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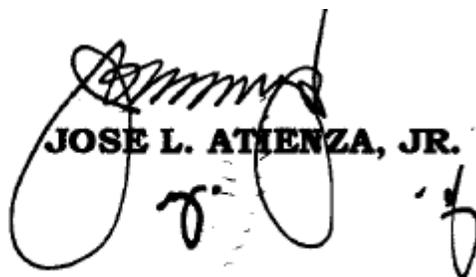
**SUBJECT : PROCEDURAL MANUAL FOR THE DESIGNATION OF WATER QUALITY MANAGEMENT AREAS**

Pursuant to Section 5 of the Philippine Clean Water Act of 2004 and Rule 5 of DENR Administrative Order No. 2005-10, the attached Procedural Manual for the Designation of Water Quality Management Areas (WQMA) is hereby adopted. The Procedural Manual is a useful reference for EMB Regional Offices, the Local Government Units (LGUs) and other stakeholders as it provides the technical requirements in the process of delineating and designating WQMA while imbuing a **highly** participatory approach.

All other memoranda, memorandum circulars and other issuances which are inconsistent with the provisions of this Manual are hereby amended accordingly.

This Memorandum Circular shall take effect immediately.



  
**JOSE L. ATIENZA, JR.**



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**PROCEDURAL MANUAL  
FOR THE  
DESIGNATION OF WATER QUALITY MANAGEMENT AREAS (WQMA)**

Environmental Management Bureau  
Department of Environment and Natural Resources

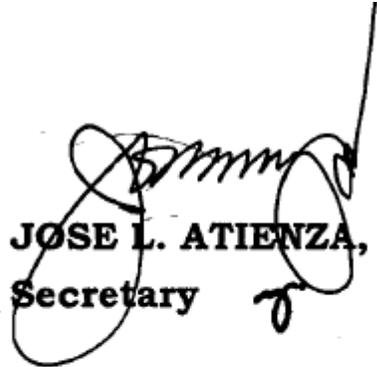
## FOREWORD

This technical manual describes the procedures and key issues in designating a Water Quality Management Area (WQMA) in consonance with the relevant provisions of the Implementing Rules and Regulations of the Philippine Clean Water Act of 2004 (Republic Act No. 9275).

The main purpose of this Manual is to assist the Regional Offices of the DENR and other concerned agencies or organizations in delineating and designating WQMA uniformly by gathering and evaluating relevant information, preparing a proposal for WQMA Designation, creating a Governing Board for the WQMA, while ensuring coordination with pertinent government agencies and facilitating participation of diverse stakeholders.

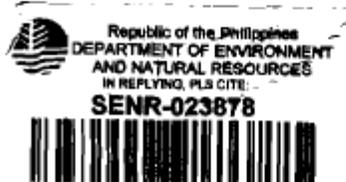
The Manual does not describe every situation that may occur, but serves as a road map to guide users to the information needed for better management decisions. There may be situations that require a variation of the typical procedures to suit local settings and specific needs of local stakeholders. The first part of the Manual presents its applicability with a set of conditions that constitute the fundamental requirements for a Water Quality Management Area. The second part is the step-by-step process for its formal designation by the DENR. The last part presents data and information requirements for designation as references to support the users.

The manual will be updated from time to time by the Environmental Management Bureau. Any suggestion from users on how to improve its content, format, or general usefulness is welcome.



**JOSE L. ATIENZA, JR.**

**Secretary**



## **ACKNOWLEDGMENT**

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The following actively shared in the development of this Manual: The Capacity Development Project on Water Quality Management (CDPWQM) Project Team composed of the EMB Director Julian D. Amador, EMB Assistant Director Jonas R. Leones, Mr. Renato T. Cruz, Engr. Marcelino N. Rivera, Jr., Engr. Nicanor E. Mendoza, Ms. Leza A. Acorda-Cuevas, Ms. Michico Venus A. Navaluna, Ms. Consolacion P. Crisostomo, Ms. Vilma T. Cabading, Engr. Nolan B. Francisco, Ms. Sonia R. Barlis, and the Water Quality Management Section (WQMS) Administrative Support Staff; the JICA Project Technical Assistance Team headed by Mr. Hitoshi Kin and the CEST Consultants, Inc. headed by Ms. Yolanda Mingoa.

