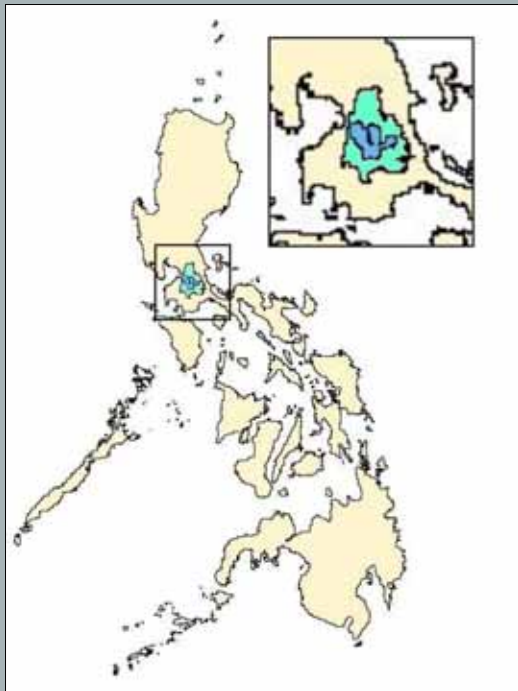




Water Allocation - The Philippine Setting

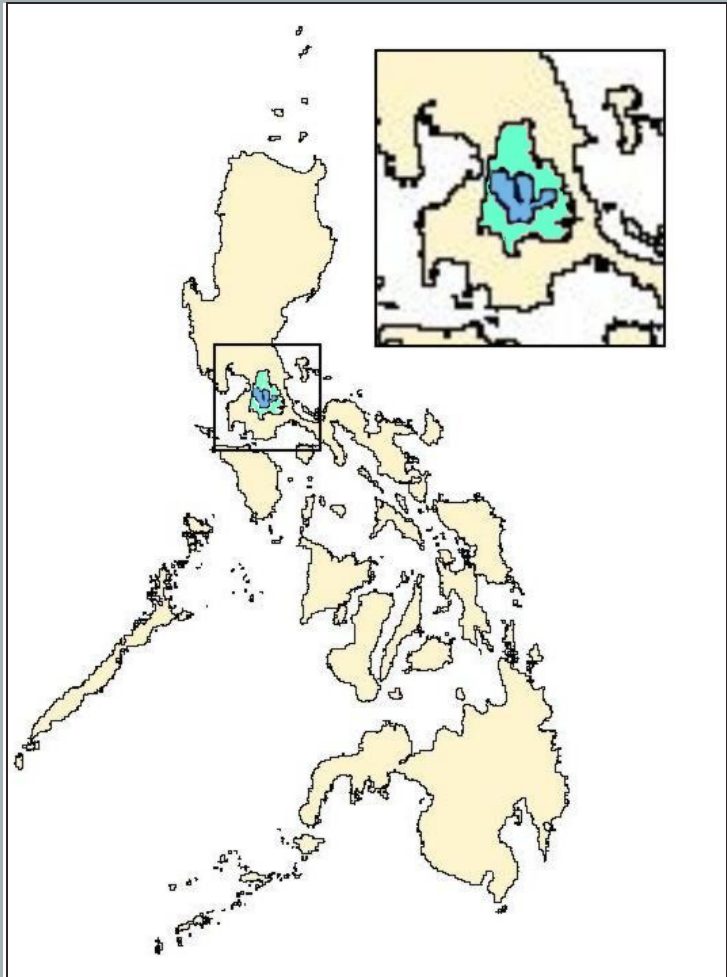


Atty. Elenito Bagalihog
NWRB

Ms. Jocelyn Siapno
LLDA



Water Allocation in the Philippines



Introduction



Legal and Institutional Framework



