



**MEMORANDUM**

**FOR :** **The Director**  
Legal Affairs Service  
Policy and Planning Service

**The Bureau Directors**  
Environmental Management Bureau  
Biodiversity Management Bureau  
Ecosystems Research Development Bureau

**The Regional Executive Director**  
DENR - National Capital Region

**The Executive Directors**  
River Basin Control Office  
Manila Bay Coordinating Office

**The OIC Executive Director**  
National Water Resources Board

**The General Manager**  
Laguna Lake Development Authority (LLDA)

**FROM :** **The Director**  
Legislative Liaison Office

**SUBJECT :** **INVITATION TO A PUBLIC HEARING AND REQUEST FOR COMMENTS ON LAGUNA LAKE CONSERVATION AUTHORITY (LLCA) FROM THE COMMITTEE ON GOVERNMENT CORPORATIONS AND PUBLIC ENTERPRISES**

**DATE :** 14 September 2023

In reference to the email received by our Office yesterday, the Committee on Government Corporations and Public Enterprises will conduct a public hearing tomorrow, 15 **September 2023, Friday, 01:00 PM at the Senator Tañada Room, 2<sup>nd</sup> Floor, Senate of the Philippines**, and shall include the following agenda:

- I. Briefing of the Laguna Lake Development Authority
  - a. Updates on the LLDA programs and projects
  - b. Issues/Challenges affecting Laguna Lake
- II. Discussion of SB 1619 – An Act Creating the Laguna Lake Conservation Authority (LLCA) thereby repealing Republic Act no 4850, as amended, otherwise known as the Laguna Lake Development Authority Act of 1966 and for other purposes
- III. Discussion of various bills related to the proposed Bases Conversion Development Authority (BCDA) (SB 1809, SB 1941 and HB 8505)

In this regard, may we respectfully request your attendance at the abovementioned public hearing **to discuss the DENR's program initiatives to preserve water quality in Laguna Lake and manage integrated watershed**, as requested by the Committee. Kindly inform us of the name/s of the attendees from your office who will participate in the meeting so we may include him/her/them as resource person/s. Further, kindly submit your comments on or before 15 September 2023 via email at [denrilo@denr.gov.ph](mailto:denrilo@denr.gov.ph).

Attached herewith is a copy of the Letter Invitation and the Senate Bill for your reference.

**ROMIROSE B. PADIN**

cc: Undersecretary for Special Concerns and Legislative Affairs  
Undersecretary for Policy, Planning, and International Affairs  
Undersecretary for Integrated Environmental Science



Republic of the Philippines  
Senate

**COMMITTEE ON GOVERNMENT CORPORATIONS  
AND PUBLIC ENTERPRISES**

September 12, 2023

**SEC. MARIA ANTONIA YULO LOYZAGA**  
Secretary  
Department of Environment and Natural Resources

Dear Sec.Loyzaga:

Greetings!

The Committee on Government Corporations and Public Enterprises will hold a public hearing on **September 15, 2023 (Friday), 1:00 PM at the 2<sup>nd</sup> floor, Lorenzo Tañada Room, Senate Building**, Macapagal Blvd. Pasay City to discuss the following agenda:

- I. Briefing of the Laguna Lake Development Authority
  - a. Updates on the LLDA programs and projects
  - b. Issues/Challenges affecting Laguna Lake
  
- II. Discussion of **SB 1619** – An Act Creating the Laguna Lake Conservation Authority (LLCA) thereby repealing Republic Act no 4850, as amended, otherwise known as the Laguna Lake Development Authority Act of 1966 and for other purposes
  
- III. Discussion of various bills related to the proposed Bases Conversion Development Authority (BCDA) (SB 1809, SB 1941 and HB 8505)

In this regard, we would like to invite you or your representative to be one of the resource persons in the said hearing **to discuss the DENR's program initiatives to preserve water quality in Laguna lake and manage integrated watershed**. Kindly submit

your agency's inputs and comments on the proposed creation of Laguna Lake Conservation Authority. We will appreciate receiving your position paper and/or brief presentation on or before September 15, 2023.

Please note that the discussion on LLDA matters is expected to end by 2:30 PM.

For confirmation and inquiries, your good office may contact the Secretariat through the following channels:

E-mail address: senate.govtcorp@gmail.com

Direct Line: (02) 8-5526750

Attached is the copy of the bill for your reference.

Your participation in this public hearing will be highly appreciated.

Thank you.

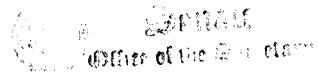
For the Chairperson:

**SEN. ALAN PETER "Compañero" S. CAYETANO**




**CLEAH D. NAVA**  
*Committee Secretary*

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



'22 DEC 14 P3:17

SENATE  
S. No. 1619

RECEIVED BY 

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Introduced by SENATOR RAMON BONG REVILLA, JR.

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AN ACT  
CREATING THE LAGUNA LAKE CONSERVATION AUTHORITY (LLCA),  
THEREBY REPEALING REPUBLIC ACT NO. 4850, AS AMENDED, OTHERWISE  
KNOWN AS THE LAGUNA LAKE DEVELOPMENT AUTHORITY ACT OF 1966,  
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Laguna Lake Development Authority (LLDA) was established in 1966 as a quasi-government agency that leads, promotes, and accelerates sustainable development in the Laguna de Bay Region. Regulatory and law enforcement functions are carried out with provisions on environmental management, particularly on water quality monitoring, conservation of natural resources, and community-based natural resource management.

