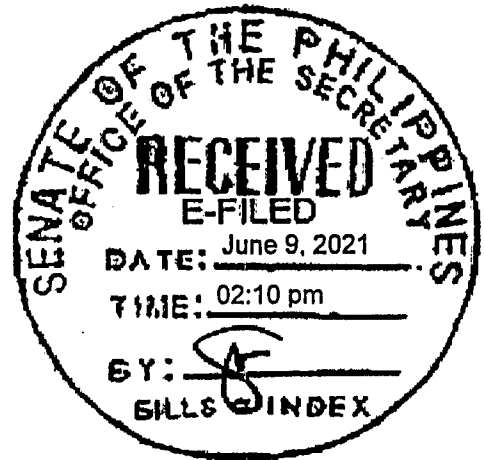


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE

S. No. 2290



Introduced by Senator Manuel "Lito" M. Lapid

**AN ACT
ESTABLISHING THE URBAN GREEN PATCHES PROGRAM AND PROVIDING
FUNDS THEREFOR**

EXPLANATORY NOTE

Section 16 of Article II of the 1987 Constitution states the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. As such, existing laws mandate the provision of open spaces as an essential component of living in communities, as it provides a venue for activities and interaction between and among people and the environment.

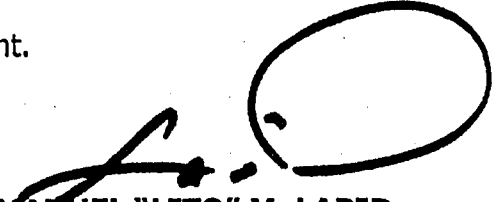
Despite these, the country is in dire need for more open spaces. In fact, the 2011 Green Cities Index by Siemens and The Economist Intelligence Unit showed that in Metro Manila, each inhabitant has an average of 5 square meters of green open space, a figure that is way below the minimum of 9 square meters per person as recommended by the World Health Organization (WHO)¹. And in the midst of an unprecedented urban population growth and depletion of available lands for such, there is a growing concern on the irreversible effects of congestion and climate change

¹ <https://www.rappler.com/newsbreak/in-depth/covid-19-pandemic-highlights-lack-metro-manila-green-open-spaces>

on people, and the citizens' disconnect with nature. Note that open spaces are defined as *areas reserved exclusively for parks, playgrounds, recreational uses, schools, roads, places of worship, hospitals, health centers, barangay centers and other similar facilities and amenities.*² Existing laws don't necessarily mandate the exact proportion of vegetation cover that will occupy these open spaces. To help mitigate the effects of global warming, there is an urgent need for more green spaces within or outside these open spaces. Green spaces are *open spaces for leisure, recreation, and promenade where soft (i.e. plants and trees) and hard (i.e. pavement and benches) landscape may be found.* Developing more green spaces could help manage and abate the high temperature that the country is experiencing especially in Metro Manila and other urban centers brought about by climate change. This, and such other benefits and opportunities as the country ushers in the "new normal", such as reduced air and noise pollution, enhanced physical and mental health, and improved living conditions in urban communities. In 2018, a study by the Journal of American Medical Association (JAMA) Network Open showed an improved mental health of Philadelphia residents after a greening intervention on vacant lots³.

Thus, this bill seeks to establish an Urban Green Patches Program under the Department of Environment and Natural Resources, aimed at preserving, maintaining and improving the existing green spaces and utilizing idle lands to help improve the microclimatic conditions of human settlements in urban areas. .

In view of this, early passage of this bill is sought.



MANUEL "LITO" M. LAPID

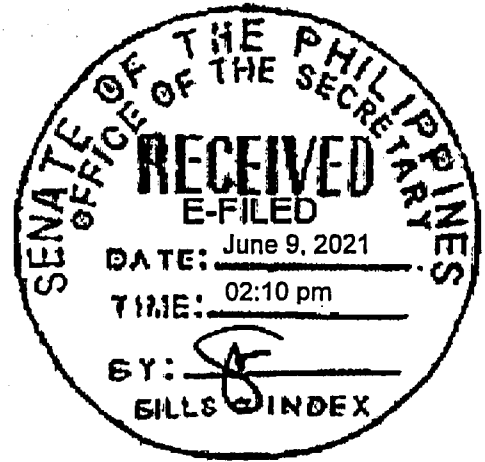
² PD 1216, s.1977

³ <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2688343>

EIGHTEENTH CONGRESS OF THE)
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Introduced by Senator Manuel "Lito" M. Lapid

