will define future development. Its output includes the
7 identification of programs, projects and activities needed to achieve the desired
8 development, and which will serve as inputs to the investment program. In the
9 case of the CLUP, it is also intended to provide specific development and
10 building guidelines and parameters that will be implemented through a zoning
11 ordinance.

12 SEC. 12. *Priorities in Land Use Allocation and Planning.* – In
13 projecting spatial allocation for different land uses, the LGUs shall first exclude
14 areas under protection land use of Section 16 (a) hereof, national parks, energy
15 resource lands, and prime agricultural lands to ensure ecological integrity,
16 energy supply, and promote food security. Areas with prior rights and those
17 with site-specific resources for basic services, such as but not limited to, water
18 and indigenous energy resources, shall also be excluded. Spatial allocation and
19 planning shall then proceed in accordance with Sections 15 and 16 hereof with
20 priorities given to integrated watershed management areas, socialized housing
21 sites, fisherfolk settlement in coastal areas, and waste disposal sites.

1 **SEC. 13. *Approach to Land Use and Physical Framework Planning.*** –

2 In general, the land use or physical framework planning process shall include a
3 description of existing land uses and land use trends, as well as the physical,
4 demographic, economic, social and environmental conditions that have shaped
5 and are likely to shape future land use and physical developments. It shall then
6 derive a land use plan or physical framework by matching, reconciling or
7 integrating the demand for land with the supply of land. The resulting land use
8 plan or physical framework shall be the basis for identifying necessary policies,
9 programs, projects and activities, and development controls to guide future
10 development. The land use plan or physical framework must be holistic in
11 nature and not emanate from specific individual or corporation which, in
12 essence, constitutes as spot zoning.

13 **SEC. 14. *Adoption of Multiple Uses of Land Resources.*** – The primary

14 and alternative uses of a specific land resource shall be determined and
15 evaluated prior to any decision for the assignment of its use. Areas feasible for
16 sustainable land resource use may be considered multiple-use zones wherein
17 settlements , tourism, agriculture, forestry, agro-forestry and extraction
18 activities and other income-generating or livelihood activities may be allowed:
19 *Provided,* That multiple uses of land resources shall be excluded in areas
20 identified as protection land use: *Provided, further,* That such land resources
21 shall be in accordance with priorities in land use allocation and planning and
22 that no reclassification shall be allowed.

1 SEC. 15. *Basic Land Use Planning Considerations.* – In determining the
2 various land uses, the people and their productive activities and the need for
3 functional open spaces and preservation areas as well as the various
4 interrelationships of the physical characteristics of the land and other elements
5 therein shall be considered, among others, the following:

6 (a) Availability of natural resources including indigenous energy
7 resources for energy security and self-sufficiency;

8 (b) Geology, geomorphology, geologic hazard, climate, soil,
9 vegetative cover, demography and slope;

10 (c) Economic, environmental, cultural, social and related development
11 activities;

12 (d) Existing government policies on land and natural resources
13 allocation, utilization, management and disposition;

14 (e) Technological changes or advancement;

15 (f) Existing customary rights for the protection of indigenous peoples
16 and vulnerable groups including women and urban poor; and

17 (g) Inventory of prior and existing rights, to harmonize determination
18 of land use.

19 SEC. 16. *Categories of Land Uses for Planning Purposes.* – In
20 determining and defining the national, regional and provincial framework plans,
21 and CLUPs, land uses shall be grouped into four major functional uses as
22 follows:

1 (a) *Protection land use* wherein the use of land primarily for food,
2 water and energy security, rehabilitation, conservation, and protection purposes
3 to promote the country's ecological and life-support systems. Planning for
4 protection land use intends to achieve food self-sufficiency in rice and corn,
5 water and energy security, environmental stability and ecological integrity,
6 ensure a balance between resource use and the preservation of some areas with
7 environmental, aesthetic, educational, cultural, heritage and historical
8 significance, and protect people and human-made structures from the ill-effects
9 of natural hazards. All lands, either public or private, under protection land use
10 shall be permanently conserved, preserved, rehabilitated and protected from all
11 other land uses, disposition, intrusion, utilization and development that is not
12 consistent from its existing uses. Areas under this category also include those
13 covered by RA 7586, or the NIPAS Law, and other coastal and marine
14 protected areas, those areas outside NIPAS but nonetheless require protection
15 because of their outstanding physical and aesthetic features, anthropological
16 significance, and biological diversity, and those areas prone to natural hazards.
17 Areas outside the coverage of the NIPAS law include the following:

- 18 (1) Old-growth forests and mossy;
- 19 (2) Areas with more than 50% in slope gradient;
- 20 (3) Mangrove and fish sanctuaries, pursuant to RA 8435, or the
21 *"Agriculture and Fisheries Modernization Act of 1997"*, and RA 8550, or
22 *"The Philippine Fisheries Code of 1998"*;

1 (4) Buffer zones or strips/easements, pursuant to Presidential
2 Decree (PD) No. 705, amending PD 389, otherwise known as the
3 “*Forestry Reform Code of the Philippines*” and PD 1067, or the “*Water*
4 *Code of the Philippines*”;

5 (5) Salvage zones along foreshore areas, freshwater swamps and
6 marshes, plazas and heritage or historic sites, pursuant to PD 2146;

7 (6) Watersheds supporting domestic water supply;

8 (7) Utility easement like transmission lines of power companies,
9 oil and gas facilities, cell sites, and domestic water lines;

10 (8) Amenity areas or those with high aesthetic values, pursuant
11 to PD 2146;

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

15 (10) Critical habitats as provided in RA 9147, otherwise known
16 as the “*Wildlife Resources Conservation and Protection Act*”;

17 (11) Significant caves under RA 9072, otherwise known as the
18 “*National Caves and Cave Resources Management and Protection Act*”;

19 or

20 (12) Key biodiversity areas under Executive Order No. 578,
21 Series of 2006, otherwise known as the “*National Biodiversity Policy*”.

1 (b) *Production Land Use* wherein there is a direct and indirect
2 utilization of land resources for crop, fishery, livestock and poultry production,
3 forestry, agroforestry, mining, industry, energy development, indigenous energy
4 exploration and development, and tourism. Planning for production land
5 determines the most efficient, sustainable, and equitable manner of utilizing,
6 developing and managing land for productive purposes. Areas included in this
7 category are agricultural lands, fishing grounds, coastal and marine zones,
8 production forest which comprise lands 18% to 50% in slope gradient such as:
9 residual dipterocarps, rangelands for grazing purposes, industrial tree plantation
10 or Integrated Forest Management Agreement (IFMA), community based forest
11 management areas and other reforestation projects, mineral lands or mining
12 areas and reservations, energy resource lands, industrial development areas, and
13 tourism development areas where productive activities may be undertaken to
14 meet the country's requirements for food security, economic growth and
15 development.

16 (c) *Settlements development* wherein any improvement on existing
17 settlements in urban and rural areas or any proposed development of certain
18 areas for settlement purposes involves the spatial distribution of population,
19 identification of the roles and functions of key urban centers, determination of
20 relationships among settlement areas, and the provision of basic services and
21 facilities to such settlement. The settlements development plan ensures for the
22 present and future generation the following: (1) effective integration of

1 activities within and among settlements, allowing efficient movement of people
2 and production of commodities through the provision of appropriate land,
3 infrastructure, and facilities; and (2) access of the population to housing,
4 education, health care, recreation, transportation and communication, sanitation,
5 and basic utilities such as water, power, waste disposal, and other services.

