



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 CONCURRENCE ON THE NEDA
BOARD-NATIONAL LAND USE COMMITTEE (NB-NLUC)
DRAFT EXECUTIVE ORDER ON LAND USE AS OF 29 MAY
2023

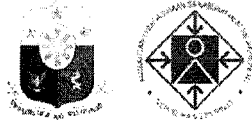
DATE : 31 MAY 2023

In reference to the electronic mail from the NEDA Board-National Land Use Committee (NB-NLUC) received on 30 May 2023, further to its letter dated 11 May 2023, they are requesting for final concurrence on the final draft Executive Order (EO) to *"Accelerate the Implementation of Land use-related Policies to ensure Sustainable Land Use and Management"*. This incorporates additional comments submitted by the DENR, DILG, NCIP, and ULAP.

In this regard, may we request your **final concurrence** on the Draft Executive Order. Kindly submit it via email at denrlo@denr.gov.ph on or before **June 2, 2023, at 5 PM** for submission to the NEDA before their submission of the same to the Office of the President.

Attached herewith is the Draft Executive Order as of May 29, 2023. Also attached for your reference is the list of agreements during the NB-NLUC Technical Working Group meeting and the matrix of the additional agency comments.


IGNATIUS LOYOLA A. RODRIGUEZ



REPUBLIC OF THE PHILIPPINES
NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY

May 29, 2023

SECRETARY MARIA ANTONIA YULO LOYZAGA

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

Dear **Secretary Loyzaga**:

Further to our letter dated 11 May 2023, this is to request concurrence on the attached final draft Executive Order (EO) to *"Accelerate the Implementation of Land use-related Policies to ensure Sustainable Land Use and Management"*. This incorporates additional comments submitted by the DENR, DILG, NCIP, and ULAP.

We would appreciate receiving your official concurrence on this draft EO on or before June 5, 2023 before submission of the same to the Office of the President. Also attached for your reference is the list of agreements during the NB-NLUC Technical Working Group meeting and the matrix of the additional agency comments.

For clarifications, you may contact Mr. Ross de Leon or Ms. Eunice Gonzales thru telephone no.: 8631-0945 local 709 or email: rdeleon@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

Cc: Office of the Executive Secretary
Presidential Management Staff
Presidential Legislative Liaison Office

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

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

61 Chairperson: Secretary of Socio-economic Planning
62

63 Members: Secretaries of the:

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

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

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

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

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

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

- e) 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;
- f) Coordinate the establishment of an up-to-date, inter-operable and accessible national databases on land use;
- g) Assess periodically the impacts or effects of land use policies which have been adopted and implemented; and
- h) 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 the DENR, DA, DAR, DILG, DHSUD and DPWH and one representative from ULAP

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

For 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, including the preparation of the regional and provincial spatial development frameworks city and municipal comprehensive land use plans in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) shall be addressed 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. The RPFP shall have a timeframe of 12 years with regular review and updating every six years or when deemed necessary.
- b) Promote the integration of land use and spatial planning policies, plans and programs, including disaster risk reduction measures into the regional socioeconomic plans and programs;
- c) Provide technical support in the resolution of region-specific land use policy issues among government agencies, especially those arising from the implementation of regional spatial development and physical framework;

- d) Review the provincial development and physical framework plans (PDPFPs) and comprehensive land use plans (CLUPs) and zoning ordinances (ZOs) of highly-urbanized cities and independent component cities and provide recommendations to ensure their consistency with the regional spatial development and physical framework;
- e) Elevate to the NLUC, for discussion and settlement, the unresolved region-specific land use policy disputes and controversies among government agencies in the regions;
- f) Assess changes in land use and other physical resources in the regions in coordination with the Local Land Use Committees;
- g) Evaluate the consistency of major sub-national programs and projects with the regional spatial development and physical framework and their impacts on land use and the environment;
- h) Assess periodically the sub-national impacts or effects of land use policies which have been adopted and implemented;
- i) Undertake the gathering, updating and maintenance of a regional land use database system; and
- j) 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. Provincial Land Use Committees. The Provincial Land Use Committee (PLUCs) established under Executive Order (EO) No. 72 series of 1993 "*Providing for the Preparation and Implementation of the Comprehensive Land Use Plans of Local Government Units Pursuant to the Local Government Code of 1991 and other Pertinent Laws*" is hereby reconstituted as follows:

Chairperson: Provincial Planning and Development Coordinator

Members: Provincial Agriculturist, Engineer, Tourism Officer, Assessor, Environment and Natural Resources Officer, Disaster Risk Reduction and Management Officer and Economic and Investment Promotions Officer; and

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

Pursuant to Section of EO 72 series of 1993, the PLUC shall perform the following functions:

- a) Assist the Provincial Development Council in the preparation the Provincial Development Plans and Provincial Physical Framework Plans or the combined Provincial Development and Physical Framework Plans;
- b) Assist the Sangguniang Panlalawigan in reviewing the comprehensive land use plans of component cities and municipalities to ensure that said are consistent

with the provincial development and physical framework plan, and national policies, standards and guidelines;

- c) Recommend solutions to harmonize conflicting proposed land uses among component cities and municipalities; and
- d) Submit their findings and recommendations to the Sangguniang Panlalawigan for consideration on its decision.

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

Section 8. 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 prime agricultural lands, irrigated and irrigable lands, culturally significant lands, and fragile ecosystems pursuant to R.A. No. 8435 otherwise known as the Agriculture and Fisheries Modernization Act of 1997. 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, RA 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010, and RA11038, otherwise known as Expanded National Integrated Protected Areas System Act of 2018.

Pursuant to Section 13.8 of the Implementing Rules and Regulations of the Republic Act (RA) 11201 and 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. In addition, DHSUD shall continue to issue locational clearances for proposed projects considered to be of vital and national or regional economic or environmental significance as declared by the NEDA Board.

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

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

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

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

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

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

269 The DAR shall monitor and maintain a database on the actual uses of the lands
270 approved or disapproved for land use conversion. It shall ensure that the Task Force on Illegal
271 Conversion in the provinces shall commence the necessary and proper criminal complaint for
272 illegal conversion cases in accordance with sections 73 and 74 of RA 6657, as amended in
273 2009 by RA 9700. It shall periodically report these incidences to the NLUC.
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275 Within sixty days upon the effectivity of this order, the DAR, DA, DENR, and DHSUD
276 shall develop a harmonized system of monitoring compliance with the legal requirements for
277 the reclassification and conversion of land.
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279 **Section 10. Continuous Updating of Consolidated Data on All Irrigated and**
280 **Irrigable Lands.** Consistent with Administrative Order No. 363, series of 1997 and RA 6657
281 as amended, the National Irrigation Administration (NIA), in complementation with BSWM,
282 shall continue the preparation, updating and consolidation of maps and data of irrigated and
283 irrigable lands which shall be protected from conversion. The NIA shall also report the same
284 to the NLUC within one (1) year upon the effectivity of this Executive Order.
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286 **Section 11. Delineation and Updating of Strategic Agriculture and Fisheries**
287 **Development Zones (SAFDZ).** Consistent with sections 6 and 7 of the Agriculture and
288 Fisheries Modernization Act (AFMA) of 1997 or RA No 8435, the Department of Agriculture
289 through the BSWM, in consultation with DAR, DENR, Department of Trade and Industry,
290 Department of Science and Technology, concerned LGUs, and organized farmers and
291 fisherfolk groups, shall continuously monitor the SAFDZs. The maps which will be produced
292 as a result of the delineation and updating of the SAFDZ shall be made available to the local
293 government units for its inclusion in their respective PDPFPs, CLUPs and Zoning Ordinances.
294 Pursuant to Section 9 of the AFMA, all prime agricultural lands included in the SAFDZ shall be
295 protected from land use conversion. The SAFDZ shall be subject to review every six (6) years
296 by the DA.
297

298 **Section 12. Boundary Delineation and Demarcation of Classified Forest Land and**
299 **National Parks.** 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 two (2) years 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 13. 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. Once the ICM framework is developed, the DHSUD, in coordination with the DENR, shall provide guidance to LGUs in integrating coastal management in their CLUPs.

Section 14. 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 complete the mapping and corresponding database of all ancestral domains within one (1) year after the effectivity of this Executive Order. In addition, it shall complete the maps and database of all ancestral lands within two (2) years from the effectivity of this EO. ~~as these shall~~ The NCIP shall provide the NLUC with said maps and data to serve as one of the inputs in the formulation of land use and spatial planning policies.