**AN ACT
ESTABLISHING THE URBAN GREEN PATCHES PROGRAM AND PROVIDING
FUNDS THEREFOR**

*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 "*Urban Green Patches*
2 *Program Act.*"

3
4 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
5 protect and advance the right of the people to a balanced and healthful ecology in
6 accord with the rhythm and harmony of nature. Towards this end, the State shall
7 establish a program which shall preserve, maintain and improve the country's existing
8 green spaces and utilize idle lands to help improve the microclimatic conditions of
9 human settlements especially in urban areas, and address food security.

10
11 Sec. 3. *Definition of Terms.* – As used in this Act, the following definitions shall
12 apply:

13 (A) *Green spaces* are open spaces for leisure, recreation, and promenade where
14 soft (i.e. plants and trees) and hard (i.e. pavement and benches) landscape
15 may be found.

1 (B) *Idle land* is a non-agricultural land in urban and urbanizable areas with an
2 area of more than one thousand (1,000) square meters, five hundred (500)
3 square meters of which have no improvements for a period of five (5)
4 consecutive years immediately prior to or at any time after the effectivity of
5 this Act, as identified by the Department of Environment and Natural
6 Resources (DENR), in coordination with the local government units.

7
8 Improvements shall refer to all types of buildings and residential units, wall,
9 fences, structures or constructions of all kinds of a fixed character or which
10 adhered to the soil but shall not include trees, plants and growing fruits,
11 and other fixtures that are mere superimpositions on the land.

12
13 **Sec. 4. *Green Patches Program.*** – The Green Patches Program is hereby
14 established under the Department of Environment and Natural Resources (DENR), in
15 coordination with relevant government agencies and local government units, that
16 shall:

17
18 (A) Conduct an inventory of existing green spaces and idle lands in the country,
19 that shall produce a baseline data indicating the extent of vegetative cover,
20 and other bio-physical and ecological conditions of each;

21 (B) Enforce measures to preserve, improve and maintain the existing green
22 spaces to include:

23 (I) Prohibition on the utilization or development of the same for any
24 other purpose; and

25 (II) Utilization of effective measures for the optimum maintenance of
26 such spaces as well as the growth of the trees and plants therein.

27
28 (C) Formulate and enforce policies and regulations to promote the greening of
29 idle lands in urban areas such as:

30
31 (1) Enforcement of a 10-year moratorium on the utilization or development
32 of such idle lands for purposes other than for greening purposes;

1 *Provided*, That Idle lands falling within the coverage of the Program shall
2 be exempt from the additional ad valorem tax on idle lands imposed by
3 a province or city, or a municipality within the Metropolitan Manila Area,
4 pursuant to their local tax ordinances; *Provided further*, That should an
5 idle land owner decide to use the land for any other purpose other than
6 for greening purposes within the 10-year period, the same shall be
7 required to contribute in any government reforestation programs and
8 projects by planting one (1) tree for every 10 square meters of such idle
9 land.

10 (II) Provision of free tree, food crop and other plant seedlings and
11 saplings as well as continued technical and financial assistance by
12 the DENR to participating idle land owners;

13
14 **Sec. 5. *Implementing Rules and Regulations.*** Within sixty (60) days from the
15 effectivity of this Act, the DENR, in consultation with other relevant agencies shall
16 promulgate the implementing rules and regulations necessary to fully implement the
17 objectives and purposes of this Act.

18 **Section 6. *Appropriations.*** – The amount necessary for the implementation of
19 this Act shall be included in the annual General Appropriations for the year following
20 its enactment into law and thereafter.

21 **Sec. 7. *Separability Clause.*** – If any portion or provision of this Act is declared
22 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
23 remain in force and effect.

24
25 **Sec. 8. *Repealing Clause.*** – Any law, presidential decree or issuance, executive
26 order, letter of instruction, rule or regulation inconsistent with the provisions of this
27 Act is hereby repealed or modified accordingly.

28
29 **Sec. 9. *Effectivity.*** – This Act shall take effect fifteen (15) days after its complete
30 publication in the Official Gazette or in at least two (2) newspaper of general
31 circulation.

1

2

Approved,