



Republic of the Philippines
LAGUNA LAKE DEVELOPMENT AUTHORITY

25 NOV 2021

MEMORANDUM CIRCULAR NO. 2021-05

SUBJECT: REVISED GUIDELINES FOR IMPLEMENTING KAUTUSAN BLG. 2010-04 "GABAY SA PAGPAPATUPAD NG MGA PATAKARAN AT PAMANTAYAN SA PAGGAMIT AT PAGSASAAYOS NG MGA PALAISDAAN SA LAWA NG PANDIN" AND INCLUSION OF OTHER RULES AND REGULATIONS ON THE BALANCED AND SUSTAINABLE USE, MANAGEMENT AND DEVELOPMENT OF THE PANDIN LAKE BASIN

SECTION 1. BACKGROUND AND RATIONALE

These guidelines shall put into effect LLDA Board Resolution No. 70, series of 1998 otherwise known as the *Policy Framework on the Use of the Seven Crater Lakes of San Pablo City* in which the objective is to protect and conserve the Seven Crater Lakes including the watershed areas for sustainable utilization and development. While Kautusan Blg. 2010-04 focused mainly on the reduction and zoning of aquaculture structures, this circular shall include provisions on the balanced and sustainable use, management and development of the whole lake basin or watershed.

The LLDA Board of Directors (BOD) approved through Board Resolution No. 464, series of 2014 the "*Framework for the Formulation of Development and Management Plans (DMPs) for the Seven Crater Lakes of San Pablo City*" that adopted the concept of Integrated Lake Basin Management (ILBM). ILBM is an approach for achieving sustainable management of lakes through gradual, continuous, and holistic improvement of the Six Pillars of Lake Basin Governance such as institutions, policy, stakeholder participation, information, technology, and sustainable finance. The DMP is meant to address the arbitrariness of the current state of managing the lakes owing to the absence of comprehensive plans, policy guidelines, and recognized organization that shall provide direction for decision-making and appropriate actions to attain sustainability.

Pandin Lake was chosen as the pilot area for the initial implementation of the "framework" taking into consideration the popularity of the lake as an ecotourism destination substantiated by numerous tourists flocking the lake for simple enjoyment of its natural and tranquil landscape. Approved by the LLDA BOD pursuant to Board Resolution No. 481, series of 2014 entitled "*A Resolution Approving the Five-Year Development and Management Plan for Pandin Lake*", the DMP is regarded as a living document that can be updated from time to time to keep up with the changing and evolving situation in the lake and the needs of the community who are dependent on the lake resources.

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SECTION 2. OBJECTIVE

These guidelines aim to ensure the balanced and sustainable use, management and development of Pandin Lake and its resources to protect the lake's natural ecosystem from pollution and degradation while livelihood opportunities are being provided to the local community and stakeholders.

SECTION 3. SCOPE AND COVERAGE

These guidelines shall govern the entire water of Pandin Lake including its legal easement, the tributary river that drain into it and the lands surrounding the lake delineated as its basin.

SECTION 4. DEFINITION OF TERMS

- a. **Access Lane** refers to the passageway, measuring about 20 meters wide, for rafts that will bring tourists to the other side of the lake for various recreational purposes.
- b. **BFAR** refers to Bureau of Fisheries and Aquatic Resources, an office under the Department of Agriculture (DA).
- c. **Closed Season** is a period within a year when fishing of certain types of fish and other aquatic species is officially restricted.
- d. **Contact Recreation Zone** refers to area of the lake located at the northernmost part adjacent to the strip of land separating Pandin Lake from Yambo Lake and shall primarily be used for contact recreation such as bathing, swimming, and skin diving.
- e. **DMP** refers to Development and Management Plan.
- f. **Lake Conservation Association** refers to the committed stakeholders representing various groups and entities that shall be organized and designated to implement the Development and Management Plan.
- g. **LOP** refers to Lake Occupancy Permit which shall be issued to existing or pre-qualified fish cage operators only upon submission of requirements that include the following: 1) Barangay Clearance, 2) Community Tax Certificate, 3) Mayor's Permit, 4) Valid Identification Card, and 5) Lake User's Fee. Repair Permit shall also be issued by LLDA, if necessary, once all requirements for the application for the repair of fish cage are complied with.
- h. **Legal Easement** refers to the shore of the lake and the banks of river throughout their entire lengths and within twenty (20) meters, considering that the barangay within the basin is classified as agricultural, and therefore subject to the easement of public use in the interest of recreation, navigation, floatage, fishing and salvage as provided in Article 51 of Presidential Decree (PD) No. 1067 or the Water Code of the Philippines.
- i. **LCE** refers to Local Chief Executive.

