

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 MAR -2 P 1 :03

SENATE

S. No. 1955

RECEIVED BY: _____

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
PROVIDING FOR THE DELINEATION OF THE SPECIFIC FOREST LIMITS OF
THE PUBLIC DOMAIN AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Forests are highly valuable lands which offer countless benefits to the general population. Apart from being major sources of food, water and other basic needs, forests nurture natural systems which mitigate harsh impacts of climate change (principally as carbon sink) and shelter biodiversity and various life forms. It is therefore important that forest lands be conserved and protected if we wish to sustain life on this planet, not only for our sake, but also for the future generations.

Article XII, Section 4 provides that "Congress shall, as soon as possible, determine, by law, the specific limits of forest lands and national parks, marking clearly their boundaries on the ground. Thereafter, such forest lands and national parks shall be conserved and may not be increased nor diminished, except by law. The Congress shall provide for such period as it may determine, measures to prohibit logging in endangered forests and watershed areas." Several attempts to realize this Constitutional mandate have been made over the years. The delineation of forest limits was included thrice in the Common Legislative Agenda of the Legislative Executive Development Advisory Council (LEDAC), and the measure was approved on Third and Final Reading in the House of Representatives during the 15th, 16th and 17th Congresses, but remained pending before the Senate.

This measure seeks to realize such a directive and provide the enabling law and definite legal authority for the Department of Environment and Natural Resources (DENR) to finally carry out the delineation and delimitation through the establishment of permanent boundary monuments of forest lands.

This measure intends to ensure effective protection, conservation and development of forest lands and its resources through permanent and clear demarcation and proper identification. It aims to resolve conflicts and confusion arising from unclear and indefinite forest boundaries, and avoid incorrect and unproductive land use.

The measure is also part of the priority legislative agenda of the updated Philippine Development Plan (PDP) 2017-2022 in ensuring ecological integrity, clean and healthy environment.

In view of the urgent need to save our forests from continued decline due to rapid urbanization, the immediate passage of this bill is recommended.


RAMON BONG REVILLA, JR. 

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

1 Section 1. *Short Title.* – This Act shall be known as the "*Forest Land Limits Act.*"

2 Sec. 2. *Declaration of Policy.* – It is the policy of the State to conserve, protect
3 and develop the forest resources of the country in order to attain ecological balance,
4 preserve valuable ecosystems, prevent environmental degradation and promote
5 sustainable development for the present and future generations. To achieve these
6 ends, Section 4 of Article XII of the Constitution mandates Congress to determine by
7 law the specific forest lands and national parks, marking clearly their boundaries on
8 the ground.

9 Sec. 3. *Definition of Terms.* – As used in this Act:

- 10 a. "*Agricultural lands*" refer to alienable or disposable lands of the public domain
11 which have been the subject of the land classification system and declared as
12 not needed for forestry purposes;
- 13 b. "*Delimitation*" refers to the establishment of permanent boundary monuments
14 of forest land through land survey in accordance with existing standards and
15 practices;
- 16 c. "*Delineation*" refers to the conduct of site investigation, field reconnaissance
17 and assessment, and staking of boundaries among forest lands, national parks

1 and agricultural lands verified in the field in accordance with the criteria set
2 forth under Department of Environment and Natural Resources (DENR)
3 Administrative Order No. 2008-24;

- 4 d. "*Forest*" refers to a land with an area of more than half (0.5) hectare and with
5 tree crown cover or equivalent stocking level of more than ten percent (10%).
6 The trees should be able to reach a minimum height of five (5) meters at
7 maturity *in situ*. It consists of either closed forest formations, where trees of
8 various stories and undergrowth cover more than forty percent (40%) of the
9 ground, or open formations where continuous vegetation cover more than ten
10 (10%) but less than forty percent (40%) of the ground. Young natural stands
11 and all plantations established for forest purposes are included in this definition;
- 12 e. "*Forest reservations*" refers to forest lands which have been reserved by the
13 President of the Philippines for any specific purpose or purposes;
- 14 f. "*Production forest lands*" refer to forest lands available for timber and
15 agroforestry production, range lands for grazing and other forest land special
16 uses;
- 17 g. "*Protected Area*" refers to identified portions of land or water that are set aside
18 by reason of their unique physical and biological significance, and are managed
19 to enhance biological diversity and protected against destructive human
20 exploitation;
- 21 h. "*Protection of forest lands*" refers to all areas within the forest lands devoted
22 primarily for the protection and conservation of forest resources to ensure
23 environmental stability, conservation of biological diversity, improvement of
24 ecosystem functions and services, and provision of ecological and economic
25 benefits. All mossy and primary or old growth forest and natural beach, key
26 biodiversity areas, areas regardless of slope and vegetation cover which are
27 highly erodible or too rocky for establishment of production forests, developed
28 for the principal objective of establishing vegetative cover to prevent erosion,
29 conserve water and nurture wildlife, peat swamps, freshwater swamps, and
30 marshes, existing natural mangroves, all areas along the bank of the rivers and
31 streams, and the shores of the seas and lakes throughout their entire length
32 and within the zone of three (3) meters in urban areas, twenty (20) meters in