Issues / Causes



The Philippines

Islands and islets : 7, 100

Land area : 300,000 KM2

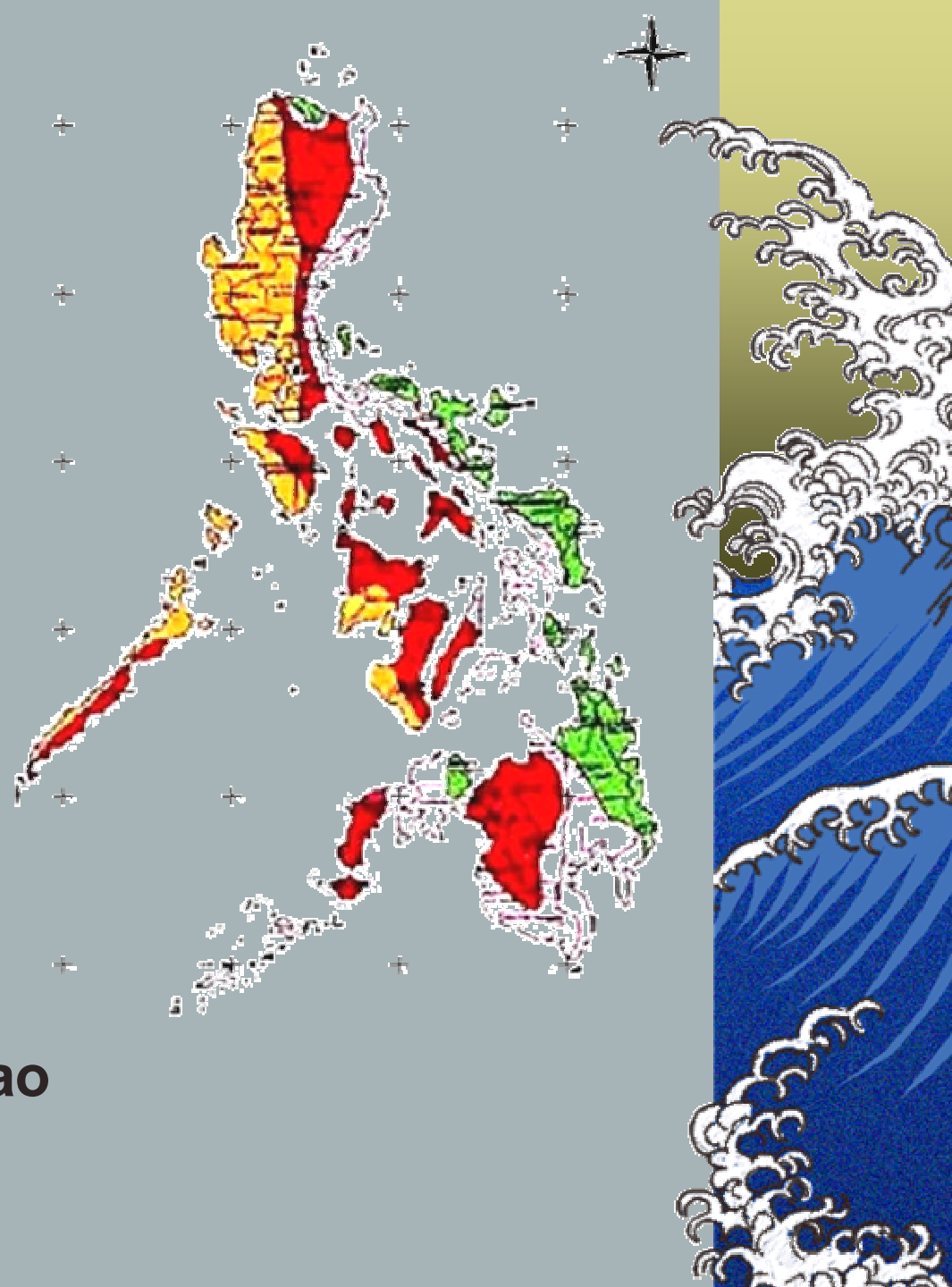
Population : 85 Million

latitude $4^{\circ}23'N$ - $21^{\circ}25'N$

longitude 116° - $127^{\circ}E$

3 main island groups :