Section 15. Delineation and Mapping of Hazard-prone and Vulnerable Areas. The DENR – Mines and Geosciences Bureau (MGB), DOST-Philippine Institute of Volcanology and Seismology (PHIVOLCS), and DOST-Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA), 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~~ shall provide the LGUs with the geohazard maps generated and updated for their guidance in the preparation of their ~~own~~ respective hazards-constrained development and physical framework and land use plans. The LGUs are also expected to closely coordinate with the agencies concerned about the availability and use of these maps.

Section 16. National Unified 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 five (5) 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 17. 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 18. Sanctions and Penalties on the Failure to Formulate, Enforce, and/or Implement the CLUPs. The DHSUD, in coordination with DILG, shall monitor the LGUs' formulation and implementation of the CLUPs and the PDPFPs. Within three (3) 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 and/or DILG pursuant to RA 11201 and its Implementing Rules and Regulations, and Section 60 of the Local Government Code.

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

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

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

Section 22. 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 23. 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 24. 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 Three.

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By the President:

LUCAS P. BERSAMIN
Executive Secretary

FERDINAND R. MARCOS, JR.
President of the Philippines

Concurrence/Additional Comments on the Draft Executive Order (EO) on Land Use

Proposed Revision/Comment	Agency	Remarks
No objection and concurs with all the provisions in the draft EO.	DA, DAR, and DHSUD	No revision needed.
Whereas Clauses		
1. On the 4th whereas clause, insert <i>"that"</i> after <i>"the 1987 constitution provides..."</i>	DENR	Considered.
Section 1. Reconstitution of NLUC		
2. On page 2 under Section 1, <i>"and"</i> should come after DHSUD to read as follows: <i>"Department of Human Settlement and Urban Development (DHSUD), and..."</i>	DENR	Considered.
3. On lines 79-80, the words <i>"department, bureau, office, agency and instrumentality of the government"</i> are repeated, hence, should be deleted		Considered.
Section 2. Powers and Functions of NLUC		
4. Include Land Degradation Assessment (LADA) measures in promoting integrated and sustainable land use management. The LADA approach provides a comprehensive analysis of biophysical and socio-economic factors that enable the planners to understand the severity, and causes of land degradation, and to prioritize areas for conservation.	DENR-NWRB	This can be included in the CLUP guidelines. Also, DA Memorandum Circular 26, series of 2022 already provides for the incorporation of sustainable land management approach in CLUPs.
Membership of the NLUC, RLUC and Local Land Use Committees (Sections 1, 3 and 6)		
5. Include that NCIP as a member of the reconstituted NLUC, RLUC, and PLUC. This is to ensure that the rights of the ICCs/IPs are protected and considered in the formulation of plans and programs.	NCIP	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 3. Reconstitution of the Regional Land Use Committee		
6. The Mindanao Development Authority (MinDA) is mandated to promote, coordinate and facilitate the active and extensive participation of	DENR-NWRB	Pursuant to RA11201, the DHSUD is the agency mandated to

all sectors to effect socioeconomic development of Mindanao. In view of this, it may be clarified whether the CLUPs and ZOs in cities and municipalities in Mindanao will be reviewed by the MinDA. If such is the case, MinDA is suggested to be also part of the RLUC.		review and ratify CLUPs. Further, the draft EO states that the RLUCs may call on other agencies and experts as needed.
Section 4. Powers and Functions of RLUC		
7. Corollary to the function of the NLUC cited in Section 2 on the regular review and updating of the national framework for physical planning (NFPP), which will be done every 10 years, it is suggested to synchronize the review of this with the review of the RPPF, with regular review and updating of both done every six years or when deemed necessary.	DILG-BLGD	Not considered. NFPP is a long-term framework, hence a review period of 10 years is proposed.
Section 6. Provincial Land Use Committees		
8. We recommend to include membership of the LGU Provincial ENR Officer.	DENR	Considered.
Section 7. Preparation of Comprehensive Land Use Plans (CLUPs)		
9. Incorporate the Forest Land Use Plans (FLUP) in the preparation /or updating of CLUPs	DENR	This can be included in the CLUP guidelines.
<p>10. Land use plans for ancestral domains shall be formulated by the ICCs/IPs themselves in accordance with their needs and traditional resource and management systems with the assistance of the NCIP, the LGUs and civil society organizations CSOs concerned. Such plans shall be recognized and adopted in the barangay, city/municipal, provincial, regional, and physical framework plans.</p> <p>Physical framework plans made prior to the delineation of ancestral domains included in such plans or ordinances shall, without prejudice to the rights of the ICCs/IPs concerned, adopt different land use categories in accordance with their particular needs and traditional resources and management systems. In cases where there are no ADSDPPs, the LGUs and the ICCs/IPs shall jointly formulate the land use within the ancestral domains until such time that the ICCs/IPs shall have formulated their ADSDPPs.</p>	NCIP	Considered. Section 14 provides for the mapping and recognition of ancestral domains in the land use plans.