6 (d) *Infrastructure development* includes the availability or supply of
7 basic services and fostering of economic and other forms of integration
8 necessary for producing or obtaining the material requirements of Filipinos, in
9 an efficient, responsive, safe and ecologically friendly built environment. It
10 covers sub-sectors of transportation, communications, water resources, and
11 social infrastructure: *Provided*, That the determination of functional uses of
12 lands within ancestral domains shall consider traditional resource and
13 management systems that do not endanger the lives of the people and property
14 of the local community and neighboring areas or increase the vulnerability of
15 the natural environment to the effects of natural and human-induced geological
16 processes.

17 CHAPTER IV

18 IMPLEMENTING STRUCTURE AND MECHANISM

19 SEC. 17. *Creation of the National Land Use Commission.* – The
20 National Land Use Commission (NLUC), is hereby created as a Commission
21 under the Office of the President. It shall exercise the powers and
22 responsibilities of the current National Land Use Committee which is hereby

1 abolished. The NLUC shall act as the highest policy making body on land use
2 and resolve land use policy conflicts between or among agencies, branches, or
3 levels of the government. It shall integrate efforts, monitor developments
4 relating to land use and the evolution of policies. It may also establish Regional
5 Offices.

6 SEC. 18. *Composition of the NLUC.* – The NLUC is composed of the
7 following:

8 (a) Secretary of the National Economic and Development Authority
9 (NEDA), as chairperson;

10 (b) Secretary of Environment and Natural Resources, as vice-
11 chairperson;

12 (c) Secretaries of Human Settlement and Urban Development,
13 Agriculture, Agrarian Reform, Trade and Industry, Public Works and
14 Highways, Transportation, Tourism, Interior and Local Government, Justice,
15 Science and Technology, Finance, Energy, National Defense, and Information
16 and Communication Technology;

17 (d) Chairperson of the National Commission on Indigenous Peoples
18 (NCIP);

19 The department secretaries and the chairperson of the NCIP may
20 designate a representative with a rank not lower than assistant secretary and
21 commissioner, respectively: *Provided*, That the designated representative shall
22 be on a permanent basis.

1 (e) Presidents of the leagues of provinces, cities and municipalities;

2 (f) Representative each from four (4) basic sectors directly involved in
3 land use, namely: urban poor, farmer-peasants, fisherfolk, and indigenous
4 peoples who shall be appointed by the President of the Philippines based on the
5 nomination and recommendation of the respective sectoral councils of the
6 National Anti-Poverty Commission (NAPC). At least two (2) sectoral
7 representatives must be women;

8 (g) Two (2) representatives from private subdivisions, and housing
9 developers; and

10 (h) Two (2) representatives from the accredited association of
11 professionals dealing on land use such as but not limited to urban and regional
12 planners, environmental planners, architects, geologists and geodetic engineers;

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

19 **SEC. 19. Powers and Functions.** – The NLUC shall have the following
20 powers and functions:

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

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

4 (c) Formulate policies and endorse land use and physical planning-
5 related policies that may be formulated by the Regional Land Use Policy
6 Council (RLUPC), created under Section 22 of this Act, and concerned agencies
7 as well as promulgate zoning and other land use control standards and
8 guidelines which shall guide the formulation of land use plans and zoning
9 ordinances by local governments;

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

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

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

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

1 (h) Coordinate with and assist other government agencies and LGUs in
2 planning, developing, and implementing their land use classification programs,
3 and provide, to the extent possible, technical assistance and guidance;

4 (i) Monitor and coordinate the activities of concerned agencies and
5 entities of the government, as well as LGUs, in the enforcement and
6 implementation of policies and regulations relating to land use and resource
7 management and development;

8 (j) Monitor and coordinate activities in the establishment of a national
9 land resource information and management system of concerned agencies that
10 shall integrate and process information on land use and allocation generated by
11 the various national government agencies; define information requirements at
12 various levels; and standardize information inputs and outputs including scales
13 and symbols used in territorial and sectoral maps;

14 (k) Be the repository of all RPFs, PPFDPs and CLUPs and all data
15 and information pertaining to land and land use;

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

19 (m) Decide and resolve policy conflicts and territorial jurisdiction on
20 land use between or among agencies, branches, or levels of the government and
21 act on unresolved land use policy conflicts at the regional level elevated by the
22 Regional Land Use Policy Council (RLUPC);

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

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

6 SEC. 20. *National Land Use Office (NLUO)*. – The National Land Use
7 Office is hereby created as an agency attached to NEDA which will serve as
8 technical secretariat to the NLUC. The NEDA Regional Development Office
9 personnel who serve as secretariat to the NEDA Board-National Land Use
10 Committee who opted to transfer to the NLUO shall be given priority without
11 diminution in rank and remuneration. The NLUO shall be headed by an
12 executive director. The staffing pattern shall be drafted by NEDA in
13 coordination with the Department of Budget and Management (DBM) and Civil
14 Service Commission (CSC). Other government agencies may also be called
15 upon for staff support.

16 SEC. 21. *NLUO Executive Director*. – The executive director shall
17 supervise the operations of the NLUO and assist the NLUC chairperson or vice-
18 chairperson. The executive director shall also perform such other functions as
19 may be tasked by the chairperson or vice-chairperson.

20 CHAPTER V

21 REGIONAL AND LOCAL LAND USE POLICY BODIES

1 SEC. 22. **Regional Land Use Policy Council (RLUPC).** – At the regional
2 level, the Regional Land Use Policy Council (RLUPC) shall be
3 institutionalized, replicating the NLUC structure and composition which include
4 a duly authorized representative from the NEDA, the DENR, DA and the DAR.
5 The RLUPC shall have the following functions:

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

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

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

13 (d) Review, prior to adoption by respective *sanggunians*, the
14 provincial physical framework plan, and CLUPs of highly urbanized and
15 independent component cities, to ensure consistency with the regional physical
16 framework plan and national policies set forth by the Land Use Policy Council
17 and compliance with limits prescribed under RA 7160 for reclassifying
18 agricultural lands;

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

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

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

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

8 (i) Perform other related functions as may be directed by the Land Use
9 Policy Council.

10 **SEC. 23. *Provincial Land Use Policy Council (PLUPC).*** – The
11 Provincial Development Council (PDC), created under Section 106 of RA 7160,
12 shall act as the Provincial Land Use Policy Council that will tackle land use
13 concerns whenever necessary. A duly authorized representative from the
14 DENR, DAR and the DA shall be included in the composition of the PLUPC. In
15 addition to the functions enumerated in Section 109 of RA 7160, the PLUPC
16 shall:

17 (a) Advise the *sangguniang panlalawigan* on all matters pertaining to
18 land use and physical planning;

19 (b) Review and endorse to the *sangguniang panlalawigan* for
20 adoption, the provincial physical framework plans, prepared and periodically
21 updated by the Provincial Planning and Development Office and other land use
22 and physical planning-related policies;

1 (c) Decide and resolve policy conflicts on land use planning,
2 classification, and allocation that may arise between or among cities or
3 municipalities and any unresolved land use conflicts at the city or municipal
4 level. The PLUPC may call upon any local official concerned such as provincial
5 planning and development coordinator, provincial agriculturist, provincial
6 environment and natural resources officer, provincial engineer, provincial
7 assessor, or any official of national agencies and other relevant agencies during
8 discussions on land use and physical planning concerns.

9 (d) Assist the *sangguniang panlalawigan* in reviewing the CLUPs of
10 component cities or municipalities to ensure consistency with the provincial
11 physical framework plans and compliance with the limits prescribed under RA
12 7160 for reclassifying agricultural lands; and

13 (e) Decide and resolve policy conflicts on land use planning,
14 classification, and allocation that may arise between or among cities or
15 municipalities and any unresolved land use conflicts at the city or municipal
16 level. The PLUPC may call upon any local official concerned such as provincial
17 planning and development coordinator, provincial agriculturist, provincial
18 environment and natural resources officer, provincial engineer, provincial
19 assessor, or any official of national agencies and other relevant agencies during
20 discussions on land use and physical planning concerns.