Valuable inputs which enriched the content of the Manual were contributed by the following DENR-EMB Partners: Representatives from the DA, DILG, DOH, DPWH, LLDA, DOE, NIA, NWRB and other national government agencies; Representatives from the Local Government Units (LGUs), water districts, non-government organizations (NGOs), industry/business and the academe in Regions 3, 6, 12.

Support was likewise provided by staff from the EMB Regional Offices; Environmental Education and Information Division, Management Information System, Legal Division, and Research and Development Division of the EMB Central Office; and the DENR Policy Technical Working Group.

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## **Introduction**

The Philippine Clean Water Act of 2004 (CWA) declares the Policy in its  
Article

1 of Chapter 1 as follows:

*“The State shall pursue sustainable economic growth and development in a manner consistent with the protection, preservation and revival of fresh, brackish and marine waters” using the framework of sustainable development.*

To pursue said policy, the DENR is mandated to develop a holistic national

program of water quality management through the designation of Water Quality Management Areas (WQMA). With the designation of a WQMA, a Governing Board (GB) will be created to primarily serve as the planning, monitoring and coordinating body of the WQMA. The GB shall also review the

WQMA Action Plan prepared by the Department of Environment and Natural

Resources (DENR)/ Environmental Management Bureau (EMB) Regional Office (RO).

The designation of a WQMA enables the formulation of focused interventions

or actions that are designed to address specific water quality issues of the area

and thus ensures that the CWA is enforced and water quality is improved.

Therefore, the designation of a WQMA shall take into consideration water quality problem/s, sources of pollution, and the beneficial uses of the receiving water body, and shall determine what combination of control measures can effectively achieve water quality objectives or improvements.

The objectives of this Procedural Manual are to:

1. Provide the process through which a WQMA is delineated and designated. This fulfills Section 5 of the CWA and its Implementing Rules and Regulations (IRR) that states:

*“The Department, in coordination with the National Water Resources Board (NWRB) shall designate certain areas as water quality management areas using appropriate physiographic units such as watershed, river basins or water resources regions”;*

2. Provide useful information for use by the EMB RO, the Local Government Units (LGU) and other stakeholders that would ensure that the process of designation of WQMA is done uniformly;

3. Provide an important guide for the EMB Central Office to evaluate proposals for WQMA designation ; and

4. Explain the technical requirements and participatory approaches to direct the users in effectively initiating/implementing the designation of WQMA.

<b>TABLE OF CONTENTS</b>	<b>Page</b>
<b>Glossary</b>	
<b>1. APPLICABILITY AND REQUIREMENTS.....</b>	<b>1</b>
1.1 APPLICABILITY OF WQMA Designation to water body .....	1
1.2 REQUIREMENTS in Designation .....	1
<b>2. PROCESS OF DESIGNATION.....</b>	<b>2</b>
STEP 1. Gather Relevant Data/Information.....	3
STEP 2. Evaluate the Data and Information .....	5
STEP 3. Coordinate with the National Water Resources Board and other relevant government agencies .....	8
STEP 4. Prepare the Proposal for WQMA Designation.....	8
STEP 5. Convene Key Stakeholders .....	10
STEP 6. Conduct Public Consultations.....	10
STEP 7. Revise the WQMA proposal .....	11
STEP 8. Evaluate the Proposal by the EMB Central Office (CO) .....	12
STEP 9. Endorse and Recommend WQMA Designation and Composition of the GB.....	12
STEP 10. Designate WQMA by the DENR Secretary.....	12
STEP 11. Inform the LGU, NGA, Business, Civil Society/NGO, GOCC and Water Utility Sectors to Submit Nominations in the GB.....	12
STEP 12. Submit Names of GB Membership to the DENR .....	13
STEP 13. Re-designate WQMA .....	13
<b>3. REQUIRED DATA/INFORMATION.....</b>	<b>14</b>
3.1 GENERAL.....	14
3.2 TYPES OF REQUIRED DATA/INFORMATION AND SOURCES.....	14
<b>ANNEXES</b>	
<b>Annex 1: Provisions in the Philippine Clean Water Act of 2004 (Republic Act No. 9275) and its Implementing Rules and Regulations</b>	
<b>Annex 2: Procedure for Designation and Redesignation of WQMA</b>	
<b>Annex 3: Key Stakeholders identified in the CWA IRR</b>	
<b>Annex 4: Pro-forma letter</b>	
<b>Annex 5: Sample DAO on Designation of a WQMA</b>	