Laguna de Bay is the largest inland body of water in the Philippines and the third largest lake in Southeast Asia covering about 900 square kilometers. The Lake Region straddles the country's most highly urbanized areas, including six provinces, twelve cities and 49 municipalities, 29 of which are lakeshore towns.

The lake is considered a major lifeline to many people and the local economy. Fisheries and croplands in the lakeshore towns provide food not only to the local population, but also contribute significantly to the food supply of Metropolitan Manila. It is also one of the water sources for at least two concessionaires for Metro Manila, providing at least 400 million liters of water per day. Aside from these, the lake serves as a reservoir for floodwater, is used for power generation, provides a venue for

recreational activities, provides water for irrigation, and serves as a source of industrial cooling water.

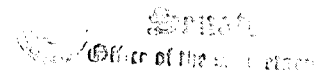
Laguna de Bay, however, is in critical and deplorable condition. It has been cited that 70% of the pollution in the lake comes from uncontrolled solid and liquid wastes from domestic sources. Unlike industries which are point sources of wastes, domestic sources (also called non-point sources) are more difficult to regulate, much more control. If we are to continue receiving the blessings and precious gifts from the lake, and live in harmony with its ecology, it is imperative that we start a massive rehabilitation and conservation of the Laguna Lake at the soonest possible time.

The most urgent necessity is to have a body specially tasked to create and manage an overarching conservation policy. For this reason, this bill will be a decisive first step in a new direction of rational and people-centered conservation.

Early passage of this bill is earnestly sought.

  
RAMON BONG REVILLA, JR.  


NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



22 DEC 14 P3:17

SENATE

S. No. 1619

RECEIVED BY:

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Introduced by SENATOR RAMON BONG REVILLA, JR.

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**AN ACT**  
**CREATING THE LAGUNA LAKE CONSERVATION AUTHORITY (LLCA), THEREBY**  
**REPEALING REPUBLIC ACT NO. 4850, AS AMENDED, OTHERWISE KNOWN AS**  
**THE LAGUNA LAKE DEVELOPMENT AUTHORITY ACT OF 1966, AND FOR OTHER**  
**PURPOSES**

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

1 Section 1. *Short Title.* – This Act shall be known as the “Laguna Lake Conservation  
2 Act”.

3 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to  
4 conserve and promote Laguna Lake in a sustainable manner along with the surrounding  
5 areas that comprise its region, hereinafter referred to as the Bay Region, with Laguna  
6 Lake and the systematic management and protection of its water resource as the focal  
7 point.

8 For this purpose, the State hereby adopts a participatory integrated water  
9 resources management (IWRM) approach to the interconnection and integration of its  
10 various ecosystems, using the Lake’s watersheds as planning units, and involving the  
11 stakeholders in the planning and execution process.

12 In accordance with the IWRM approach, and to allow the lake to realize its various  
13 potentials, including that of being a fish production resource of national importance, any  
14 development program in the region shall always consider the Precautionary Principle in

1 protecting the health of the people, the sustainable management of the environment and  
2 the prevention of any ecological harm, resource deterioration or pollution.

3 *Sec. 3. Definition of Terms. – As used in this Act:*

- 4 1. *Laguna Lake or Laguna de Bay* – that area covered by the lake water when it  
5 is at the average annual maximum lake level of elevation 12.50 meters, as  
6 referred to a datum 10.00 meters below mean lower low water (M.L.L.W.) of  
7 Manila de Bay. Lands located at and below such elevation are public lands  
8 which form part of the bed of said lake.
- 9 2. *Integrated Water Resources Management (IWRM)* – a process that promotes  
10 the coordinated conservation and management of water, land, and related  
11 resources in order to maximize the resultant economic and social welfare  
12 considerations in an equitable manner without compromising the sustainability  
13 of vital ecosystems.
- 14 3. *Watershed* – the geographic area of land that drains water to a shared  
15 destination or to an area of land that drains down slope to the lowest point.  
16 The water moves through a network of drainage pathways, both underground  
17 and on the surface. Other terms used interchangeably with watershed include  
18 drainage basin or catchment basin.
- 19 4. *Environment* – the physical factors of the total surroundings of human beings,  
20 including but not limited to, the lakes and other bodies of water, land, air,  
21 atmosphere, climate, sound, odor, plants, insects, animals, its biological and  
22 physical factors, all its life support systems and all other surrounding matters  
23 that affect directly or indirectly the existence of human life and other life forms  
24 in a specific area.
- 25 5. *Shoreland / Lakeshore areas / Buffer Zone* – that part of the lake along the  
26 entire lakeshore lying at elevation 12.50 meters and below and alternately  
27 submerged or exposed by the annual or seasonal rising and lowering of the  
28 lake levels. This is a linear strip of land of approximately 14,000 hectares  
29 designed to separate the incompatible elements or uses or to control pollution



1 or nuisance and for identifying and defining development areas or zones and  
2 areas for fisherfolk settlement.