21 **SEC. 24. *City/Municipal Land Use Policy Council (C/MLUPC).*** – The
22 City/Municipal Development Council (C/MDC), created under Section 106 of

1 RA 7160, shall act as the City/Municipal Land use Policy Council (C/MLUPC)
2 that will tackle land use concerns whenever necessary. A duly authorized
3 representative from the DAR, the DENR and the DA shall be included in the
4 composition of the C/MLUPC. In addition to the functions enumerated in
5 Section 109 of RA 7160, the C/MLUP shall:

6 (a) Advise the *sangguniang bayan* or *sangguniang panlungsod* on all
7 matters pertaining to land use and physical planning;

8 (b) Review and endorse to the *sangguniang bayan* or *sangguniang*
9 *panlungsod* for adoption, the CLUP prepared and periodically updated by the
10 City/Municipal Planning and Development Office and other land use and
11 physical planning-related policies; and

12 (c) Decide and resolve policy conflicts on land use planning,
13 classification, and allocation that may arise between and among barangays and
14 any unresolved land use conflict at the barangay level regarding the violation of
15 zoning ordinances including opposition to applications for locational clearances,
16 permits or certificates.

17 For purposes of this Act, the City/Municipal Planning and Development
18 Coordinator (C/MPDC) shall: (a) act on all applications for locational
19 clearances for all projects except those of vital and national economic or
20 environmental significance; and (b) monitor on-going/existing projects within
21 their respective jurisdictions and issue notices of violation to owners,
22 developers, or managers of projects that are violative of zoning ordinances.

1 The C/MLUPC may call upon any local official concerned such as
2 C/MPDC, city/municipal agriculturist, city/municipal environment and natural
3 resources officer, city/municipal engineer, city/municipal assessor, or any
4 official of national agencies during discussions on land use and physical
5 planning concerns. Local government units without operational C/MDC as
6 mandated by RA 7160 shall activate their respective councils within six (6)
7 month from the effectivity of this Act.

8 CHAPTER VI

9 ADOPTION, APPROVAL AND REVIEW OF LOCAL LAND USE 10 AND PHYSICAL FRAMEWORK PLANS

11 SEC. 25. *Approval and Review of PFP and CLUPs.* – The PFP and
12 CLUPs of the respective LGUs, including highly urbanized cities and
13 independent component cities, shall be submitted by the local land use boards to
14 the local development councils for transmission to the local *sanggunian* for
15 approval.

16 SEC. 26. *Provinces and Independent and Highly Urbanized Cities.* –
17 Provinces and independent and highly urbanized cities shall have the power and
18 authority to adopt and approve their respective CLUPs, zoning ordinances or
19 provincial physical framework plan, as the case may be, through their respective
20 *sanggunian* but subject to the review of the RLUPC as provided in Section 22
21 (d) of this Act.

22 CHAPTER VII

1 **MAPPING AND DATA MANAGEMENT FOR LAND USE**

2 **PLANNING**

3 **SEC. 27. *National Base Mapping Program.*** – A national mapping
4 program shall be implemented, coordinated, and monitored through the creation
5 of an Inter-agency Technical Committee (ITC) composed of the National
6 Mapping and Resource Information Authority (NAMRIA), as the lead agency,
7 the Bureau of Soils and Water Management (BSWM), the Forest Management
8 Bureau (FMB), the Land Management Bureau (LMB), the Protected Areas and
9 Wildlife Bureau (PAWS), the Mines and Geosciences Bureau (MGB), the
10 Philippine Institute of Volcanology and Seismology (PHIVOLCS), DAR, the
11 National Water Resources Board (NWRB), DOE, NEDA and other concerned
12 government agencies/bureaus. The ITC shall be constituted, and the mapping
13 program shall be initiated, within thirty (30) days from the effectivity of this
14 Act. The agencies mentioned in this Section shall endeavor to finish their base
15 mapping program within two (2) years upon the effectivity of this Act.

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

21 **SEC. 28. *National Geospatial Information Program.*** – Within two (2)
22 years upon the effectivity of this Act, the NAMRIA, in coordination with

1 BSWM, FMB, LMB, Biodiversity Management Bureau, MGB, PHIVOLCS,
2 DAR, NWRB, National Commission on Indigenous Peoples (NCIP),
3 Department of Energy (DOE), NEDA and other concerned government
4 agencies or bureaus shall complete the updating of base maps. These base maps
5 and corresponding geospatial data shall be shared and disseminated to all
6 agencies and LGUs to serve as reference in plan preparation and other planning
7 activities.

8 **SEC. 29. *National Geo-hazard Mapping Program.*** – Within thirty (30)
9 days from the effectivity of this Act, a nationwide geo-hazard mapping program
10 shall be initiated jointly through the NLUC by the PHIVOLCS, the Philippine
11 Atmospheric Geophysical and Astronomical Services Administration
12 (PAGASA), the NAMRIA, the Mines and Geosciences Bureau (MGB),
13 BSWM, and DOE, in coordination with the National Disaster Risk Reduction
14 and Management Council (NDRRMC), the Regional Disaster Risk Reduction
15 and Management Council (RDRRMC), and other concerned government
16 agencies. The program shall include the generation of indicative geo-hazard
17 zoning maps that will outline areas in the Philippines which are prone to
18 liquefaction, landslides, severe flooding, lahar, ground rupturing, tsunami, river
19 erosion, coastal erosion, sinkhole collapse, earthquake, lava flow, pyroclastic
20 flow, base surge, and other natural hazards.

21 For purposes of uniformity and standardization and in order to develop a
22 safe-built environment, the LGUs shall subsequently incorporate and integrate

1 the generated geo-hazard zoning maps in their respective CLUPs. Said geo-
2 hazard maps shall serve as guide for all the LGUs in the preparation of their
3 own hazards-constrained development plans. The national framework physical
4 planning, pursuant to Section 5 hereof, shall incorporate these geo-hazard maps.

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

9 **SEC. 30. *Basic and Applied Research for Science and Technology***
10 ***Development.*** – Within one (1) year from the effectivity of this Act, the
11 Department of Science and Technology, in coordination with concerned
12 agencies, shall formulate a research agenda that will support physical
13 framework and land use planning.

14 **SEC. 31. *Scope and Nature of Responsibilities of Other National***
15 ***Government Agencies.*** – All concerned national government agencies shall
16 periodically report to the NLUC on the various activities and accomplishments
17 on land use, including their respective sectoral or development plans. The
18 NLUC may call upon the agencies for technical and administrative support.

19 **SEC. 32. *Monitoring of CLUP Implementation.*** – The DHSUD shall
20 design and install an information system for monitoring the actual use of land
21 resources, the reclassification of agricultural lands authorized by cities and
22 municipalities, and the implementation of CLUPs of LGUs with a view to

1 ensuring the compliance with national policies, standards and guidelines:
2 *Provided*, That the system shall be developed in coordination with DA, DAR,
3 DILG, NEDA, league of provinces, league of cities, league of municipalities
4 and other concerned national government agencies.

5 **SEC. 33. *Submission of Annual Report on the Implementation of***
6 ***CLUPs.*** – The C/MLUPC shall submit an annual report on the implementation
7 of their land use plans to the PLUPC, which shall integrate the same for
8 submission to the RLUPC, which shall in turn integrate the provincial reports
9 for submission to the NLUC.

