



MEMORANDUM

FOR : All Undersecretaries
All Assistant Secretaries
All Bureau Directors
All Regional Executive Directors
All Attached Agencies

FROM : The Undersecretary
Special Concerns and Legislative Affairs

SUBJECT : REQUEST FOR FINAL COMMENTS/CONCURRENCE ON THE
NEDA BOARD-NATIONAL LAND USE COMMITTEE (NB-
NLUC) FINAL DRAFT EXECUTIVE ORDER ON LAND USE

DATE : 15 MAY 2023

The National Economic and Development Authority (NEDA) Board-National Land Use Committee (NB-NLUC) conducted a Technical Working Group (TWG) Meeting on the formulation of an Executive Order on Land Use on April 14, 2023.

As agreed in said NB-NLUC TWG Meeting, the draft EO will be circulated again to the TWG member agencies for final comments/concurrence before submission to the Office of the President.

In this regard, may we request your final comments/concurrence on the Final Draft Executive Order. Kindly submit it via email at denrilo@denr.gov.ph on or before **May 17, 2023 (Wednesday) at 5 PM** for submission to NEDA.

Attached herewith are the letter from NEDA, the Draft Executive Order as of May 10, 2023, a list of agreements during the NB-NLUC TWG Meeting, and a Matrix of agency comments for your reference.

Thanks,

IGNATIUS LOYOLA A. RODRIGUEZ



REPUBLIC OF THE PHILIPPINES
NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY

May 11, 2023

SECRETARY MARIA ANTONIA YULO LOYZAGA

Department of Environment and Natural Resources (DENR)
DENR Building, Visayas Avenue
Diliman, Quezon City

Dear **Secretary Loyzaga**:

Pursuant to the President's instruction to come up with an interim measure pending the enactment of the National Land Use Act, we would like to request comments/concurrence on the attached draft Executive Order (EO) to "*Accelerate the Implementation of Land use-related Policies to ensure Sustainable Land Use and Management*". The draft EO is based on the agreements during the NEDA Board-National Land Use Committee (NB-NLUC) Technical Working Group (TWG) Meeting held on April 14, 2023 attended by representatives from NEDA, DA, DAR, DENR, DHSUD, DILG, ULAP, OES and PMS. The draft also incorporates comments from NAMRIA, DENR-BMB, DENR-FMB, PAGASA, PHIVOLCS and PCSD. Comments were also solicited from NIA, NCIP and DENR-MGB but no inputs were received as of date.

As agreed in said NB-NLUC TWG Meeting, the draft EO will be circulated again to the TWG member-agencies for final comments/concurrence before submission to the Office of the President. We would appreciate receiving your comments/concurrence on or before **May 19, 2023**. Also attached for reference is the list of agreements during the NB-NLUC TWG Meeting and matrix of agency comments.

For clarifications, you may contact Mr. Ross de Leon or Ms. Eunice Gonzales thru telephone no.: 8631-0945 local 709 or email: rldeleon@neda.gov.ph and mmgonzales@neda.gov.ph. Kindly send your inputs to rdsmailbox@neda.gov.ph cc Mr. de Leon and Ms. Gonzales.

Thank you.



CARLOS BERNARDO O. ABAD SANTOS

Undersecretary, Regional Development Group, and
Chair, NB-NLUC Technical Board

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. ____

**ACCELERATE 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 accelerate 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 XII, Section 3 of the 1987 Constitution provides lands of the public domain are classified into agricultural, forest or timber, mineral lands, and national parks. Agricultural lands of the public domain may be further classified by law according to the uses to which they may be devoted;

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, Article X, Section 4, of the Constitution, states that the President shall exercise general supervision over local government units;

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;

52
53 **NOW, THEREFORE, I, FERDINAND R. MARCOS, JR.**, President of the Republic of
54 the Philippines, by virtue of powers vested in me by the Constitution and existing laws, do
55 hereby order:
56

57 **Section 1. Reconstitution of the National Land Use Committee (NLUC).** The NEDA
58 Board - National Land Use Committee, which was created under EO No. 770, series of 2008,
59 as amended, as the highest policy-making body on land use, is hereby reconstituted with the
60 following composition:
61

62 Chairperson: Secretary of Socio-economic Planning
63

64 Members: Secretaries of the:

65 Department of Environment and Natural Resources (DENR);
66 Department of Agriculture (DA);
67 Department of Agrarian Reform (DAR);
68 Department of the Interior and Local Government (DILG);
69 Department of Human Settlements and Urban
70 Development and (DHSUD);
71 Department of Public Works and Highways (DPWH);
72

73 One representative from the Union of Local Authorities of the Philippines
74 (ULAP).
75

76 Secretaries may designate a representative with a rank not lower than Undersecretary,
77 and an alternate of at least Director level.
78

