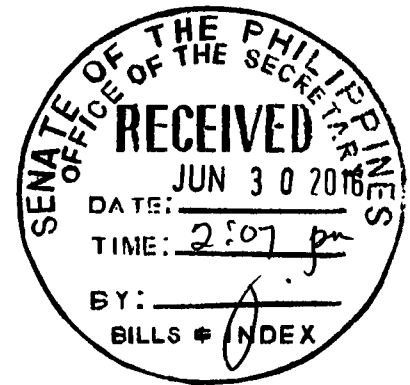


**SEVENTEENTH CONGRESS**  
**REPUBLIC OF THE PHILIPPINES**  
First Regular Session



**SENATE**

**S.B. No. 35**

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**Introduced by SENATOR LOREN LEGARDA**

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**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:

"The 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 consented 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."

From 2000 to mid-2007, the Department of Environment and Natural Resources (DENR) undertook a program to delineate and establish permanent forestland boundaries covering 54,333 kilometers of forest land. These provinces included the following: Benguet, Apayao, Ifugao, La Union, Ilocos Norte, Quirino, Nueva Vizcaya, Isabela, Cagayan, Nueva Ecija, Bulacan, Zambales, Bataan, Tarlac, Pampanga, Aurora, Laguna, Quezon, Oriental Mindoro, Occidental Mindoro, Marinduque, Romblon, Catanduanes, Albay, Camarines Sur, Aklan, Antique, Capiz, Iloilo, Guimaras, Siquijor, Cebu, Bohol, Negros Oriental, Biliran, Leyte, Southern Leyte, Eastern Samar, Zamboanga del Sur, Zamboanga del Norte, Zamboanga, Sibugay, Camiguin, Bukidnon, Davao del Sur, Davao del Norte, outhChtabato, Sultan Kudarat, Cotabato, Sarangani, Surigao del Norte, Agusan del Sur and Agusan del Norte. Of these, only 18 provinces have completed their relocation survey.

Activities in delineation include the preparation of base map and conduct of survey, then the monumenting, which could be on minor or major monuments, the planting of the monuments, and the post survey, including the digitization of final map.

According to the Biodiversity Management Bureau, the cost of putting up minor corners amount to twelve thousand pesos (P12,500) while that for major corners amount to eighteen thousand pesos (P18,000). With the entire thirty (30) million hectares of public land, of which fifteen (15)

million hectares are estimated to account for forestlands, and of which seventy-six thousand (76,000) kilometers are forestland boundaries that are for demarcation, the task looks Herculean.

At present, government relies only on the land classification maps and Cadastral survey maps of the DENR and the initiatives of local government units like Puerto Princesa in identifying the forestlands and agricultural lands. However, despite these efforts, unscrupulous individuals are not prevented from defying the integrity of these demarcated boundaries. Moreover, in the absence of clear demarcation on the ground by concrete monuments and other visible signs, majority of those who live within the forestlands are not even aware that they are violating a law that declares that clearing and farming in forestlands as criminal acts. Without the boundaries, people utilize our forest lands and the resources in it in an unsustainable and destructive manner.

With a demarcated and properly identified forestlands, the national government can better plan the utilization of the natural resources of the country, and local government units would be better equipped and encouraged to initiate and implement development projects and programs with due regard to the preservation and protection of the integrity of the demarcated forestlands.

This proposed measure designates as permanent forestlands the following: (a) all lands of the public domain already classified as forestland per existing land classification maps issued by the DENR, (b) all permanent forest reserves proclaimed as such by the President or declared by Congress through law, and (c) such areas within the unclassified lands of the public domain which may hereafter be classified as forestland by DENR. The permanent forestlands shall be further sub-classified by the DENR, after due consultation with the local government units (LGUs), concerned communities, and other stakeholders into: (a) protection forests and (b) production forests.

Under this proposal, the DENR shall undertake the actual ground survey and verification of the specific forest limits using as basis all existing Land Classification (LC) maps, the latest forest cover data of the National Mapping and Resource Information Authority (NAMRIA) from its satellite imagery interpretations, and other available and reliable sources of information.

Under this bill, the permanent forest line shall be established and clearly marked on the ground by concrete monuments at certain fixed distances, visible cut lines, signboards, and uniformly-spaced distinctive trees maintained at all times between the concrete monuments. The delineation of the permanent forest line is essential for the establishment of sustainable development plan for both agricultural and forestlands.

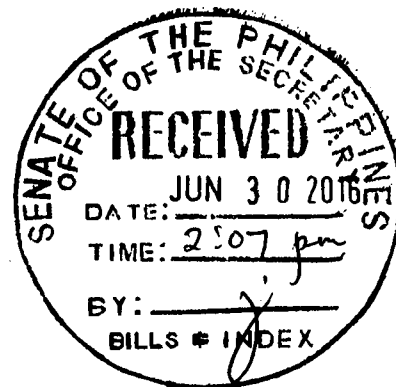
In view of the foregoing, passage of the bill is earnestly recommended.

