

**[LLDA BOARD RESOLUTION NO. 408, S. 2011,
March 24, 2011]**

**APPROVING THE REVISED DEFINITION OF DEVELOPMENTAL
ACTIVITIES REQUIRED TO SECURE LLDA CLEARANCE AND ITS
IMPLEMENTING RULES AND REGULATIONS, AND FOR THIS
PURPOSE, AMENDING BOARD RESOLUTION NO. 223, SERIES OF
2004 AND BOARD RESOLUTION NO. 286, SERIES OF 2006**

WHEREAS, the Laguna Lake Development Authority (LLDA), is empowered under R. A. 4850, as amended, to promote and accelerate the balanced growth of the Laguna de Bay Region, with due regard and adequate provisions for environmental management and control, prevention of undue ecological disturbance, deterioration and pollution;

WHEREAS, Section 4(d) of R.A. 4850, as amended, expressly provides that the Authority shall issue the necessary clearance for all approved proposed plans, programs, and projects unless the proposals are not in consonance with those of the Authority or that those that will contribute to the unmanageable pollution of the Laguna Lake waters or will bring about the ecological imbalance of the Region;

WHEREAS, it is the policy of the Department of Environment and Natural Resources (DENR) to attain and maintain the orderly balance between the socio-economic growth and environmental protection through the sustainable use, development, management, renewal and conservation of the country's natural resources, including the protection and enhancement of quality of the environment, not only for the present generation but for the future generation;

WHEREAS, Presidential Decree 1586, Series of 1978 and its implementing rules and regulations, requires all agencies and instrumentalities of national government including Government Owned and Controlled Corporation (GOCC) and Local Government Units (LGUs) as well as private corporations, firms and entities, for every proposed projects and undertakings which significantly affect the quality of the environment to undergo the Environmental Impact Statement System;

WHEREAS, the DENR Administrative Order No. 30, Series of 2003 and its revised procedural manual, ensure that environmental considerations were incorporated into the Environmental Impact Assessment (EIA) process at an early stage to streamline the current procedure in the conduct of the EIA process to improve the effectiveness as a planning, regulatory and management tool, and enhance maximum public participation.

WHEREAS, LLDA as an attached agency of the DENR under Executive Order No. 149, mandated to manage and protect an environmentally critical area which is the Laguna de Bay Region, issued Board Resolution No. 41, Series of 1997 (Adopting the definition of the development activities per DAO 96-37 and integrating such

definition in the LLDA Rules and Regulations, thereby clarifying further the development activities to secure LLDA Clearance), Board Resolution No. 223, Series of 2004, (Further clarifying the definition of development activities required to secure LLDA Clearance) and Board Resolution No. 286, Series of 2006 (Adopting the Reckoning Period for Imposition of Administrative Fine for Operating without Valid LLDA Clearance and Discharge Permit), shall be modified or amended accordingly through this board resolution;

WHEREAS, it is essential for LLDA to adopt the Philippine Standard Industrial Classification (PSIC) which provides for a standard classification for productive economic activities in the country, in such a way that entities can be classified according to the economic activity that they carried out or in which they are engaged in;

WHEREAS, it is imperative to harmonize all developmental and economic activities within the Region to conform with the tenets of the various issuances, rules and regulations for effective and efficient environmental governance;

NOW, THEREFORE, premises considered, **BE IT RESOLVED,** as it is **HEREBY RESOLVED,** to approve the **REVISED DEFINITION OF DEVELOPMENTAL ACTIVITIES REQUIRED TO SECURE LLDA CLEARANCE AND ITS IMPLEMENTING RULES AND REGULATIONS,** copy of which is attached as annex A and made integral part hereof.

FINALLY, all existing rules and regulations which are inconsistent with this Resolution are hereby revoked, modified and repealed accordingly.

This Board Resolution shall take effect thirty (30) days upon publication in a newspaper of general circulation and to be registered in the U.P. Law Center's National Administrative Register.

Adopted: 24 March 2011

(SGD.) RAMON JESUS P. PAJE
Chairman

(SGD.) RODRIGO E. CABRERA
Vice-Chairman

ZENAIDA C. MAGLAYA (absent)
Director

(SGD..)AUGUSTO B. SANTOS
Director

(SGD.) MA. CRISTINA L. VELASCO
Director

(SGD.) JEORGE "E.R." EJERCITO
ESTREGAN
Director

ELIONOR I. PILLAS (absent)
Director

(SGD.) GIRLIE "MAITA" EJERCITO
Director

ATTESTED BY:

(SGD.) ATTY. JOHN ANDREW R. DE GUZMAN

ANNEX "A"

Implementing Rules and Regulations of the Revised Coverage of Developmental Activities Required to Secure LLDA Clearance

RULE I GENERAL PROVISION

SECTION 1. TITLE. This shall be known as the Implementing Rules and Regulations of the Revised Coverage of Developmental Activities Required to Secure LLDA Clearance within the Laguna de Bay Region for effective implementation.

SECTION 2. PURPOSE. This implementing rules and regulations are implemented to ensure efficient and effective environmental governance affecting those productive economic activities required to secure LLDA Clearance.