- 3 6. *Groundwater* – subsurface water that occurs beneath a water table in soils and  
4 rocks, or in geological formations.
- 5 7. *Aquaculture* – fishery operations involving all forms of raising and culturing fish  
6 and other fishery species in fresh, brackish and marine water areas. Areas for  
7 aquaculture in Laguna Lake shall not exceed 6,000 hectares.
- 8 8. *Aqua Structure* – also refers to a fish pen, which is a structure enclosing a  
9 particular area in the lake which makes use of bamboos or *anahaw* poles  
10 surrounded by nets, fastened by a weight of sinkers embedded in the lake bed;  
11 and fish cage, which is an inverted mosquito net fastened to bamboos or such  
12 other structures used for culturing fishery/aquatic resources.
- 13 9. *Effluent* – means discharge from known sources which is passed into a body of  
14 water or land, or wastewater flowing out of a manufacturing plant, industrial  
15 plant including domestic, commercial and recreational facilities.
- 16 10. *Municipal fisherfolk* – persons who are directly or indirectly engaged in fishing  
17 and other fishery-related activities whose income from such activities do not  
18 exceed three thousand pesos (Php 3,000.00) a month.
- 19 11. *Pollution* – any alteration of the physical, chemical and biological properties of  
20 any water, air and land resources of the Philippines, or any discharge thereto  
21 of any liquid, gaseous or solid wastes as are likely to render such water, air  
22 and land resources harmful, detrimental or injurious to the public health, safety  
23 or welfare, or which will adversely affect their utilization for domestic,  
24 commercial, industrial, agricultural, recreational or other legitimate purposes.
- 25 12. *Precautionary Principle* – the principle stating that lack of full scientific  
26 certainty shall not be used as a reason for postponing cost-effective measures  
27 to prevent environmental degradation, where there are threats of serious or  
28 irreversible damage.
- 29 13. *Conservation* – an ethic of resource use, allocation, and protection which has  
30 as its primary focus the maintenance of the health and biological diversity of

1 the natural world, such that management of the environment does not despoil,  
2 exhaust or extinguish.

3 Sec. 4. *Danger Zone/High Risk Areas.* – Danger Zone/High Risk Areas are areas  
4 with a high level of threat to the lives and well-being of people that cannot be addressed  
5 through scientific, physical and engineering methods, and thus not suitable for settlement  
6 and permanent structures. Areas can only be declared as Danger Zone/High Risk Area  
7 after conducting proper technical study and public consultations with affected families.

8 Sec. 5. *Laguna Lake Region.* – For the purposes of this Act, the Laguna Lake  
9 Region shall comprise the provinces of Laguna and Rizal; the cities of Calamba, Sta. Rosa,  
10 San Pablo, Pasay, Caloocan, Quezon, Manila, Makati, Mandaluyong, San Juan, Pasig,  
11 Marikina, Muntinlupa, Antipolo, Tagaytay, Tanauan, Taguig and Lipa; the towns of Silang,  
12 Carmona, Dasmariñas, and General Mariano Alvarez in Cavite Province; the towns of  
13 Mauban, Real, Lucban and Sampaloc in Quezon Province; the towns of Sto. Tomas and  
14 Malvar in Batangas; and the town of Pateros in Metro Manila and all areas that drain into  
15 the Laguna Lake: *Provided,* That any cities or towns that may be subsequently created  
16 in the future out of the aforementioned municipalities and cities surrounding Laguna Lake  
17 shall form part of the Laguna Lake Region.

18 Sec. 6. *User of Laguna Lake.* – All fishery-related activities in Laguna Lake shall be  
19 utilized by municipal fisherfolk and their cooperatives/organizations who are listed as such  
20 in the Registry of Municipal Fisherfolk: *Provided,* That organized municipal fisherfolk shall  
21 have preferential rights in the utilization of Laguna Lake.

22 Sec. 7. *Fisherfolks Settlement Site/Area.* – The LLCA shall establish and create  
23 fisherfolk settlement areas, in coordination with concerned agencies of the government,  
24 where certain areas of the public domain, specifically near the fishing grounds, shall be  
25 reserved for the settlement of the municipal fisherfolk. Nothing in this section shall be  
26 construed to vest ownership of any resettlement area to a municipal fisherfolk for whom  
27 said areas may have been reserved for or had been actually granted to.

28 The LLCA, in coordination with the Department of Agrarian Reform (DAR), DILG  
29 and other agencies concerned, shall establish a fisherfolk settlement area that shall be

1 seen in the context of an integrated, holistic and self-reliant community to include  
2 alternative sources of income.

3       *Sec. 8. Laguna Lake Conservation Authority.* – The Laguna Lake Conservation  
4 Authority (LLCA), is hereby created to replace the Laguna Lake Development Authority  
5 (LLDA). It shall pursue the conservation and management of the Bay Region and shall  
6 maintain its principal office at a convenient place within the Bay Region, and its branch  
7 offices in such places within the Bay Region as are necessary for the proper conduct of  
8 its business.

9       *Sec. 9. Powers and Functions.* – The LLCA shall have the following powers and  
10 functions:

11       1. Periodically conduct a comprehensive survey of the Bay Region, and monitor  
12 and update the same, on the basis of which it shall prepare a sustainable  
13 regional development master plan to be drawn up with accredited municipal  
14 fisherfolk organizations, other concerned government agencies, the private  
15 sector, as well as other stakeholders.

16       Such survey includes, but is not limited to, a study of the Region’s water supply,  
17 water quantity and quality in the Lake, as well as in all its major tributary rivers,  
18 the state of its watersheds, irrigation, transport route, reservoir of floodwater,  
19 hydroelectric, and other power potentials, scenic and tourist spots, and other  
20 physical and natural resource potentials, taking into account the socio-  
21 economic conditions prevailing in the area.