## **Glossary**

**Beneficial use** The use of the environment or any element or segment thereof conducive to public or private welfare, safety and health; and shall include, but not limited to the use of water for domestic, municipal, irrigation, power generation, fisheries, livestock raising, industrial, recreational and other purposes.

1 Use of water for domestic purposes – means the utilization of water for drinking, washing, bathing, cooking or other household needs, home gardens and watering of lawns or domestic animals;

2 Use of water for municipal purposes – means the utilization of water for supplying water requirements of the community;

3 Use of water for irrigation – means the utilization of water for producing agricultural crops;

4 Use of water for power generation – means the utilization of water for producing electrical or mechanical power;

5 Use of water for fisheries – means the utilization of water for the propagation or culture of fish as a commercial enterprise;

6 Use of water for livestock raising – means the utilization of water for large herd or flocks of animals raised as a commercial enterprise;

7 Use of water for industrial purposes – means the utilization of water in factories, industrial plants and mines, including the use of water as an ingredient of a finished product; and

8 Use of water for recreational purposes – means the utilization of water for swimming pools, bath houses, boating, water skiing, and other similar facilities in resorts and other places of recreation

**Bureau** The Environmental Management Bureau (EMB) of the Department of Environment and Natural Resources (DENR).

**Civil Society** Non-government organizations (NGOs) and people's organizations (POs).

**Classification/** The classification of all water bodies taking into account, Reclassification among others, the following: (1) existing quality of the body of Philippine Waters of water; (2) size, depth, surface area covered, volume, direction, rate of flow and gradient of stream; (3) most beneficial existing and future use of said

bodies of water and lands bordering them, such as for residential, agricultural, aqua-cultural, commercial, industrial, navigational, recreational, wildlife conservation and aesthetic purposes; and (4) vulnerability of surface and groundwater to contamination from pollutive and hazardous wastes, agricultural chemicals and underground storage tanks of petroleum products

DENR	Department of Environment and Natural Resources.
Environmental Management	The entire system which includes, but not limited to, conservation, regulation and minimization of pollution, cleaner production, waste management, environmental law and policy, environmental education and information, study and mitigation of the environmental impacts of human activity, and environmental research.
Environmental Management System	The part of the overall management system that includes organizational structure, planning activities, responsibilities, practices, procedures, processes and resources for developing, implementing, achieving, reviewing and maintaining the environmental policy.
Floodplain	Lowland areas adjoining lakes, wetlands, and rivers that are susceptible to inundation of water during a flood.
Freshwater	Water containing less than 500 ppm dissolved common salt, sodium chloride, such as that in groundwater, rivers, ponds and lakes.
Groundwater	Subsurface water that occurs beneath a water table in soils and rocks, or in geological formations.
Hydrograph	A description of flow versus time or a description of stage versus time.
Non-Attainment Area	A water body, or portions thereof, where specific pollutants from either natural or man-made source have already exceeded water quality guidelines. A single body of water or portions thereof may have acceptable levels of one criteria water pollutant but unacceptable levels of one or more other criteria water pollutants; thus NAA should always have a qualifying