SECTION 3. SCOPE and COVERAGE. These IRR shall cover all those developmental and productive economic activities within the Laguna de Bay Region, except those productive economic activities within the 12.5 meter elevation otherwise known as the shoreland of Laguna de Bay as defined under Section 41 of R.A. 4850 as amended.

SECTION 4. DEFINITION OF TERMS

4.1 Barangay Micro Business Enterprises (BMBEs) — any business entity or enterprise engaged in the production, processing or manufacturing of products or commodities, including agro-processing, trading and services, whose total assets including those arising from loans but exclusive of the land on which the particular business entity's office, plant and equipment are situated, shall not be more than Three Million Pesos (P3,000,000.00).

4.2 Combined wastewater — the sewage and industrial wastewater generation of an establishment.

4.3 Discharge — includes, but is not limited to, the act of spilling, leaking, pumping, pouring, emitting, emptying, releasing or dumping of any material into a water body or onto land from which it might flow or drain into said water.

4.4 Emission — any air contaminant, pollutant, gas stream or unwanted sound from a known source which is passed into the atmosphere.

4.5 Hazardous substances — those substances which present either: (1) short-term acute hazards such as acute toxicity by ingestion, inhalation, or skin absorption, corrosivity or other skin or eye contact hazard or the

risk of fire explosion; or (2) long-term toxicity upon repeated exposure, carcinogenicity (which in some cases result in acute exposure but a long latent period), resistance to detoxification process such as biodegradation, the Potential to pollute underground or surface waters.

4.6 Industrial wastewater — all wastewater from any producing, manufacturing, processing, commercial, agricultural or other operations where the wastewater discharged includes significant quantities of wastes of non-fecal origin.

4.7 Laguna de Bay Region — the watershed region of Laguna de Bay which include the provinces of Rizal and Laguna; the cities of San Pablo, Pasay, Caloocan, Quezon, Manila and Tagayaty; the towns of Tanuan, Sto. Tomas and Malvar in Batangas Province, the towns of Silang and Carmona in Cavite Province; the town of Lucban in Quezon Province, and the town of Marikina, Pasig, Taguig, Muntinlupa, and Pateros in Metro Manila as defined under Section 2 of Executive Order No. 927 including such other cities and municipalities created hereinafter.

4.8 Laguna de Bay Shoreland Area — also known as the "buffer zone" is that part of the lakebed along the lakeshore lying at elevation 12.50 meters and below and alternately submerged or exposed by the normal annual rising and lowering of the lake levels. Datum elevation is a point 10.00 meters below Mean Lower Low Water (M.L.L.W). This is a linear strip of open space designed to separate incompatible elements or uses, or to control pollution/nuisance and for identifying and defining development areas or zones.

4.9 Sewage-water-borne human or animal wastes, excluding oil or oil wastes, removed from residences, buildings, institutions, industrial and commercial establishments together with such groundwater, surface water and storm water as maybe present including such waste from vessels, offshore structures, other receptacles intended to receive or retain wastes, or other places or the combination thereof.

4.10 Waste — any material either solid, liquid, semisolid, contained gas or other forms resulting from industrial, commercial, mining or agricultural operations, or from community and household activities that is devoid of usage and discarded.

4.11 Wastewater — waste in liquid state containing pollutants.

RULE II DEVELOPMENTAL ACTIVITIES

SECTION 5. PRESCRIBED DEVELOPMENTAL ACTIVITIES REQUIRED TO SECURE LLDA CLEARANCE:

5.1 RESOURCE EXTRACTION INDUSTRY

- 5.1.1 Resource extractive industries or activities but not limited to mining, quarrying, dredging, water abstraction, logging, and treasure hunting;
- 5.1.2 Mining exploration activities involving geothermal and oil exploration except activities involving diamond drilling, trenching and test fitting.

5.2 AGRICULTURE INDUSTRY

- 5.2.1 Agro-industrial projects / livestock production including piggery, poultry and similar animal-raising farms (i.e. goat, cattle, crocodile, etc.) except the following:
 - 5.2.1.1 Animal farms with a population of less than One Hundred (100) heads or less than Ten (10) sow level where One (1) sow level is equivalent to Ten (10) pigs;
 - 5.2.1.2 Bird farms with a population of less than One Thousand (1,000) birds;
- 5.2.2 Abattoir/slaughterhouse with more than Ten (10) animals or One Hundred (100) birds slaughtered per day;
- 5.2.3 Fishpond and fish hatchery in earthen or concrete tanks and other related activities with a total area of One Thousand (1,000) square meters and above;
- 5.2.4 Agricultural production farms/facilities producing exotic species or for experimental purposes except integrated social forestry projects, flowers/ ornamental production, and landscaping activities;
- 5.2.5 Rice mill with multiple pass process and/or with a production capacity of One (1) ton per hour.

5.3. MANUFACTURING / INDUSTRY

- 5.3.1 All Industrial / manufacturing establishments, except the following:
 - 5.3.1.1 Industry with no dust/air emission and no generation of process waste-water.
 - 5.3.1.2 Industry with sewage generation of less than Twelve (12) cubic meters per day and/or less than Two Hundred Twelve (212) employees;
 - 5.3.1.3 Industry in which raw materials/products does