

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

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10 JUL -8 P1:30

SENATE

S. No. 993

RECEIVED

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

This measure recognizes the principles of Integrated Water Resources Management, Ramsar Convention, Bonn Convention, The Philippine Strategy for Sustainable Development (Philippine Agenda 21), The National Biodiversity Strategy and Action Plan and other relevant international and national commitments as guides in developing and implementing effective and efficient management for the Philippine lake basins.

The Philippines is endowed with rich natural resources that provide the resource base for a majority of its population. About 30% of its more than 90-million population in the country live and depend on our major lakes for their survival. Most if not all of the major lakes in the country are now being threatened by degradation due to the compelling pressures of globalization, trade liberalization coupled with population growth, and demand for livelihood. As the per capita consumption of water in the Philippines is likely to increase with increasing population (expected to reach 115 million by 2025), this will place an even greater demand on available water resources. Water will then become scarcer and will involve major economic and environmental issues.

Our major lakes in the country sustain life by providing goods, services and aesthetic and spiritual values. Our country's lake ecosystems are fragile and their integrity bears on the quality of life. Data from the Department of Environment and Natural Resources (DENR) indicate that there are 211 lakes distributed all over the archipelago, some of which are even home to various species of freshwater fish. However, due to the heavy demand on this natural resource to sustain the population, lakes have been vulnerable to pollution and degradation. Industrialization, urbanization and population increase placed serious threats to the freshwater bodies in the country.

This proposed measure seeks to regulate the development and management of lakes in the country in order to protect and preserve these sources of food and clean water through the creation of a Lake Development and Management Board in all provinces. These Lake Development and Management Boards will be empowered to regulate the development, preservation and rehabilitation of the country's lakes. This intervention is being pursued in order to ensure the sustainable use, development, management, and conservation of the country's lakes for present and future generations.

In view of the foregoing, early passage of this bill is earnestly sought.



MANUEL "LITO" M. LAPID
Senator

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**AN ACT
REGULATING THE DEVELOPMENT AND MANAGEMENT OF LAKES IN
THE PHILIPPINES AND FOR OTHER PURPOSES**

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

SECTION 1. Short Title. – This act shall be known as the "**Lake
Development and Management Act of 2010**".

SEC. 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 lakes for
the present and future generations, under the principles of viable, sound and broad-
based economic development, ecological soundness, social equity and sustainability.

SEC. 3. Coverage. – In accordance with the aforesaid policy, 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 impact the said resource to maintain its ecological character.

This Act shall cover all provinces of the Republic of the Philippines that have
lakes, as defined in Section 5(h) hereof, within their territorial jurisdiction.

SEC. 4. Framework. – This Act shall embody the principles of sustainable
development, tourism development, economic growth, environmental protection,
community development and involvement, and institutional strengthening.

Its management framework shall include:

- (a) inventory and assessment of prevailing conditions and resources of lakes;
- (b) evaluation of carrying capacity;

- (c) identification of conflicts in resource use;
- (d) adaptation to climate change;
- (e) disaster preparedness;
- (f) review and monitoring of development initiatives, resource development and utilization of lakes; and
- (g) capacity-building and active stakeholder participation.

SEC. 5. Definition of Terms. – Under this Act, the following terms are hereby defined:

(a) **“Alienable and disposable lands (A and D)”** refers 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”** refers to activities that involve all forms of improvement, construction or enhancement of land and other resources within islands or 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.

(e) **“Ecological destination”** refers to site that shows a unique feature of a landscape that benefits people because of its aesthetic, recreational and scientific value.

(f) **“Eutrophic lakes”** refers to nutrient-rich lakes which have good plant growth and possible algal bloom.

(g) **“Impoundment”** refers to an “artificial lake” which is characterized by fluctuating water levels, high turbidity and where the production of benthos is often lesser than in natural lakes.

(h) **“Lake”** refers to a slow moving or standing body of water which may be saline, occupying a hollow in the earth’s surface which is entirely or nearly surrounded by land.

(i) **“Lakeshore”** refers to the land along the edge of a lake.

(j) **“Oligotrophic lakes”** refers to nutrient poor lakes which have low concentration of plant life.

(k) **“Sustainable development”** refers to the development objective of meeting the needs and aspirations of the present generation of Filipinos without

compromising the capabilities and opportunities of future generations to fulfill theirs, consistent with the principles of social equity, efficiency and environmental integrity.

(l) **“Tourism development areas”** refers to specific sites for tourism development located in areas identified as priorities in the national and regional tourism master plans as well as those designated through legislative and executive issuances as tourist spots and tourist zones which can be developed into tourism estates or integrated resort, leisure and recreation complexes, and other tourism-related facilities.

SEC. 6. Creation of the Lake Development and Management Board (LDMB). - Upon the effectivity of this Act, the Lake Development and Management Board shall be created in provinces that have lakes within their territorial jurisdiction to exercise their powers and functions as stated in Section 8 hereof.

SEC. 7. Composition of the Lake Development and Management Board. - The Board shall be headed by the governor of the province who shall serve as the chairman of the Board, with the following representatives who shall serve as members:

- (a) The city or municipal mayor where lakes are within the said official's territorial jurisdiction;
- (b) A representative from the Department of tourism (DOT);
- (c) A representative from the National Economic and Development Authority (NEDA);
- (d) A representative from the Department of Environment and Natural Resources (DENR); and
- (e) Two (2) representative from local sectors which are affected by regulations and development initiatives in the island.

SEC. 8. Powers and Functions of the Board. - The LDMB shall be guided by the framework stated in Section 4 hereof and shall have the following powers and functions:

- (a) Formulate and update site specific rules and regulations on the utilization and development of lakes;
- (b) Integrate and harmonize all laws and policies relevant to lake use;
- (c) Regulate the approval of development activities in order to maintain the carrying capacity of lakes as mentioned in Section 5(b) hereof;
- (d) Ensure the protection of all lakes covered by Republic Act No. 7586, otherwise known as the National Integrated Protected Areas System (NIPAS) Act of 1992, and other areas outside NIPAS which include protection forests, rehabilitated

and/or reforested degraded mining areas, critical ecosystems, environmentally-constrained areas, critical watershed areas and all agricultural lands that are ecologically fragile;

(e) Ensure that the regulations will be consistent with other environmental laws; and

(f) Approve and oversee the implementation of site specific work plans, action plans and programs consistent with the framework.

SEC. 9. Quorum. – A majority of all the members of the Board shall constitute quorum. The Board shall not transact business without a quorum.

SEC. 10. Separability Clause. – The provisions of this Act are hereby declared separable and, in the event that one (1) or more of such provisions are held unconstitutional, the validity of the other provisions shall not be affected.

SEC. 11. Repealing Clause. – All laws, decrees, executive issuances, rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 12. Effectivity Clause. – This Act shall take effect fifteen days after its publication in at least two (2) newspapers of general circulation.

Approved,