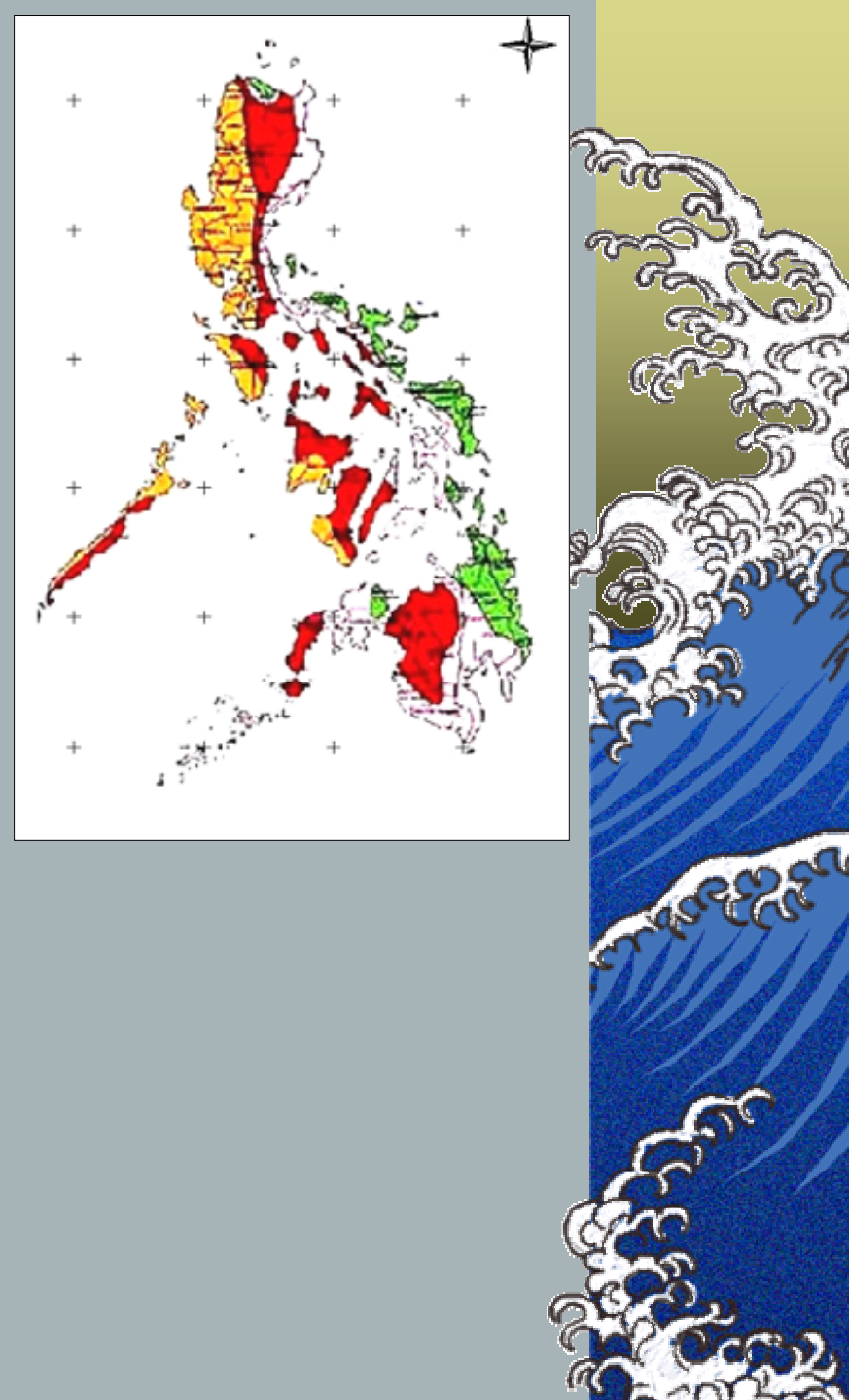
Luzon , Visayas & Mindanao



The Climate

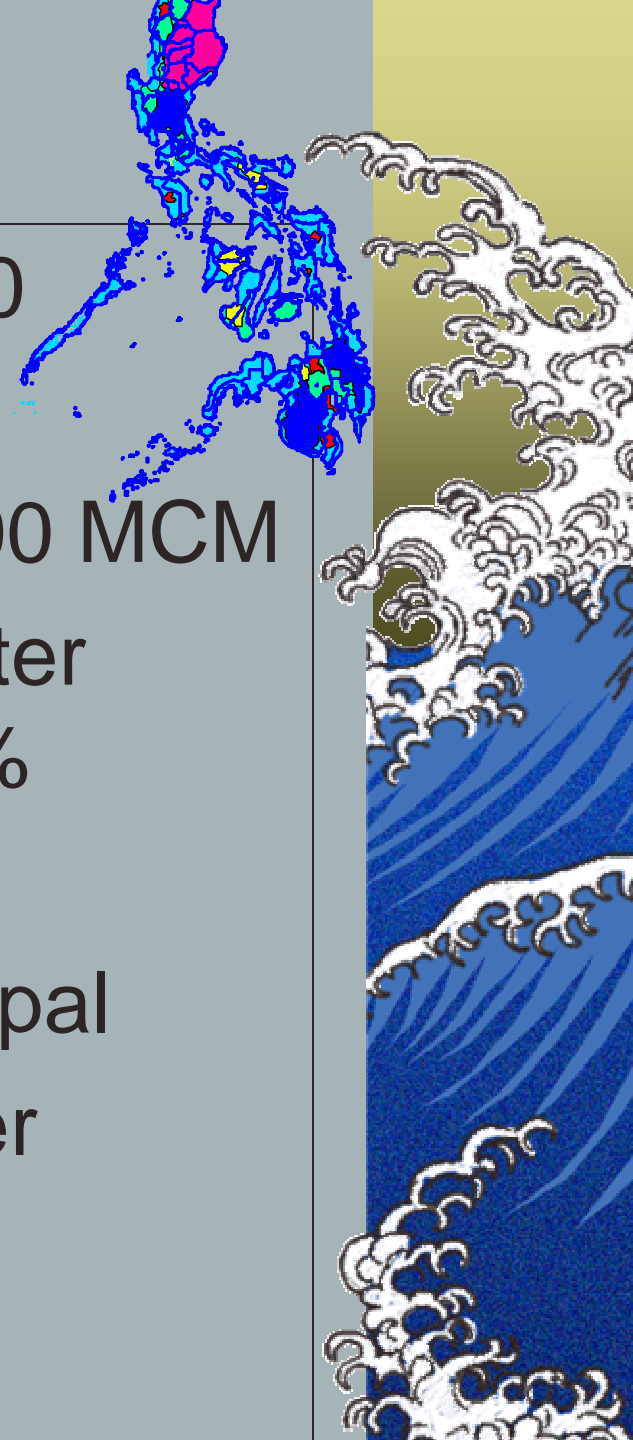
Four general types of climate:

- **Type 1 - two pronounced seasons; dry (Nov. to April), wet (rest of the year)**
- **Type 2 - no dry season with a very pronounced max. rainfall from Nov. to January**
- **Type 3 - seasons not very pronounced.**
Relatively dry from Nov. to April,
wet during the rest of the year
- **Type 4 - rainfall more or less evenly distributed throughout the year**



Water Resources

- Annual Average rainfall : 2,400 mm
- Groundwater potential : 20,200 MCM
- Surface water dependable water supply : 125,790 MCM (80% probability)
- The Philippines has 421 principal river basins (18 are major river basins)



Is the apex body of the whole water sector in the Philippines.

It coordinates, monitors, and regulates the allocation, development and utilization of water resources

Grants water rights and issues water permits for water abstraction

With jurisdiction over private systems in terms of tariff setting and issuance of certificate of public convenience



The only functioning river basin institution
in the Philippines

Has the authority to exercise water rights
over public waters within the Laguna de
Bay Region

