



MEMORANDUM

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

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

The Officer-in-Charge
Mines and Geosciences Bureau

FROM : **The Director**
Legislative Liaison Office

SUBJECT : **REQUEST FOR COMMENTS ON THE DRAFT EXECUTIVE ORDER ON FAST-TRACKING THE IMPLEMENTATION OF LAND USE-RELATED POLICIES TO ENSURE SUSTAINABLE LAND USE AND MANAGEMENT**

DATE : 8 March 2023

The Presidential Management Staff will conduct a Technical Coordination Meeting on the Drafting of an Executive Order (EO) for Sustainable Land Use and Management on 16 March 2023, 10 AM at the PMS Building.

In order to prepare for this meeting, we are respectfully **requesting your comments on the Draft Executive Order** attached to this Memorandum. Kindly submit them on or before 13 March 2023, 5 PM via email at denrlllo@denr.gov.ph.

For information and compliance, please.

ROMIROSE B. PADIN

cc: Undersecretary for Special Concerns and Legislative Affairs



Office of the President of the Philippines
PRESIDENTIAL MANAGEMENT STAFF
Malacañang

NOTICE OF MEETING

FOR : **The Executive Secretary**

The Secretaries

National Economic and Development Authority (NEDA)
Department of Agriculture (DA)
Department of Agrarian Reform (DAR)
Department of the Interior and Local Government (DILG)
Department of Environment and Natural Resources (DENR)
Department of Human Settlements and Urban Development (DHSUD)

FROM : The Undersecretary for Legal and Monitoring, PMS

SUBJECT : **TECHNICAL COORDINATION MEETING ON THE DRAFTING OF AN EXECUTIVE ORDER (EO) FOR SUSTAINABLE LAND USE AND MANAGEMENT**

DATE : 28 February 2023

May we request the attendance of your **authorized representatives** to a Technical Coordination Meeting on **16 March 2023** (Thursday), **10:00 A.M.**, at the PMS Building.

The meeting shall discuss the possibility of crafting an EO to ensure sustainable land use and management pending the passage of a National Land Use policy by Congress. This is in compliance with the President's directive during the Meeting on the Updates on the President's Legislative Priorities on 24 January 2023.

For clarifications and confirmation of attendance, please contact Ms. Vinna Abegail D. Raya at 09457734357 or gail.raya@pms.gov.ph.

Thank you.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. _____

**FAST-TRACKING THE IMPLEMENTATION OF LAND USE-RELATED POLICIES TO
ENSURE SUSTAINABLE LAND USE AND MANAGEMENT**

WHEREAS, there is an urgent need to efficiently, equitably and sustainably allocate land resources to achieve food security, determine hazardous areas, delineate protected areas, identify areas for settlements, commercial, industrial and infrastructure uses, among others, with minimal impact on future generations;

WHEREAS, there is a need to harmonize the land use-related functions of various government agencies, streamline the land use conversion process, and fast-track the implementation of land use-related policies in order to optimize the potentials of land resources and spur economic development in the countryside;

WHEREAS, land has a social function and land ownership has a social responsibility; the conversion of agricultural lands into industrial, commercial or residential lands shall take into account the tillers' rights and national food security;

WHEREAS, Article XIII, Section 9 of the 1987 Constitution provides that the State shall undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlements areas; the State shall also promote adequate employment opportunities to such citizens; and in the implementation of such program, the State shall respect the rights of small property owners;

WHEREAS, Article VII, Section 17 of the 1987 Constitution provides that the President shall have control over all the executive departments, bureaus and offices, and shall ensure the faithful execution of laws;

WHEREAS, Letter of Instruction (LOI) No. 1350, series of 1983, institutionalized the framework for national physical planning and created the National Land Use Committee (NLUC); and

WHEREAS, Executive Order (EO) No. 770 series of 2008, as amended by EO No. 770-A series of 2009, strengthened the NLUC by elevating it into a National Economic and Development Authority (NEDA) Board Committee;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of powers vested in me by the Constitution and existing laws, do hereby order:

Section 1. Reconstitution of the National Land Use Committee (NLUC). The NEDA Board - National Land Use Committee, which was created under EO No. 770, series of 2008, as amended, as the highest policy-making body on land use, is hereby reconstituted with the following composition:

Chairperson: Secretary of Socio-economic Planning
Members: Secretaries of

Environment and Natural Resources,
Agriculture,
Agrarian Reform,
Interior and Local Government, and
Human Settlements and Urban Development.