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

11. DHSUD shall take into consideration the conservation and protection of or prime ecosystems or Protected Areas in accordance with ENIPAS Law or R.A. 11038. It is respectfully suggested that the paragraph 3 be amended to <i>"DHSUD, DA, DAR and DENR with concerned agencies."</i>	DENR	Considered. This was part of the agreements during the NLUC-TWG meeting.
12. The agencies involved should have clear functions in the process of land reclassification and conversion. There should also be a review and streamlining of the procedures on land-related transactions by, between and among the agencies.		Considered. Provisions on the review and streamlining of land reclassification and conversion are included in Sections 8 and 9.
13. The formulation and planning prescription of land use planning standards shall be consistent with DENR policy on FLUP and criteria pursuant to PD 705.	DENR	This can be included in the CLUP guidelines.
14. In Paragraph 3, include DENR for coordinating agency by DHSUD to design and develop integrated information and management system for monitoring agricultural land reclassification done by LGUs with consideration on easement, foreshore, mangrove and forestlands.		Considered. This was part of the agreements during the NLUC-TWG meeting.

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

15. Add a section for <i>Definition of Terms</i> so that the terms "land use conversion" "reclassification" can be clarified.	DENR-LMB	Definition of Terms can be included in the IRR.
16. Land use conversion should be consistent with the DENR policy on Environmental Clearance Certificate, and aligned with the criteria on land classification under PD 705.	DENR	Considered. Section 9 recognizes that aside from DAR, there are other agencies involved in the land use conversion process.

Section 12. Boundary Delineation and Demarcation of Classified Forest Land and National Parks.

<p>17. Insert after the 1st paragraph:</p> <p><i>"In addition, DENR shall coordinate with other concerned agencies for the delineation and demarcation of forest lands. The result shall be final and not be subject to further reclassification and or delineation."</i></p>	DENR	<p>Not considered.</p> <p>Article XII, Section 3 of the 1987 Constitution provides that the Congress is the only body that can determine by law specific limits of forest lands and national parks. This cannot be amended by an EO.</p>
<p>18. The regional Assessment and Delineation Team (RADT) under the Forest Land Boundary Assessment and Delineation (FLBAD) should be adopted and legislated.</p> <p>19. We then suggest that the delineated areas by RADT within forest reserves/reservation will modify the said reservation accordingly;</p> <p>20. Extend the coverage of Presidential decree No. 1998, series 1985 "Authorizing the Classification and/or Reclassification of Lands Eighteen Percent in Slope or over in the Provinces of Cebu and Benguet as Alienable and Disposable Lands"; and consider the applicability of P.O. No. 410, series 1974 "Declaring Ancestral Lands Occupied and Cultivated by National Cultural Communities as Alienable and Disposable, and For Other Purposes";</p> <p>21. In the case of NIPAS areas, the Multiple-use Zones be included and taken into consideration;</p>	DENR	<p>The objective of the EO is to accelerate implementation of land-use related mandates of government agencies and applicable land-use laws and regulations. The EO cannot prescribe that results of the forest boundary delineation be legislated since the power to do so lies with Congress.</p> <p>Consideration of NIPAS is the land use plans is provided in Section 8.</p>
Section 13. Management of Coastal Resources		
<p>22. We recommend adopting the provisions and strategies stipulated in the DENR-BMB</p>	DENR	<p>This provision was in the previous draft of the EO but was</p>

