



## LAGUNA LAKE DEVELOPMENT AUTHORITY

### RESOLUTION NO. 223, SERIES OF 2004

#### **Amending Certain Provisions of Board Resolution No. 41, Series of 1997, Further Clarifying the Definition of Development Activities Required to Secure LLDA Clearance**

**WHEREAS**, Section 4(d) of R.A. 4850, as amended by P.D. 813 and E.O. 927, empowers the Laguna Lake Development Authority (LLDA) to pass upon and approve or disapprove all plans, programs and projects proposed by local government units, government agencies, public corporations and private persons or enterprises within the Laguna de Bay Region, where such plans, programs or projects are related to those of the Authority for the development of the region;

**WHEREAS**, Board Resolution No. 41, Series of 1997 was approved on 21 March 1997 to further define/clarify the definition of development activities required to secure LLDA Clearance and to integrate such definition in the Rules and Regulations Implementing R.A. 4850 as amended to ensure that all such development activities conform with the 1996 Laguna de Bay Master Plan and that the same will not cause negative environmental impacts;

**WHEREAS**, the industry sector raised some concerns on the lack of specificity of the coverage of the requirement for the LLDA Clearance pursuant to the afore-stated Resolution, thereby calling for a review of the rules covering the issuance of LLDA Clearance; and

**WHEREAS**, the result of the said review indicated the need to amend certain provisions of the afore-mentioned resolution in order to define in more specific terms the development activities that are required to secure LLDA Clearance.

**NOW, THEREFORE**, foregoing premises considered, **BE IT RESOLVED**, as it is hereby **RESOLVED**, to amend Board Resolution No. 41, Series of 1997, as follows:

**Section 1. Development Activities Covered by LLDA Clearance.** The following development activities, projects and installations are required to secure LLDA Clearance:

1. Industrial / manufacturing establishments, industrial parks, estates except those exempted under Section 2;
2. Resource extractive industries or activities such as mining, quarrying, dredging, water abstraction and logging;
3. Garment/textile manufacturing with dyeing operation except those exempted under Section 2
4. Agro-industrial projects / livestock production including piggery, poultry and similar animal-raising farms except those exempted under Section 2;
5. Abattoir with more than ten (10) animals slaughtered per day;
6. Commercial establishments such as supermarkets, markets, groceries, shopping centers,

- malls, and other similar activities with a total floor and facility area of 1000 sq. m. and above;
7. Recreation and entertainment projects with a lot area of one (1) hectare and above such as golf courses, recreational complex, theme parks, resorts, public swimming or bathing places, zoos, and other similar activities;
  8. Indoor recreation facilities such as theaters, amphitheaters, museums and other similar establishments with a total floor and facility area of 1000 sq. m.;
  9. Fastfood stores, restaurants and similar establishments with a total combined sewage generation of 12 m<sup>3</sup>/day and above;
  10. Gasoline stations, fuel depots, fuel storage facilities and other similar establishments/activities;
  11. Laundry services including dry cleaning and steam laundry with a combined wastewater generation of 12 m<sup>3</sup>/day and above;
  12. Laboratory, testing and research centers and other similar establishments that have potential sources of air and water pollution, and toxic/ hazardous waste;
  13. Housing development projects such as residential subdivisions and other similar projects;
  14. Human occupancy structures with a total floor area of 1000 sq. m. and above such as condominium, hotel, motel and other office/residential/commercial buildings;
  15. Television / radio stations and other similar establishments/facilities/projects with a total floor and facility area of 1000 sq. m. and above;
  16. Telecommunication facilities such as cellsites, transmission and telecommunication towers except those exempted under Section 2;
  17. Infrastructure projects such as roads, bridges, viaducts, railways, power plants, power transmission sites and substations, water impounding structures, dams including back filling, reclamation, and other engineering projects involving earth moving or physical alteration of the area except those exempted under Section 2;
  18. Land transport terminals with repair and maintenance facilities;
  19. Airports, passenger/cargo terminals and its support facilities;
  20. Memorial parks, cemeteries, burial / funeral establishments with embalming facilities / crematorium / columbarium and other similar activities
  21. Waste disposal sites, waste processing facilities, transfer stations and other similar projects;
  22. Any project, activity or establishment which uses/stores toxic/hazardous substances and/or dangerous goods such as explosives, compressed gases, corrosive and/or poisonous substances, etc.
  23. Any operation, technology, process or activity which the Authority determines as causing the discharge of land, air and water contaminants. It includes use of hazardous or toxic materials; or produces and requires the disposal of waste materials that will pose serious health hazards, or will generate significant amount of organic solid wastes;
  24. Health related projects such as hospitals, medical centers, clinics and other similar institutions with a total floor area and facility of 1000 sq. m. and above;
  25. Educational services such as schools (pre-elementary, elementary, secondary, special, specialized, etc.), institutes and universities, with a total floor and facility area of 1,500 sq. m. and above.

