

Republic of the Philippines
House of Representatives
Quezon City

15th CONGRESS
FIRST REGULAR SESSION

HOUSE BILL NO. 1484

Introduced by: Hon. Aurora Enerio-Cerilles

EXPLANATORY NOTE

Water is one of the most important human needs. Humans depend on water for transportation, recreation, source of food and nourishment. Blessed with abundant freshwater resource there are about two hundred thousand (200,000) hectares of freshwater bodies in the Philippines formed by volcanic and tectonic processes. The Department of Environment and Natural Resources has accounted two hundred eleven (211) lakes distributed all over the archipelago. Some of these lakes are even home to species of freshwater fish endemic to the Philippines but due to human-caused environmental changes, the biodiversity and the water quality in these lakes are in great danger.

Loss of biodiversity in inland waters is attributed to poverty and pollution from domestic, industrial and agricultural sources has caused water quality problems and massive algal blooms and oxygen depletion. Economic activity like aquaculture, through the introduction of exotic species is another factor affecting biodiversity through competition for food and space, and predation. Indiscriminate use of artificial feeds and overcrowding of fish pens and cages hamper water movement causing water quality deterioration. Conflicting water utilization policies has affected freshwater environment as well.

Due to the heavy demand on natural resources to sustain the growing population, lakes have been vulnerable to pollution and degradation. The interdependence of human population and ecosystems defines the sustainability of lakes. Industrialization, urbanization and population increase placed serious threats to the freshwater bodies in the country. With the lack of a holistic program that will ensure the sustainable use, these lakes will deteriorate and will eventually die out.

Thus, there is an urgent need to safeguard the lakes in the country in order for us to utilize these lakes as sources of recreation, food, and clean water for human consumption in a sustainable manner.

In view of this, the proposed bill aims to regulate the development and management of lakes in the Philippines for the purpose of enhancing sustainability of this natural resource through the reduction of vulnerability to hazards caused by human intervention and preservation of ecological integrity. The approval of this bill will ensure equitable access of benefits from the management and development of lakes thereof.

I earnestly seek the immediate passage of this very urgent and important bill.


AURORA ENERIO-CERILLES

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AN ACT REGULATING THE DEVELOPMENT AND MANAGEMENT OF LAKES IN
THE PHILIPPINES

SECTION 1. Short Title – This Act shall be known as the "Lake Development and Management Act of 2009."

SECTION 2. Declaration of Policy – It is hereby declared the policy of the State to ensure the sustainable use, development, management, and conservation of the country's lakes, including the protection and enhancement of the quality of lakes for the present and future generations, under the principles of viable, sound and broad-based economic development, ecological soundness, social equity and sustainability.

SECTION 3. Coverage – In accordance with the aforesaid policy, this Act covers all provinces of the Republic of the Philippines that have lakes, as defined in Section 5 hereof, within their territorial jurisdiction.

SECTION 4. Scope – This Act shall regulate the use, development, management, and conservation of public natural and artificial lakes that are not officially managed by any body or authority, as well as activities which bear impact on the said resource to maintain its ecological character.

SECTION 5. Definitions – Under this Act, the following terms shall mean:

- a. **Alienable and Disposable Lands (A and D)** – refer to lands of the public domain which have been classified and declared as such and available for disposition under Commonwealth Act No. 141 as amended, otherwise known as the Public Land Act;
- b. **Carrying Capacity** – refers to the number of individuals who can be supported in a given area within natural resource limits, and without degrading the natural social, cultural and economic environment for present and future generations;
- c. **Development Activities** – refer to activities that involve all forms of improvement, construction, or enhancement of land and other resources within the islands/island groups that would likely impact the environment;
- d. **Ecological Character** – refers to the combination of ecosystems components, processes and benefits people receive from the lake;