79 The NLUC may call upon any relevant department, bureau, office, agency and
80 instrumentality of the government, department, bureau, office, agency and instrumentality of
81 the government, including but not limited to NCIP, DTI, DOTR, DOST, and DOE, private
82 entities, and land use and spatial planning experts for cooperation, support, and assistance in
83 the performance of its functions. The NLUC shall meet at least twice a year.
84

85 **Section 2. Powers and Functions of the NLUC.** The NLUC shall have the following powers
86 and functions:
87

- 88 a) Advise the President of the Philippines on all matters concerning land use and
89 spatial planning;
90
91 b) Integrate and harmonize guidelines and policies relevant to land use and spatial
92 planning;
93
94 c) Provide technical support in the resolution of disputes on land use and spatial
95 planning including those elevated by the Regional Land Use Committees
96 (RLUCs).;
97
98 d) Formulate a national framework for physical planning (NFPP), shepherd the
99 preparation of sub-national spatial development and physical frameworks and
100 come up with other inter-sectoral policies and programs that guide the rational use
101 and management of the country's land and other physical resources. The NFPP
102 shall have a timeframe of 30 years with regular review and updating every 10 years;
103

- 104 e) Promote the integration of land use and spatial planning policies, plans and
105 programs, including disaster risk management and climate change adaptation, into
106 national and sub-national socio-economic plans and programs;
107
108 f) Coordinate the establishment of an up-to-date, inter-operable and accessible
109 national databases on land use;
110
111 g) Assess periodically the impacts or effects of land use policies which have been
112 adopted and implemented; and
113
114 h) Provide policy directions to the Regional Land Use Committees in the performance
115 of their land use policy coordination and spatial planning functions.
116

117 **Section 3. Reconstitution of the Regional Land Use Committee (RLUC).** At the
118 regional level, the RLUC under the Regional Development Council (RDC) shall be
119 reconstituted with the following composition:
120

121 Chairperson: Regional Director of the NEDA Regional Office
122 Members: Regional Directors of the DENR, DA, DAR, DILG, DHSUD and DPWH
123 and one representative from ULAP
124

125 The RLUC may also call upon any relevant department, bureau, office, agency and
126 instrumentality of the government including the regional offices of the NCIP, DTI, DOST, and
127 DOE, private entities, and land use and spatial planning experts for cooperation, support, and
128 assistance in the performance of its functions.
129

130 For Metro Manila, the Chairman of the Metro Manila Development Authority (MMDA)
131 shall serve as the Chairperson of the Regional Land Use Committee.
132

133 Land use concerns, including the preparation of the regional and provincial spatial
134 development frameworks city and municipal comprehensive land use plans in the
135 Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) shall be addressed by the
136 appropriate institutional mechanism in the BARMM. Furthermore, all concerned government
137 agencies with land use planning functions shall extend technical assistance, upon request, to
138 the BARMM and its LGUs in their land use planning activities.
139

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

- 142 a) Formulate and periodically update the regional spatial development and physical
143 framework taking into consideration national, interregional, regional and local
144 plans and policies. The RPPF shall have a timeframe of 12 years with regular
145 review and updating every six years or when deemed necessary.
- 146 b) Promote the integration of land use and spatial planning policies, plans and
147 programs, including disaster risk reduction measures into the regional
148 socioeconomic plans and programs;
- 149 c) Provide technical support in the resolution of region-specific land use policy issues
150 among government agencies, especially those arising from the implementation of
151 regional spatial development and physical framework;

- 152 d) Review the provincial development and physical framework plans (PDPFPs) and
153 comprehensive land use plans (CLUPs) and zoning ordinances (ZOs) of highly-
154 urbanized cities and independent component cities and provide recommendations
155 to ensure their consistency with the regional spatial development and physical
156 framework;
- 157 e) Elevate to the NLUC, for discussion and settlement, the unresolved region-specific
158 land use policy disputes and controversies among government agencies in the
159 regions;
- 160 f) Assess changes in land use and other physical resources in the regions in
161 coordination with the Local Land Use Committees;
- 162 g) Evaluate the consistency of major sub-national programs and projects with the
163 regional spatial development and physical framework and their impacts on land
164 use and the environment;
- 165 h) Assess periodically the sub-national impacts or effects of land use policies which
166 have been adopted and implemented;
- 167 i) Undertake the gathering, updating and maintenance of a regional land use
168 database system; and
- 169 j) Perform other related functions as may be directed by the NLUC.