The NLUC may call upon any relevant department, bureau, office, agency and instrumentality of the government, private entity, and land use and spatial planning experts for cooperation, support, and assistance in the performance of its functions.

Section 2. Powers and Functions of the NLUC. The NLUC shall have the following powers and functions:

- a) Advise the President of the Philippines on all matters concerning land use and spatial planning;
- b) Discuss and facilitate the resolution of all disputes and controversies on land use policies among agencies of the government;
- c) Formulate a national framework for physical planning, shepherd the preparation of sub-national spatial development and physical frameworks and come up with other inter-sectoral policies and programs that guide the rational use and management of the country's land and other physical resources;
- d) Promote the integration of land use and spatial planning policies, plans and programs, including disaster risk management and climate change adaptation, into national and sub-national socio-economic plans and programs;
- e) Coordinate the establishment of an up-to-date, inter-operable and accessible national databases on land use;
- f) Assess periodically the impacts or effects of land use policies which have been adopted and implemented; and
- g) Provide policy directions to the Regional Land Use Committees in the performance of their land use policy coordination and spatial planning functions.

Section 3. Reconstitution of the Regional Land Use Committee (RLUC). At the regional level, the RLUC under the Regional Development Council (RDC) shall be reconstituted with the following composition:

Chairperson: Regional Director of the NEDA Regional Office
Members: Regional Directors of
Environment and Natural Resources,
Agriculture,
Agrarian Reform,
Interior and Local Government,
Human Settlements and Urban Development,

The RLUC may also call upon any relevant department, bureau, office, agency and instrumentality of the government, private entity, and land use and spatial planning experts for cooperation, support, and assistance in the performance of its functions.

For the case of Metro Manila, the Chairman of the Metro Manila Development Authority (MMDA) shall serve as the Chairperson of the Regional Land Use Committee.

Land use concerns in the National Capital Region (NCR) shall be undertaken and resolved by the MMDA as the Technical Secretariat for the Regional Development Council – NCR prior to its discussion at the Metro Manila Council. Issues that remain unsettled by the said Council shall be elevated to the NLUC. Land use concerns in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) shall be settled by the appropriate institutional mechanism in the BARMM. Furthermore, all concerned government agencies with land use planning functions shall extend technical assistance, upon request, to the BARMM and its LGUs in their land use planning activities.

Section 4. Powers and Functions of the RLUCs. The RLUCs shall have the following powers and functions:

- a) Formulate and periodically update the regional spatial development and physical framework taking into consideration national, interregional, regional and local plans and policies;
- b) Promote the integration of land use and spatial planning policies, plans and programs, including disaster risk reduction measures into the regional socio-economic plans and programs;
- c) Discuss and facilitate the resolution of region-specific land use policy disputes and controversies among government agencies, especially those arising from the implementation of RFPs;
- d) Elevate to the NLUC, for discussion and settlement, the unresolved region-specific land use policy disputes and controversies among government agencies in the regions;
- e) Assess changes in land use and other physical resources in the regions in coordination with the Local Land Use Committees;
- f) Evaluate the consistency of major sub-national programs and projects with the RFP and their impacts on land use and the environment;
- g) Assess periodically the sub-national impacts or effects of land use policies which have been adopted and implemented;
- h) Undertake the gathering, updating and maintenance of a regional land use database system; and
- i) Perform other related functions as may be directed by the NLUC.

Section 5. Offices, Units and Staff Support to the NLUC and RLUCs. The NEDA shall continue to provide core secretariat services to the NLUC and RLUCs.

