



FOREST LAND BOUNDARY ASSESSMENT & DELINEATION

PWPA 67th Annual General Meeting

15 November 2018

Joy Nostalg Hotel & Suites, Pasig City

LEGAL BASES

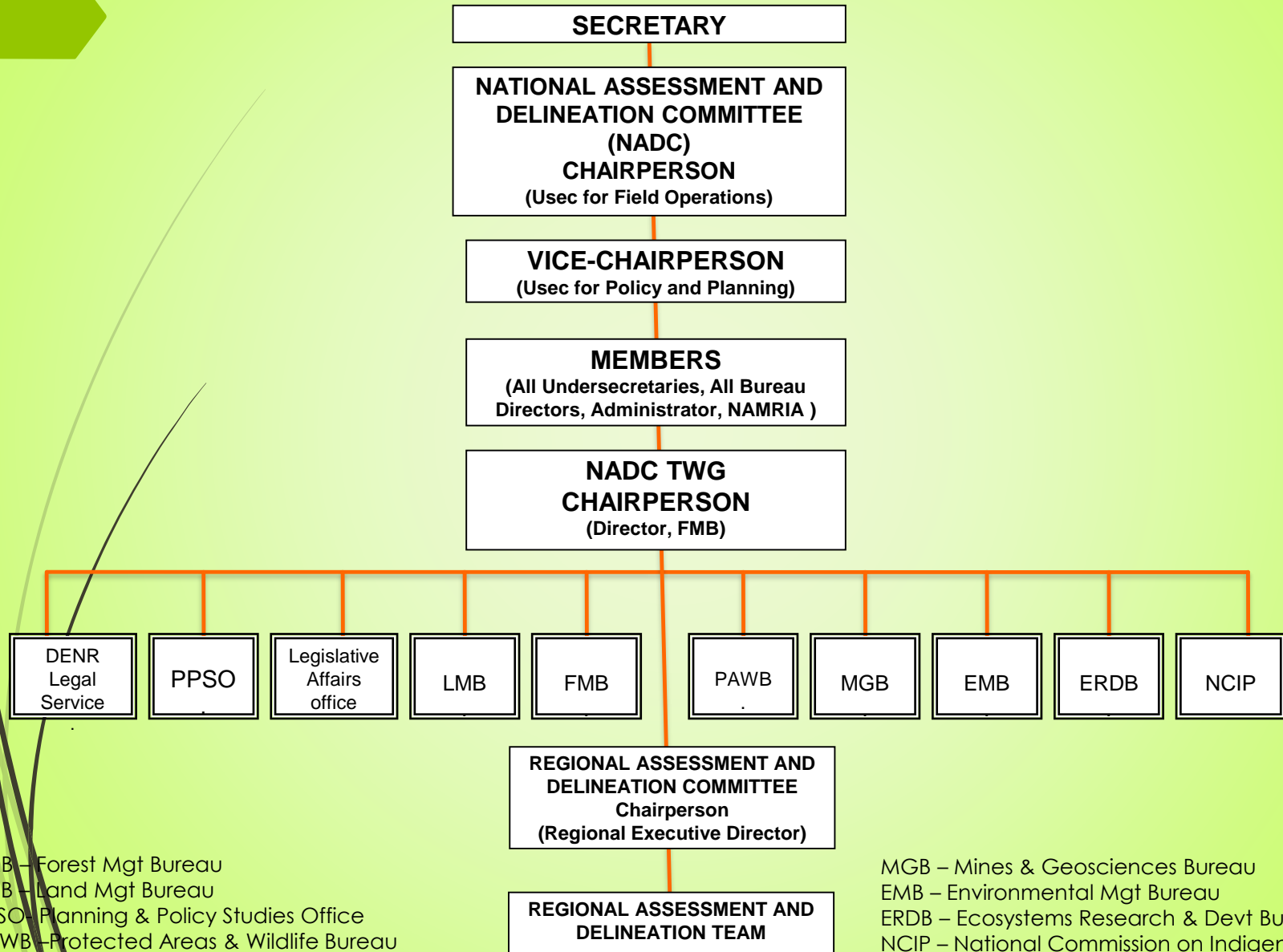
[Classification and Survey of All Lands of the Public Domain]