22       All concerned public and private agencies shall provide the LLCA the necessary  
23 data for the purposes of the said survey;

24       2. Develop a long-term conservation and management program of the Bay Region in  
25 consonance with a regional master plan, which shall be formulated in consultation with  
26 all stakeholders, concerned government agencies, local government units (LGUs), private  
27 and civil society in the Bay Region;

28       3. Review all plans, projects, and programs that relate to the development of the Bay  
29 Region that are proposed and submitted by LGUs, public corporations, and private

1 persons or corporations to ensure that they conform to the environmental standards  
2 prescribed by the LLCA and other environmental laws and standards.

3 The LLCA shall collect reasonable fees, as may be determined by the Board for  
4 the processing of such plans, programs or projects: *Provided*, That any future  
5 expansion of such plans, programs or projects shall be subjected to review and  
6 to payment of additional fees as may be determined by the LLCA Board;

7 4. Implement infrastructure projects within the context of its conservation and  
8 management master plan, such as for flood control, irrigation, water supply, solid waste  
9 management, wastewater and sewage, roads, housing, including the readjustment,  
10 relocation or resettlement of the fisherfolk population within the 12.5-meter lakeshore  
11 area as may be deemed necessary and beneficial.

12 Should any of these projects be financed wholly or in part by the LLCA, it shall  
13 have the authority to collect reasonable fees and tolls from users or  
14 beneficiaries to recover the costs of construction, operation and maintenance  
15 of the projects. For infrastructure projects that are in the nature of social  
16 overhead capital projects, the LLCA shall be entitled to receive the  
17 corresponding financial assistance from the government to be appropriated out  
18 of the funds of the national treasury not otherwise appropriated;

19 5. Undertake massive information and education campaign among the stakeholders,  
20 in close coordination with the LGUs and other government agencies within the Laguna de  
21 Bay Region to promote better understanding of the importance of environmental  
22 protection and conservation of the Laguna Lake and its watersheds;

23 6. Determine new areas of fishery development, taking into account the overall  
24 development plans and programs for Laguna Lake and related bodies of water, and  
25 promulgate rules and regulations governing fisheries development in the Bay Region.  
26 Accordingly, it shall engage in experimental or pilot fish production in Laguna Lake and  
27 other bodies of water within its jurisdiction, in collaboration with the Bureau of Fisheries  
28 and Aquatic Resources (BFAR). It shall improve present fishery techniques and practices  
29 to provide equitable access to the Lake's fishery resources for the socio-economic  
30 amelioration of small fisherfolk, the improvement of their communal fishing grounds, and

- 1 sustainable aquaculture development and operation. In hiring laborers for fishery-related  
2 projects, there shall be preference for qualified shore land residents;
- 3 7. Regulate the use of shore land areas by enjoining LGUs within the Bay Region to  
4 establish watershed management councils or wetlands whenever suitable and consistent  
5 with LLCA policies;
- 6 8. Develop surface and groundwater supply sources for municipal, agricultural,  
7 commercial, and industrial use, in close coordination with the National Water Resources  
8 Board (NWRB) or Local Water Utilities Administration (LWUA), as the case may be,  
9 pursuant to existing laws, executive orders, and other issuances which may be necessary  
10 to accomplish the aims and purposes of the LLCA;
- 11 9. Enter into agreements with LGUs, government agencies and corporations and the  
12 private sector for the supply, treatment, distribution and marketing of such water;
- 13 10. Establish and enforce anti-pollution standards on municipal, agricultural,  
14 commercial and industrial wastewater and effluents being discharged into the lake in  
15 coordination with appropriate government agencies;
- 16 11. Conduct a continuing research, development and extension program, in close  
17 coordination with the academe, Department of Environment and Natural Resources  
18 (DENR) and the Department of Science and Technology (DOST), on lake water quantity  
19 and quality, integrated watershed management, and enterprise development and  
20 management with the end in view of promoting sustainable development in the region;
- 21 12. Adopt rules and regulations governing the approval of sewage works and  
22 industrial waste disposal system and the issuance of clearance and/or permits in  
23 accordance with the provisions of this Act where necessary; and inspect the construction  
24 and maintenance of sewage works and industrial waste disposal systems for compliance  
25 with the conditions of the clearance and/or permit;
- 26 13. Require all projects or activities in or affecting the Laguna de Bay Region to secure  
27 Environmental Compliance Certificates (ECCs) as required under Presidential Decree No.  
28 1586, and grant clearance and/or permits for any projects or activities located within or  
29 affecting the Bay Region including, but not limited to, industrial and commercial activities,  
30 navigation, irrigation, power generation, housing, resettlement and other forms of land

1 developments, construction and operation of aquastructures, aquaculture development,  
2 dredging or reclamation and similar or related activities, and to impose necessary  
3 safeguards for lake water quantity and quality control and management and to collect  
4 the necessary fees for said activities and projects;

5 14. Issue, renew or deny permits subject to reasonable guidelines for the discharge  
6 of sewage, industrial waste, or for the installation or operation of sewage works and  
7 industrial disposal system or parts thereof for the prevention and abatement of pollution;  
8 and require subdivisions, condominiums, clinical and medical establishments, mortuaries,  
9 public buildings, other similar human settlements, to construct appropriate central  
10 sewerage system and sewage treatment works. The LLCA may impose reasonable fees  
11 and other similar charges for the issuance or renewal of all permits herein required;

12 15. Issue orders or decisions to compel compliance with the provisions of this Act and  
13 its implementing rules and regulations only after proper notice and hearing;

14 16. Make, issue, alter, or modify orders or decisions after notice and hearing, requiring  
15 the discontinuance of pollution specifying the conditions and the time within which such  
16 discontinuance must be accomplished;