170 **Section 5. Offices, Units and Staff Support to the NLUC and RLUCs.** The NEDA
171 shall continue to provide core secretariat services to the NLUC and RLUCs.
172

173 **Section 6. Provincial Land Use Committees.** The Provincial Land Use Committee
174 (PLUCs) established under Executive Order (EO) No. 72 series of 1993 "*Providing for the*
175 *Preparation and Implementation of the Comprehensive Land Use Plans of Local Government*
176 *Units Pursuant to the Local Government Code of 1991 and other Pertinent Laws*" is hereby
177 reconstituted as follows:
178

179 Chairperson: Provincial Planning and Development Coordinator

180 Members: Provincial Agriculturist, Engineer, Tourism Officer, Assessor, Disaster
181 Risk Reduction and Management Officer and Economic and
182 Investment Promotions Officer; and
183

184 Representatives from the regional/provincial/field offices of the DA,
185 DAR, DHSUD, DENR, DILG and DPWH
186

187 Pursuant to Section of EO 72 series of 1992, the PLUC shall perform the following
188 functions:
189

- 190 a) Assist the Provincial Development Council in the preparation the Provincial
191 Development Plans and Provincial Physical Framework Plans or the combined
192 Provincial Development and Physical Framework Plans;
193
- 194 b) Assist the Sangguniang Panlalawigan in reviewing the comprehensive land use
195 plans of component cities and municipalities to ensure that said are consistent
196 with the provincial development and physical framework plan, and national
197 policies, standards and guidelines;

198
199 c) Recommend solutions to harmonize conflicting proposed land uses among
200 component cities and municipalities; and

201
202 d) Submit their findings and recommendations to the Sangguniang Panlalawigan
203 for consideration on its decision.
204
205

206 **Section 7. Preparation of Comprehensive Land Use Plans.** Pursuant to Section 20
207 of the Local Government Code, the cities and municipalities shall, in conformity with existing
208 laws, continue to prepare their respective comprehensive land use plans enacted through
209 zoning ordinances which shall be the primary and dominant bases for the future use of land
210 resources. Provided, that the requirements for food production, human settlements, and
211 industrial expansion shall be taken into consideration in the preparation of such plans.
212

213 **Section 8. Functions of the Department of Human Settlements and Urban**
214 **Development (DHSUD) on Land Use Planning.**
215

216 Consistent with Chapter III, Section 5, Item II (e) of RA 11201, or the Department of
217 Human Settlements and Urban Development Act of 2019, the DHSUD, upon mandatory
218 consultation with relevant government agencies, shall formulate and prescribe the land use
219 planning standards and guidelines for the CLUPs and zoning ordinances of cities and
220 municipalities, and the provincial development and physical framework plans (PDPFPs). Such
221 standards and guidelines shall provide due consideration to the protection of prime agricultural
222 lands, irrigated and irrigable lands culturally significant lands, and fragile ecosystems pursuant
223 to R.A. No. 8435 otherwise known as the Agriculture and Fisheries Modernization Act of 1997.
224 Furthermore, the guidelines shall ensure that disaster risk reduction and climate change
225 adaptation are mainstreamed in the said plans pursuant to RA 9729, otherwise known as the
226 Climate Change Act of 2009, RA 10121, otherwise known as the Philippine Disaster Risk
227 Reduction and Management Act of 2010, and RA11038, otherwise known as Expanded
228 National Integrated Protected Areas System Act of 2018.
229

230 Pursuant to Section 13.8 of the Implementing Rules and Regulations of the Republic
231 Act (RA) 11201 and EO No. 72, s. 1993, the PDPFPs (erstwhile called CLUPs of provinces
232 under EO No. 72 s. 1993), as well as the CLUPs of highly urbanized cities, independent
233 component cities, and LGUs in the National Capital Region, shall be reviewed and ratified by
234 the DHSUD to ensure compliance with the national standards and regulations on land use
235 planning and zoning. In addition, DHSUD shall continue to issue locational clearances for
236 proposed projects considered to be of vital and national or regional economic or environmental
237 significance as declared by the NEDA Board.
238

239 The DHSUD, in coordination DA and DAR, shall design and develop an integrated
240 information and management system for monitoring agricultural land reclassification done by
241 LGUs in accordance with Section 20 of the LGC, including land use changes and other
242 datasets, pursuant to Section 19.13 of the IRR of RA 11201.
243

244 The DHSUD shall serve as the coordinating agency for the issuance of certificates
245 required for agricultural land reclassification pursuant to Section 2 of Memorandum Circular
246 No. 54, series of 1993 otherwise known as, "*Prescribing the Guidelines Governing Section 20*
247 *of RA 7160 otherwise known as the Local Government Code of 1991 Authorizing Cities and*
248 *Municipalities to Reclassify Agricultural Lands into Non-Agricultural Uses*".
249