- ❑ **1987 - Section 4, Article XII Philippine Constitution** - Congress shall, as soon as possible, determine, by law, the specific limits of forestlands and national parks, marking clearly their boundaries on the ground. Thereafter, such forestlands and national parks shall be conserved and may not be increased nor diminished, except by law.
- ❑ **1975 - Section 17, PD 705** - provides that boundaries between permanent forests and alienable and disposable lands shall be clearly marked and maintained on the ground.
- ❑ **2004 – Section 21, Executive Order No. 318** - state forestlands shall be identified, classified and delineated/demarcated on the ground and shall constitute the permanent forest estate unless otherwise stipulated by Congress.

DENR ADMINISTRATIVE ORDER NO. 24, December 8, 2008

- **Objective** : provide the guidelines for the assessment, and delineation of boundaries between forestlands, national parks and agricultural lands
- **Coverage** : technical and administrative mechanisms for the assessment, validation and delineation of boundaries between forestlands, national parks under the National Integrated Protected Areas System (NIPAS), and agricultural lands

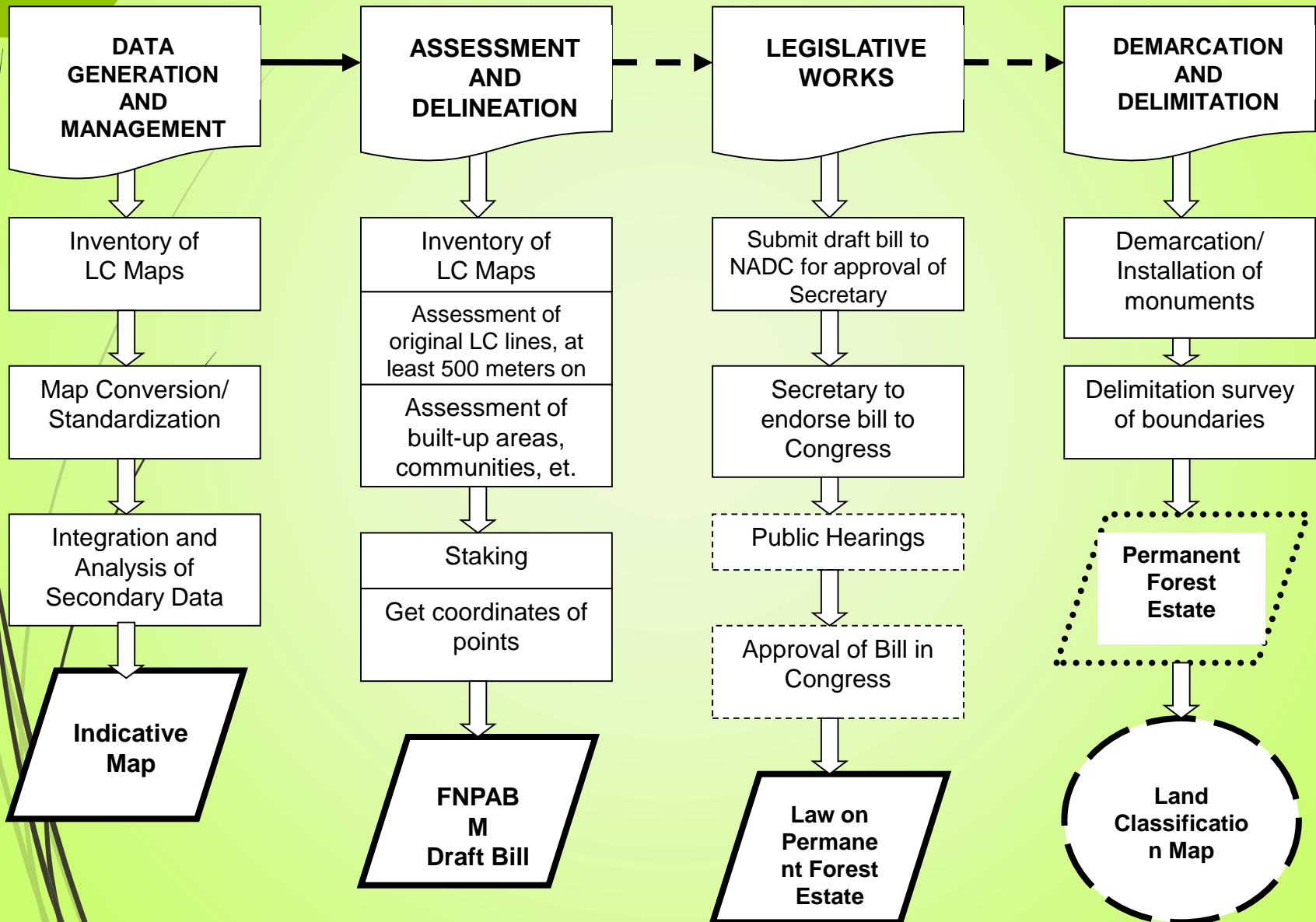
Assessment & Delineation Committees



FMB – Forest Mgt Bureau
LMB – Land Mgt Bureau
PPSO – Planning & Policy Studies Office
PAWB – Protected Areas & Wildlife Bureau

MGB – Mines & Geosciences Bureau
EMB – Environmental Mgt Bureau
ERDB – Ecosystems Research & Devt Bureau
NCIP – National Commission on Indigenous Peoples

PROCESS FLOW



ASSESSMENT & DELINEATION

- ❑ Field Assessment - shall be conducted along the existing LC lines, at least 500 meters on both sides of the line and shall be guided by the following parameters:
 - **Sections 15 of PD 705, as amended;**
 - **Topography** - No land of the public domain eighteen per cent (18%) in slope or over shall be classified as alienable and disposable, nor any forest land fifty per cent (50%) in slope or over, as grazing land

ASSESSMENT & DELINEATION

➤ **Section 16 of PD No. 705, as amended;**