17 17. Revoke, suspend or modify any clearance and/or permit issued under this Act,  
18 after due notice and hearing, whenever the same is necessary to prevent or abate  
19 pollution;

20 18. Deputize or request the assistance of appropriate government agencies or  
21 instrumentalities for the purpose of enforcing this Act and its implementing rules and  
22 regulations and the orders and decisions of the LLCA and LGUs;

23 19. Inspect, and investigate and monitor conditions relating to pollution and  
24 existing or imminent environmental dangers; and to authorize a representative  
25 to enter any public and private property devoted to agricultural, commercial  
26 and industrial use for this purpose;

27 20. Extract janitor fish and other harmful and invasive species that pose a  
28 danger to productivity of the lake and to small fisherfolk's livelihood; and

29 21. Exercise and perform such other powers and functions as may be  
30 necessary to carry out the duties and responsibilities under this Act.

1           Sec. 10. *Corporate Powers.* – The Authority has the following corporate powers:

- 2           1. Succeed in its corporate name;
- 3           2. Sue and be sued in its corporate name;
- 4           3. Adopt, alter and use a corporate seal;
- 5           4. Adopt, amend, or repeal its by-laws;
- 6           5. Enter into contracts to enable it to carry out its purposes and functions under  
7           this Act;
- 8           6. Acquire, buy, purchase, hold or lease such personal and real property as it may  
9           deem necessary in the transaction of its business or in relation to carrying out  
10          its purposes under this Act and to lease, mortgage, sell, alienate, or otherwise  
11          encumber, utilize, exploit, or dispose any such personal and real property held  
12          by it, subject to individual or communal right of private parties or of the  
13          government or any agency or enterprise thereof;
- 14          7. Exercise the right of eminent domain whenever the LLCA deems it necessary  
15          to achieve the objectives of this Act;
- 16          8. Borrow funds from any local or foreign sources independent of the bonds it  
17          may issue or may continue to issue to carry out the purposes of this Act;
- 18          9. Purchase, hold, alienate, pledge, or otherwise dispose of the shares of the  
19          capital stock of, or any bond, securities, or other evidence of indebtedness  
20          created by any other corporation, co-partnership, or government agencies or  
21          instrumentalities; and while the owner of said stock to exercise all the rights of  
22          ownership, including the right to vote thereon: *Provided*, That the LLCA shall  
23          not invest its funds in any high risk debt instruments issued without recourse  
24          to commercial banks or investment houses as well as in any highly speculative  
25          stocks;
- 26          10. Perform any and all acts which a corporation, co-partnership or juridical person  
27          is authorized to perform under the existing laws or which may be enacted  
28          hereafter;
- 29          11. Provide incentives to encourage the private sector to enforce conservation  
30          activities; and

1           12. Issue such other rules and regulations as may be necessary from time to time  
2           to achieve the purposes of this Act, the same to take effect thirty (30) days  
3           after its publication in a newspaper of general circulation.

4           Sec. 11. *Board of Directors.* – The LLCA shall be governed by a Board of Directors  
5 who shall be appointed by the President of the Philippines and shall be composed of the  
6 following:

- 7           1. Secretary of the Environment and Natural Resources – Chairperson
- 8           2. General Manager, LLCA – Vice Chairperson
- 9           3. Governor, Province of Laguna
- 10          4. Governor, Province of Rizal
- 11          5. Secretary, Department of Agriculture
- 12          6. Secretary, National Economic and Development Authority
- 13          7. Secretary, Department of Public Works and Highways
- 14          8. Chairman, Metro Manila Development Authority
- 15          9. Representative of the Bay Region City and Municipal Mayors' Association to be  
16             constituted sixty (60) days from the passage of this Act from among the mayors  
17             of towns and cities that comprise the Bay Region as defined in Section 3 of this  
18             Act
- 19          10. Representative of the Laguna Fisherfolk Federation
- 20          11. Representative of the Rizal Fisherfolk Federation
- 21          12. Representative of the NCR Fisherfolk Federation
- 22          13. Representative of women fisherfolk federation

23           The representatives of the Laguna fisherfolk, Rizal fisherfolk, and NCR fisherfolk  
24 shall be appointed by the President of the Philippines to be chosen from among the  
25 nominees recommended by the Laguna, Rizal and NCR Fisherfolk Coalition respectively,  
26 upon consultation with the concerned sector. The term of the appointive members shall  
27 be six (6) years without reappointment, or until their successors are duly appointed and  
28 qualified. Vacancy, other than through the expiration of the term, shall be filled for the  
29 unexpired term only.



1 Ex-officio Cabinet members can designate alternate representatives to the Board,  
2 given the demands of their Cabinet-level position.