250 **Section 9. Streamlining the Process of Applications for Land Use Conversion.**

251
252 Conversion is the act of changing the current use of a piece of agricultural land into
253 some other use as approved by the DAR while reclassification is the act of specifying how
254 agricultural lands shall be utilized for non-agricultural uses such as but not limited to residential,
255 industrial, and commercial, as embodied in the land use plan. A mere reclassification of an
256 agricultural land does not automatically allow a landowner to change its use.
257

258 The DAR, as the agency mandated to authorize land use conversion under Sections 4
259 (j) and 5(l) of EO No. 129-A, s. 1987, Section 3 (13), Title XI of EO 292. series of 1987
260 otherwise known as The Revised Administrative Code of 1987, and section 65 of RA No. 6657,
261 otherwise known as the Comprehensive Agrarian Reform Law of 1998, as amended by RA
262 No. 9700, shall be guided by the reclassification of lands as indicated in the CLUPs under EO
263 No. 72, Series of 1993 and MC No. 54. Series of 1993 and as such streamline the land use
264 conversion process to ensure the speedy disposition of the same. It shall monitor and maintain
265 a database on the actual uses of the lands approved or disapproved for land use conversion.
266

267 An application for land use conversion shall be acted upon by the DAR within thirty (30)
268 days from compliance by the applicant with the substantive and procedural requirements for
269 conversion as set forth by the DAR.
270

271 The DAR shall monitor and maintain a database on the actual uses of the lands
272 approved or disapproved for land use conversion. It shall ensure that the Task Force on Illegal
273 Conversion in the provinces shall commence the necessary and proper criminal complaint for
274 illegal conversion cases in accordance with sections 73 and 74 of RA 6657, as amended in
275 2009 by RA 9700. It shall periodically report these incidences to the NLUC.
276

277 Within sixty days upon the effectivity of this order, the DAR, DA, DENR, and DHSUD
278 shall develop a harmonized system of monitoring compliance with the legal requirements for
279 the reclassification and conversion of land.
280

281 **Section 10. Continuous Updating of Consolidated Data on All Irrigated and**
282 **Irrigable Lands.** Consistent with Administrative Order No. 363, series of 1997 and RA 6657
283 as amended, the National Irrigation Administration (NIA), in complementation with BSWM,
284 shall continue the preparation, updating and consolidation of maps and data of irrigated and
285 irrigable lands which shall be protected from conversion. The NIA shall also report the same
286 to the NLUC within one (1) year upon the effectivity of this Executive Order.
287

288 **Section 11. Delineation and Updating of Strategic Agriculture and Fisheries**
289 **Development Zones (SAFDZ).** Consistent with sections 6 and 7 of the Agriculture and
290 Fisheries Modernization Act (AFMA) of 1997 or RA No 8435, the Department of Agriculture
291 through the BSWM, in consultation with DAR, DENR, Department of Trade and Industry,
292 Department of Science and Technology, concerned LGUs, and organized farmers and
293 fisherfolk groups, shall continuously monitor the SAFDZs. The maps which will be produced
294 as a result of the delineation and updating of the SAFDZ shall be made available to the local
295 government units for its inclusion in their respective PDPFPs, CLUPs and Zoning Ordinances.
296 Pursuant to Section 9 of the AFMA, all prime agricultural lands included in the SAFDZ shall be
297 protected from land use conversion. The SAFDZ shall be subject to review every six (6) years
298 by the DA.
299

300 **Section 12. Boundary Delineation and Demarcation of Classified Forest Land and**
301 **National Parks.** Pursuant to Presidential Decree (PD) No. 705 s. 1975, otherwise known as

302 the Revised Forestry Code, as amended, and EO No. 318, s. 2004, which vests in the
303 Department of Environment and Natural Resources (DENR) the mandate to delineate, classify
304 and demarcate the forest lands to ensure its protection and sustainable development, within
305 two (2) years upon the effectivity of this Executive Order, the DENR shall complete the
306 delineation on the ground of forest lands and national parks, and submit the same to Congress
307 for enactment into law pursuant to Section 4 Article XII of the 1987 Constitution. The result of
308 forest boundary delineation shall be made available to the public for planning, land titling,
309 reversion of alienable and disposable lands to forest lands, and other purposes.

310
311 **Section 13. Management of Coastal Resources.** Within one (1) year upon effectivity
312 of this Executive Order, a National Integrated Coastal Management (ICM) Framework shall be
313 developed by the DENR in coordination with the DA-Bureau of Fisheries and Aquatic
314 Resources and other relevant agencies. Once the ICM framework is developed, the DHSUD,
315 in coordination with the DENR, shall provide guidance to LGUs in integrating coastal
316 management in their CLUPs.