- 1 e. **Ecological Destination** – refers to a site that shows a unique feature of a
2 landscape that benefit people because of its aesthetic, recreational, and
3 scientific value;
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5 f. **Eutrophic Lakes** – refer to nutrient-rich lakes which have good plant
6 growth and possible algal bloom;
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8 g. **Impoundment** – refers to an “artificial lake”, which is characterized by
9 fluctuating water levels, high turbidity and where the production of
10 benthos is often lesser than in natural lakes;
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12 h. **Lake** – refers to slow moving or standing body of water, maybe saline,
13 occupying a hallow in the earth’s surface which entirely or nearly
14 surrounded by land;
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16 i. **Lakeshore** – refers to land along the edge of a lake;
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18 j. **Oligotrophic Lakes** – refer to nutrient poor lakes which have low
19 concentration of plant life;
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21 k. **Sustainable Development** - refers to the development objective of
22 meeting the needs and aspirations of the present generation of Filipinos
23 without compromising the capabilities and opportunities of future
24 generations to fulfill theirs, consistent with the principles of social equity,
25 efficiency and environmental integrity; and
26
27 l. **Tourism Development Areas** - refer to specific sites for tourism
28 development located in areas identified as priorities in the national and
29 regional tourism master plans as well as those designated through
30 legislative and executive issuances as tourist spots and tourist zones
31 which can be developed into tourism estates or integrated resort, leisure,
32 and recreation complexes, and other tourism-related facilities.

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34 **SECTION 6. Framework** – This Act shall embody the principles of sustainable
35 development, tourism development, economic growth, environmental protection,
36 community development and involvement, and institutional strengthening.

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38 Its management framework shall include:

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40 a. Inventory and assessment of prevailing conditions and resources of lakes;
41 b. Evaluation of carrying capacity;
42 c. Identification of conflicts in resource use;
43 d. Adaptation to climate change;
44 e. Disaster preparedness;
45 f. Review and monitoring of development initiatives/resource development and
46 utilization of lakes; and
47 g. Capacity-building and active stakeholder participation.
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49 **SECTION 7. Creation of the Lake Development and Management Board (LDMB)** –
50 Upon the effectivity of this Act, the Lake Development and Management Board shall be
51 created in provinces that have lakes as part of their territorial jurisdiction to exercise
52 their powers and functions as stated in Section 9 hereof.
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54 **SECTION 8. Composition of the Lake Development and Management Board** – The
55 Board shall be composed of the following:

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57 a. Governor of the Province as the Chairman of the Board; and

1 b. Representatives of the following, as members:

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3 1. City or Municipal Mayors with lakes as part of their territorial
4 jurisdiction;
5 2. Department of Tourism (DOT);
6 3. National Economic Development Authority (NEDA);
7 4. Department of Environment and Natural Resources (DENR); and
8 5. Two (2) Representatives from local sectors which are affected by
9 regulations and development initiatives in the island.

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11 **SECTION 9. Powers and Functions of the Board** – The LDMB shall be guided by the
12 framework stated in Section 6 hereof and shall have the following powers and functions:

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14 a. Formulate and update site specific rules and regulations on the utilization
15 and development of lakes;
16 b. Integrate and harmonize all laws and policies relevant to lake use;
17 c. Regulate the approval of development activities in order to maintain the
18 carrying capacity of lakes as mentioned in Section 5 hereof;
19 d. Ensure the protection of all lakes covered by RA No. 7586 otherwise
20 known as the National Integrated Protected Areas Systems Act (NIPAS)
21 and other areas outside NIPAS which include protection forests,
22 rehabilitated and/or reforested degraded mining areas, critical
23 ecosystems, environmentally-constrained areas, critical watershed areas,
24 and all agricultural lands that are ecologically fragile;
25 e. Ensure that the regulations will be consistent with other environmental
26 laws; and
27 f. Approve and oversee implementation of site specific work plans, action
28 plans programs consistent with the framework.

29
30 **SECTION 10. Quorum** – A majority of all the Members of the Board shall constitute a
31 quorum. The Board shall not transact business without a quorum.

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33 **SECTION 11. Separability Clause** – If, for any reason or reasons, any parts or
34 provisions of this Act shall be declared or held to be unconstitutional or invalid other
35 parts or provisions hereof which are not affected thereby shall continue to be in full force
36 and effect.

37
38 **SECTION 12. Repealing Clause** – All general and special laws, acts, executive orders,
39 proclamations and administrative regulations, or any, parts which are inconsistent with
40 this Act are hereby repealed or modified accordingly.

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42 **SECTION 13. Effectivity Clause** – This Act shall take effect fifteen (15) days after its
43 publication in at least two (2) newspapers of general circulation.

44
45 **Approved.**