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SENATE

SENATE BILL NO. 2983

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Prepared jointly by the Committees on Environment and Natural Resources; Local Government;  
and Finance with Senators Escudero, Recto, Ejercito, Legarda, and Marcos Jr. as authors

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

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

1           **SECTION 1. Short Title.** – This Act shall be known as the “*Forest Lands Limits Act of*  
2    *2015*”.

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

9           **SEC. 3. Definition of Terms.** – For purposes of this Act, the following terms shall mean:

10          (a) “*Agricultural lands*” shall refer to alienable or disposable lands of the public  
11    domain which have been the subject of the land classification system and declared as not  
12    needed for forest purposes;

13          (b) “*Delineation*” shall refer to the conduct of site investigation, field reconnaissance  
14    and assessment, and staking of boundaries between forest lands, national parks and agricultural

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

3 (c) *"Demarcation and delimitation survey"* shall refer to establishment of permanent  
4 boundary monuments of forest land through ground survey in accordance with existing  
5 standards and practices;

6 (d) *"Forest lands"* shall include the public forests, the permanent forest or forest  
7 reserves, and forest reservations;

8 (e) *"Forest reservations"* shall refer to forest lands which have been reserved by the  
9 President of the Philippines for any specific purpose or purposes;

10 (f) *"Permanent forest"* or *"Forest reserve"* shall refer to those lands of the public  
11 domain which have been the subject of the present system of classification and determined to  
12 be needed for forest purposes;

13 (g) *"Production forest lands"* shall refer to forest lands available for timber and  
14 agro-forestry production, range lands for grazing, and other forest lands special uses;

15 (h) *"Protected area"* shall refer to identified portions of land and water set aside by  
16 reason of their unique physical and biological significance, managed to enhance biological  
17 diversity and protected against destructive human exploitation;

18 (i) *"Protection forest lands"* shall refer to all areas within the forest lands devoted  
19 primarily for the protection and conservation of forest resources to ensure environmental  
20 stability, conservation of biological diversity, improvement of ecosystem functions and services,  
21 and provision of ecological and economic benefits. All mossy and primary/old growth forests  
22 and natural beach; key biodiversity areas; areas regardless of slope and vegetation cover which  
23 are highly erodible or too rocky for establishment of production forests; areas developed for the  
24 principal objectives of establishing vegetative cover to prevent erosion, conserve water and  
25 nurture wildlife; freshwater bodies, swamps, and marshes; all areas along the bank of the rivers  
26 and streams; and the shores of the seas and lakes throughout their entire length and within the

1 zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas, and forty (40)  
2 meters in forest areas, along their margin which are subject to the easement of public use in the  
3 interest of recreation settlements, navigation, floatage, fishing and salvage, shall also be  
4 sub-classified as protection forest lands: *Provided*, That the provisions of Republic Act No. 8371  
5 or the Indigenous Peoples Rights Act (IPRA) of 1997 and Republic Act No. 7586 or the National  
6 Integrated Protected Areas System (NIPAS) Act of 1992 shall be respected;

7 (j) *"Public forest"* shall refer to the mass of lands of the public domain which has not  
8 been the subject of the present system of classification for the determination of which lands are  
9 needed for forest purposes and which are not; and

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

14 **SEC. 4. *What Constitute Forest Lands.*** – The following shall constitute forest lands:

15 (a) all lands of the public domain already classified as forest land as per existing land  
16 classification maps issued by the DENR;

17 (b) all permanent forest reserves proclaimed as such by the President or declared by  
18 law; and

19 (c) such areas within the unclassified lands of the public domain that were assessed  
20 and delineated by the DENR in accordance with pertinent laws, rules and regulations and which  
21 may hereafter be classified as forest land by the DENR.

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

25 (a) The previously established Land Classification (LC) survey lines per province with  
26 their respective technical descriptions (TDs) and maps shall be the basic data and information

1 that will be used as reference material in undertaking the validation, assessment and  
2 delineation process;

3 (b) All completed assessment and delineation reports for a given province shall be  
4 endorsed to the National Review and Evaluation Committee as created herein to be headed by  
5 the Secretary of the DENR for final approval; and

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

10 **SEC. 6. National Review and Evaluation Committee.** – A National Review and Evaluation  
11 Committee is hereby created to process, evaluate and approve all completed assessment and  
12 delineation reports referred to in Section 5 of this Act. The Committee, in its evaluation and  
13 approval of the said reports, shall adhere strictly to existing established laws, policies, rules,  
14 regulations and guidelines pertinent thereto.

15 The Committee shall be composed of the following:

16 (a) Secretary of the DENR as Chairperson;

17 (b) Secretary for Socioeconomic Planning and Director-General of the National  
18 Economic and Development Authority (NEDA) as Vice-Chairperson;

19 (c) Secretary of the Department of the Interior and Local Government (DILG) as  
20 Member;

21 (d) Secretary of the Department of Agriculture (DA) as Member;

22 (e) Secretary of the Department of Agrarian Reform (DAR) as Member;

23 (f) Chairperson of the Housing and Urban Development Coordinating Council  
24 (HUDCC) as Member;

25 (g) Chief Executive Officer and Commissioner of the Housing and Land Use Regulatory  
26 Board (HLURB) as Member;

1 (h) Chairperson of the National Commission on Indigenous Peoples (NCIP) as  
2 Member; and

3 (i) President of the League of Provinces of the Philippines as Member.

4 Upon approval of the assessment and delineation reports, the Committee shall submit  
5 the same to Congress to form part of its official records. The assessment and delineation reports  
6 as approved by the Committee shall be adopted as constituting the final boundaries of the forest  
7 lands covered by the said report.