317
318 **Section 14. Delineation and Recognition of Ancestral Domains.** The National
319 Commission on Indigenous Peoples (NCIP) shall ensure that the recognition and promotion of
320 the rights of Indigenous Cultural Communities and Indigenous Peoples are within the
321 framework of national unity and development. Within one (1) year upon the effectivity of this
322 Executive Order, the NCIP shall provide the NLUC with a mapping and a database of all the
323 ancestral domains and ancestral lands in the country as these shall serve as one of the
324 references in the formulation of land use and spatial planning policies.

325
326 **Section 15. Delineation and Mapping of Hazard-prone and Vulnerable Areas.** The
327 DENR – Mines and Geosciences Bureau (MGB), DOST-Philippine Institute of Volcanology
328 and Seismology (PHIVOLCS), and DOST-Philippine Atmospheric, Geophysical and
329 Astronomical Services Administration (PAGASA), shall delineate hazard-prone and vulnerable
330 areas and continuously update their hazard maps and the corresponding geospatial data using
331 a science-based approach and employing existing technologies.

332
333 Within one (1) year upon the effectivity of this Executive Order, the said agencies shall
334 complete the dissemination of these maps to LGUs for the latter's guidance in the preparation
335 of their own hazards-constrained development and physical framework and land use plans.

336
337 **Section 16. National Base Mapping Program.** Within one (1) year upon the effectivity
338 of this Executive Order, the NAMRIA shall complete the 1:10,000 scale base maps of the
339 whole country. The base maps shall be updated every six years at the minimum. Such maps,
340 along with other relevant geospatial data from other government agencies shall be shared and
341 disseminated to all LGUs and government agencies and shall serve as reference in defining
342 the planning area for land use planning, local development planning, and other planning
343 activities.

344
345 **Section 17. Land Consolidation for Agro-industrial Development.** The
346 consolidation of small-scale agricultural landholdings shall be promoted to take advantage of
347 economies of scale in agricultural production, to promote value chain development, and to
348 increase farm incomes and improve the quality of life of farmers. A Land Consolidation and
349 Utilization Program under the DA shall be established. The program shall implement the
350 following:

- 351
352 a) Consolidation of small contiguous landholdings into bigger agricultural estates for
353 farm operations and agro-industries;

- 354 b) Crafting of a comprehensive plan and study of the optimum utilization and long
355 term productivity of bigger landholdings;
356 c) Private sector participation in agricultural production and management through
357 adequate security, incentives and reasonable return on investments, within limits
358 set by existing laws;
359 d) Development and adoption of cooperative systems that will increase the
360 participation and protection of small farmers; and
361 e) Provision of support to consolidated farms in such forms as farm-to-market roads,
362 irrigation, utilities, logistics, processing facilities, upgrading of basic social
363 amenities, and marketing assistance to farmers.
364

365 **Section 18. Sanctions and Penalties on the Failure to Formulate, Enforce, and/or**
366 **Implement the CLUPs.** The DHSUD, in coordination with DILG, shall monitor the LGUs'
367 formulation and implementation of the CLUPs and the PDPFPs. Within three (3) years upon
368 the effectivity of this Executive Order, all LGUs shall complete the formulation of their CLUPs
369 or PDPFPs.
370

371 Failure to formulate, review, enforce and/or implement the CLUPs shall be subject to
372 the penalties and sanctions to be imposed by the DHSUD and/or DILG pursuant to RA 11201
373 and its Implementing Rules and Regulations, and Section 60 of the Local Government Code.
374

375 **Section 19. Capacity Building.** The NEDA and DHSUD, in coordination concerned
376 NLUC members, shall develop and implement a capacity building program for RLUCs and
377 PLUCs on the formulation and/or review of physical framework and land use plans.
378

379 **Section 20. Funding.** The fund necessary for the implementation of this EO shall be
380 charged against the current year appropriations of the Departments and other agencies
381 concerned.
382

383 **Section 21. Reportorial Requirements.** The NLUC shall submit an annual report to
384 the NEDA Board on the status of the implementation of this Order.
385

386 **Section 22. Implementing Rules and Regulations (IRR).** The NEDA and NLUC
387 member-agencies shall issue the pertinent IRR within thirty (30) days from the effectivity of
388 this Executive Order.
389

390 **Section 23. Repealing Clause.** All other rules, regulations and issuances or parts
391 thereof that are inconsistent with this Executive Order are hereby repealed or modified
392 accordingly.
393

394 **Section 24. Effectivity.** This Executive Order shall take effect immediately upon its
395 publication in the Official Gazette or in a newspaper of general circulation.
396

397 **DONE**, in the City of Manila, this ____ day of ____ in the year of our Lord Two Thousand
398 and Twenty Three.
399