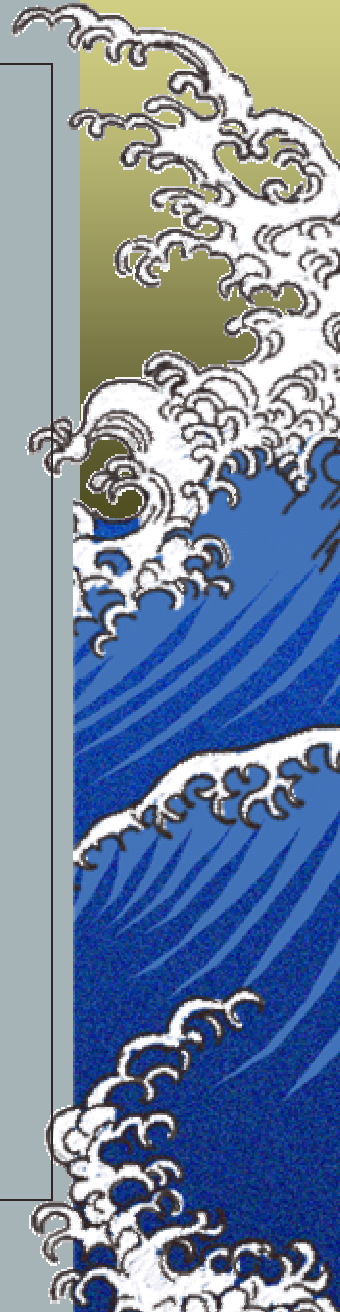


PD No. 1067

Water Code of the Philippines

The basic law governing the ownership, appropriation, utilization, exploitation, development, conservation and protection of water resources

The administrative and enforcement of the provisions of the Water Code including the granting of permits and impositions of Penalties are vested in the NWRB

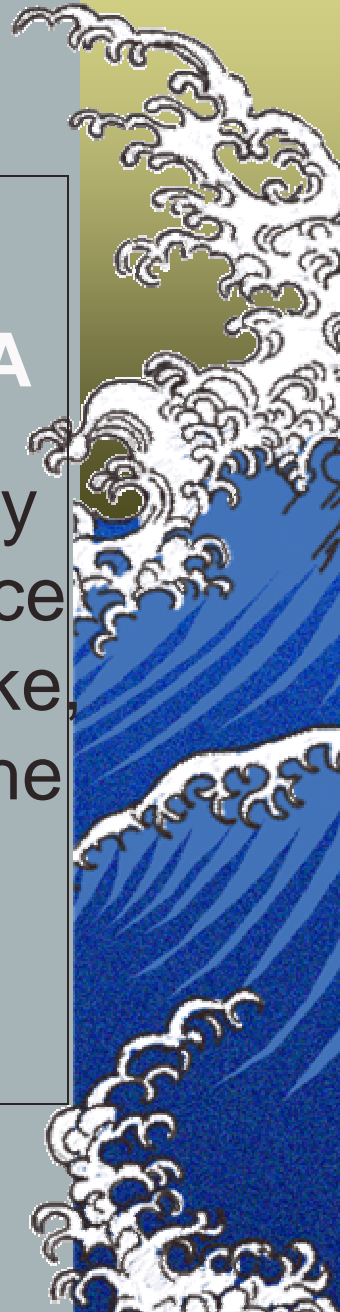


Legal and Institutional Framework

RA 4850 / PD 813 / EO 927

Laguna Lake Development Authority- LLDA

Exclusive jurisdiction within the Laguna de Bay Basin to issue permits for the use of the surface waters for any project which may affect the lake, to impose necessary to control and manage the lake water quality and to safeguards, collect necessary fees for said activities



Article 4 – Water refers to water under the ground, Water above the ground, water in the atmosphere and the waters of the sea within Philippine territory

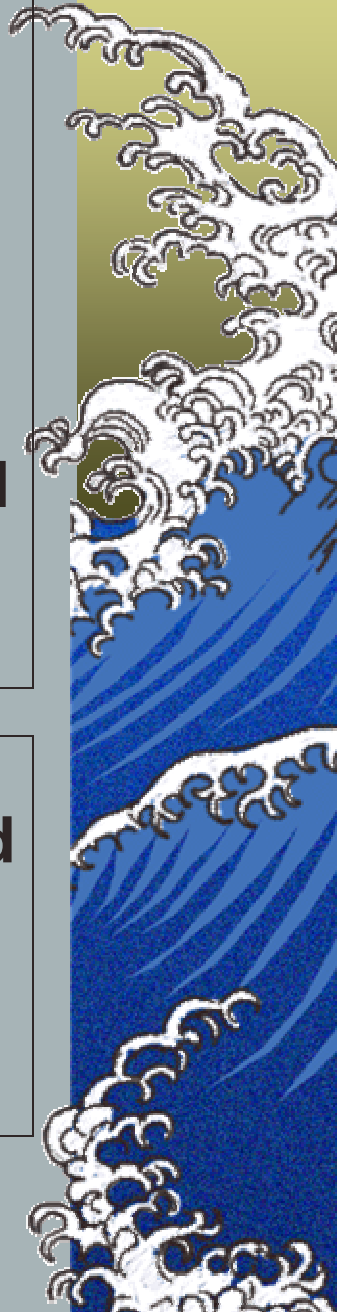
Article 15 – Only citizens of the Philippines, of legal age, as well as juridical persons who are duly qualified by law to exploit and develop water resources may apply for water permits