Technical Bulletin No. 2022-02 on sustainable management of coastal resources.		deleted per agreement during the NLUC-TWG Meeting. The provision on the Technical Bulletin can be considered in the CLUP guidelines.
Section 14. Delineation and Recognition of Ancestral Domains		
23. Revise the time frame for completion of mapping of ancestral lands and domains. to two years	NCIP	Considered.
24. The Ancestral Domains Sustainable Development and Protection Plan (ADSDPP) should be strengthened and form part of the CLUP.	DENR	This can be included in the CLUP guidelines.
Section 15. Delineation and Mapping of Hazard-prone and Vulnerable Areas		
25. Revise second paragraph as follows: <i>"Within one year upon effectivity of this Executive Order, the said agencies <u>shall provide the LGUs with the geohazards maps already generated and updated for their guidance in the preparation of their own hazards-constrained development and physical framework and land use plans. The LGUs are also expected to closely coordinate with the agencies concerned about the availability and use of these maps.</u>"</i>	DENR-MGB	Considered.
Section 16. National Base Mapping Program		
26. Proposed revision: <i><u>Section 16. National Unified Base Mapping Program. Within one (1) year upon the effectivity of this Executive Order, the National Mapping and Resource Information Authority (NAMRIA) shall complete and continuously update the large-scale 1:10,000 topographic base maps of the whole country through the acquisition of Very High-Resolution Satellite Images (VHSI) and upgrading of national Digital Terrain Elevation Data (DTED). The base maps shall be updated every five (5) years at the minimum and in accordance with acceptable standards and specifications. Such maps and permutations</u></i>	DENR-NAMRIA	Considered. The proposed revision in the title and time frame for updating of base maps were adopted. The type of technology to be used can be included in the IRR.

<i>thereof, 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 <u>an official reference</u> in defining the planning area for land use planning, local development planning, and other planning activities that <u>shall contribute to economic growth of the country.</u></i>		
Section 18. Sanctions and Penalties on the Failure to Formulate, Enforce, and/or Implement the CLUPs		
27. The second paragraph of the provision should be revisited. Pursuant the Local Government Code of 1991, DILG only exercises supervisory powers over local government units. Hence, the Department is not imbued with the power to impose penalties and sanctions against LGUs and its officials. Further, Section 60 of the LGC of 1991 provides for the grounds for disciplinary actions and the guidelines where to file said cases. The authority of the DILG to investigate complaints against local elective officials is limited only to cases referred by the Office of the President. Also, RA 11201 only vested DHSUD with quasi-legislative powers, hence, DHSUD cannot exercise disciplinary powers in cases where LGUs fail to formulate and implement their CLUPs. The Human Settlements Adjudication Commission (HSAC), however, is vested with quasi-judicial functions and have jurisdiction cases enumerated in Section16 of RA 11201. Failure of LGUs to formulate and implement CLUPs is not one of the cases under HSAC's jurisdiction.	DILG-BLGD	Considered. This was discussed in the NB-NLUC TWG meeting wherein it was agreed that generic provision citing the LGC and DHSUD Law will be indicated.
Section 19. Capacity Building		
28. On line 375, insert "with" after coordination		Considered.

Other Comments:

Comment	Agency	Remarks
1. Some of the sections, i.e. the Powers and Functions, Sanctions and Penalties, and Reportorial Requirements may be included in IRR	DENR	These are key provisions which were already agreed to be part of the

Comment	Agency	Remarks
		EO during the NLUC-TWG meeting.
2. Include a provision stating that sustainable Lnd management policies must be incorporated in the CLUPs of all local government units through the leadership of the DILG to ensure the commitment and participation of all LGUs	DENR	The "Whereas" section of the EO provides for sustainable land manage. Detailed approaches can be included in the CLUP guidelines.
3. In the preparation of the Land Use Plan, may we clarify whether it is limited to Alienable and Disposable (A&D) lands. In CAR, there are LGUs entirely within or rather within Forest Zone.	DENR	As defined in section 2b of RA 11201, " <i>CLUP refers to the document, formulated by the local government in consultation with its stakeholders, that defines or provides guidelines on the allocation, utilization, development and management of all lands within a given territory...</i> " Hence, preparation of land use plans is not only limited to A&D lands.
4. There should be a policy in the draft EO for the integration of the ADSDPPs in the CLUP and investment plans. For communities without ADSDPPs, the LGU should consult the ICCs/IPs in the formulation of their respective land use plans so as to determine the priorities of development of the ICCs/IPs in their ancestral domains.	NCIP	This can be included in the IRR or CLUP guidelines.
5. Clarifications must be made in the subsequent IRR on the provisions relating to the collaboration of LGUs and DHSUD on Land Use Planning.	ULAP	This can be taken as an NLUC agenda once the EO takes effect.

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 “settled” with “addressed” 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 “AFMA of 1997” after the “fragile ecosystems” 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.