400
401
402
403
404
405

FERDINAND R. MARCOS, JR.
President of the Philippines

406

407 By the President:

408

409

410 **LUCAS P. BERSAMIN**

411 Executive Secretary

LIST OF AGREEMENTS
NEDA Board –National Land Use Committee Meeting (NLUC) Technical Working Group
Meeting on the Draft Executive Order on Land Use¹
 April 14, 2023

Section	Agreement
Title	<ul style="list-style-type: none"> • Change the term “fast-track” to “accelerate”
“WHEREAS” clauses	DAR to submit additional inputs
Section 1. Reconstitution of the National Land Use Committee (NLUC)	<ul style="list-style-type: none"> • Include a provision on NLUC regular meetings • Add a provision that Secretaries may designate a representative with a rank not lower than Assistant Secretary • Indicate that the LGU representative in the NLUC will come from ULAP
Section 2. Powers and Functions of the NLUC	<ul style="list-style-type: none"> • Indicate the timeframe of the National Framework for Physical Planning (ie., 30 years with regular review and updating every 10 years) • Add a function to <i>“Integrate and harmonize guidelines and policies relevant to land use and spatial planning”</i>
Section 3. Reconstitution of the Regional Land Use Committee (RLUC)	<ul style="list-style-type: none"> • List down the agencies that may be called upon by the RLUC (eg., NCIP, DTI, DOT, DOST, etc.) • Replace <i>“settled”</i> with <i>“addressed”</i> for BARMM land use policy concerns
Section 4. Powers and Functions of the RLUCs	<ul style="list-style-type: none"> • Add a provision stating that the RLUC will also provide the recommendations after reviewing the draft Provincial Development and Physical Framework Plans (PDPFPs) and Comprehensive Land Use Plans (CLUPs)
Section 5. Offices, Units, and Staff Support to the NLUC and RLUCs	No revision needed
Section 6. Local Land Use Committees	<ul style="list-style-type: none"> • Follow provision of EO No. 72 s. 1993 on the Provincial Land Use Committee (PLUC), including the composition and powers and functions • Cite the mandate of cities and municipalities on land use planning per Section 20.c of the LGC
Section 7. Enhancing the Functions of the DHSUD on Land Use Planning	<ul style="list-style-type: none"> • Add RA 11038 (E-NIPAS Act) as legal basis for protecting fragile ecosystems • Transfer the phrase <i>“AFMA of 1997”</i> after the <i>“fragile ecosystems”</i> of line 234

¹ Attendees include representatives from NEDA, DA, DAR, DHSUD, DENR, DILG, ULAP, OES, PMS and PLLO.

Section	Agreement
	<ul style="list-style-type: none"> • Include DAR in the development of an integrated information and management system for monitoring agricultural land reclassification • Specify that only proposed projects will be declared nationally significant for the purpose of issuing locational clearance • Remove “<i>enhancing</i>” in the section title
Section 8. Streamlining the Process of Applications for Land Use Conversion	<ul style="list-style-type: none"> • Include the phrase “<i>such as but not limited to</i>” in the classification of non-agricultural land uses. • Include a provision on the development of a harmonized system for monitoring the reclassification and conversion of lands (DHSUD, DAR, DA and DENR)
Section 9. Continuous Updating of Consolidated Data on All Irrigated and Irrigable Lands	<ul style="list-style-type: none"> • Include BSWM for mapping of irrigated and irrigable lands. • Cite Section 65 of RA 6657 as basis for updating data on irrigated lands
Section 10. Delineation and Updating of Strategic Agriculture and Fisheries Development Zones (SAFDZ)	<ul style="list-style-type: none"> • Change “<i>update</i>” to “<i>monitor</i>” the SAFDZ • Add “<i>through BSWM</i>” after DA
Section 11. Forest Land Boundary Delineation	<ul style="list-style-type: none"> • Change title of the section to “<i>Boundary Delineation of Forest Lands and National Parks</i>” • Change the timeframe of completion to 2 years for both Forest Lands and National Parks
Section 12. Management of Coastal Resources	No revision needed
Section 13. Delineation and Mapping of Hazard-prone and Vulnerable Areas.	<ul style="list-style-type: none"> • Interchange with Section 13 and 14 • Remove DA-BSWM, DENR-FMB, DENR-ERDB, DOE and NAMRIA since they have to hazard mapping mandate
Section 14. Delineation and Recognition of Ancestral Domains	No revision needed
Section 15. National Base Mapping Program	<ul style="list-style-type: none"> • Interchange Section 13 and 14 • Comments from NAMRIA will be requested