- **Areas Needed for Forest Purposes** – The following lands, even if they are below eighteen per cent (18%) in slope, are needed for forest purposes, and may not, therefore, be classified as alienable and disposable land
 1. Areas less than 250 hectares which are far from, or are not contiguous with, any certified alienable and disposable land;
 2. Isolated patches of forest of at least five (5) hectares with rocky terrain, or which protect a spring for communal use;
 3. Areas which have already been reforested;
 4. Areas within forest concessions which are timbered or have good residual stocking to support an existing, or approved to be established, wood processing plant;

ASSESSMENT & DELINEATION

Cont.... Sec.16, PD 705

5. Ridge tops and plateaus regardless of size found within, or surrounded wholly or partly by, forest lands where headwaters emanate;
6. Appropriately located road-rights-or-way;
7. Twenty-meter strips of land along the edge of the normal high waterline of rivers and streams with channels of at least five (5) meters wide;
8. Strips of mangrove or swamplands at least twenty (20) meters wide, along shorelines facing oceans, lakes, and other bodies of water, and strips of land at least twenty (20) meters wide facing lakes;
9. Areas needed for other purposes, such as national parks, national historical sites, game refuges and wildlife sanctuaries, forest station sites, and others of public interest; and
10. Areas previously proclaimed by the President as forest reserves, national parks, game refuge, bird sanctuaries, national shrines, national historic sites:

ASSESSMENT & DELINEATION

- ❑ Additional Parameters in conducting Field Assessment
 - Geo-hazards areas;
 - Socio-cultural and heritage areas; and
 - Built-up areas
- ❑ Assessment of the whole forestland, shall be guided by the secondary data



MEMORANDUM
 TO : All Regional Executive Directors
 All Chairpersons, RADC (Regions 1-13 & CAR)
 FROM : Undersecretary for Field Operations
 Chairperson, National Assessment and Delineation Committee
 SUBJECT : GUIDELINES AND CRITERIA FOR ASSESSING THE AREAS/BLOCKS PROPOSED AS CONFORMING AND NON-CONFORMING TO FOREST PURPOSES IN THE CONDUCT OF FLBD PROJECT
 DATE : 12 5 APR 2012