  
**LOREN LEGARDA**  
Senator

SEVENTEENTH CONGRESS  
REPUBLIC OF THE PHILIPPINES  
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**SENATE**

S.B. No. 35



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**Introduced by SENATOR LOREN LEGARDA**

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**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 the House of Representatives of the Philippines in Congress assembled:

1 **SECTION 1. Short Title.**- This Act shall be known and cited as the "Final  
2 Forest Limits Act."  
3

4 **SEC. 2. Declaration of Policy.**- It is policy of the State to conserve, protect,  
5 and develop the forest resources of the country in order to attain ecological  
6 balance, preserve valuable ecosystems, prevent environmental degradation,  
7 and promote sustainable development for the present and succeeding  
8 generations. To achieve these ends, Congress shall determine by law the  
9 specific limits of forestlands and national parks, marking clearly their  
10 boundaries on the ground.  
11

12 **SEC. 3. What Constitutes the Permanent Forestlands.**- The permanent  
13 forestlands shall be as follows:  
14

- 15 (a) all lands of the public domain already classified as forestland per  
16 existing land classification maps issued by the DENR;  
17 (b) all permanent forest reserves proclaimed as such by the President or  
18 declared by Congress through law; and  
19 (c) such areas within the unclassified lands of the public domain which may  
20 hereafter be classified as forestland by the Department of Environment  
21 and Natural Resources (DENR) pursuant to this Act.  
22

23 **SEC. 4. Guidelines of Ground Delineation of the Specific Forest Limits.** -  
24 Immediately upon the effectivity of this Act, the DENR shall undertake the  
25 actual ground survey and verification of the specific forest limits using as basis  
26 existing Land Classification (LC) maps, the latest forest cover data of the  
27 National Mapping and Resource Information Authority (NAMRIA) from its  
28 satellite imagery interpretations, and other available and reliable sources of  
29 information.  
30

31 **SEC. 5. Boundaries to be Clearly Marked.**- The permanent forest line shall be  
32 established a clearly marked on the ground by concrete monuments at certain  
33 fixed distances, visible cut lines, signboards, and uniformly-spaced distinctive  
34 trees maintained at all times between the concrete monuments.  
35

36 **SEC. 6. Permanency of the Specific Forest Limits.**- The permanent

1 forestlands established pursuant to this Act shall not be diminished nor  
2 reduced except by law. The DENR, in coordination with all agencies and  
3 branches of the government, shall see to it that the forest cover and vegetation  
4 therein shall be protected, preserved, and enhanced.

5  
6 **SEC. 7. Sub classification of the Permanent Forestlands.**- The permanent  
7 forestlands shall be further sub-classified as follows: (a) protection forests and  
8 (b) production forests.

9  
10 After due consultation with the local government units (LGUs), concerned  
11 communities, and other stakeholders, the DENR shall undertake the sub-  
12 classification of the permanent forestlands.

13  
14 Protection forests shall be managed in accordance with the provisions of  
15 Republic Act No. 7586 or the National Integrated Protected Areas System Act of  
16 1992 (NIPAS Act). Production forests shall be sustainably developed for natural  
17 regeneration, reforestation, productivity, and wealth creation subject to  
18 regulated harvesting.

19  
20 **SEC. 8. Recognition of the Rights of Upland Dwellers.** - In the ground  
21 delineation of the permanent forest limits, the occupation by indigenous  
22 cultural communities and other upland dwellers shall be recognized and  
23 respected consistent with the provisions of Republic Act No. 7160 or the Local  
24 Government Code of 1991 and Republic Act No. 8371 or the Indigenous  
25 Peoples Rights Act (IPRA) of 3 997.

26  
27 **SEC. 9. Accessibility of Record to the Public.**- All records and information  
28 pertaining to the specific forest limits delineated pursuant to this Act shall be  
29 made available to all local government units (LGUs), other government  
30 agencies, and to the general public.

31  
32 **SEC. 10 . Implementing Rules and Regulations.** - Within three (3) months  
33 from the effectivity of this Act, the: DENR Secretary shall issue the  
34 corresponding Implementing Rules and Regulations for the effective  
35 implementation of this Act.

36  
37 **SEC. 11. Monitoring, Evaluation, and Reporting System** - To attain the  
38 objectives of this Act, a field monitoring, evaluation, and reporting system shall  
39 be adopted by the DENR Secretary on the extent and state of the natural  
40 forests, furnishing Congress a copy of the report every six (6) months through  
41 the Congressional Oversight committee created in Section 12 hereof.

42  
43 **SEC. 12. Appropriations.**- The Secretary of the DENR shall include in the  
44 Department program the implementation of this Act, the initial funding of  
45 which shall be charged against the current year's appropriations of the  
46 Department and thereafter included in the annual General Appropriations Act.

47  
48 Funds for the implementation of the provisions of this Act shall be  
49 supplemented also from any available official development assistance (ODA)  
50 and from joint projects between agencies of the Philippines and an assisting  
51 country.

52  
53 Local government units may also allocate counterpart funds to be taken from  
54 their internal revenue allotment (IRA) and other LGU income for the delineation  
55 of the forest limits within their respective territorial jurisdictions.

56

1 **SEC. 13. Separability Clause.**- If any portion of this Act is declared  
2 unconstitutional, the same shall not affect the validity and effectivity of the  
3 other provisions not affected, thereby.

4  
5 **SEC. 14. Repealing Clause.**- All laws, decrees, letters of instruction, executive  
6 order, rules and regulations, and other issuance or parts thereof inconsistent  
7 with this Act are hereby repealed or modified accordingly.

8  
9 **SEC. 15. Effectivity.**- This Act shall take effect fifteen (15) days after  
10 publication in the Official Gazette or in two (2) newspapers of general  
11 circulation.

12  
13 Approved,