Section 6. Local Land Use Committees (LUCs). The Provincial Land Use Committee established under EO 72 s. 1993 is hereby reconstituted and strengthened. Furthermore, consistent with Section 112 of RA 7160, otherwise known as the Local Government Code of 1991, local land use committees shall be established at the city and municipal levels. The Provincial, City and Municipal LUCs shall have the following composition:

- Chairperson: The respective Provincial, City, or Municipal Local Planning and Development Officer/Coordinator
- Members: The respective Provincial, City, or Municipal

Agriculturist,
Engineer,
Tourism Officer,
Assessor,
Disaster Risk Reduction and Management Officer
Economic and Investment Promotions Officer, and
Agrarian Reform Program Officer,

the DENR's Environment and Natural Resources Officer in the LGU (i.e., the Provincial Environment and Natural Resources Officer in the case of Provincial LUCs, and the Community Environment and Natural Resources Officer for City LUCs and Municipal LUCs),

and representatives from the respective Regional Offices of the following agencies:

DAR
DHSUD
DA
DILG

Section 7. Provincial Land Use Committee. The Provincial LUC shall have the following powers and functions:

- a) Advise the Provincial Development Council and the Sanggunian Panlalawigan on all matters pertaining to land use and spatial planning;
- b) Review proposed policies, rules, and programs related to land use, including land reclassification and land use conversion, and such other land use-related matters that may arise in the Province, and recommend actions to the Provincial Development Council and the Sanggunian Panlalawigan;
- c) Formulate and periodically update the Provincial Development and Physical Framework Plan (PDPFPs) ensuring the integration of the salient contents of the Comprehensive Land Use Plans (CLUPs) of cities and municipalities, including those of Independent and Highly Urbanized Cities and Municipalities, and the consistency of the CLUPs and Zoning Ordinances with the PDPFPs;
- d) Endorse the PDPFP to the Provincial Development Council for adoption, and subsequently to the Sanggunian Panlalawigan for approval provided that the PDPFPs shall be reviewed and approved by the DHSUD through the Secretary; and
- e) Assist the Sangguniang Panlalawigan in reviewing the CLUPs and Zoning Ordinances of component cities and municipalities to ensure consistency with the PDPFP.

The PDPFPs shall have a time frame of 12 years with a mandatory mid-term review or updating.

Section 8. City/Municipal Land Use Committee. The City/Municipal LUC shall have the following powers and functions:

- a) Advise the City/Municipal Development Council and the Sanggunian Panlungsod/Pambayan on all matters pertaining to land use and spatial planning;

- b) Review proposed policies, rules, and programs related to land use, including land reclassification and land use conversion, and such other land use-related matters that may arise in the City/Municipality, and recommend actions to the City/Municipal Development Council and the Sanggunian Panlungsod/Pambayan; and
- c) Formulate and periodically update the CLUPs and endorse the same to the City/Municipal Development Council for adoption, and subsequently to the Sanggunian Panlungsod/Pambayan for approval;

The CLUPs shall have a time frame of 12 years with a mandatory mid-term review and updating.

Section 9. Enhancing the Functions of the Department of Human Settlements and Urban Development (DHSUD) on Land Use Planning.

Consistent with Chapter III, Section 5, Item II (e) of RA 11201, or the Department of Human Settlements and Urban Development Act of 2019, the DHSUD, upon mandatory consultation with relevant government agencies, shall formulate and prescribe the land use planning standards and guidelines for the CLUPs and zoning ordinances of cities and municipalities, and the provincial development and physical framework plans (PDPFPs). Such standards and guidelines shall provide due consideration to the protection of environmentally-critical areas, prime agricultural lands, culturally significant lands, and other fragile ecosystems. Furthermore, the guidelines shall ensure that disaster risk reduction and climate change adaptation are mainstreamed in the said plans pursuant to RA 9729, otherwise known as the Climate Change Act of 2009, and RA 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010.