This refers to the agreement during the "Forest Land Boundary Assessment and Delineation (FLBD) Project Draft Bill Preparation and Review Workshop" held at Holiday Inn Clark Philippines, Clark Free Port Zone, Angeles City, Pampanga from March 26-30, 2012. In this regard, please be guided by the following issues and agreements during the said workshop, to wit:

ISSUES/CONCERNS	AGREEMENT
a. Areas with above 18% slope	Can not be alienated
b. Isolated blocks below 250 hectares.	Can not be alienated
c. Geo-hazard areas	Areas that falls within "high risks" category cannot be alienated
d. Areas whose management/ jurisdiction has been transferred to other agencies/entities (i.e. NAPOCOR, PNOC, NIA)	Can not be alienated
d. Declared Watersheds	Can not be alienated
e. Reservations (civil, military, school, forest reserve and other special reservations)	Can not be alienated
f. Other Areas set aside for special purposes (thru Proc. or E.O.) such as Economic Zone and Resettlement Areas	Can not be alienated
g. Areas requested by politicians and other stakeholders that do not meet the criteria	Can not be alienated
h. Shorelines/Foreshore Areas	Can not be alienated
i. Quarry area	Can be assessed following criteria
j. Security hot spot areas	No assessment, retain LC line secure certification from PNP /AFP and LGU's
k. Areas covered by CAD/C and CADT	No assessment
l. Declared mangrove areas RA 7161	No assessment Existing mangrove-TD to be generated Mangrove per LC-Retain original line
m. A&D lands zoned for development and unproductive	Revert to FL if unused, abandoned
n. Reclamation Area	LGU jurisdiction (indicate in the map) No classification
o. Accretion	Retain LC line Can not be alienated
p. Friar lands e.g. Tanza, Cavite	No assessment; mode of disposition is through sales patent; if titled, research the validity of titles.
q. Areas for reversion	Subject to prior rights
r. Communal Forest (Cn.F.)	Can be alienated if already disestablished and passed criteria
s. Bufferzones on fault line	Can be assessed, indicate in the report by Province that there is an active fault based on PHIVOLCS.
t. Municipal/ Political Boundaries	Adopt CAD or officially established boundary if available
u. Tenurial Instruments (CBFM, ISF, FLGLA, FLGMA, SIFMA, IFMA, SLUP, FLAg, FLAgT, etc.)	Existing Tenurial Instrument can not be alienated

It has to be noted that the DENR based its recommendations on the Technical Aspect of the Assessment and the final decisions for the land classification is within the jurisdiction of the Congressman concerned.
 FOR STRICT COMPLIANCE.