Section	Agreement
Section 16. Land Consolidation for Agro-industrial Development.	No revision needed
Section 17. Sanctions and Penalties on the Failure to Formulate, Enforce, and/or Implement the CLUPs	<ul style="list-style-type: none"> • Insert <i>“in coordination with DILG”</i> in line 397 • Reformulate the imposition of sanctions by DHSUD and DILG into a generic clause following the provisions of the LGC and DHSUD law
Section 18. Implementing Rules and Regulations (IRR).	No revision needed.
Section 19. Repealing Clause	No revision needed.
Additional Section/s	<ul style="list-style-type: none"> • Add sections on capability building, reportorial requirements, and funding
NEXT STEPS	<ul style="list-style-type: none"> • Comments will be requested from concerned agencies not present in the TWG Meeting • The revised draft EO will be circulated to the TWG members for final comments • Revised draft EO will be submitted via a Memorandum for the President through the OES.

Summary of Comments on the Draft Executive Order (EO) on Land Use

Proposed Revision/Comment	Agency	Remarks
Title		
<p>1. Replace "Accelerating" with "Streamlining" to read as:</p> <p><i>"Streamlining the Implementation of Land-Use Related Policies to Ensure Sustainable Land Use and Management"</i></p>	DENR-BMB	Not considered. The objective of the EO is to fast track the implementation of land use-related policies, hence the use the term "accelerate"
Whereas Clauses		
<p>2. Additional WHEREAS clauses:</p> <p><i>"WHEREAS, in greater consideration of our country's food security as a national priority, there is a need to observe a more relevant, responsive, and holistic approach in utilizing our land resources, while holding in high esteem the social justice for our farmers as a matter of national policy but without compromise to the thrust of the government in ensuring the general welfare of the people as to its demand for residential, industrial and commercial land use needs. Such approach requires and underscores respect among all interrelated and equally mandated agencies working to achieve this shared objective, and indeed should be the guiding principle in seeking to harmonize all government programs;"</i></p>	DAR	Considered. Principles related to food security were already provided in the other whereas clauses
<p><i>"WHEREAS Article XII, Section 3 of the 1987 Constitution provides lands of the public domain are classified into agricultural, forest or timber, mineral lands, and national parks. Agricultural lands of the public domain may be further classified by law according to the uses to which they may be devoted. Alienable lands of the public domain shall be limited to agricultural lands."</i></p>	DENR-FMB	Considered

Proposed Revision/Comment	Agency	Remarks
Section 1. Reconstitution of the National Land Use Committee (NLUC)		
3. Add DOST as member of the NLUC	DOST – PHIVOLCS	Not considered. The NLUC membership should be lean. Furthermore, the draft EO states that the NLUC call on other agencies and experts as needed.
Section 2. Powers and Functions of the NLUC		
4. Add the phrase “or when deemed necessary” on national framework for physical planning (NFPP) updating, to read as: <i>"The NFPP shall have a timeframe of thirty (30) years with regular review and updating every ten (10) years or when deemed necessary."</i>	DENR-BMB	Not considered. NFPP is a long-term framework hence 10 year updating is sufficient.
Membership of the NLUC, RLUC and Local Land Use Committees (Sections 1, 3 and 6)		
5. Include the Philippine Institute for Environmental Planners (PIEP) as member of the NLUC, RLUCs, and Local Land Use Committees 6. Consider representation from the Palawan Council for Sustainable Development (PCSD) Local Land Use Committees in Palawan	PCSD	Not considered. The NLUC membership should be lean. Furthermore, the draft EO states that the NLUC, RLUCs and PLUCs may call on other agencies and experts as needed.
Section 8. Functions of the Department of Human Settlements and Urban Development (DHSUD) on Land Use Planning.		
7. Lands which shall be subjected to CLUP by the DHSUD are lands classified as Agricultural or Alienable and Disposable Lands. Hence, classified timber or forest lands shall have a separate land use plan in the form of Forest Land Use Plan which shall be an integral part of the CLUP.	DENR-FMB	Considered. The forest land use plan may be a separate document, but its main features should be integrated in the CLUP of concerned LGUs
8. Land conversion is not equal to land classification, as articulated in various		Considered. Agricultural land reclassification

