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# LEAGUE OF PROVINCES OF THE PHILIPPINES

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## Position Paper

### Re: House Resolution No. 371

### Directing the Committee on Ecology and Other Appropriate Committees to Conduct an Inquiry, in Aid of Legislation, on the Implementation of the R.A. No. 9275 or the Comprehensive Water Management Act and its Related Regulation relative to the Operations of Quick Service Restaurants (QSRs)

This refers to the initial comments of the League of Provinces of the Philippines (LPP) on House Resolution No. 371.

R.A. No. 9275 or the Philippine Clean Water Act of 2004 was a landmark piece of legislation that aims to protect the country's water bodies from pollution from land-based sources. It was enacted into law twelve (12) years after the passage of R.A. No. Or the Local Government Code of 1991.

A cursory reading of R.A. No. 9275 readily shows that all owners or operators of facilities that discharge waste-water are required to get a permit to discharge from the DENR or the Laguna Lake Development Authority (LDA). Hence, it covers industries and commercial establishments (which necessary include restaurants and QSRs), agriculture, and community/household activities that discharge any wastes that ultimately flows into our water or river system. The focus of the inquiry, in aid of legislation, may be addressed by the implementing rules or strict enforcement of R.A, No, 9275.

As regards implementation of the law, the DENR was tasked as the lead agency to effect a comprehensive and integrated strategy to prevent and minimize pollution through a multi-sectoral and participatory approach involving all the stakeholders, LPP, unfortunately, has yet to collate information whether its member-provinces have faithfully complied with Section 20 of R.A. No. 9275 providing for the role of LGUs. We, therefore, take this opportunity to request DENR to provide us with the information on the formation of Governing Boards of the different Water Quality Management Areas -- which DENR must define -- and the location of these areas for our reference.

As constituted under the law, these Governing Boards are composed of representatives of mayors and governors as well as the representatives of concerned national government agencies, duly registered non-government organizations, the concerned water utility, sector and the business sector. To be candid, however, the LPP has not yet to secure information whether the different Governing Boards have formulated the strategies necessary to ensure water quality and adopted the system to align policies, and establish surveillance and monitoring for the purpose.

In any event, the provision of R.A. No. 9275 on the role of LGUs is comprehensive enough to cover all areas necessary to ensure water quality. To cite Section 20 thereof:



SECTION 20. *Role of Local Government Units.* - Local government units shall share the responsibility in the management and improvement of water quality within their territorial jurisdictions.

Each local government unit shall within six (6) months after the establishment of the water quality management area action plan prepare a compliance scheme in, accordance thereof, subject to review and approval of the governing board.

Each local government unit shall, through its Environment and Natural Resources Office (ENRO) established in Republic Act No.7160, have the following powers and functions:

- a. Monitoring of water quality;
- b. Emergency response;
- c. Compliance with the framework of the Water Quality Management Action Plan;
- d. To take active participation in all efforts concerning water quality protection and rehabilitation; and
- e. To coordinate with other government agencies and civil society and the concerned sectors in the implementation of measures to prevent and control water pollution: *Provided, however,* That in provinces/cities/municipalities where there are no environment and natural resources officers, the local executive concerned may, with the approval of the Secretary of the DENR designate any of his official and/or chief of office preferably the provincial, city or municipal agriculturist, or any of his employee: *Provided, finally,* That in case an employee is designated as such, he must have sufficient experience in environmental and natural resources management, conservation and utilization.

R.A. No. 9275 has also sufficiently defined the prohibited acts and the corresponding penalties for violations.

The issue therefore may not be to amend or modify the law but to ensure strictly implementation thereof and the adoption of Administrative Orders for all stakeholders' guidance and compliance.

Respectfully submitted by:



**GOV. RYAN LUIS V. SINGSON**  
LPP, National President  
Date: October 4, 2017