3 Sec. 12. *Powers and Functions.* – The Board of Directors shall exercise the  
4 following powers and functions:

- 5 1. Prescribe policies, rules and regulations to govern the conduct of business of  
6 the LLCA including the rules and procedures of the Authority;
- 7 2. Upon the recommendation of the General Manager, to approve the LLCA's  
8 organizational and administrative structures and corresponding staffing pattern  
9 as may be deemed necessary; fix their reasonable compensation, allowances  
10 and other benefits; prescribe their duties and establish such methods and  
11 procedures as may be necessary to ensure the efficient, honest and economical  
12 administration of the provisions and purposes of this Act: *Provided,* however,  
13 That the personnel of the LLCA below the rank of Assistant General Manager  
14 shall be appointed by the LLCA General Manager, except those below the rank  
15 of Department Heads, and others of comparable rank, shall be subject to the  
16 confirmation by the Board: *Provided, further,* That the personnel of the LLCA  
17 shall be selected only from civil service eligibles and be subject to Civil Service  
18 rules and regulations;
- 19 3. Upon the recommendation of the General Manager, to approve the annual and  
20 supplemental budget of receipts and expenditures of the LLCA, and to authorize  
21 such operating and capital expenditures and disbursements of the LLCA as may  
22 be necessary or proper for the effective management, operation and  
23 administration of the LLCA;
- 24 4. Create and organize a Technical Advisory Council composed of representatives  
25 from both the government and non-government sectors as the Board may  
26 determine to assist and advise the Board in the conduct of public consultations  
27 with all Bay Region stakeholders towards a better considered formulation of  
28 LLCA plans and policies.
- 29 5. Perform such other functions as may be necessary to carry out the provisions  
30 of this Act.

1       Sec. 13. *Board Meetings.* – The Board shall meet at least once a month.

2       Sec. 14. *Per Diems and Allowances.* – The members of the Board shall receive a  
3 per diem at a rate in accordance with existing rules and regulations: *Provided*, however,  
4 that the total per diem collected each month shall not exceed the equivalent per diem for  
5 four (4) meetings.

6       Sec. 15. *General Manager; Powers and Functions.* – The General Manager shall be  
7 the Chief Executive Officer of the LLCA. As such, the General Manager shall have the  
8 following powers and functions:

- 9       1. Submit for consideration of the Board policies and measures, which the General  
10       Manager believes to be necessary to carry out the purposes and objectives of  
11       this Act;
- 12       2. Execute, administer, and implement the policies, plans, programs and projects  
13       approved by the Board;
- 14       3. Manage and supervise the operation and administration of the LLCA;
- 15       4. Appoint all officials and employees of LLCA below the rank of Assistant General  
16       Manager, remove, suspend or otherwise discipline them for cause, in  
17       accordance with existing Civil Service rules and regulations, and submit  
18       quarterly reports to the Board on personnel selection, placement and training;
- 19       5. Render an annual report to the Board and various stakeholders regarding the  
20       operation of the LLCA including its latest financial statement;
- 21       6. Represent the LLCA in all dealings with offices, agencies and instrumentalities  
22       of the government and all persons and other entities, public or private,  
23       domestic and foreign;
- 24       7. Perform such other functions as may be provided in the By-Laws and as may  
25       be vested in the General Manager by the Board.

26       Sec. 16. *Qualifications of the General Manager.* – The General Manager shall be a  
27 citizen and resident of the Philippines; have demonstrated executive competence and  
28 experience in the field of public administration, economic planning, environmental and  
29 natural resource management, or in the establishment and management of large

1 agricultural, commercial or industrial enterprises. No person shall be nominated as  
2 General Manager unless the latter is of unquestioned integrity and competence.

3       Sec. 17. *Tenure of Office of the General Manager.* – The General Manager shall be  
4 appointed by the President of the Philippines for a fixed term of six (6) years. In case of  
5 resignation, retirement, separation, transfer, re-assignment, removal and other cause of  
6 cessation from office, the replacement shall serve only for the unexpired portion of the  
7 term.

8       Sec. 18. *Compensation.* – The General Manager shall receive compensation at  
9 rates in accordance with the Salary Standardization Law.

10       Sec. 19. *Management Structure.* – In carrying out the activities of the LLCA, the  
11 General Manager shall be assisted by two Assistant General Managers (one for Operations  
12 and another for Administration) who shall have such powers, duties, and functions as the  
13 General Manager may prescribe and/or delegate and shall act as the General Manager in  
14 the absence of or during the temporary incapacity of and/or until such time as a new  
15 General Manager is duly appointed.

16       The Authority shall have the following departments under the direct supervision  
17 and control of the General Manager:

- 18       1. *Corporate Legal Affairs Department* which shall provide legal advice and  
19 support to all the corporate units on legal implications of the various  
20 undertakings of the Authority and divided into Litigation Division, and Research  
21 and Documentation Division.
- 22       2. *Administrative Department* which shall be responsible for providing services  
23 relating to human resource management, records management, and general  
24 services.
- 25       3. *Finance Department* which shall be responsible for revenue planning,  
26 generation and enhancement, assistance on budgetary and financial matters,  
27 and safekeeping of corporate assets.
- 28       4. *Policy Planning and Management Services Department* which shall undertake  
29 policy research and development, and advise the General Manager on policy  
30 positions and public advocacy measures for approval of the Board.

1           5. *Integrated Water Resources Management Services Department* which will serve  
2           as the main technical arm of the Authority and shall integrate the functions of  
3           Lake basin management and conservation. It shall oversee the management  
4           of the Laguna Lake and its river systems including the shorelands.

5           6. *Environmental Protection Department* which will manage all the environmental  
6           regulatory functions of the Authority like clearance/permits and licensing,  
7           monitoring and surveillance, enforcement and adjudication and environmental  
8           quality compliance.

9           The Board shall periodically review the appropriateness of the existing  
10          organizational structure and amend the same whenever it may deem necessary  
11          and beneficial to achieve the purposes of this Act and to be able to respond  
12          efficiently to LLCA's mandate as herein provided.