	parameter (e.g., NAA-Copper, NAA-BOD, NAA-Coliform, NAA-Nitrate, NAA-Phosphate, etc.)
Non-point source	Any source of pollution not identifiable as point source to include, but not limited to, runoff from irrigation or rainwater which picks up pollutants from farms and urban areas.
Point source	Any identifiable source of pollution with specific point of discharge into a particular water body.
Pollutant	Any substance, whether solid, liquid, gaseous or radioactive, which directly or indirectly: <ul style="list-style-type: none"> <li>(i) alters the quality of any segment of the receiving water body so as to affect or tend to affect adversely any beneficial use thereof;</li> <li>(ii) is hazardous or potentially hazardous to health;</li> <li>(iii) imparts objectionable odor, temperature change, or physical, chemical or biological change to any segment of the water body; or</li> <li>(iv) is in excess of the allowable limits or concentrations or quality standards specified, or in contravention of the condition, limitation or restriction prescribed in the Philippine Clean Water Act of 2004.</li> </ul>
Public	The “public” referred to, who shall be consulted, are those who would be affected, directly or indirectly, by the establishment of a WQMA. These are the domestic, residential, institutional, commercial, agricultural, industrial users of water, who are currently, or potentially polluters of water bodies, but who are not a part of the identified key stakeholders.
Secretary	The Secretary of the DENR.
Stream	A generic term that may refer to a river or a creek.
Total pollution load	The summation of the pollution load from all point and non-point sources, including natural sources.
Tributary	A stream or river which flows into another river or body of water but which may not flow directly into the sea.

Watershed	A land area drained by a stream or fixed body of water and its tributaries having a common outlet for surface run-off.
Water body	Both natural and man-made bodies of fresh, brackish, and saline waters, and includes, but not limited to, aquifers, groundwater, springs, creeks, streams, rivers, ponds, lagoons, water reservoirs, lakes, bays, estuarine, coastal and offshore waters.
Water pollution	Any alteration of the physical, chemical or biological or radiological properties of a water body resulting in the impairment of its purity or quality.
Water quality	The characteristics of water which define its use in terms of physical, chemical, biological, bacteriological or radiological characteristics by which the acceptability of water is evaluated.
Water quality guidelines	The level for a water constituent or numerical values of physical, chemical, biological and bacteriological or radiological parameters which are used to classify water resources and their use, which does not result in significant health risk and which are not intended for direct enforcement but only for water quality management purposes, such as determining time trends, evaluating stages of deterioration or enhancement of the water quality, and as basis for taking positive action in preventing, controlling or abating water pollution.
WQMA Action Plan	WQMA Action Plan includes, but not be limited to, the following: (a) goals and targets including sewerage or septage program; (b) schedule of compliance to meet the applicable requirements of the Philippine Clean Water Act of 2004; (c) water pollution control strategies or techniques; (d) water quality information and education program; (e) resource requirement and possible sources; (f) enforcement procedures of the plan; and (g) rewards and incentives under Chapter 4 of the Philippine Clean Water Act of 2004.
WQMA	Certain areas using appropriate physiographic unit, such as watersheds, river basins or water resources regions. Such management areas shall have similar hydrological, hydrogeological, meteorological or

geographic conditions which affect the physico-chemical, biological and bacteriological reactions and diffusions of pollutants in the water bodies or otherwise share common interest or face similar development programs, prospects, or problems.

Water Quality  
Management

The interrelated interventions, actions, activities, projects/ programs, that will optimize the quality of water based on the respective beneficial uses or network of solving its water quality problems.

## **1. APPLICABILITY AND REQUIREMENTS**

### **1.1 APPLICABILITY OF WQMA DESIGNATION TO WATER BODY**

A WQMA will consist of surface waters, whether natural or man-made. Specifically, these refer to: i) streams (rivers and creeks); ii) lakes; and iii) marine waters. A WQMA will also cover the land that is within the hydrologic unit identified including residential, industrial, commercial, agricultural, tourism, forest and protected areas.

