

[LLDA RESOLUTION NO. 23, S. 1996, September 26, 1996]

APPROVING THE RULES AND REGULATIONS IMPLEMENTING SECTION 41 (11) OF R.A. NO. 4850, AS AMENDED, DEFINING AND REGULATING THE USE/ OCCUPANCY OF LAGUNA DE BAY SHORELAND AREAS

WHEREAS, the lakeshore areas are those areas consisting of the strip of the lakebed along its shores alternately submerged or exposed by the annual rising and lowering of the lake water;

WHEREAS, the lakeshore areas, with a total area of approximately 14,000 hectares, have environmental/ ecological significance and actual potential economic benefits;

WHEREAS, other government agencies and local government units and other private entities have proposed development projects within the lakeshore areas which are at various planning stages;

WHEREAS, prior to the enactment of P.D. No. 813 in 1975 amending R.A. No. 4850, 51% of the lakeshore areas were either registered under the Torrens System and/ or have claimants/occupants who are at present using these lands mainly for agriculture and aquaculture purposes;

WHEREAS, under R.A, No. 4850 as amended, the LLDA is mandated to protect and conserve the water resources of Laguna de Bay for its various beneficial uses and this objective may be defeated if part of the lakebed is not properly managed and controlled;

NOW, THEREFORE, for and in consideration of above premises, be it RESOLVED, as it is hereby RESOLVED, to approve the Rules and Regulations Implementing Section 41 (11). of R.A. No. 4850, as amended, Defining and Regulating the Use/Occupancy of Laguna de Bay Shoreland Areas attached as Annex A;

RESOLVED, FURTHER, that a Lakeshore Development and Management Plan and its Implementing Rules and Regulations including the legal and administrative systems, as well as the fiscal measures for revenue generation from the temporary beneficial uses be formulated for the purpose of carrying out and effecting this declared policy;

RESOLVED, FINALLY, that the approved Rules and Regulations Implementing Section 41 (11) of R.A. No. 4850 as amended shall take effect fifteen (15) days after publication in a newspaper of general circulation.

Approved.

Adopted: 26 Sept. 1996

(SGD.) JOSE D. LINA, JR.
Vice-Chairman

(SGD.) ISAGANI B. VALDELLON
Director

(SGD) VICTOR R. SUMULONG
Director

(SGD) RICHARD ALBERT I. OSMOND
Director

(SGD.) MAXIMINO E. PASAY, JR.
Director

(SGD.) CARLOS C. TOMBOC
Director

ANNEX "A"

Rules and Regulations Implementing Section 41 (11) of R.A. 4850, as Amended

ARTICLE 1. *Title* — These Rules shall be known and cited as the Implementing Guidelines of Sec. 41 (11) of R A. 4850, as amended, Defining and Regulating the Use/ Occupancy of the Laguna de Bay Shoreland Areas.

ARTICLE 2. *Scope of Application* — These rules shall apply to the following:

- a) Existing tit-ed lands with elevation 12.50 meters and below including those titled under the Torrens System prior to the enactment of P D. No. 813 in 1975.
- b) All other areas below elevation 12.50 meters, as referred to a datum 10.00 meters below mean lower low water (M L.L.W).

ARTICLE 3. *Definition of Terms* — As used herein, the following words and phrases shall mean as hereunder indicated respectively opposite each:

a) *The Laguna de Bay Shoreland Area also known as the "buffer zone"*— is that part of the lake bed 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.

b) *Backyard scale* — refers to poultry stock with a population of less than 501 birds.

ARTICLE 4. *Purpose* — These Rules are promulgated to prescribe the guidelines and procedures for the implementation of Sec. 41 (11) of R A. 4850 as amended, defining and regulating the use/occupancy of Laguna de Bay Shoreland Areas in