13          Sec. 20. *Annual Fees.* – The LLCA is hereby authorized to collect annual fees for  
14          the use of the lake waters, its tributaries and shoreland areas for all beneficial purposes,  
15          including but not limited to, fisheries, aquaculture, municipal, agricultural, irrigation,  
16          commercial, industrial, hydroelectric generation and other power potential, transport and  
17          navigation, waste disposal purposes, recreation and dredging/reclamation from all private  
18          and public entities whether government or non-government agencies, among others. All  
19          the fees so collected shall be accordingly appropriated for the sustainable development  
20          of the lake and its watershed areas: *Provided,* That the fees collected for fisheries may  
21          be shared between the Authority and other government agencies and LGUs as follows:  
22          thirty-five percent (35%) of the fish pen fee goes to shore land LGUs, five percent (5%)  
23          goes to the Project Development Fund, and the remaining sixty percent (60%) shall be  
24          retained by LLCA: *Provided, however,* That the share of the LLCA shall form part of its  
25          corporate funds and shall not be remitted to the National Treasury as an exception to the  
26          provisions of Presidential Decree No. 1234.

27          Sec. 21. *Capitalization and Financing.* – The LLCA shall have an authorized capital  
28          of One Billion Pesos (Php 1,000,000,000.00). The authorized capital stock shall be divided  
29          into Ten Million Pesos (10,000,000) shares of stock with a par value of One Hundred  
30          Pesos (Php 100.00) per share. The National Government shall subscribe to Six Million

1 shares, the Province of Laguna to One Million shares, the Province of Rizal to One Million  
2 shares, and the balance of Two Million shares shall be open for subscription of other  
3 government agencies or LGUs and other private individuals or corporations within the Bay  
4 Region.

5 The shares of stock of the LLDA shall be divided into:

- 6 1. 7,000,000 common shares (voting); and
- 7 2. 3,000,000 preferred shares (non-voting) with such fixed rates of return as shall  
8 be determined by the Board.

9 *Provided, however,* That preferred shares shall enjoy preference with respect to  
10 distribution of dividends and assets in case of dissolution.

11 *Sec. 22. Appropriations.* – The amount necessary to subscribe and pay for the  
12 remaining shares of the national government to the capital stock of the LLCA shall be  
13 included in the annual General Appropriations Act. For LGUs, the funds shall be taken  
14 from their internal revenue allotment and other local funds.

15 *Sec. 23. Domestic and Foreign Borrowing Authority.* – The Administration shall  
16 have the authority to borrow money from all domestic and foreign loan sources whether  
17 government or private: *Provided,* That its loan outstanding both from domestic and  
18 foreign sources shall not exceed an aggregate ceiling of Nine Hundred Million U.S. Dollars  
19 (US\$ 900,000,000.00): *Provided, further,* That all domestic and foreign borrowings of  
20 LLCA shall be approved by the Department of Finance (DOF), Bangko Sentral ng Pilipinas  
21 (BSP), and other entities as required by pertinent laws and regulations.

22 *Sec. 24. Authority to Contract Foreign Loan.* – The Administration is hereby  
23 authorized to contract loans, credits, in any convertible foreign currency or capital goods,  
24 and to incur indebtedness from time to time with foreign governments, or any  
25 international financial institutions or fund sources, including supplier’s credits or deferred  
26 payment arrangements, the total outstanding amount of which, excluding interests, shall  
27 not exceed its aggregate domestic and foreign borrowing authority of Nine Hundred  
28 Million US Dollars (US\$ 900,000,000.00) or the equivalent thereof in other currencies, on  
29 terms and conditions promulgated by the Secretary of Finance and the Monetary Board

1 for the accomplishment of its objectives; and to enter into and execute contracts and  
2 other documents specifying such terms and conditions.

3 The President of the Philippines, or duly authorized representative, is hereby  
4 authorized to negotiate and contract with foreign governments or any international  
5 financial institution or fund sources in the name and on behalf of the administration, one  
6 or several loans, for the purpose of implementing the Administration's program for the  
7 promotion and development of local water utilities through the Administration's financing  
8 or lending operations.

9 The President of the Philippines, or duly authorized representative, is hereby  
10 further authorized to guarantee, absolutely and unconditionally, as primary obligor and  
11 not as mere surety, in the name and on behalf of the Republic of the Philippines, the  
12 payments of the loans, credits, and indebtedness up to the amount herein authorized,  
13 over and above the amounts which the President of the Philippines, pursuant to loan  
14 agreements entered into with foreign governments or any international financing  
15 institution or fund sources.

16 The loan credits and indebtedness contracted under this section shall be in accord  
17 with the provisions of Republic Act No. 4680, or the "*Foreign Borrowing Act*", as amended.  
18 The provisions of Section 123 of Republic Act No. 7653, otherwise known as the "*New*  
19 *Central Bank Act*"; the provisions of Section 23 of Central Bank Circular No. 1389, as  
20 amended; Section 20, Article VII and Section 21, Article XII of the 1987 Constitution and  
21 other pertinent laws and regulations.

22 *Sec. 25. Creation of LLCA Environmental Adjudication Panel.* – For the purpose of  
23 effectively carrying out the quasi-judicial powers of the Authority within the Bay Region,  
24 the LLCA Environmental Adjudication Panel (LEAP) is hereby created composed of a  
25 Chairman and two (2) other members representing the Office of the General Manager,  
26 the Corporate Legal Affairs Department and the concerned department depending on the  
27 matter under controversy to be designated by the General Manager. The LEAP is hereby  
28 mandated to take cognizance and adjudicate violations of this Act including all existing  
29 and relevant laws, LLCA policies, rules and regulations. Any decision order or resolution

1 must be concurred by the majority member of the panel and duly approved by the General  
2 Manager.