1 agricultural areas, and forty (40) meters in forest areas, along their margins
2 which are subject to the easement of public use in the interest of recreation,
3 settlements, navigation, floatage, fishing and salvage, shall also be
4 subclassified as protection forest lands. All extractive activities, including cutting
5 of trees and mining, are banned in these protection forest lands: *Provided*, That
6 the provisions of Republic Act 8371, or the "*Indigenous People's Rights Act of*
7 *1997*" and Republic Act 7586, or the "*National Integrated Protected Areas*
8 *System of 1992*", as amended by Republic Act 11038, or the "*Expanded*
9 *National Integrated Protected System Act of 2018*," shall be respected;

- 10 i. "*Tenured migrant communities*" refer to communities within forest lands which
11 have actually and continuously occupied such areas for five (5) years before
12 the designation of the same as forest lands in accordance with this Act, and are
13 solely dependent therein for subsistence.

14 *Sec. 4. Forest Lands.* – The following shall constitute the forest lands:

- 15 a. All lands of the public domain already classified as forest land as per existing
16 land classification maps issued by the DENR;
17 b. All permanent forest reserves proclaimed as such by the President or declared
18 by law; and
19 c. Such areas within the unclassified lands of the public domain that were
20 assessed and delineated by the DENR in accordance with pertinent laws, rules
21 and regulations and which may hereafter be classified as forest land by the
22 DENR.

23 *Sec. 5. Determining the Specific Limits of Forest Lands.* – The following
24 guidelines and procedures shall be followed in determining the specific limits of forest
25 lands in the country:

- 26 a. The previously-established land classification (LC) survey lines per province
27 with their respective technical descriptions (TDs) and maps shall be the basic
28 data and information that will be used as reference material in undertaking the
29 validation, assessment and delineation process.
30 b. All completed assessment and delineation reports for a given province shall be
31 endorsed to the National Review and Evaluation Committee created under
32 Section 6 hereof for final approval.

- 1 c. The same process shall be followed for other provinces with ongoing
2 assessments and delineation activities until such time that all the boundaries of
3 forest lands of the whole country shall have been delimited: *Provided*, That all
4 assessments, validations and delineations shall be completed not later than one
5 (1) year after the passage of this Act.

6 *Sec. 6. National Review and Evaluation Committee.* – Pursuant to the
7 Constitutional mandate embodied in Section 4, Article XII thereof, and in view of the
8 urgent need to establish the permanent limits of the forest lands of the country, a
9 National Review and Evaluation Committee, hereinafter referred to as the Committee,
10 is hereby created to process, evaluate and approve all completed assessment and
11 delineation reports referred to in the immediately preceding section. The Committee,
12 in its evaluation and approval of the said reports, shall adhere strictly to existing
13 established laws, policies, rules, regulations and guidelines pertinent thereto.

14 The Committee shall be composed of the following:

- 15 a. Secretary of the DENR as Chairperson;
16 b. Secretary of the National Economic and Development Authority (NEDA) as Vice-
17 Chairperson;
18 c. Secretary of the Department of the Interior and Local Government (DILG) as
19 Member;
20 d. Secretary of the Department of Agriculture (DA) as Member;
21 e. Secretary of the Department of Agrarian Reform (DAR) as Member;
22 f. Chairperson of the National Commission on Indigenous Peoples (NCIP) as
23 Member; and
24 g. Secretary of the Department of Human Settlements and Urban Development
25 (DHSUD) as Member.

26 The assessment and delineation reports as approved by the Committee shall
27 be adopted as constituting the final boundaries of forest lands covered by the reports.
28 The Committee shall submit to Congress the approved assessment and delineation
29 reports for each province which shall thereafter form part of its official records.

30 *Sec. 7. Demarcation and Delimitation of Final Forest Land Boundary.* –
31 Immediately after the passage of this Act, the final forest line determined and
32 established by the DENR shall be adopted as the final forest land boundary of the

1 country and all monuments established shall be deemed permanent. Maps of the final
2 forest land boundary prepared by the DENR shall be attached as an integral part of
3 this Act as reference.