10 **CHAPTER VIII**

11 **SPECIAL AREAS OF CONCERN**

12 **Article 1**

13 **Forest Lands and Reservation of Watershed**

14 **SEC. 34. *Reversion of Alienable and Disposable Lands to Forestlands.***
15 – Upon the recommendation of the Secretary of the DENR, duly reviewed and
16 endorsed by the NLUC, and after due consultations with the concerned LGUs
17 and affected parties, Congress may authorize the reversion of alienable and
18 disposable lands of the public domain or portion thereof to forestlands.
19 Thereafter, said lands shall be included in the preparation of land use plans
20 within forestlands.

21 **SEC. 35. *Critical Watershed Areas.*** – The DENR, in coordination with
22 the DA, LGUs and other government agencies, including government-owned

1 and controlled corporation, and after mandatory public hearings or
2 consultations, shall identify and delineate critical watershed areas that need to
3 be protected, rehabilitated, enhanced or withdrawn from uses that contribute to
4 their further degradation.

5 SEC. 36. ***Formulation and Implementation of Integrated Watershed***
6 ***Management Plans.*** – In the absence of a law on the protection and sustainable
7 management of our forests, the LGUs through their local land use committees
8 and upon mandatory consultations with the concerned sectors, and with the
9 assistance of DENR, shall prepare their watershed management plans which
10 shall be integrated with their respective CLUPs. The formulation and
11 integration of the plan shall be guided, among others, by the principle that the
12 management and development of inland water resources shall be at the
13 watershed level. A nationwide mapping of watersheds in the country shall be
14 implemented.

15 In cases where the watershed areas transcend the boundaries of a
16 particular municipality, an inter-LGU committee composed of representatives
17 from local land use committees of the LGUs where the watershed area is
18 located shall be formed. With the assistance of the DENR and upon mandatory
19 consultations with the concerned sectors, the inter-LGU committee shall
20 formulate the watershed management plan for the said watershed area. The
21 DENR and the concerned LGUs shall jointly implement the watershed
22 management plan subject to regular consultations with and involvement of the

1 community and other stakeholders in the implementation of the plan. The
2 preparation of forest land use plans shall make use of the watershed as the basic
3 planning unit.

4 **SEC. 37. *Establishment and Management of National Parks.*** – All
5 areas proclaimed by the President of the Philippines and Congress of the
6 Philippines to be under the NIPAS, unless disestablished, including those
7 identified as initial components of the NIPAS as KBAs, shall comprise the
8 national parks classification of the public domain. The DENR and concerned
9 LGUs shall ensure that such areas are integrated in the CLUP and physical
10 framework plans. The preparation of management plans of protected areas and
11 national parks shall be in accordance with the provisions of RA 7586 and other
12 laws establishing or declaring specific areas as protected areas.

13 **Article 2**

14 **Coastal Zones**

15 **SEC. 38. *Criteria on the Allocation and Utilization of Lands within the***
16 ***Coastal Zones.*** – The allocation and utilization of lands within the coastal zones
17 shall be guided by the following:

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

20 (b) Areas which meet all accepted criteria on elevation, soil type, soil
21 depth, topography, supply for successful fishpond development, and are not

1 identified as mangrove protected areas, shall be utilized for aquaculture
2 purposes;

3 (c) Areas sub-classified as mangrove and still suitable for use as such,
4 or due to environmental conditions need to be preserved as mangrove, but is
5 devoid of mangrove stands shall not be converted to other uses. The DENR
6 shall ensure that these lands shall be reforested within a given period of time;

7 (d) Areas accessible to the sea and identified for fisherfolk settlement
8 and housing shall be allocated to traditional fisherfolk who are inhabitants of the
9 coastal communities and members of legitimate fisherfolk organizations and/or
10 holders of stewardship lease contracts or titles to ancestral domains or any form
11 of property right arrangements who participate in coastal resource management
12 initiatives, subject to the usual census procedures of the DHSUD.

13 (e) Areas which are neither sub-classified as mangrove, fisherfolk
14 settlement nor fishpond may be devoted to recreational or tourism purposes:
15 Provided, that such undertaking will not result in environmental degradation
16 and displacement of small fishers;

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

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

21 (h) Areas which form part of foreshore lands as defined in this Act
22 including those which are under lease agreements or arrangements shall

1 undergo zoning and evaluation to determine their boundaries and actual sizes
2 and corresponding uses.

3 **SEC. 39. *Coastal Land Zone Sub-classification.*** – All public lands in
4 the coastal zones are sub-classified into any of the following: fishponds,
5 mangroves, protection from tidal surge for preservation of biodiversity, habitats
6 and sanctuaries for endangered wildlife, fisherfolk, settlement, or recreational or
7 tourism areas. No sub-classification of coastal zones to different uses may be
8 done without the following:

9 (a) Conduct of a comprehensive inventory and resource and
10 environmental assessment by the DENR with the respective LGUs and
11 accredited non-government organizations (NGOs) or peoples organization
12 (POs) within their territorial jurisdiction. The result of the assessment along
13 with a list of all existing applications and expired foreshore lease agreements
14 must be posted in three (3) conspicuous places in the affected localities; and

15 (b) Prior consultation with the local Fisheries and Aquatic Resource
16 Management Councils (FARMCs) pursuant to RA 8850.

17 **SEC. 40. *Zoning of Foreshore Areas.*** – Local government units, in
18 coordination with the DENR, shall conduct zoning of their respective foreshore
19 areas to assist government and community fishers identify priority areas for
20 conservation and development, and to enable them to set targets for mangrove
21 reforestation and rehabilitation.

1 SEC. 41. *Protection of Waterways, Easements and Flood Plains.* –

2 Structures of any kind may not be built in waterways and easements. Pursuant
3 to PD 1067, the banks of rivers and streams and the shores of the seas and lakes
4 throughout their entire length and within a zone of three (3) meters in urban
5 areas, twenty (20) meters in agricultural areas and forty (40) meters in forest
6 areas along their margins are subject to the easement of public use only in the
7 interest of recreation, navigation, floatage, fishing and salvage.

8 The protection of flood plans shall adopt a river basin management
9 approach to come up with integrated flood mitigation interventions.

10 Development within flood plains and other flood-prone areas must be controlled
11 or, if allowed, must be so sited, constructed and serviced that the lives of
12 occupants are not put at risk and that disruptions during floods are minimized.

13 The identification and characterization of flood-prone areas and flood plains
14 must be an integral part of the CLUP preparation. The LGUs shall establish land
15 use regulations to mitigate flood risks through the CLUPs and zoning
16 ordinances.

17 To promote the best interest and coordinated protection of flood plains,
18 the Department of Public Works and Highways (DPWH), in coordination with
19 the Department of Science and Technology (DOST) and DENR shall declare
20 flood control areas as necessary and shall prohibit or control activities that may
21 damage or cause deterioration of lakes and dikes, obstruct the flow of water,

1 change the natural flow of rivers, increase flood losses or aggravate flood
2 problems, pursuant to PD 1067.

3 **Article 3**

4 **Settlements Development**

5 SEC. 42. *Municipalities, Cities, and Settlements Development.* – The
6 development of municipalities, cities and settlements through CLUP and
7 implemented by the zoning ordinances of cities and municipalities are guided
8 by the urban zoning standards designed to maximize existing urban spaces,
9 taking into account studies of pertinent government agencies on climate change.