Pursuant to EO No. 72, s. 1993, the PDPFPs (erstwhile called CLUPs of provinces under EO No. 72 s. 1993), as well as the CLUPs of highly urbanized cities, independent component cities, and LGUs in the National Capital Region, shall be reviewed and ratified by the DHSUD to ensure compliance with the national standards and regulations on land use planning and zoning.

The DHSUD shall design, establish and maintain an information and management system for monitoring the land reclassification contained in the CLUPs.

Section 10. Streamlining the Process of Applications for Land Use Conversion.

The DAR, as the agency mandated to authorize land use conversion under EO No. 129-A, s. 1987 and section 65 of RA No. 6657, otherwise known as the Comprehensive Agrarian Reform Law of 1998, as amended by RA No. 9700, shall be guided by the reclassification of lands as indicated in the CLUPs and as such streamline the land use conversion process to ensure the speedy disposition of the same. It shall monitor and maintain a database on the actual uses of the lands approved or disapproved for land use conversion. It shall ensure that the Task Force on Illegal Conversion in the provinces shall commence the necessary and proper criminal complaint for illegal conversion cases in accordance with sections 73 and 74 of RA 6657, as amended in 2009 by RA 9700. It shall periodically report these incidences to the NLUC.

Section 11. Continuous Updating of Consolidated Data on All Irrigated and Irrigable Lands.

Consistent with Administrative Order No. 363, series of 1997, the National Irrigation Administration (NIA) shall continue the preparation, updating and consolidation of maps and data of irrigated and irrigable lands which shall be protected from conversion. The

NIA shall also report the same to the NLUC within one (1) year upon the effectivity of this Executive Order.

Section 12. Delineation and Updating of Strategic Agriculture and Fisheries Development Zones (SAFDZ). Consistent with sections 6 and 7 of the Agriculture and Fisheries Modernization Act of 1997 or RA No 8435, the Department of Agriculture, in consultation with DAR, DENR, Department of Trade and Industry, Department of Science and Technology, concerned LGUs, and organized farmers and fisherfolk groups, shall delineate and update the SAFDZ within one (1) year upon the effectivity of this EO. The maps which will be produced as a result of the delineation and updating of the SAFDZ shall be made available to the local government units for the preparation of their respective PDPFPs, CLUPs and Zoning Ordinances.

Section 13. Forest Land Boundary Delineation. Pursuant to Presidential Decree (PD) No. 705 s. 1975, otherwise known as the Revised Forestry Code, as amended, and EO No. 318, s. 2004, which vests in the Department of Environment and Natural Resources (DENR) the mandate to delineate, classify and demarcate the forest lands to ensure its protection and sustainable development, within one (1) year upon the effectivity of this Executive Order, the DENR shall complete the delineation on the ground of forest lands and national parks, and submit the same to Congress for enactment into law pursuant to Section 4 Article XII of the 1987 Constitution. The result of forest boundary delineation shall be made available to the public for planning, land titling, reversion of alienable and disposable lands to forest lands, and other purposes.

Section 14. Management of Coastal Resources. Within one (1) year upon effectivity of this Executive Order, a National Integrated Coastal Management (ICM) Framework shall be developed by the DENR in coordination with the DA-Bureau of Fisheries and Aquatic Resources and other relevant agencies. The National ICM Framework shall include the following:

- a) coastal and marine use classification including the zonation of coastal areas for protection and production uses;
- b) rehabilitation and conservation of coastal ecosystems such as coral reefs, mangroves, sea grass, estuaries and other habitats through the establishment of marine protected areas, nature reserves and sanctuaries;
- c) identification of disaster risk reduction and climate change adaptation measures for coastal areas;
- d) development of management approaches for the conservation of upland watersheds, catchment areas and river basins; and
- e) integrated waste management including sewage systems, solid, hazardous, toxic, and other wastes by major sources.

DENR shall provide guidance to LGUs in integrating coastal management in their CLUPs.