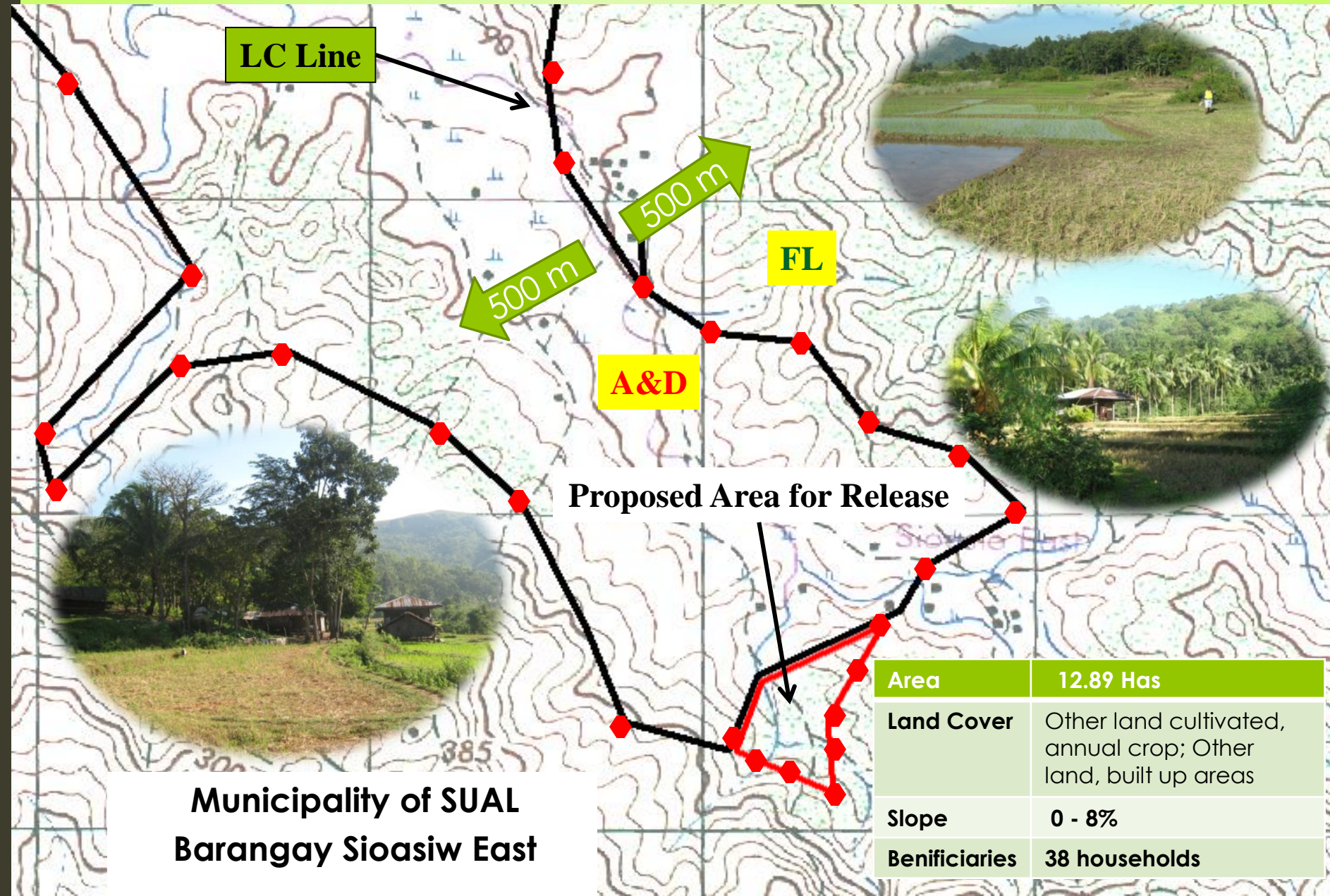
ATTY. ERNESTO D. ADOBO, JR., CESO III

“Guidelines & Criteria for Assessing the Areas/Blocks Proposed as Conforming & Non-Conforming to Forest Purposes in the conduct of FLBD Project”

AREAS CAN NOT BE ALIENATED

- Areas with above 18% slope
- Isolated blocks below 250 ha
- Geo-hazard areas that falls within “high risks” category
- Areas whose management/ jurisdiction has been transferred to other agencies i.e. NPC, PNOC
- Declared watershed
- Reservations (civil, military, school, forest reserve)
- Other areas set aside for special purposes (thru Proc. or EO)
- Areas requested by politicians & other stakeholders that do not meet the criteria
- Shorelines/Foreshore Areas

ASSESSMENT & DELINEATION



Municipality of SUAL
Barangay Sioasiw East



ACCOMPLISHMENT

- *Delineated **88,665.95 km** in 81 provinces & 2 cities

* Including newly created Davao Occidental province

FOREST LAND BOUNDARY ASSESSMENT AND DELINEATION

FORESTLAND STATISTICS (ha) - Nationwide

AREA (Before)	AREA (After)	Proposed REVERSION (A&D to FL)	Proposed RELEASE (FL to A&D)	DIFFERENCE	% Decrease in FL
15,095,918.64	14,750,630.44	111,284.73	456,572.92	345,288.19	-2.29