Article 10 - Water maybe appropriated for the Following purposes (a) Domestic (b) Municipal (c)Irrigation (d)Power Generation (e) Fisheries (f)Livestock Raising (h) Industrial (i)Recreational (j) Other purposes



Article 29 -Water permit maybe revoked after due notice and hearing on grounds of non-beneficial use; gross –violation of conditions imposed in the permit; unauthorized sale of the water; failure /refusal to comply with rules and regulations; pollution;public health and safety;when appropriator is found to be disqualified; when land is converted to non-agricultural purposes and other similar grounds

Article 19 -Water rights maybe leased/transferred in whole or in part to another person with prior approval of the Board after due notice of hearing



RA 4850 / PD 813 / EO 927 Creation of LLDA

Exclusive jurisdiction within the Laguna de Bay Basin to issue permits for the use of the surface waters for any Project which may affect the lake; to impose necessary safeguards; to control and manage the lake water quality and to collect necessary fees for said activities

Implements the Laguna de Bay Zoning and Mgt. Plan (ZOMAP) where criteria, guidelines and procedures for proper allocation of fishpen/cages areas as well as the fishpen fee sharing scheme are prescribed

Allocate water for domestic water supply based on willingness to pay principle. Policy for surface water pricing and allocation is currently being formulated.



Issues

Case No. 1: Water conflict between new water user and existing water user

“A” –Water Permittee for Irrigation (Existing)

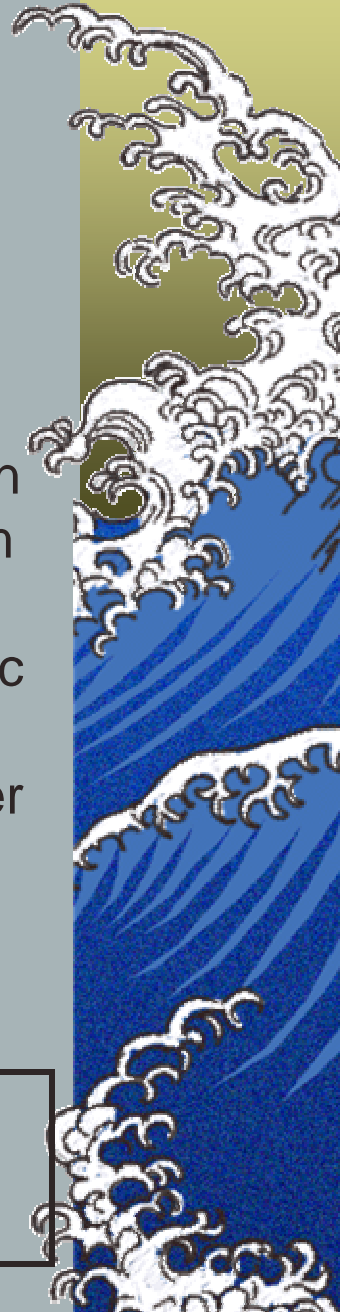
“B” – New applicant for Domestic Water Supply

“A” objected the application of “B” because the new appropriation might adversely affect the volume of water he needs for his farm

“B” contended that since his application is for the use of domestic water supply he has priority in the use of water and that the capacity of water source is more than enough to supply the water requirements of “A”

To whom should the water be allocated?

Cause of Conflict: Lack of knowledge or information
About institutional framework (Water Code)



Issues

Case No. 2: Conflict among different users of the lake

Fisheries vs domestic water supply


Fishermen demand for saline water for higher fish production but Water Abstractors for domestic water Supply object due to higher cost of raw water treatment

How do we address the problem of salinity intrusion and pollution into the lake to resolve the conflict?


Cause of conflict: Shift of Policy Direction



Conclusion



When water permit is granted to an appropriator to use water from the river, that does not give the Permittee the exclusive right to use water from the said source



The multiple use concept of utilizing the Lake should be maintained to balance the interests of all surface water users



thank you!