- j. *LGU* refers to Local Government Unit.
- k. *LLDA* refers to Laguna Lake Development Authority.
- l. *Navigational Lane* refers to that portion of the lake which measures 30 meters from the shoreline where no structures shall be allowed to be constructed to facilitate the mobility of non-motorized banca or bamboo raft used for transporting feeds and fish cage materials.
- m. *Non-Contact Recreation Zone* refers to area in the lake adjacent to the access lane where various non-contact recreational activities like boating, rafting, recreational fishing, and other related uses shall be allowed.
- n. *Open Fishing Zone* refers to all open spaces in the lake that are not designated for recreational and other specific purposes where legitimate and registered fisherfolks and community members shall be allowed to fish using mobile fishing gears.
- o. *Open Season* is a period within a year when restriction on the fishing of certain types of fish and other aquatic species is officially lifted.
- p. *Pandin Lake Conservation Association* refers to the community organization that is duly organized, recognized, and accredited by the Sangguniang Panglungsod and designated to implement the Pandin Lake Development and Management Plan.
- q. *Pandin Lake Fishery and Aquatic Resources Management Council (PL FARMC)* refers to legitimate fisherfolks within the Pandin Lake Basin that are organized by and registered with LLDA and authorized to operate aquaculture structures and other related fishery activities in Pandin Lake.
- r. *Sanctuary* refers to designated area for spawning, growth, and reproduction of fish and other aquatic organisms where fishing and other activities that may damage the lake ecosystem are prohibited.

SECTION 5. ALLOWABLE USES OF THE LAKE WATER

Allowable uses of the lake water shall be defined by a Zoning and Management Plan (**Annex 1**) that shall specifically prescribe the following:

- a. *Access Lane*. The Access Lane, measuring about 20 meters wide, is the Y-shaped route for touring visitors and which traverses the middle of the lake from the area where bamboo rafts are stationed to the area where tourists can swim, eat, relax, and have a view of Yambo Lake.
- b. *Aquaculture Structure Zone*. The Aquaculture Structure Zone was identified by the fish cage operators as the best site for growing fish in cages based on their past experiences. Only a maximum of 5% of the total lake surface area will be allotted for fish cages which will be granted only to fish cage operators who are already registered with LLDA. The size of fish cages shall be 30 meters long by 20 meters wide. The distance between fish cages shall be 10 meters.

- c. **Open Fishing Zone.** Open fishing zone shall be the area around the Aquaculture Structure Zone.
- d. **Fish Sanctuary.** The fish sanctuary in Pandin Lake shall be located at the right side of the lake opposite the endpoint of the raft ride of tourist for viewing Yambo Lake and where contact recreation is allowed. A signboard shall be put up to inform the public that the area is a "no fishing zone" and shall by no means be disturbed.
- e. **Navigational Lane.** The Navigational Lane shall be the open area immediately after the legal easement measuring about 30 meters from the shoreline. This area shall serve as access for small watercrafts being used by fishers and fish cage operators in Pandin Lake.
- f. **Contact Recreation Zone.** The Contact Recreation Zone shall be located at the endpoint of the raft ride for tourists where swimming, bathing, and diving shall be allowed.