Proposed Revision/Comment	Agency	Remarks
<p>statutes, and related jurisprudence. Conversion contemplates the present use of the land, whereas classification deals with its legal nature. The word "reclassification", as worded in the Local Government Code, is also different from the term "land classification", as mentioned in the 1987 Constitution. The former is a subcategory of the latter, in view of the authority of provinces, cities, and municipalities granted by law in the zoning of lands within their respective administrative boundaries.</p>		<p>mentioned in Section 8 referred to authority granted to LGUs under Section 20 of the LGC. Further clarificatory provisions on land conversion and reclassification are stated in Section 9.</p>
<p>Section 12. Boundary Delineation of Forest Land and National Parks</p>		
<p>9. Include of words "demarcation" and "classified" in the title of Section 11.</p> <p>10. Since boundary delineation and demarcation are very laborious tasks, it is suggested that the timeframe be modified from two (2) years to three (3) years.</p> <p>11. Include and reiterate the prohibition on the issuance of Certificate of Real Property Tax Declaration to individuals occupying or possessing parcels of land classified as it is one of the notable issues encountered during delineation and demarcation of production forests. Several residential houses and hostile illegal occupants with tax declarations in hand are obliged to pay taxes for the forestland area being occupied.</p>	<p>DENR-Region 4A</p>	<p>Considered</p> <p>Not considered. The original time frame for this was one year. The DENR Central Office representative during the NB-NLUC TWG Meeting suggested to extend the time frame to 2 years, which was adopted by the body.</p> <p>Not considered. The EO's focus is on land use. Real property tax issuance is outside the objectives of the EO.</p>

Proposed Revision/Comment	Agency	Remarks
Section 15. Delineation and Mapping of Hazard-prone and Vulnerable Areas		
12. No objection and thus concurs on the provision stipulated under Section 15 of the draft EO.	DOST-PAGASA	No revision needed
13. Concurs with provision with Section 15 of the draft	DOST-PHIVOLCS	No revision needed
Section 16. National Base Mapping Program		
14. No objection on complying with the 6-year updating requirement. In general, it is deemed that 1:10,000 scale is the most suitable base map as reference of LGUs in the updating of their Comprehensive Land Use Plans (CLUPs).	NAMRIA	No revision needed

Other Comments:

Comment	Agency	Remarks
1. Add a provision on the development of a National Exposure Database through the GeoRiskPH Platform of the DOST	DOST-PHIVOLCS	Not considered. However, the mainstreaming of disaster risk reduction in the CLUPs is provided under Section 8 of the draft. Operationalizing this can be included in the IRR or CLUP guidelines. There are also other database platforms for land use planning that were not mentioned in the draft EO.
2. This Bureau supports the approval of the EO, subject to the inclusion of the following recommendations, to wit: a. Recognize the need to harmonize biodiversity conservation and food production systems to	DENR-BMB	Considered. The protection fragile

Comment	Agency	Remarks
<p>address the increasing pressure of agricultural expansion resulting in biodiversity and habitat loss in</p> <p>b. Recognize the need to identify and delineate ancestral domains, and respect the customary land laws and the rights of the indigenous communities over these lands and their resources.</p> <p>c. Prevent drainage and conversion of coastal/marine and inland wetlands, for residential, commercial, industrial, and/or agricultural purposes.</p> <p>d. Account for the protection and sustainable management of coastal/marine, inland wetlands, and human-made wetlands critical for biodiversity, in the development of Comprehensive Land Use Plans (CLUPs) and Zoning Ordinances of the Local Government Units (LGUs) through operationalizing the ridge-to-reef approach;</p> <p>e. Reversion of Abandoned, Undeveloped, and Underutilized fishponds to mangrove areas and cancellation of corresponding Fishpond Lease Agreements. Mangrove areas provide a number of ecosystem services including attenuating wave energy, serving as carbon sink, and providing habitat to marine biodiversity. It is pivotal that CLUPs recognize that conversion of such ecosystems for aquaculture would result in deterioration or eventual loss of ecosystem functions;</p> <p>f. Reversion of tenurial instruments (i.e. CLOA) issued within peatland areas. Peatlands are complex types of wetlands that are known to be the largest natural terrestrial carbon sinks.</p>		<p>ecosystems is espoused in the draft EO.</p> <p>Considered. There is a section on recognition of ancestral domains</p> <p>Considered. There is a section on integrated coastal resources management framework.</p> <p>Considered. There is a provision to take into account fragile ecosystems in the CLUPs. Further details may be included in the CLUP guidelines.</p> <p>Same consideration as above.</p> <p>Not considered. The draft EO focuses on land use. Issuance and reversion of</p>

Comment	Agency	Remarks
<p>g. We recommend the use of the Philippine Green Building Code under PD 1096 to be used as a guide/reference for future infrastructure developments and also to invest in blue-green infrastructure</p> <p>h. Consider building/strengthening biodiversity, wildlife corridors, and green spaces in the urban areas, and integrate urban biodiversity and water-sensitive urban design in land use planning</p>		<p>tenorial instruments are outside the EO's scope.</p> <p>Not considered. This is specific to infra development. As stated in the comment, there is already a PD on this.</p> <p>Not considered. This is should be in the CLUP and guidelines</p>