10 SEC. 43. *Settlements within Geo-hazard Areas.* – Settlements, in
11 particular housing or residential developments, within geo-hazard areas may be
12 allowed provided that mitigating or protective measures are adopted to address
13 the potential danger or risk to lives and property within such settlements. In
14 coordination with the concerned agencies of the government, the Land Use
15 Policy Council shall provide assistance to concerned LGUs and settlers in
16 instituting safety and corrective measures to address the potential danger or risk.
17 Residential zones as designated in the CLUP shall be considered as outside the
18 geo-hazard areas. For this purpose, housing projects within such areas shall be
19 exempt from the ECC as well as the EGGAR and maybe implemented without
20 the need for any further certificate of exemption from the DENR or any other
21 government regulatory agency.

1 SEC. 44. *Designation of Waste and Environment Management Site.* –

2 Each city or municipality shall identify and designate an area to serve as a waste
3 and environment management site within one (1) year from the effectivity of
4 this Act. The LGUs, in coordination with the DENR or any other competent
5 authority, shall identify sanitary landfill in order to fast track the conduct of the
6 Environmental Impact Assessment (EIA) study and to facilitate the processing
7 of the ECC. The site or area must be included in the CLUP of the city or
8 municipality. The cities and municipalities shall establish the solid waste
9 management program pursuant to RA 9003, otherwise known as the
10 “*Ecological Solid Waste Management Act of 2000.*” Likewise, as provided
11 under Section 33 of RA 7160, cities and municipalities may, through
12 appropriate ordinances, bind themselves towards the establishment of a
13 common solid waste management program.

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

19 SEC. 45. *Network of Settlements.* – The framework and policies for the
20 development of network of settlements shall be provided by the National
21 Physical Framework Plan formulated by the NLUC. Individual settlements shall
22 be planned as part of a national network of settlements. The network shall be

1 based on existing and potential settlements; production activities, particularly
2 those that involve highly competitive industries and services and generate local
3 employment; environmental constraints and sustainability considerations.
4 Individual cities and municipalities shall be integrated through transportation
5 and other infrastructure support facilities.

6 SEC. 46. *Criteria for Settlement Sites.* – The following shall be the
7 criteria for identifying settlement areas:

8 (a) Within A&D lands but not in environmentally-critical, hazard-
9 prone or other protection areas;

10 (b) Along established urban growth directions;

11 (c) Are already or can be provided with basic services and utilities;

12 (d) Ideally within the 0-8% slope range, but with mitigating measures
13 from slope 9-17%;

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

17 (f) Identified ICCs/IPs settlement areas shall be located within
18 ancestral domains.

19 Hazard-prone areas shall be defined, delineated and mapped by the
20 DENR and other the mandated government agencies. As such, new settlements
21 within high-risk areas shall not be allowed. In cases where there are existing
22 settlements within geo-hazard areas or high risk areas, mitigating or protective

1 measures shall be adopted to address the potential danger or risk to lives and
2 property within such settlements. In coordination with the concerned agencies
3 of the government, the NLUC, through the RLUPC and PLUPC, shall provide
4 assistance to concerned LGUs and settlers in instituting safety and corrective
5 measures to address the potential danger or risk. New developments within geo-
6 hazard areas shall be required to submit an ECC and EGGAR consistent with
7 the Revised Procedural Manual for DENR Administrative Order (DAO) No.
8 2003-30 otherwise known as the *“Implementing Rules and Regulations of PD*
9 *1586 establishing an Environmental Impact Statement System”* and DAO No.
10 2000-28 otherwise known as the *“Implementing Guidelines on Engineering*
11 *Geological and Geohazard Assessment as Additional Requirement for ECC*
12 *Applications covering Subdivision, Housing and other Land Development and*
13 *Infrastructure Projects”*.

14 **SEC. 47. Sustainable Communities.** – Each city or municipality or
15 cluster of cities or municipalities, as appropriate, shall seek to follow the basic
16 features of sustainable communities, as guided by the National Urban
17 Development and Housing Framework: transit-oriented, pedestrian-biased, and
18 multiple use, with systems and practices that promote water use efficiency,
19 energy efficiency, waste segregation, recycling, and adequate community
20 facilities. Cities and municipalities or clusters thereof shall identify, designate
21 and allocate areas within their territorial jurisdiction to serve as waste disposal

1 site following the provisions of RA 9003, otherwise known as the "*Ecological*
2 *Solid Waste Management Act of 2000*".

3 **SEC. 48. *Designation and Zoning of Socialized Housing Zones.*** – Each
4 city or municipality in urban, urbanizable and rural areas shall designate
5 through the CLUP adequate lands for housing or residential purposes, including
6 socialized housing and resettlement areas for the immediate and future needs of
7 the local population as well as the underprivileged and homeless in their
8 territory, pursuant to existing laws and regulations. In order to ensure adequate
9 availability of land for the housing needs of the local population, the CLUP
10 shall be updated, at maximum, every ten (10) years for provinces, cities and
11 municipalities.

12 The designated sites for socialized housing shall be located in residential
13 zones, and shall be zoned as socialized housing zones that are integrated in the
14 city or municipality's zoning ordinance, pursuant to existing laws and
15 regulations.

16 Fisherfolk settlements and housing in coastal municipalities shall be
17 zoned near the sea for easy access to their livelihood as provided under Section
18 38 (d) of this Act.

19 The housing or residential lands designated in the CLUPS and zoning
20 ordinances of cities and municipalities shall, on one hand, not be subject to
21 further land reclassification by the LGU or land conversion procedure under
22 DAR. On the other hand, agricultural lands as designated in the CLUP which

1 are no longer economically feasible for agricultural use may be subject to land
2 reclassification or conversion to housing or residential purposes and such
3 conversion, as the case may be, shall be exempt from the coverage of any
4 moratorium on land conversion.

5 **SEC. 49. *Urban Forest or Green Space.*** – Each city or highly urbanizing
6 municipality shall identify, designate, and allocate lands owned by the city or
7 municipality as urban forest or green space based on the guidelines and
8 standards to be issued by the DENR and approved by the NLUC.

9 **Article 4**

10 **NIPAS Areas**

11 **SEC. 50. *Integrated Management Strategy.*** – For more effective
12 planning, management, and protection of protected areas at the provincial, city
13 or municipal levels, the Protected Area Management Plan (PAMP) referred to in
14 RA 7586 must be incorporated in the Provincial Physical Framework Plan and
15 CLUPs, if applicable, wherein the protected area zoning must be reflected.

16 **Article 5**

17 **Agricultural Lands**

18 **SEC. 51. *Priority Areas for Agricultural Development.*** – Priority Areas
19 for agricultural development shall be those agricultural areas covered under RA
20 6657 and those covered under Network of Protected Areas for Agricultural and
21 Agro-Industrial Development (NPAAAD), defined in Section 4 of this Act and
22 in RA 8435.

1 SEC. 52. *Conversion of Agricultural Lands.* – Agricultural lands are
2 deemed converted to non-agricultural uses upon approval by the DAR of the
3 application for conversion. Prime agricultural lands and specific types of lands
4 to the extent necessary for attaining food self-sufficiency in rice and corn and
5 food security in other basic commodities, as determined by the DA, subject to
6 mandatory consultation with the LGUs, the private sector, the NGOs, and POs,
7 shall be protected from conversion, which shall include but not limited to areas
8 under the NPAAAD: *Provided,* That all irrigated and irrigable lands, all lands
9 developed or possessing the potential for development of high value crops, and
10 all agricultural lands that are ecologically fragile and whose conversion will
11 result in serious environmental problems shall be given full protection from
12 conversion, the areas under which are subject to review every seven (7) years by
13 the DA, with the mandatory public consultations: *Provided further,* That
14 consistent with the State policy on giving priority to the completion of the
15 comprehensive agrarian reform program, all lands subject to the comprehensive
16 agrarian reform program including those lands covered under the notice of
17 compulsory acquisition or voluntary offer to sell, production or profit-sharing,
18 or commercial farm deferment shall also be protected from conversion pending
19 the distribution and installation of the farmer beneficiaries, but thereafter,
20 Section 22 of RA 9700 shall apply: *Provided furthermore,* That the conversion
21 of agricultural lands for use of priority government projects for basic services
22 such as, but not limited to, irrigation and power shall be allowed only upon the

1 recommendation of the Secretaries of the DA and the DAR: *Provided finally,*
2 That the mapping of the NPAAAD under the AFMA shall be completed within
3 two (2) years from the effectivity of this Act. Lands defined under Section 10
4 of RA 6657 shall remain exempted and excluded from the coverage of the
5 comprehensive agrarian reform program.