SECTION 6. PROHIBITED ACTIVITIES IN PANDIN LAKE

The following activities which may damage the integrity of the lake and its entire ecosystem including all aquatic organisms that thrive in its water are prohibited:

6.1 Lake-Based Activities:

- a. Construction and operation of fish corrals, fish traps, fish pens and fish cages that do not have appropriate permit from LLDA,
- b. Exploitation, production, breeding or culture of fish, fry or fingerlings of any fishery species or fishery products without permission from LLDA and BFAR,
- c. Introduction and culture of invasive species,
- d. Fishing within the designated fish sanctuary of the lake,
- e. Fishing with the use of prohibited gear or methods prescribed in Republic Act No. 8550 as amended by Republic Act No. 10654,
- f. Swimming without protective gear and outside the Contact Recreation Zone,
- g. Operating recreational watercraft without permit from the LGUs and LLDA, and
- h. Use of motorized watercrafts except rescue boats.

6.2 Land-Based Activities:

- a. Disposal of all kinds of solid wastes,
- b. Discharging of wastewater directly into the lake without proper treatment,
- c. Livestock and poultry raising within the lake's easement, and
- d. All other activities that shall affect the lake and are operating without permit from LLDA.

SECTION 7. REGULATION ON OPEN FISHING

- a. Open fishing shall be allowed to all community members of the barangays within the Pandin Lake Basin including non-commercial/recreational fishing by tourists and visitors. Tourists and visitors shall pay for the harvested fish to the Lake Conservation Association duly recognized and accredited by the local government units concerned at an appropriate prescribed amount per kilogram.
- b. The size and number of fish that shall be allowed to be harvested per visitor shall be prescribed by the FARMC in consultation with BFAR.
- c. Open fishing shall only be allowed in the designated Open Fishing Zone. Fishing in sanctuary shall strictly be prohibited at all times.
- d. All fish and other aquatic species that will be gathered or harvested, either from fish cages or from open water, shall be recorded by the Bantay Lawa or the Pandin Lake FARMC for monitoring purposes.
- e. Open and closed season for dwindling indigenous species in the lake shall be imposed to ensure their regeneration and perpetuity.

SECTION 8. MANAGEMENT OF AQUACULTURE STRUCTURES AND OTHER FISHERY RESOURCES

- a. Fish cage operation shall be limited to pre-qualified fish cage operators and shall not in any time be beyond the 5% of the total lake area which is only half of the prescribed allowable limit indicated in Republic Act No. 8550 as amended.
- b. Fish cages with smaller areas shall be merged to form the maximum area of 600 square meters. There shall be 10 meters distance between fish cages and/or on all sides. The layout for each fish cage is designed for a minimum of 100 square meters but not exceeding 600 square meters, wherein each fish cage shall be issued a Lake Occupancy Permit (LOP).
- c. Only existing fish cages shall be allowed to operate, and the criteria shall be based on LLDA existing policy on the qualified fish cage operators.
- d. Feeding of fish in cages and in open water shall not be allowed to ensure the improvement of the lake's water quality.

SECTION 9. WATER QUALITY MONITORING

The water quality of Pandin Lake shall be maintained to or improved from its current water quality status such that LLDA will continually conduct regular water quality sampling and monitoring. Results of the monitoring shall be disclosed to the stakeholders for information and guide in the implementation of sustainable use, management and development strategies and measures for Pandin Lake protection conservation and restoration.

Monitoring shall be done by LLDA monthly for the 1st and 4th Quarters, every June during the 2nd Quarter and every September during the 3rd Quarter of each year.

The parameters to be monitored shall include but not limited to the following: Physico-chemical (Temperature, pH, DO, BOD, nitrate, ammonia, inorganic phosphate and TSS), Biological (phytoplankton or algae and zooplankton) and Bacteriological (total coliform, fecal coliform).

SECTION 10. ECOTOURISM AND OTHER RECREATIONAL ACTIVITIES IN THE LAKE WATER

All proposed ecotourism and other recreational projects and activities in the water of Pandin Lake proposed by private entity shall be submitted to the LGU for clearance and discussion with the Executive Committee of the Pandin Lake Conservation Association to ensure that the proposed project is in accordance to the Zoning and Management Plan and within the carrying capacity prior to endorsement to LLDA for evaluation, approval, and issuance of permit, if required.