4 Sec. 8. *Permanency of the Specific Forest Lands Limits.* – The permanent forest
5 lands established pursuant to this Act shall not be diminished nor reduced except by
6 an Act of Congress. The DENR, in coordination with relevant government agencies,
7 shall see to it that the forest cover and vegetation therein shall be protected, preserved
8 and enhanced.

9 Sec. 9. *Sub-classification of the Permanent Forest Lands.* – The DENR shall
10 undertake the sub-classification of permanent forest lands into protection forests and
11 production forests.

12 Sec. 10. *Recognition of the Rights of the Indigenous Cultural*
13 *Communities/Indigenous Peoples and Tenured Migrant Communities.* – In the ground
14 delineation of the permanent forest limits, the occupation by indigenous cultural
15 communities/indigenous peoples and tenured migrants shall be recognized and
16 respected consistent with the provisions of Republic Act No. 7160 or the "*Local*
17 *Government Code of 1991*," Republic Act No. 8371 or the "*Indigenous Peoples Rights*
18 *Act (IPRA) of 1997*," and Presidential Decree No. 705, as amended, or the "*Forestry*
19 *Code of the Philippines*."

20 Sec. 11. *Accessibility of Record to the Public.* – All records and information
21 pertaining to the specific forest limits delineated pursuant to this Act shall be made
22 available to all local government units (LGUs), other government agencies, and to the
23 general public.

24 Sec. 12. *Land Classification Conflict Adjudication Board.* – A Land Classification
25 Conflict Adjudication Board, hereinafter referred to as the Board, is hereby created to
26 resolve controversies arising from land classification as a result of the delimitation of
27 forest lands pursuant to this Act. The Board shall be composed the following:

- 28 a. Secretary of the Department of Justice (DOJ) as Chairperson;
- 29 b. Administrator of the Land Registration Authority (LRA) as Member;
- 30 c. Representative from the Integrated Bar of the Philippines (IBP) as Member;
- 31 d. Representative from a reputable College of Forestry as Member; and
- 32 e. Representative from the private sector as Member.

1 Sec. 13. *Powers and Functions of the Adjudication Board.* – The Board shall
2 have the following powers and functions:

- 3 a. Adjudicate cases on land conflicts and adverse claim before it for resolution;
- 4 b. Summon witnesses, administer oaths, take testimony and require submission
5 of reports;
- 6 c. Compel production of books and documents and answers to interrogatories;
7 and
- 8 d. Issue subpoena *duces tecum*, writs of possession, writs of execution and other
9 writs to enforce its order and decisions.

10 In any proceeding before the Board, the Rules of Evidence prevailing in courts
11 of law or equity shall not be controlling and it is the spirit and intention of this Act that
12 shall govern. The Board shall use all reasonable means to ascertain the facts in each
13 case speedily and objectively. The findings of fact of the Board shall be conclusive and
14 binding on the parties and its decision or order shall be final and executory.

15 A petition for review on *certiorari* may be filed by the aggrieved party with the
16 Supreme Court within thirty (30) days from receipt of the order or decision of the
17 Board.

18 Sec. 14. *Monitoring, Evaluation and Reporting System.* – To attain the
19 objectives of this Act, a field monitoring, evaluation and reporting system shall be
20 adopted by DENR to provide up-to-date information on the state of the country's forest
21 lands after their delineation and ensure that these lands are protected and conserved.

22 Sec. 15. *Appropriations.* – DENR shall include in their program the
23 implementation of this Act, the initial funding of which shall be charged against the
24 current year's appropriations of the Department and thereafter shall be included in
25 the annual General Appropriations Act.

26 Funds for the implementation of the provisions of this Act shall be
27 supplemented from any available official development assistance (ODA) and from joint
28 projects between agencies of the Philippines and an assisting country. LGUs shall also
29 allocate counterpart funds to be taken from their national tax allotment (NTA) and
30 other LGU income for the delineation of the forest limits within their respective
31 territorial jurisdictions.

1 Sec. 16. *Implementing Rules and Regulations (IRR)* – Within ninety (90) days
2 from the effectivity of this Act, DENR shall issue the corresponding IRR for the effective
3 implementation of this Act.

4 Sec. 17. *Separability Clause.* – If any portion or provision of this Act is declared
5 unconstitutional, the remainder of this Act or any provision not affected thereby shall
6 remain in force and effect.

7 Sec. 18. *Repealing Clause.* – Any law, presidential decree or issuance, executive
8 order, letter of instruction, administrative order, rule, or regulation contrary to or
9 inconsistent with the provisions of this Act are hereby repealed, modified, or amended
10 accordingly.

11 Sec. 19. *Effectivity.* – This Act shall take effect fifteen (15) days after its
12 publication in the *Official Gazette* or in two (2) newspapers of general circulation in
13 the Philippines.

Approved,