

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

15th CONGRESS
2nd Regular Session

HOUSE BILL NO. 4911

Introduced by: **REP. AGAPITO H. GUANLAO**

EXPLANATORY NOTE

On September 22, 2007 a fishkill in Camarines Sur's Lake Buhi threatened the livelihood of local fishermen. This was due the loosened sulfur dioxide from surrounding volcanoes as a result of heavy monsoon rains according to an agency concerned. The fishkill affected 67,762 people and 13, 238 families residing within in the lake area. On October 10, 2010, reports had it that a fish kill involving hundreds of kilos of tilapia and bangus in Laguna Lake was due to a chemical spill caused by a liquor and wine distillery in the area of Cabuyao, Laguna.

The latest of the fish kills occurred in Taal Lake on June 2011. Fish cage owners in the Taal Lake alone in the province of Batangas lost over 370 tons that translates to around P150 million due to the fish kill incident. The fish kill according to the Bureau of Fisheries and Aquatic Resources (BFAR) is a "phenomenon", but directly links the occurrence to overstocking of fish cages and the use of environmentally unsound production processes. The BFAR could only react to the situation as it proposes water quality monitoring as apparently the solution to the long-standing problem.

The Importance of Philippine Lakes

There are 241 lakes in the Philippines, ten (10) listed as Major Lakes, as follows:

Lake	Location	Area (ha)
Laguna de Bay	Laguna and Rizal	89,076
Lake Lanao	Lanao del Sur	34,000
Taal Lake	Batangas	24,356
Lake Mainit	Surigao del Norte-Agusan	17,430
Naujan Lake	Oriental Mindoro	7,899
Lake Buluan	South Cotabato	6,134
Lake Bato	Camarines Sur	3,792
Lake Pagusi	Agusan	2,534
Lake Labas	South Cotabato	2,141
Lake Lumao	Agusan	168

The total area of these 241 lakes is around 200,000 hectares, with the ten (10) major lakes occupying about 185,352 hectares, that have long been tapped for fishery production, power generation, irrigation. Lake fishery – tilapia and bangus – is said to contribute to about 15% of the country's total production, not to mention the equally important production of certain species endemic to particular lakes such as the "tawilis" and "maliputo" in Taal Lakes

and "casili" in Lake Mainit in Surigao del Norte. Other important uses of lakes is its capability to supply potable water to the entire Philippine population that now reaches about 90 million and its use in power generation and to mention, lakes are tourist destinations.

The Urgency for Managing Philippine Lakes

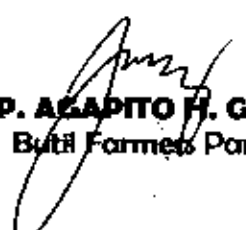
The latest Taal Lake fish kill underscores the need for effecting effective management of the country's lakes and their ecosystems. The need for regulation of economic activities, the empowerment of all its stakeholders for equitable distribution of wealth and income from lakes, the protection and conservation efforts have proven urgent.

The major issues and challenges, according to Rafael D. Guerra III of the Philippine Council for Aquatic and Marine Research and Development (PCMARD) are of the nature akin to environmental, social and institutional. Environment issues comprise degradation of lake ecosystems and loss of biodiversity; social and economic issues of decreasing incomes of fisher folk and conflicts arising from the use of lakes and its resources; and, the lack of management systems and weak support mechanisms as institutional issues.

This Representation believes that the development of Philippine lakes require comprehensive intervention that includes the formulation of a common and comprehensive development framework. This framework should encompass regulation of economic and other uses of lakes; the protection and conservation of lake resources and ecosystems; and, management and governance. Needless to say that Philippine Lakes deserve equal development focus from the government.

This proposed legislative measure integrates all development initiatives of stakeholders in addressing issues and concerns of developing Philippine lakes in a manner that is comprehensive. It seeks to harmonize the existing processes and all other development interventions through the creation and establishment of the Philippine Lake Resources Development and Management Council (PLRDMC).

This Representation strongly believes that the matter of attaining comprehensive Philippine Lakes development could only be attained through the creation of the PLRDMC. Thus, the enactment of this piece of legislation is ardently sought for.


REP. ACAPITO H. GUANLAO
Bulil Farmers Party

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15th CONGRESS
1st Regular Session

HOUSE BILL NO. 4911

Introduced by: **REP. AGAPITO H. GUANLAO**

**AN ACT CREATING THE PHILIPPINE LAKES RESOURCES DEVELOPMENT AND
MANAGEMENT COUNCIL AND PROVIDING FUNDS THEREFOR**

- Article I:** This Act shall be known as the Philippine Lakes Development Act of 2010 or an Act Creating the Philippine Lakes Resources and Development Council and Providing Funds Therefor
- Article II:** Declaration of Policy – It is hereby declared the policy of the State:
- a. to provide for a common framework for the comprehensive or holistic development of Philippine Lakes ;
 - b. to achieve food security and the effective use of other potentials of Philippine lakes as the overriding consideration in the utilization, management, development conservation and protection of lakes in order to provide the food and other needs of the population. The protection and preservation of the economic and livelihood viability of Philippine lakes through the protection and conservation of lake ecosystems and the maintenance of its ecological balance;
 - c. to limit access to Philippine lakes for the exclusive use and enjoyment of Filipino citizens;
 - d. to ensure the rational and sustainable development, management and conservation of lakes in the Philippines, consistent with the primordial objective of maintaining a sound ecological balance, protecting and enhancing the quality of the environment;
 - e. to provide support to the lakes' fishery sector, primarily to the fisherfolk, including women and youth sectors, through appropriate technology and research, adequate financial, production, construction of post-harvest facilities, marketing assistance, and other services. Lake workers shall receive a just share for their labor in the utilization of fishery resources;
 - f. to manage lake-fisheries and the utilization of its resources for other uses, in a manner consistent with the concept of an integrated lake area management, appropriately supported by research, technical services and guidance provided by the State; and,
 - g. to grant the private sector the privilege to utilize fishery and other potential economic and social uses of lake resources.