SECTION 11. REGULATION ON 20-METER LEGAL EASEMENT

- a. The 20 meters legal easement shall be determined in the map and shall be delineated on the ground with appropriate markers to serve as guide to all stakeholders.
- b. The Sanggunian of the concerned LGU shall pass a resolution adopting the national policy on legal easement articulated in the Water Code of the Philippines (Presidential Decree No. 1067) and the Forestry Reform Code of the Philippines (Presidential Decree No. 705).
- c. Only activities allowed by the State shall be undertaken within the legal easement as specified in Section 51 of PD 1067 which states that *"The banks of rivers and streams and the shores of the seas and lakes throughout their entire length and within a zone of three (3) meters in urban area, twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along their margins, are subject to the easement of public use in the interest of recreation, navigation, floatage, fishing and salvage. No person shall be allowed to stay in this zone longer than what is necessary for recreation, navigation, floatage, fishing or salvage or to build structures of any kind"*.
- d. The following specific provision in Section 16 of PD 705 shall be adopted by the LGUs, to wit: *"In case the easement area shall have been titled in favor of any person, steps shall be taken, if public interest so requires, to have said title canceled or amended, or the titled area expropriated in favor of the State"*.
- e. Construction and establishment of vertical structures shall be strictly prohibited along the lake's legal easement. Any proposed non-vertical development activities along legal easement shall be required to secure permit from the concerned LGU and LLDA to ensure that the lake can be protected from harmful and destructive elements.
- f. All structures along the lake easement must have appropriate centralized wastewater treatment facilities to ensure that the effluent discharges meet the required standards.
- g. Livestock and poultry raising within the legal easement and tributary rivers shall be strictly prohibited.

SECTION 12. DEVELOPMENT WITHIN THE BASIN OF PANDIN LAKE

The following are the guidelines for any development that shall be established beyond the lakes' legal easement:

- a. All development projects should follow the existing protocols of acquiring permit from barangay, municipality/city, and LLDA and/or DENR.

- b. Developments beyond the easement should blend with the natural environment and should conform with the existing Zoning Ordinances and Comprehensive Land Use Plans (CLUPs) of the LGUs.
- c. Private developers should submit letter of intent and submit project proposal to the concerned LGUs for initial review of the Pandin Lake Technical Working Group (TWG) as to conformance to the guidelines prior to endorsement to LLDA for further assessment and approval.
- d. All development projects related to Pandin Lake should have benefits to the local stakeholders of the concerned LGU particularly the marginalized members of the community.

SECTION 13. FINES AND PENALTIES

Violations to any of the provision of these policy guidelines shall be subjected to fines and penalties stipulated in all national policies and laws and their accompanying local ordinances promulgated by the municipal and barangay LGUs.

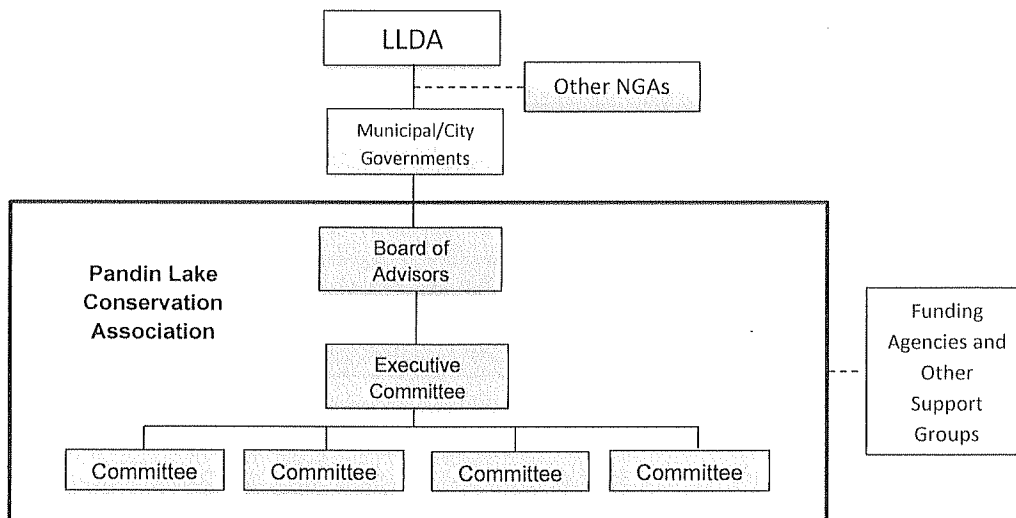
SECTION 14. WASTE MANAGEMENT AND RELATED REGULATIONS