REGION	AREA (Before)	AREA (After)	PROPOSED REVERSION (AD to FL)	PROPOSED CONVERSION (FL to AD)	DIFFERENCE	% Increase or Decrease in FL
CAR	1,513,243.10	1,489,309.38	356.70	24,290.42	23,933.72	-1.58
1	483,947.37	482,002.00	169.28	2,114.65	1,945.37	-0.40
2	1,375,067.47	1,340,695.24	0.00	34,372.23	34,372.23	-2.50
3	1,018,294.37	1,013,169.02	0.00	5,125.35	5,125.35	-0.50
NCR	19,268.00	6,888.00	0.00	12,380.00	12,380.00	-64.25
4A	409,147.44	407,193.44	1,308.94	3,262.94	1,954.00	-0.48
4B	1,771,206.12	1,737,567.48	1,177.37	34,816.01	33,638.64	-1.90
5	538,964.50	533,336.23	1,197.24	6,825.51	5,628.26	-1.04
6	681,713.35	656,617.00	6,318.73	31,415.08	25,096.35	-3.68
7	449,760.51	524,702.17	97,065.72	22,124.06	-74,941.66	16.66
8	1,198,256.75	1,013,644.80	1,669.93	186,281.89	184,611.96	-15.41
9	799,081.44	778,492.64	280.68	20,869.48	20,588.80	-2.58
10	796,777.65	789,092.10	1,173.81	8,859.36	7,685.55	-0.96
11	1,085,728.53	1,081,165.11	21.91	4,585.33	4,563.42	-0.42
12	1,053,092.86	1,039,139.33	74.85	14,028.38	13,953.52	-1.33
13	1,280,276.41	1,248,119.00	0.00	32,157.41	32,157.41	-2.51
ARMM	622,092.78	609,497.50	469.56	13,064.84	12,595.28	-2.02
TOTAL	15,095,918.64	14,750,630.44	111,284.73	456,572.92	345,288.19	-2.29

FOREST LIMITS BILLS

CONGRESS OF THE PHILIPPINES
SEVENTEENTH CONGRESS
Second Regular Session

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HOUSE OF REPRESENTATIVES

H. No. 7496

BY REPRESENTATIVES ACOSTA-ALBA, ESCUDERO, BELARO, ROMUALDO, BRAVO (M.V.), YU, UY (J.), SALON, BELMONTE (R.), NIETO, ALEJANO, VELASCO-CATERA, PRIMICIAS-AGABAS, TY, NOGRALES (K.A.), ANDAYA, GONZALES (A.D.), ZAMORA (M.C.), DIMAPORO (M.K.), NUÑEZ-MALANYAON, CUARESMA, SAMBAR, CAMINERO, MANGOANG, SAVELLANO, GARCIA (J.E.), MONTORO, ROQUE (R.), LIMKAICHONG, ZUBIRI, UYBARRETA, CHAVEZ, BATOCABE, MARINO, VILLARIN, TINIO AND SY-ALVARADO, PER COMMITTEE REPORT NO. 707

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

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
- 2 “Forestland Limits Act”.
- 3 SEC. 2. *Declaration of Policy.* – It is the policy of the State to

STATUS: Approved by the House on 2018-05-28, transmitted to the Senate on 2018-05-29 and received by the Senate on 2018-05-29



FOREST LIMITS BILLS

SEVENTEENTH CONGRESS OF THE)
 REPUBLIC OF THE PHILIPPINES)

First Regular Session)



'16 JUL 21 10:44

SENATE

S.No. 861

RECEIVED BY: *[Signature]*

Introduced by Senator Ralph G. Recto

AN ACT

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

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

1 SECTION 1. *Short Title.* - This Act shall be known as the "Forest Lands Limits Act of
 2 2016".

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 development
 6 for the present and future generations. To achieve these ends, the specific limits of forest lands
 7 and national parks shall be determined by law and their boundaries marked clearly on the

SEVENTEENTH CONGRESS OF THE)
 REPUBLIC OF THE PHILIPPINES)

First Regular Session)



'16 JUL 21 10:44

SENATE

S. B. No. 741

RECEIVED BY: *[Signature]*

Introduced by Senator FRANCIS G. ESCUDERO

AN ACT

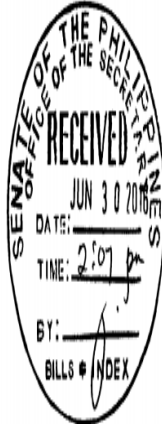
PROVIDING FOR THE DELINEATION OF THE SPECIFIC FOREST LIMITS OF THE PUBLIC DOMAIN AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Section 4, Article XII of the 1987 Constitution states that "*The Congress shall, as soon as possible, determine by law, the specific limits of forest lands and national*