6 **SEC. 53. *Sub-classification or Re- classification of Agricultural Lands***
7 ***by LGUs.*** – Sub-classification or re-classification of agricultural lands to other
8 uses under Section 20 of RA 7160 shall exclude the protected agricultural lands
9 as stated in the preceding section. Moreover, such sub-classification or
10 reclassification is not synonymous to conversion. The DA and DAR shall
11 provide the LGUs with complete list and maps of protected agricultural lands
12 within their territorial jurisdictions.

13 **SEC. 54. *Criteria for the Utilization and Allocation of Land for Mining***
14 ***Purposes.*** – Consistent with Section 9 of this Act and the provisions of RA
15 7942, otherwise known as the “*Philippine Mining Act of 1995*”, and to ensure
16 that the objectives of maintaining ecological balance and maximizing economic
17 returns to mining operations are realized, the allocation and utilization of lands
18 for mining purposes shall be guided by the following:

- 19 (a) The principles of sustainable development and responsible mining;
20 (b) In case of small-scale mining, adequate and acceptable safeguards
21 shall be instituted by the holders of mining rights or permits to prevent
22 environmental degradation of the mining sites and adjacent areas;

1 (c) Mineral reservations which have become non-operational for more
2 than five (5) years as determined by the MGB shall be placed under appropriate
3 surface management by the DENR;

4 (d) Consistent with RA 7942, areas closed to mining operations shall
5 be periodically reviewed through mineral exploration to be undertaken by the
6 DENR for the purpose of determining whether or not their continued closure is
7 consistent with the national interest and, if warranted, recommend their
8 reclassification as mineral lands; and

9 (e) Protection forestlands and agricultural lands shall be exempt from
10 mining activities to minimize the effect of natural calamities and to protect food
11 security respectively. The small to large scale mining operations shall yield
12 from and recognize the tenurial instrument given by the government such as
13 original certificate of title (OCT), transfer certificate of title (TCT),
14 certificate of ancestral domain title (CADT), emancipation patent-certificate of
15 land ownership award (EP-CLOA) and other instruments. If these be present, no
16 mining activity shall be conducted.

17 **SEC. 55. *Reversion of Mineral Lands.*** – All mineral lands with
18 exhausted mineral resources, as determined by the MGB upon the
19 recommendation of the DENR, shall revert to its original land classification,
20 that is, as forestland or agricultural land. In the case of forestlands, the DENR
21 may classify such areas for other purposes in consultation with concerned

1 LGU's, the Department of Tourism (DOT), and other national government
2 agencies.

3 **Article 6**

4 **Energy Resources**

5 **SEC. 56. *Guidelines for the Utilization and Allocation of Lands for***
6 ***Energy Resource Exploration, Development, Production, Utilization, and***
7 ***Distribution Purposes.*** – To ensure that the objectives of maintaining
8 ecological balance and maximizing the power potential from indigenous energy
9 resources in the most economical and environmentally-acceptable means are
10 realized, the allocation and utilization of lands are be guided by the following,
11 consistent with the existing regulations and laws on energy resources:

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

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

1 (c) Protected areas defined in Section 4 of this Act are closed to any
2 kind of energy resource development;

3 (d) Energy reservations or portions thereof which have become or have
4 been established to be non-economically viable to operate or are no longer used
5 for energy purposes must be reclassified to other land uses, subject to existing
6 laws covering energy reservations; and

7 (e) Renewable energy is preferred over other energy resource.

8 **SEC. 57. *Reversion of Energy Resource Lands.*** – All exhausted
9 indigenous energy resource lands, as determined by the Department of Energy
10 (DOE), which are not covered by proclamations must automatically revert to the
11 category of forestlands or agricultural lands, open to disposition, whichever is
12 appropriate, unless the DENR classifies such areas for other purposes.
13 Exhausted energy resource lands are specific energy resource sites that the
14 energy reserves of the desired type or types are no longer in sufficient quantity
15 or quality to justify additional expenditure for its extraction and utilization.

16 **Article 7**

17 **Industrial Development Areas or Sites**

18 **SEC. 58. *Criteria for Designating Industrial Development Areas.*** – The
19 identification and establishment of industrial development areas shall conform
20 to the provisions of RA 7916, RA 6657, RA 8371, RA 7279, RA 8550, and RA
21 8435, taking into consideration the following:

- 1 (a) Identified network of areas for agricultural development and
2 protected agricultural areas pursuant to the RA 8435;
- 3 (b) National policies on the regional dispersal of industries and agri-
4 based industrial development;
- 5 (c) Identified growth areas and corridors in the National Development
6 Plan;
- 7 (d) NIPAS and non-NIPAS areas such as KBAs and restored areas that
8 require protection;
- 9 (e) National and Urban Development and Housing Framework;
- 10 (f) Identified socialized housing zones; and
- 11 (g) National Framework for Physical Planning and other existing
12 national programs and policies.

13 The designated industrial development areas must be located only in
14 production land uses areas and shall form as an integral part of the land use plan
15 and zoning ordinance of the city or municipality where these areas are located.
16 RA 6657, RA 8371, RA 7279, RA 855, RA 8435 and RA 7160.

17 **Article 8**

18 **Tourism Development Areas**

19 **SEC. 59. *Designating Tourism Development Areas.*** – The
20 identification, selection, and development of tourism development areas, and
21 Tourism Enterprise Zones (TEZs) shall be done in consultation and
22 coordination with the LGUs, the Tourism Infrastructure and Enterprise Zone

1 Authority, Department of Tourism and other national government agencies, the
2 private sector and the affected communities subject to the provisions of RA
3 9593, otherwise known as "*The Tourism Act of 2009.*" Tourism development
4 areas include those covered by legislative and executive issuances such as
5 tourist spots, tourist zones and tourism ecozones which can be developed into
6 tourism estates or integrated resort, or integrated resort leisure and recreation
7 complexes. Other tourism-related facilities and those identified in the national,
8 regional and area-specific tourism master plans and other sector plans, such as
9 ecotourism and agri-tourism sites are also considered as tourism development
10 areas. The sites designated for tourism development must be outside of the
11 areas identified for protection land use. As much as practicable, community-
12 based tourism shall be the principal mode of tourist spot operation. RA 6657,
13 RA 8371, RA 7279, RA 8435, RA 7160 and Executive Order No. 111, Series of
14 1999, which provided for the national ecotourism strategy, shall apply to all
15 tourist zones and tourist development areas.

16 Designated areas for tourism development form part of the CLUPs and zoning
17 ordinances of the cities or municipalities where these areas are located.

18 **SEC. 60. *Identification and Declaration of Areas for Protection,***
19 ***Conservation and Preservation of Cultural Heritage.*** – Pursuant to RA 10066,
20 the National Historical Commission of the Philippines (NHCP) or the National
21 Museum in coordination with National Commission for Culture and the Arts,
22 DHSUD and other concerned agencies, local communities, and the private

1 sector, shall identify declared areas and structures which shall be protected and
2 preserved as part of the Philippine cultural heritage.