3 The Corporate Legal Affairs Department shall serve as Secretariat of the LEAP.

4 *Sec. 26. Creation of a Lake Police Force.* – The National Police Commission  
5 (NAPOLCOM) shall constitute and assign a special police force, to be known as the Laguna  
6 Lake Police, exclusively for the Bay Region, trained especially for enforcement of laws on  
7 fisheries and environmental laws and the rules and regulations duly promulgated by the  
8 LLCA.

9 The extent of operational supervision and control by the LLCA General Manager  
10 over the Laguna Lake Police shall be the same as that of local chief executives over police  
11 force of LGUs, as defined in the Department of the Interior and Local Government Act of  
12 1990 (R.A. 6975), in relation to Sec. 73 of the Local Government Code of 1991 (R.A.  
13 7160). The LLCA Board, the LGUs and the leadership of the Philippine National Police  
14 (PNP) shall within sixty (60) days from the passage of this Act constitute a technical  
15 working group that will further delineate and define the nature and character of this unit  
16 in order to avoid any overlap and potential conflict with the LGU police units within the  
17 Bay Region.

18 *Sec. 27. Exemption from Tax.* – The LLCA shall be exempt from:

- 19 1. All taxes, licenses, fees, imposts, charges, costs, duties, incidental to its  
20 operations and service/filing fees in any court or administrative proceedings, in  
21 which it may be a party, restrictions and duties to the Republic of the  
22 Philippines, its provinces, cities, municipalities and other government agencies  
23 and instrumentalities; and
- 24 2. All income taxes, franchise taxes and realty taxes to be paid to the National  
25 Government, its provinces, cities, municipalities, and other government  
26 agencies and instrumentalities.

27 *Sec. 27. Fines and Penalties.* – The LLCA is authorized to impose administrative  
28 fines and other penalties it may deem reasonable and appropriate as determined and  
29 approved by the Board for non-compliance with permit conditions and for undertaking  
30 development activities without clearance/permit from the LLCA against any person,

1 juridical or otherwise, within the Bay Region who may be found violating, or have in fact  
2 violated, any of its rules and regulations.

3 Likewise, the LLCA is authorized to institute the necessary legal proceedings  
4 against those who shall commence to implement any development activities within the  
5 Bay Region not cleared or approved by the LLCA.

6 *Sec. 29. Damages.* – Compensation for any damage to the shoreland, water and  
7 aquatic resources of Laguna Lake and its tributaries resulting from failure to meet  
8 established water and effluent quality standards or from such other wrongful act or  
9 omission of a person, private or public, juridical or otherwise, punishable under the law  
10 shall be awarded to the LLDA for water quantity/quality control and management  
11 projects.

12 *Sec. 30. Penal and Civil Liability Clause.* – Any person, natural or juridical, who  
13 shall violate any of the provisions of this Act or any rules and regulations promulgated by  
14 the Authority pursuant thereto shall be liable to imprisonment of not exceeding three (3)  
15 years or to a fine not less than Fifty thousand pesos (Php 50,000.00), or both, at the  
16 discretion of the court. This is without prejudice to the imposition of penalties as may be  
17 provided under existing and relevant laws, rules and regulations.

18 If the violator is a corporation, partnership or association, the officer/officers of  
19 the organization concerned shall be held liable.

20 The LLCA is hereby authorized to initiate, file, prosecute, and defend all suits,  
21 actions or to pursue separate civil actions for damages resulting from infractions of the  
22 provisions of this Act, rules or regulations issued pursuant thereto and/or conditions  
23 embodied in the clearances or permits issued by the Authority.

24 *Sec. 31. Auditor.* – The Chairman of the Commission on Audit (COA) shall be the  
25 ex-officio Auditor of the LLCA. For this purpose, he may appoint a representative who  
26 shall be the Auditor of the LLCA, and the necessary personnel to assist said representative  
27 in the performance of his duties.

28 The Chairman of the Commission on Audit or his authorized representative shall  
29 submit to the Board soon after the close of each calendar year, an audited statement



1 showing the financial condition and progress of the LLCA for the calendar year just  
2 ended.

3       *Sec. 32. Implementing Rules and Regulations (IRR).* – The LLCA, in coordination  
4 with the proper standing Committees of both the Senate and the House of  
5 Representatives, and other concerned agencies and fisherfolk federations shall  
6 promulgate the IRR for this Act, within one (1) year after its enactment: *Provided,* That  
7 the rules and regulations issued by other government agencies and instrumentalities for  
8 the prevention and/or abatement of water pollution not inconsistent with this Act shall  
9 supplement the rules and regulations issued by the LLCA pursuant to the provisions of  
10 this Act.

11       *Sec. 33. Repealing Clause.* – Republic Act No. 4850 as amended, Presidential  
12 Decree No. 813, and Executive Order No. 927 and all laws, orders, issuance, rules and  
13 regulations inconsistent herewith are hereby repealed.

14       *Sec. 34. Separability Clause.* – If any provision or part hereof is held invalid or  
15 unconstitutional, the remainder of the law or the provision or part not otherwise affected  
16 shall remain in full force and effect.

17       *Sec. 35. Effectivity.* – This Act shall take effect fifteen (15) days after its complete  
18 publication either in the *Official Gazette* or in at least two (2) newspapers of general  
19 circulation in the Philippines.

*Approved,*