**Section 2. Exemptions.** The following activities, projects, installations are exempted from the above-stated requirements:

1. All development projects/activities which were established before 1976 provided that the proponent/company:
  - a) has not stopped operations for a period of 2 consecutive years since 1976;
  - b) has not expanded in terms of production output, new product line, areas of coverage, number of heads, etc., whichever is applicable;
2. Individual family dwellings/houses regardless of area;
3. Places of worship such as churches, temples, synagogues, chapels, mosque and other similar projects regardless of area;
4. Animal farms with a population of not more than one hundred 100 heads or sow level of not more than ten (10) for pigs;
5. Bird farms ( chicken, duck, game fowl, quail, etc.) with a population of not more than 1000 birds;
6. Barangay Micro Business Enterprises (BMBEs). Enterprises under this classification are required to submit a certification from the appropriate agency;
7. Repacking of non-hazardous substance and / or with no source of dust / air emission or liquid waste;
8. Dry process industries which have a septic tank design capacity of less than 12 m<sup>3</sup>/day or with less than 212 employees (manufacturing plants) except those mentioned under Section 1;
9. Dry process industries which have a septic tank design capacity of less than 12 m<sup>3</sup>/day or with less than 212 employees (manufacturing plants) except those mentioned under Section 1;
10. Cold storage/refrigeration facilities provided that no process is involved;
11. Wooden assemblies having the following equipment: trimmers, crosscut saws, circular saws of less than 600 mm diameter in size and S2S type planers of not more than three (3) units each;
12. Mining exploration activities involving diamond drilling, trenching and test fitting except geothermal and oil exploration;
13. Metal works which do not involve spray painting and electroplating process;
14. Agricultural production farms/facilities except those producing exotic species or for experimental purposes;
15. Flowers/ornamental production and sale, including landscaping;
16. Integrated social forestry projects;
17. Organic compost/fertilizer making not exceeding 500 MT per annum in capacity;
18. Storage/post harvest facilities and warehousing for non-hazardous/ non-toxic materials and substances;
19. Projects/ installations for the purchase, sale, importation and trading of non-hazardous

materials or substances;

20. New construction of bridge and viaduct with length equal to or less than fifty (50) meters.
21. Pedestrian overpass construction.
22. Telecommunication projects such as:
  - a) indoor antenna;
  - b) based transceiver station (refers to equipment housing only and does not involve installation of a tower, based transceiver station antenna without equipment room or tower, and based transceiver station mounted on any existing structure);
  - c) installation on top of a building, wall mounted and floor mounted;
  - d) pole and parapet mounted antennae;
  - e) monopole tower; and
  - f) guy tower.
23. Projects which involve institutions of soil erosion control measures through either vegetative ( e.g. planting, bench-brush, fascine, etc. ) or engineering / structural (e.g. check dams, gabions, riprap/retaining walls, etc.);
24. Rehabilitation of existing structures (including maintenance and repair works involving negligible, no expansion or change of land use beyond that which is/was previously existing);
25. Demolition or abandonment of dangerous or condemned buildings;
26. Substation/switchyard with rated capacity less than or equal to 83 MVA;
27. Power plants with capacity less than or equal to one (1) MW;
28. Broker-forwarding business, trucking, sea and air freight services; and
29. Construction, repair, replacement or maintenance of temporary or permanent minor structures or facilities accessory to existing installations, provided that such installations are allowable, conforming or in conformity with local zoning ordinances and/or the National Building Code, such as signs, fences, curbs, gutters, sidewalks and driveways abutting existing streets, etc.

All other activities not explicitly cited in this Section are required to secure LLDA Clearance.

**RESOLVED, FINALLY**, to implement this Board Resolution fifteen (15) days after its publication in a newspaper of general circulation.

**APPROVED** on April 29, 2004.

(signed)

**USEC. FATMA A.S. VALDEZ**

Chairman

(signed)

**(SGD) ROSELLER Z. VALERA**

Vice-Chairman