3 The LGUs in coordination with the NHCP, the National Commission for
4 Culture and Arts (NCCA) and the Cultural Center of the Philippines (CCP) shall
5 designate historical zones to protect the historical integrity of said geographical
6 areas and cultural space of intangible cultural properties.

7 **Article 9**

8 **Infrastructure Development**

9 SEC. 61. *Strategic Transport Network.* – The national government,
10 through the Department of Transportation, shall establish a strategic and
11 sustainable multimodal transport network that provides connectivity within the
12 national network of settlements. Such connectivity shall include linkages
13 among existing and proposed priority urban centers, rural areas, production
14 hubs and tourism zones, distribution centers and markets, and key international
15 points of entry. It shall be developed to promote network efficiency and social
16 service delivery, to catalyze areas identified critical for economic growth, while
17 minimizing negative impacts to environmentally-critical and protected areas.

18 The national network of settlements, as defined in the NPPF, shall guide
19 the development of a multi-modal transportation network. The network shall be
20 designed and implemented to provide seamless connectivity among the various
21 modes of transportation. The RPPFs, PDPFPs and city or municipal CLUPs

1 shall focus on the transportation network that corresponds to their respective
2 jurisdictions while maintaining consistency with the overall national networks.

3 **SEC. 62. *Allocation and Use of Land for Infrastructure Development.***

4 – Land, whether public or private, shall be allocated and utilized for priority
5 infrastructure projects that are supportive of national or local development
6 objectives. The National Economic and Development Agency (NEDA), in
7 consultation with the national government agencies, LGUs and the private
8 sector, shall identify and periodically review, update or revise the list of priority
9 infrastructure projects under an over-all national strategic infrastructure
10 development plan subject to the provisions of this Act, RA 8435 and RA 8371.
11 The national strategic infrastructure development plan must be consistent and
12 integrated in the objectives and directions of the National Physical Framework
13 Plan.

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

16 (a) Respond to immediate and vital requirements of the national and
17 regional economy with priority to improving production-market integration,
18 inter-modal transport, conveyance and logistics linkages, rural infrastructure
19 and the development of the agriculture and fisheries sectors;

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

21 (c) Address the need for sustainable settlement development; and

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

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

10 The proponent of the infrastructure project shall follow the rules on just
11 and humane eviction or demolition under Section 28 of RA 7279 as a last resort,
12 notwithstanding the provisions of RA 8975, prohibiting lower courts from
13 issuing temporary restraining orders, preliminary injunctions or preliminary
14 mandatory injunctions. The proponent shall also follow the provisions of RA
15 8371, particularly those pertaining to the rights of IPs or ICCs in case of
16 displacement. The national government infrastructure projects shall, after
17 determining that displacement is unavoidable, include the budgetary
18 requirements for the adequate relocation of displaced communities.

19 **SEC. 63. *Infrastructure Projects within Geo-hazard Areas.*** –
20 Construction of priority infrastructure projects within hazard-prone areas are
21 allowed. However, mitigating or preventive measures must be adopted and
22 implemented to address the potential adverse economic, socio-cultural and

1 environmental impacts that emanate from these infrastructure projects, subject
2 to the findings and recommendations of a feasibility study or environment
3 impact assessment in accordance with PD 1586 and RA 4846, otherwise known
4 as the “*Cultural Properties Preservation and Protection Act.*”

5 Existing projects that were undertaken without the required
6 environmental impact assessment and which pose a threat to the environment,
7 or to the integrity of historic, archeological or scientifically significant areas, or
8 impinge on critical ecosystems may be terminated immediately or gradually
9 phased-out and relocated. If the existing project is to be maintained within their
10 life span, mitigating measures must be adopted and implemented. The rules on
11 mandatory public hearings or consultations and just and humane eviction or
12 demolition shall also be observed prior to the termination, gradual phase-out, or
13 relocation of projects that necessarily involve dislocations or displacement of
14 the people in the area.

15 **CHAPTER IX**

16 **TRAINING, EDUCATION AND VALUES FORMATION**

17 **SEC. 64. *Values Formation.*** – In order to develop a well-informed,
18 responsible and committed citizenry, who value the protection, conservation
19 and development of the limited land and other physical resources of the country,
20 the DepEd and Commission on Higher Education are hereby mandated to
21 include a sustainable land use education or any subject related thereto in the
22 curricula of primary, secondary and tertiary education.

1 **SEC. 65. *Information or Education Campaign and Capacity Building.***

2 – The NLUC shall spearhead a nationwide information or education campaign
3 on land use and physical planning together with the local and national
4 government agencies. The DILG and concerned agencies shall formulate and
5 implement a land use management capability building program for national and
6 local government officials, community leaders, representatives of NGOs, POs,
7 the religious sector and the general public.

8 **CHAPTER X**

9 **INCENTIVES, SANCTIONS AND PENALTIES**

10 **Article 1**

11 **INCENTIVES**

12 **SEC. 66. *Formulation of a System of Incentives and Awards.*** – The
13 NLUC shall come out with a system of incentives and awards to LGUs that
14 regularly update their CLUPs within the prescribed period, as follows:

15 (a) Provinces, highly urbanized cities, and independent component
16 cities once every nine (9) years; and

17 (b) Component cities and municipalities once every nine (9) years.

18 **SEC. 67. *Priority in Giving Technical Assistance to LGUs.*** – In
19 providing technical assistance and other forms of support related to land use
20 management and the implementation of development plans, the national
21 government agencies shall give priority to cities and municipalities with
22 approved CLUPs.

1 **Article 2**

2 **SANCTIONS AND PENALTIES**

3 **SEC. 68. *Failure to Formulate, Enforce, or Implement the CLUPs.***

4 – Within three (3) years the effectivity of this Act, all LGUs shall complete the
5 formulation of their CLUPs. Failure to formulate, enforce or implement the
6 CLUPs shall be subject to the penalties and sanctions to be imposed by DHSUD
7 pursuant to RA 11201 and its Implementing Rules and Regulations. The DILG,
8 consistent with due process, shall investigate, review, and impose appropriate
9 action regarding local chief executives and other local officials and employees
10 responsible for the formulation, enforcement, and/or implementation of the
11 CLUPs in case of any of the following:

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

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

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

18 **SEC. 69. *Causing Irrigated Agricultural Lands to be Idle.*** – Any
19 person or juridical entity who shall cause any irrigated lands whether
20 contiguous for not, within the protected areas for agricultural development, to
21 lie idle and unproductive for a period exceeding one (1) year, unless due to
22 force majeure, shall be subject to an idle land tax equivalent to five percent

1 (5%) of the value of the agricultural land as appearing in its real property tax
2 declaration. In addition, the violator shall be required to put back such lands to
3 productive agricultural use. Should the continued agricultural inactivity, unless
4 due to force majeure, exceed period of two (2) years, the land shall be subject to
5 escheat proceedings.

6 **SEC. 70. *Person Abetting Illegal Conversion.*** – Any person initiating,
7 causing, inducing, or abetting illegal conversion shall, upon conviction, be
8 imprisoned from seven (7) to twelve (12) years and imposed a fine of not less
9 than One hundred thousand (P100,000.00) pesos, or both at the discretion of the
10 court: *Provided*, That if the offender is a public official or employee, whether
11 elected or appointed, the penalty shall, in addition thereto, include dismissal
12 through permanent separation from the service and forfeiture of all benefits and
13 entitlements accruing to the public position and perpetual disqualification to run
14 or apply for any elective or appointive public office: *Provided further*, That if
15 the offender is a juridical person, the penalty of imprisonment shall be imposed
16 on the president, chief executive officer, manager, chairperson and all the
17 members of the board, and other responsible officers thereof, and the fine shall
18 be equivalent to the zonal value of the land or forty percent (40%) of the
19 shareholders equity, as determined at the time of judgment whichever is higher,
20 plus forfeiture of the land in favor of the State for sale through public auction,
21 the proceeds of which shall automatically accrue to the Agrarian Reform Fund
22 as provided for in Section 77 of this Act.