Section 15. Delineation and Mapping of Hazard-prone and Vulnerable Areas. The DA - Bureau of Soils and Water Management (BSWM), DENR - Mines and Geosciences Bureau (MGB), DENR - Forest Management Bureau (FMB), DENR - Ecosystems Research and Development Bureau, DOST-Philippine Institute of Volcanology and Seismology (PHIVOLCS), DOST-Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA), Department of Energy (DOE) and National Mapping and Resource Information Authority (NAMRIA), shall delineate hazard-prone and vulnerable

areas and continuously update their hazard maps and the corresponding geospatial data using a science-based approach and employing existing technologies.

Within one (1) year upon the effectivity of this Executive Order, the said agencies shall complete the dissemination of these maps to LGUs for the latter's guidance in the preparation of their own hazards-constrained development and physical framework and land use plans.

The Office of Civil Defense shall ensure that such hazard information are considered in the proposed disaster risk reduction and management plans.

Section 16. Delineation and Recognition of Ancestral Domains. The National Commission on Indigenous Peoples (NCIP) shall ensure that the recognition and promotion of the rights of Indigenous Cultural Communities and Indigenous Peoples are within the framework of national unity and development. Within one (1) year upon the effectivity of this Executive Order, the NCIP shall provide the NLUC with a mapping and a database of all the ancestral domains in the country as these shall serve as one of the references in the formulation of land use and spatial planning policies.

Section 17. National Base Mapping Program. Within one (1) year upon the effectivity of this Executive Order, the NAMRIA shall complete the 1:10,000 scale base maps of the whole country. The base maps shall be updated every six years at the minimum. Such maps, along with other relevant geospatial data from other government agencies shall be shared and disseminated to all LGUs and government agencies and shall serve as reference in defining the planning area for land use planning, local development planning, and other planning activities.

Section 18. Land Consolidation for Agro-industrial Development. The consolidation of small-scale agricultural landholdings shall be promoted to take advantage of economies of scale in agricultural production, to promote value chain development, and to increase farm incomes and improve the quality of life of farmers. A Land Consolidation and Utilization Program under the DA shall be established. The program shall implement the following:

- a) Consolidation of small contiguous landholdings into bigger agricultural estates for farm operations and agro-industries;
- b) Crafting of a comprehensive plan and study of the optimum utilization and long term productivity of bigger landholdings;
- c) Private sector participation in agricultural production and management through adequate security, incentives and reasonable return on investments, within limits set by existing laws;
- d) Development and adoption of cooperative systems that will increase the participation and protection of small farmers; and
- e) Provision of support to consolidated farms in such forms as farm-to-market roads, irrigation, utilities, logistics, processing facilities, upgrading of basic social amenities, and marketing assistance to farmers.

Section 19. Sanctions and Penalties on the Failure to Formulate, Enforce, and/or Implement the CLUPs. The DHSUD shall monitor the LGUs' formulation and implementation of the CLUPs and the PDPFPs. Within two (2) years upon the effectivity of this Executive Order, all LGUs shall complete the formulation of their CLUPs or PDPFPs.

Failure to formulate, review, enforce and/or implement the CLUPs shall be subject to the penalties and sanctions to be imposed by the DHSUD pursuant to RA 11201 and its Implementing Rules and Regulations and/or shall be subject to an appropriate administrative

case to be filed by the DILG pursuant to Section 60 of RA 7160. Consistent with due process, the DHSUD and the DILG shall evaluate and file appropriate charges against local chief executives and other local officials and employees responsible for any act or omission violative or not complying with the land use planning and zoning regulations, despite the availability of funds, resources, and support by the Sanggunian concerned.

Section 20. Implementing Rules and Regulations (IRR). The NEDA and NLUC member-agencies shall issue the pertinent IRR within thirty (30) days from the effectivity of this Executive Order.

Section 21. Repealing Clause. All other rules, regulations and issuances or parts thereof that are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 22. Effectivity. This Executive Order shall take effect immediately upon its publication in the Official Gazette or in a newspaper of general circulation.

DONE, in the City of Manila, this ___ day of ___ in the year of our Lord Two Thousand and Twenty.

RODRIGO R. DUTERTE
President of the Philippines

By the President:

SALVADOR C. MEDIALDEA
Executive Secretary