

**[DOA ADMINISTRATIVE ORDER NO. 38, S. 1999,
October 04, 1999]**

**ADOPTION OF STRATEGIC AGRICULTURE AND FISHERY
DEVELOPMENT ZONES (SAFDZ) AND THE NETWORK OF
PROTECTED AREAS FOR AGRICULTURE AND AGRO-INDUSTRIAL
DEVELOPMENT (NPAAAD) AS THE PRIME NATURAL AND
ECONOMIC RESOURCE ENDOWMENTS FOR THE MODERNIZATION
OF AGRICULTURE AND FISHERY SECTORS IN THE PHILIPPINES
AND PROVIDING INSTITUTIONAL MECHANISMS FOR THEIR
SUSTAINABLE UTILIZATION, MANAGEMENT AND PROTECTION**

ARTICLE I
DECLARATION OF POLICY

It is the policy of the state to ensure that all sectors of the economy and all regions of the country shall be given optimum opportunity to develop through the rational and sustainable use of resources peculiar to each area in order to maximize agricultural productivity, promote efficiency and equity and accelerate the modernization of agriculture and fishery sectors of the country.

By virtue of the implementation of RA 8435, otherwise known as the Agriculture and Fishery Modernization Act (AFMA), the State fully recognizes all areas identified and included in the NPAAAD as the country's prime resource endowments for agriculture and fishery modernization. The prime lands judiciously selected from the NPAAAD, being referred to by this act as the Strategic Agriculture and Fishery Development Zones (SAFDZ), and which is covered by the resolution for its adoption by the Sangguniang Bayan, is officially recognized as the Local Government Units' (LGUS) individual and collective initiatives and their legal commitments to support the national strategic program for agriculture and fishery modernization.

The SAFDZ is the designated food basket of the country and serves as the integrating framework for the planning and allocation of national financial and economic resources and priority investments for the implementation of convergence programs for national food security and poverty alleviation.

ARTICLE II
LEGAL MANDATE

Republic Act 8435, otherwise known as the Agriculture and Fishery Modernization Act of 1997, under Section 9 mandates the Department of Agriculture (DA) to include without prejudice the development of the identified economic zones and free ports, to establish and delineate the Strategic Agriculture and Fishery Development Zones (SAFDZ) based on sound resource accounting and in full consultation with the Department of Agrarian Reform (DAR), Department of Trade and Industry (DTI), Department of Environment and Natural Resources (DENR), Department of Science

and Technology (DOST), Housing and Land Use Regulatory Board (HLURB), concerned provincial and municipal LGUS, the organized farmers and fisherfolk groups, the private sector and affected communities.

ARTICLE III DEFINITION OF TERMS

1. Agrarian Reform Community refers to a barangay at the minimum or a cluster of contiguous barangays where there is a critical mass of farmers or farm workers and which features the main thrust of agrarian development: land tenure improvement and effective delivery of support services.
2. Agriculture and Fishery Modernization Plan (AFMP) refers to the medium and long-term comprehensive plan of the agriculture and fishery sectors which focuses on five (5) major concerns: food security; poverty alleviation and social equity; income enhancement and profitability, especially for farmers and fisherfolks; global competitiveness; and sustainability.
3. Agriculture Sector refers to the sector engaged in the cultivation of the soil, planting of crops, growing of fruit trees, raising of livestock, poultry, or fish, including the harvesting and marketing of such farm products, and other farm activities and practices.
4. Agricultural Land Use Conversion refers to the process of changing the current use of a piece of agricultural land into some other use.
5. Agricultural Lands refers to lands devoted to or suitable for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations by persons whether natural or juridical and not classified by law as mineral land, forest or timber land, or national park, residential land, commercial land, or industrial land.
6. Development Convergence Areas refers to development planning areas characterized by the convergence of production, marketing and processing services and facilities, and are composed of clusters of contiguous agricultural and fishery areas for adjoining municipalities and provinces that can be used to catalyze the modernization of agriculture and fishery sectors.
7. Fishery Sector refers to the sector engaged in the production, growing, harvesting, processing, marketing, developing, conserving, and managing of aquatic resources and fisheries areas.
8. Integrated Development Plan (IDP) refers to the modernization plan for the agriculture and fishery sectors required in each SAFDZ that are included in the development convergence area consisting of production, processing, investment, marketing, human resources and environmental protection.
9. Irrigable Lands refers to lands which display marked characteristics justifying the operation of an irrigation system.