8 The National Review and Evaluation Committee shall be assisted by the Forest  
9 Management Bureau (FMB) of the DENR in the process, evaluation and review of all completed  
10 assessment and delineation reports referred to in the preceding section. The FMB staff shall  
11 serve in the National Review and Evaluation Committee without compensation but may be  
12 reimbursed for basic expenses in the preparation of the assessment and delineation reports.

13 **SEC. 7. Demarcation and Delimitation of Forest Land Boundary.** – Immediately after the  
14 forest line has been determined following the guidelines prescribed in Section 5 hereof, the  
15 DENR shall delimit and establish the permanent boundary monuments on the ground.

16 **SEC. 8. Permanency of the Specific Forest Lands Limits.** – The permanent forest lands  
17 established pursuant to this Act shall not be diminished or reduced except by an act of Congress.  
18 The DENR, in coordination with all agencies and branches of government, shall ensure that the  
19 forest cover and vegetation therein shall be protected, preserved and enhanced.

20 **SEC. 9. Sub-classification of the Permanent Forest Lands.** – The permanent forest lands  
21 shall be further sub-classified as follows: (a) protection forest lands; and (b) production forest  
22 lands.

23 After due consultation with the concerned local government units (LGUs), tenured  
24 migrant communities, and other stakeholders, the DENR shall undertake the sub-classification  
25 of the permanent forest lands.

26 Cutting and mining shall be banned in the protection forest lands.

1           **SEC. 10.** *Recognition of the Rights of the Indigenous Cultural Communities/Indigenous*  
2 *Peoples and Tenured Migrant Communities.* – In the ground delineation of the permanent forest  
3 lands limits, the occupation by indigenous cultural communities/indigenous peoples and  
4 tenured migrant communities shall be recognized and respected, consistent with the provisions  
5 of Republic Act No. 7160 or the Local Government Code of 1991, the IPRA Law, and Presidential  
6 Decree No. 705, as amended, or the Forestry Code of 1975.

7           **SEC. 11.** *Accessibility of Record to the Public.* – All records and information pertaining to  
8 the specific forest lands limits delineated pursuant to this Act shall be made available to the  
9 general public.

10           **SEC. 12.** *Creation of the Adjudication Board to Resolve Controversies on Land*  
11 *Classification Conflicts.* – A Land Classification Conflict Adjudication Board, herein referred to as  
12 the Board, is hereby created to resolve controversies arising from land classification as a result  
13 of the delimitation of forest lands pursuant to this Act. The Board shall be composed of the  
14 following:

- 15           (a) Secretary of the Department of Justice (DOJ) as Chairperson;  
16           (b) Administrator of the Land Registration Authority (LRA) as Member;  
17           (c) Representative from the Integrated Bar of the Philippines (IBP) as Member;  
18           (d) Representative from a reputable College of Forestry as Member; and  
19           (e) Representative from the private sector as Member.

20           **SEC. 13.** *Powers and Functions of the Adjudication Board.* – The Board shall have the  
21 following powers and functions:

- 22           (1) Resolve controversies arising from land classification as a result of the  
23 delimitation of forest lands pursuant to this Act;  
24           (2) Summon witnesses, administer oaths, take testimony and require submission of  
25 reports;  
26           (3) Compel production of books and documents and answers to interrogatories; and

1           (4) Issue subpoena *duces tecum*, writs of possession, writs of execution and other  
2 writs to enforce its orders and decisions.

3           In any proceeding before the Board, the Rules of Evidence prevailing in courts of law or  
4 equity shall not be controlling and it is the spirit and intention of this Act that shall govern. The  
5 Board shall use any and all reasonable means to ascertain the facts in each case speedily and  
6 objectively and without regard to technicalities of law or procedure, in the interest of due  
7 process. In any proceeding before the Board, the parties may be represented by legal counsel.

8           The findings of fact of the Board shall be conclusive and binding on the parties and its  
9 decision or order shall be final and executory.

10           A petition for review by *certiorari* and question of law may be filed by the aggrieved  
11 party with the Supreme Court within thirty (30) days from receipt of the order or decision of  
12 the Board.

13           **SEC. 14. *Monitoring, Evaluation, and Reporting System.*** – To attain the objectives of this  
14 Act, a field monitoring, evaluation, and reporting system shall be adopted by the DENR to  
15 regularly keep track of the state of the country's forest lands after their delimitation. Toward  
16 this end, at the opening of each session of Congress, the DENR shall submit a report to the  
17 President on the status of the forest lands for transmission to Congress.

18           **SEC. 15. *Implementing Rules and Regulations.*** – Within ninety (90) days from the  
19 effectivity of this Act, the Secretary of the DENR shall issue the corresponding implementing  
20 rules and regulations for the effective implementation of this Act.

21           **SEC. 16. *Appropriations.*** – The Secretary of the DENR shall include in the Department's  
22 budget program the implementation of this Act, the initial funding of which shall be charged  
23 against the current year's appropriations of the Department and thereafter shall be included by  
24 the Department of Budget and Management in the annual General Appropriations Act (GAA).

1 Funds for the implementation of the provisions of this Act shall be supplemented also by  
2 any available official development assistance (ODA) and from joint projects between agencies of  
3 the Philippines and an assisting country.

4 Local government units shall also allocate counterpart funds to be taken from their  
5 internal revenue allotment (IRA) and other LGU income for the delineation of the forest lands  
6 limits within their respective territorial jurisdictions.

7 **SEC. 17. Separability Clause.** – If any provision of this Act is declared unconstitutional,  
8 the same shall not affect the validity and effectivity of the other provisions not affected thereby.

9 **SEC. 18. Repealing Clause.** – All laws, decrees, letters of instruction, executive orders,  
10 rules and regulations and other issuances or parts thereof inconsistent with this Act are hereby  
11 repealed or modified accordingly.

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

Approved,