The State shall ensure the attainment of the following objectives of lake fishery and its other uses through:

1. Conservation, protection and sustained management of the country's lakes ecosystems and its resources;
2. Poverty alleviation and the provision of supplementary livelihood among fisherfolk and lake shore communities;
3. Improvement of productivity of aquaculture and other economic and social uses within the lakes ecological limits;
4. Upgrading of post-harvest technology; and,
5. Regulation and monitoring of all economic activities in the lake areas.

Article III: Creation of the Philippine Lakes Resources Development and Management Council (PLRDMC)

Section 1. There is hereby created under the office of the President, a Philippine Lakes Resources Development and Management Council (PLDC) solely for the purpose of attending to the needs for the development of lake-fishing industry and the regulation, monitoring and development of other uses and socio-economic activities within Philippine lakes that shall have the following functions:

- a. set and recommend policies and formulate standards for the effective, efficient, economical and environmentally sound operations of lake-fishing industry in accordance with the programs of the government;
- c. set and recommend policies and formulate standards for the effective and economical and efficient operations of other uses of Philippine lake resources in accordance with the government programs;
- d. exercise overall supervision over all functions and activities of all other bodies concerned with the development of Philippine lakes;
- e. establish, with the assistance of the Department of the Agriculture, create Municipal and or City Lake Resources Development Councils as may be necessary and appropriate and organize the internal structure of the PLRDMC in such manner as is necessary in the efficient and effective attainment of its objectives and purposes; and
- f. perform such other functions as maybe necessary or proper to attain the objectives of this Act.

Section II. Composition of the Philippine Lakes Resources Development and Management Council (PLRDMC)

- a. The Philippine Lakes Resources Development and Management Council (PLRDMC) shall be composed of the following:
 1. the Secretary of Agriculture, as chairman;
 2. the Secretary of the Interior and Local Government;
 3. five (5) members representing the fisherfolk and fishworkers.

4. five (5) members representing the lake-fishery operators and the processing sectors;
5. A representative each from sectors using lakes other than fishery;
6. two (2) members from the academe; and
7. one (1) representative of NGO involved in lake-development

b. The Council shall have a Secretariat and a Central Office located in Manila.

Section III. The members of the PLDC, except for the Secretary of Agriculture and the Secretary of the Interior and local Government, shall serve for a term of three (3) years without reappointment.

Section IV. *Functions of the PLRDMC.* - The PLRDMC shall have the following functions:

- a. assist in the formulation of national policies for the protection, sustainable development and management of lakes and its resources for the approval of the Secretary of Agriculture;
- b. assist the Office of the President in the preparation of a National Lakes Resources Management and Development Plan; and
- c. perform such other functions as may be provided by law.

Section V. *The Municipal/City Lake Resources Development and Management Councils (M/CLRDMCs).* - The M/CLRDMCs shall be created in each of the municipalities and cities abutting major lakes. However, the LGU may create the same whenever necessary.

Section VI. *Functions of the M/CLRDMCs.* - The M/CLRDMCs shall exercise the following functions:

- a. assist in the preparation of the Lake Resources Development and Management Plan and submit such plan to the Municipal Development Council;
- b. recommend the enactment of lake-fishery ordinances to the sangguniang bayan/sangguniang panlungsod through its Committee on Fisheries;
- c. assist in the enforcement of laws, rules and regulations on lakes;
- d. advise the sangguniang bayan/panlungsod on lake-fishery and matters of its other uses thru its Committee on Fisheries, if such as been organized; and
- e. perform such other functions which may be assigned by the sangguniang bayan/panlungsod.

Section VI. *Composition of the M/CFARMC.* - The regular members of the M/CFARMCs shall be composed of:

1. Municipal/City Planning Development Officer; as chairperson
2. Chairperson, Agriculture/Fishery Committee of the Sanggunian Bayan/Panlungsod;
3. representative of the Municipal/City Development Council;
4. representative from the accredited non-government organization;
5. representative from the private sector;
6. representative from the Department of Agriculture; and,

7. at least ten (10) (11) fisherfolk representatives, , one (1) fishworker and three (2) representatives each from youth and women sector.

The Council shall adopt rules and regulations necessary to govern its proceedings.

ARTICLE IV. *Appropriations.* - The Philippine Lakes Resources Development and Management Council shall be appropriated an initial One Hundred Million (P100,000,000) Pesos for its initial operations and all other subsequent requirements for its continued operations shall be part of the General Appropriations Act.

ARTICLE V. *Separability Clause.* If any part or provision of this Act be declared unconstitutional, the other parts or provisions hereof which are not affected thereby, shall continue in full force and effect.

ARTICLE VI. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.