10. Irrigated Lands refers to lands serviced by natural irrigation or irrigation facilities. These include lands where water is not readily available as existing irrigation facilities need rehabilitation or upgrading or where irrigation water is not available year-round.
11. Land Use Plan refers to a document embodying a set of policies accompanied by maps and similar illustrations which represent the community-desired pattern of population distribution and a proposal for the future allocation of land to the various land-using activities, in accordance with the social and economic objectives of the people. It identifies the location, character and extent of the area's land resources to be used for different purposes and includes the process and the criteria employed In the determination of the land use.
12. Land Use refers to the manner of utilizing the land, including its allocation, development and management.
13. Marginal Lands refers to portions of the alienable and disposable lands that are excluded from the delineation and identification of SAFDZ and NPAAAD because their natural limitations and inherently low productivity cannot be economically improved or corrected by the modern technologies and whose continued use for agriculture and fishery production will result in serious land and environmental degradation.
14. Model Farms refers to efficiently managed contiguous areas of agricultural land or fisheries characterized by diversified cropping and integrated farming or fishery systems, which shall serve as demonstration centers for agriculture and fishery technologies. The DA in coordination with the LGUs and appropriate government agencies may designate agrarian reform communities (ARCs) and other areas within the SAFDZ suitable for economic scale production, which will serve as model farms. Farmer-landowners whose lands are located within these designated areas shall be given the option to enter into a management agreement with corporate entities with proven competence in farm operations and management, high-end quality production and productivity through the use of up-to-date technology and collateral resources such as skilled manpower, adequate capital and credit, and access to markets, consistent with existing laws.
15. Network of Protected Areas for Agricultural and Agro-Industrial Development (NPAAAD) refers to agricultural areas identified by the DA through the Bureau of Soils and Water Management (BSWM) in coordination with the National Mapping and Resource Information Authority (NAMRIA) in order to ensure the efficient utilization of land for agriculture and agro-industrial development and promote sustainable growth. The NPAAAD covers all irrigated areas, all irrigable lands already covered by irrigation projects with firm funding commitments; all alluvial plain land highly suitable for agriculture whether irrigated or not; agro-industrial croplands or lands presently planted to industrial crops that support the viability of existing agricultural infrastructure and agro-based enterprises, highlands or areas located at an elevation of five hundred (500) meters or above and have the potential for growing semi-temperate and high-value crops; all agricultural lands that are ecologically fragile, the conversion of which will result in serious environmental

degradation, and mangrove areas and fish sanctuaries.

16. Premature Conversion of Agricultural Land refers to the undertaking of any development activity, the results of which modify or alter the physical characteristics of the agricultural lands to render them suitable for non-agricultural purposes without an approved order of conversion from the DAR.
17. Strategic Agriculture and Fishery Development Zone (SAFDZ) refers to the areas within the NPAAAD identified for production, agro-processing and marketing activities to help develop and modernize, with the support of government, the agriculture and fisheries sectors in an environmentally and socio-culturally sound manner.

ARTICLE IV

APPROVED AREAS AND COVERAGE OF THE SAFDZ AND NPAAAD

All areas within the NPAAAD and those covered by the approved resolution for adoption of SAFDZ by the Sangguniang Bayan are hereby officially accepted and designated as areas for investment and development for relevant programs and projects covered by AFMA.

SECTION 1. The Official List. The completed and verified list of municipalities comprising the NPAAAD as well as barangays in each municipality with their respective resolutions for SAFDZ adoption are hereby referred in this Order as Official List of SAFDZ and Official List of NPAAAD. The corresponding SAFDZ and NPAAAD maps reviewed and approved by the Office of the Governor, Office of the Municipal/City Mayor, DA-RFU, BSWM and NAMRIA shall be a part of the Order and are herein referred to as the Official SAFDZ and NPAAAD Maps. All municipalities/cities and provinces as well as concerned Departments involved in the Convergence Programs on Food Security and Poverty Alleviation shall be furnished a copy of officially published SAFDZ and NPAAAD maps. Finalization of these maps shall be done by the BSWM in coordination with NAMRIA.

SECTION 2. Submission of Sangguniang Bayan/Panlungsod Resolution. The municipalities/cities, which are unable to submit their Resolution adopting the SAFDZ at the time of issuance of this Order, are hereby given six (6) months from the effectivity of this Order. The implementation of the SAFDZ programs and projects shall be contingent to their final submission of the required resolution and the corresponding SAFDZ Integrated Development Plan, where applicable. Areas that are not covered by the convergence zone and SAFDZ shall become part of the NPAAAD.

ARTICLE V

PLAN FOR ACTIONS

SECTION 1. Establishment of the Convergence Areas for the SAFDZ and the Preparation of IDP and AFMP. In order to ensure focus and efficiency in the use of scarce development/investment resources for agriculture and fishery modernization, the Regional SAFDZ Committee, in coordination with the concerned LGUs/Municipalities, shall identify and establish the areas of convergence for the various adjoining and contiguous SAFDZ areas with similar commodity and land use