SEVENTEENTH CONGRESS)
 REPUBLIC OF THE PHILIPPINES)

First Regular Session)



SENATE

S.B. No. 35

Introduced by SENATOR LOREN LEGARDA

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

Explanatory Note

This bill seeks to implement an important Constitutional provision found in Section 4, Article XII of the Philippine Constitution which states that:



Salient Features

SEC. 5. Guidelines in Determining the Specific Limits of Forest Lands

- ❑ The previously-established Land Classification (LC) survey lines per Province shall be the basic data and information that will be used as reference material in undertaking the validation, assessment and delineation process.
- ❑ **All completed assessment and delineation reports for a given province shall be endorsed to the National Review and Evaluation Committee as created herein to be headed by the DENR for its final approval.**
- ❑ The same process shall be followed for other provinces with on-going assessments and delineation activities until such time that all the boundaries of forestlands of the whole country shall have been delimited: Provided That all assessments, validations and delineations shall be completed not later than one (1) year after the passage of this Act.

SEC. 6. Creation of the National Review and Evaluation Committee

In recognition of the Constitutional mandate as embodied in Section 4, Article XII thereof, and in view of the urgent need to establishment the permanent limits of the forest lands of the country, a **National Review and Evaluation Committee** is hereby created to process, evaluate and approve all completed assessment and delineation reports referred to in the immediately preceding Section. The Committee, in its evaluation and approval of the said reports, shall adhere strictly to existing established laws, policies, rules, regulations and guidelines pertinent thereto.

COMPOSITION OF THE NATIONAL REVIEW AND EVALUATION COMMITTEE

- ❑ **Chairman – DENR Secretary**
- ❑ **Vice Chairman – NEDA Socioeconomic Planning Secretary & Director General**
- ❑ **Members**
 - **DILG Secretary**
 - **DA Secretary**
 - **DAR Secretary**
 - **HUDCC Chairman**
 - **NCIP Chairman**
 - **President , League of Provinces of the Philippines**

Upon approval of the assessment and delineation reports as herein specified, the Committee shall submit the same to Congress which shall thereafter form part of its official records. The assessment and delineation reports approved by the Committee shall be adopted as constituting the final boundaries of the forest lands covered by the report.

SEC. 12. Creation of an Adjudication Board to Resolve Controversies on Land Classification Conflicts

A Land Classification Conflict Adjudication Board, herein referred to as the Board, is hereby created to resolve controversies arising from land classification as a result of the delimitation of forest lands pursuant to this Act

COMPOSITION OF THE ADJUDICATION BOARD

- ❑ **Chairman – DOJ Secretary**
- ❑ **Members**
 - **LRA Administrator**
 - **Representative from Integrated Bar of the Philippines**
 - **Representative from a reputed College of Forestry**
 - **Representative from the private sector**

SEC. 13. Powers and Functions of the Adjudication Board

- Resolve controversies arising from land classification as a result of delimitation of forest lands pursuant to this Act;
- Summon witnesses, administer oaths, take testimony & require submission of reports;
- Compel production of books and documents and answers to interrogatories; and
- Issue subpoena *duces tecum*, writs of possessions, writ of execution; and other writs to enforce its orders and decisions

Importance Forest Limits Delineation

Strong impact on the proper management, development, administration/supervision and protection of remaining forests and forestlands through the following:

- ❖ Enhancement, development, administration, supervision and protection of forest lands;
- ❖ Resolution of conflict among competing uses of forest lands, agricultural lands and national parks;
- ❖ Security of tenure through issuances of land titles to upland dwellers or actual tillers of forest lands and agricultural lands;
- ❖ Promotion of Public-Private-Partnership (PPP) in forest development;
- ❖ Improved revenue collection from forest lands; and
- ❖ Formulation of CLUP and FLUP

Thank You!



**Department of Environment and Natural Resources
FOREST MANAGEMENT BUREAU**

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