1 SEC. 71. *Fine for Non-Completion and Non-Commencement of*
2 *Development of Agricultural Lands with Approved Order of Conversion.* – A
3 landowner and designated developer or duly authorized representative who fails
4 to commence or complete the development of agricultural lands with approved
5 order of conversion shall be penalized, jointly or severally, with any of the
6 following fines based on the zonal value of the land at the time the fine is
7 imposed:

8 (a) On failure to commence within one year from the date of
9 conversion order:

10 (1) Six percent (6%) of the zonal value of the subject land for
11 the first three (3) hectares;

12 (2) Fifteen percent (15%) of the zonal value of the subject land
13 for the next three hectares, and

14 (3) Thirty percent (30%) of the zonal value of the subject land
15 for the remaining area: *Provided*, That the order of conversion shall be
16 deemed revoked automatically and the land shall revert to its original
17 agricultural use and covered automatically and the land shall revert to its
18 original agricultural use and covered.

19 (b) On failure to complete fifty percent (50%) of the approved
20 conversion plan within a specified time frame. Fifty percent (50%) of the zonal
21 value of the subject land and the revocation of the conversion plan on the
22 undeveloped portion which shall automatically revert to its original use as

1 agricultural land. The same shall be covered under the CARP and processed for
2 land distribution as soon as possible.

3 **SEC. 72. *Change of use from the Previously Authorized Conversion***

4 **Order.** – The landowner and future landowners of the property approved for
5 conversion shall not change its use to another use not authorized under the
6 Conversion Order without prior consent from the DAR. This prohibition
7 extends to changes in housing standards, changes in selling schemes, changes
8 from social housing to open market housing or vice-versa, and all other similar
9 changes. Violation of which shall be penalized with revocation of Conversion
10 Order and forfeiture of cash bond.

11 **SEC. 73. *Payment of Disturbance Compensation.*** – Following the order
12 of priority as enumerated in Section 22 of the CARP, as amended, qualified
13 beneficiaries such as agricultural lessees and share tenants, regular farm
14 workers, seasonal farm workers, other farm workers, actual tillers or occupants
15 of public lands, collective, or cooperative of the above-mentioned beneficiaries,
16 and others directly working on the land affected by agricultural land use
17 conversion shall be entitled to the payment of disturbance compensation
18 equivalent to five (5) times the average of the gross harvests on the landholding
19 during the last five (5) preceding calendar years or a certain percentage of the
20 converted land, whichever is higher, as determined by the DAR.

21 **SEC. 74. *Authority to Impose Fine.*** – The DAR shall impose the penalty
22 provided for under the preceding section.

1 SEC. 75. *Withdrawal of Local Development Permits or Licenses.* –

2 Upon receipt of notice from the DAR of illegal conversion, the concerned
3 agencies, city or municipality shall withdraw or revoke any development permit
4 or license issued to illegally converted agricultural lands.

5 SEC. 76. *Penalty for Reclassification of Protected Agricultural Lands*
6 *and Exceeding the Limit of Areas Allowed for Reclassification.* – Any person

7 initiating, causing, inducing or abetting the reclassification to non-agricultural
8 uses of protected agricultural areas as defined in this Act shall be punished with
9 imprisonment of twelve (12) years or a fine of not less than One hundred
10 thousand Pesos (P100,000.00), or both, at the discretion of the court.

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

15 If the offender is a juridical person, the president, chief executive officer,
16 manager, chairperson, members of the board and other officers who directly
17 participated in the violation of this Section shall be held liable.

18 The same penalty is applicable to persons who are responsible for
19 exceeding the limits set forth under Section 20 of RA 7160 pertaining to
20 reclassification of lands.

1 SEC. 77. *Utilization of Fines.* – The fines collected under Section 70 of
2 this Act shall accrue to the Agrarian Reform Fund and shall be used for the
3 purpose for which the fund is established.

4 CHAPTER XI

5 TRANSITORY AND FINAL PROVISIONS

6 SEC. 78. *Convening of the NLUC.* – Within thirty (30) days from the
7 effectivity of this Act, the chairperson shall convene the NLUC.

8 SEC. 79. *Implementing Rules and Regulations.* – Within six (6) months
9 from the effectivity of this Act, the NLUC shall promulgate the rules and
10 regulations to implement the provisions of this Act. Said rules and regulations
11 shall be submitted to the Congressional Oversight Committee for approval.

12 SEC. 80. *Congressional Oversight Committee on the Land Use Act.* –
13 There is hereby created a joint congressional oversight committee to monitor
14 the implantation of this Act. The committee shall be composed of seven (7)
15 senators and seven (7) representatives to be appointed by the Senate President
16 and Speaker of the House of Representatives, respectively. The members from
17 the Senate shall be appointed based on proportional representation of the parties
18 or coalitions therein, with at least two (2) senators representing the minority.
19 Likewise, the representatives from the House of Representatives shall be
20 appointed based on proportional representation of the parties or coalitions
21 therein with at least two (2) Members representing the minority.

1 The mandate given to the joint congressional oversight committee under
2 this Act shall be without prejudice to the performance of the duties and
3 functions by the respective existing oversight committees of the Senate and the
4 House of Representatives. The secretariat of the committee shall be drawn from
5 the existing secretariat personnel of the committees comprising the oversight.

6 **SEC. 81. *Appropriations.*** – The amount necessary for the initial
7 implementation of this Act shall be charged against the current year
8 appropriations of the NEDA Board – National Land Use Committee.
9 Thereafter, such sums as may be necessary for the continued implementation of
10 this Act shall be included in the budget of participating national government
11 agencies in the annual General Appropriations Act.

12 **SEC. 82. *Review of the Existing Land Use Plans.*** – Provinces, cities,
13 and municipalities with existing land use plans shall review, revise, reconcile,
14 and harmonize their respective land use plans in accordance with the guidelines
15 and standards issued by the National Land Use Commission within one (1) year
16 from the effectivity of this Act.

17 **SEC. 83. *Repealing Clause.*** – Sections 10 and 11 of RA 8435, Sections
18 447 (a2vii) and 458 (a2viii) of RA 7160, the pertinent provisions of Executive
19 Order No. 648, Series of 1991, Executive Order No. 72, Series of 1993,
20 Executive Order No. 770, Series of 2008, Letter of Instruction No. 1350, Series
21 of 1983, Presidential Proclamation No. 2282, Series of 1983 are hereby
22 repealed, amended or modified accordingly.

1 All other laws, orders issuance, rules and regulations inconsistent
2 herewith are repealed or modified accordingly.

3 SEC. 84. *Non-impairment Clause.* – Nothing in this Act shall be
4 construed as to diminish or impair the rights recognized granted, or available to
5 marginalized or the basic sectors under existing laws.

6 SEC. 85. *Separability Clause.* – If any provision of this Act is declared
7 unconstitutional, the remainder of this Act or any provisions not affected
8 thereby shall remain in full force and effect.

9 SEC. 86. *Effectivity.* – This Act shall take effect fifteen (15) days after
10 its publication in the *Official Gazette* or in a newspaper of general circulation.

11 Approved,