To ensure that the lake can be protected from degradation and pollution, the LGUs particularly the barangays, shall conform strictly to the following: Republic Act 9003 (Ecological Solid Waste Management Act of 2001), Republic Act 9275 (Philippine Clean Water Act of 2004), Republic Act 7279 (Urban and Housing Act of 1992), and other related directives and ordinances.

The city/municipality and barangay LGUs shall issue ordinances adopting these laws for local enforcement and implementation.

SECTION 15. INSTITUTIONAL ARRANGEMENT

The organizational structure illustrated below shall be established to govern the implementation of the Pandin Lake DMP which shall clearly define the roles and responsibilities of the key concerned entities.



- a. LLDA – The LLDA shall be vested with management rights over the Pandin Lake Basin and shall perform the following:
- Exercise overall regulatory control over Pandin Lake Basin and enforce the same as stipulated in RA 4850 as amended,
 - Coordinate development, operation, and management matters among the various partners,
 - Provide technical and legal advice on development planning and management,
 - Provide seed money to the Lake Conservation Association when legally permissible,
 - Assist in the generation of capital funds,
 - Assist in the development of marketing, business, and capacity building plans and networks,
 - Exercise water rights,
 - Conduct regular water quality monitoring, and
 - Monitor the implementation of programs, projects, and activities stipulated in the DMP.
- b. Other National Government Agencies shall include all relevant national government agencies which can contribute technical, legal, financial, and logistical support and assistance in the fulfillment of the plans, strategies, programs and projects for the protection and conservation of the Pandin Lake and its basin.
- c. City/Barangay – Vested with co-management right over the Pandin Lake Basin and shall perform the following mandates:
- Exercise overall regulatory control over Pandin Lake Basin and enforce the same as stipulated in RA 7160,
 - Coordinate development, operation, and management matters among the various partners,
 - Provide technical and legal advice on development planning and management,
 - Provide capital funds for the identified projects and other related activities,
 - Assist in the development of marketing, business, and capacity building plans and networks, and
 - Monitor the implementation of programs, projects, and activities stipulated in the DMP.
- d. Board of Advisors – The Board of Advisors shall serve as the Advisory Body that shall approve policies, plans and programs for the Seven Crater Lakes including proposed projects that shall be initiated by both public and private entities.

The composition of the Board of Advisors shall be the heads or duly authorized representative of the following entities:

- Laguna Lake Development Authority
- Provincial Government of Laguna
- Department of Tourism Region IV-A

- City/Municipal Governments
- Seven Lakes Integrated Fishery and Aquatic Resources Management Council
- Designated Non-Government Organizations.

Once the Board of Advisors is officially convened, election of the Chairperson and Secretary of the Board shall then be held from among the members.

The meeting of the Board of Advisors shall be held at least once a year or whenever a policy, plan or program needs to be approved and ratified immediately.

- e. Lake Conservation Association - The Lake Conservation Association (LCA) shall be the implementing body of the approved policies, plans and programs for the sustainable use, management and development of Pandin Lake and its basin.

The members of the LCA shall come from active and committed representatives of the various stakeholder groups such as but not limited to the following institutions, entities, and organizations:

- Laguna Lake Development Authority
- Provincial Government of Laguna
- City Government of San Pablo
- Community Environment and Natural Resources Office - Sta. Cruz
- Bureau of Fishery and Aquatic Resources Region IV-A
- Non-Government and Civil Society Groups
- Pandin Lake FARMC
- Community and Peoples Organization/s
- Barangay Santo Angel, San Pablo City
- Association of Property Owners in Pandin Lake.

Any willing entity that has the same protection and conservation goals for the lake can be a member of the LCA.

The key roles of the Lake Conservation Association shall be the following:

- Implement projects and activities prescribed in the DMP,
 - Implement policies promulgated by the LLDA, the City Government, and the barangays,
 - Recommend actions and policies for consideration of LGUs and LLDA,
 - Generate funds for the development and operation of the Pandin Lake DMP and
 - Conduct training activities to enhance the member-residents' employment and business opportunities in the Pandin Lake DMP.
- f. Executive Committee – The existing Technical Working Group which LLDA currently serves as the Secretariat shall be formally organized into LCA once semblance of organizational stability through approved guidelines and operational protocols has been established. An Executive Committee composed of President, Vice President, Secretary, Treasurer, and the Chairpersons of the various operational committees shall then be elected.

The meeting of the Executive Committee shall be held quarterly or as needed.

- g. Operational Committees – Various operational committees shall be created to perform specific tasks and responsibilities inherent for any community-based lake basin organization to sustain its operation such as but not limited to the following: Ecotourism Development, Fishery and Aquatic Resources Management, Health and Environmental Protection, Resource Generation and Management, Capacity Building, and Marketing and Promotion. The Operational Committees shall be in-charge of executing different concerns of the association that shall contribute to achieving its goals and purposes.

The Fishery and Aquatic Resource Management Council shall handle all fishery and aquatic resources management concerns as stipulated in Republic Act 8550 as amended.

Community Organizations in the lake basin that are duly recognized by the LGUs and LLDA shall be delegated to manage ecotourism and livelihood development activities.

- h. Funding Institutions and Other Support Groups shall assist in providing required financial, legal and technical assistance to the various programs, projects, and activities as well as research/study needs identified in the DMP.

SECTION 16. FUND SOURCES, DISBURSEMENT AND MANAGEMENT, AND SHARING SCHEME

a. Fund Sources

Funds for the implementation of DMP may be sourced from, but not limited to, the following:

- Local funds from LGUs,
- Seed money from LLDA when legally permissible,
- Grants, donations and gifts from private entities, philanthropists, National Government Agencies (NGAs), bi-lateral and multi-lateral funding institutions, Non-Government Organizations (NGOs), and environmental foundations,
- Loans from government and commercial banks, local and international lending institutions,
- Fees and charges for the use of Pandin Lake resources other than Fish Cage Fees and other development projects, and
- Marketing of goods and services.

b. Disbursement and Management

The Lake Conservation Association shall set up its own independent accounting records. This is to ensure that all revenues from the operation of ecotourism business-related activities are properly utilized for the operation and maintenance of the Pandin Lake Basin. All expenses charged to any venture shall be recorded and accounted for in a proper book of accounts, which shall be maintained by the accounting unit that will be created.

All revenues from income-generating activities shall be used for the purpose of implementing livelihood, infrastructure and/or environmental development projects within Pandin Lake Basin that are aligned with the intents of the DMP. The allocation and disposition of these funds shall be monitored by the Executive Committee.



c. Sharing Scheme

Sharing scheme from the net income from all the ecotourism business-related activities of the Pandin Lake LCA shall be proposed by the Executive Committee and approved by the Board of Advisors once the LCA already gained stability in its operation.

SECTION 17. EFFECTIVITY






This Circular shall take effect thirty (30) days after publication in a newspaper of general circulation and upon registration to the Office of National Administrative Register (ONAR), UP Law Center, Diliman, Quezon City.


JAIIME C. MEDINA
 General Manager

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ANNEX 1. PROPOSED ZONING AND MANAGEMENT
PLAN FOR PANDIN LAKE

Legend

	Rafts
	20m Legal Easement
	30m Navigational Lane
	Fish Cages
	20m Access Lane