For now, this Manual of Procedure for the Designation of Water Quality Management Areas (WQMA) shall not cover groundwater. In addition, only the water bodies that have been classified by the Department based on its beneficial use will be included in considering WQMA designations.

### **1.2 REQUIREMENTS IN DESIGNATION**

The fundamental and essential condition in designating a WQMA is its common water quality problem(s).

There are four supporting conditions to delineate the WQMA. These are:

a) The WQMA shall utilize an appropriate physiographic unit such as a watershed, river basin, or water resource region. However, the use of the lowest appropriate level (such as the sub-basin or micro-watershed) is deemed more suitable from the standpoint of ecological, financial, organizational and institutional considerations.

b) The WQMA shall have similar hydrological, hydrogeological, meteorological or geographical conditions which affect the physicochemical, biological and bacteriological reactions and diffusions of pollutants in the water bodies.

c) The WQMA shall share a defined common interest such as, but not limited to, similar water quality-related development programs, prospects, or problems.

i) The proposed area has the prospect and potential of economic and social development and that improvement and/or preservation are requisite for growth and expansion.

ii) The proposed area has a high possibility of having water quality-related development programs that will improve or preserve the water body/ies.

iii) The major stakeholders, such as LGU, sectoral groups, civil society (non-government organizations and people's organizations), and national government agencies in the area,

are supportive of the designation and actively demonstrate this by passing a “resolution of support to the designation of a WQMA” addressed to the Department RO.

d) The water quality of specific water body/ies within the physiographic unit chosen may be or may extend over a non-attainment area (NAA) that needs immediate water quality management interventions to improve its water quality. In such case, the level of a specific pollutant in the said waterbody/ies is higher than the level allowed for its/their classification under the prescribed water quality guidelines. However, the presence of a NAA within a WQMA is not mandatory. The waterbody not having a NAA may also be chosen as a prospective WQMA when 1) there is a need to improve water quality and the management of the existing and potential pollution sources must be addressed through specific interventions or 2) water quality management interventions are needed to improve and/or preserve its condition.

Priority should be given to the areas where water quality has already exceeded the water quality guidelines to ensure that limited resources is efficiently used. The screening of a WQMA proposal, therefore, may be made according to the intensity of the pollution problems and its impacts on public health and on the regional economy.

## **2. PROCESS OF DESIGNATION**

There are two ways by which a WQMA may be initiated. The first way is through the DENR RO, as specified in Section 5 of the CWA, and Rule 5.1.1 of the IRR which states:

***“Initiating the process of designation.*** The Regional Office of the Department (through the EMB RO) shall initiate the process of designation by evaluating information using the criteria to be developed by the Department.”

The second way is proposing the designation of a WQMA from other sources or proponents aside from the DENR RO. Rule 5.1.1 states:

***“Initiating the process of designation.*** However, any concerned government agency, including local government units, Protected Area Management Boards, watershed councils, Fisheries and Aquatic Resources Management Councils, government corporations with relevant concerns, or civil society, may propose the designation of WQMA in their area to the Department

and submit the relevant information. The concerned agency or organization shall follow the general procedure for designation outlined herein and coordinate with the Department throughout the process of consultations and data gathering.”

The responsibilities of the WQMA proponent, other than the DENR RO/EMB RO are as follows:

- 1) Submit all information required to the DENR RO through the EMB RO which shall evaluate the proposal based on the criteria developed for the purpose. Should the information be inadequate, the proponent is tasked to coordinate with the DENR in gathering other needed information.
- 2) Coordinate with the DENR in carrying out consultations with key stakeholders and in conducting public consultations using the participatory process detailed in this Manual.

In any case, whether or not the process to designate a WQMA is by the DENR or other proponents, the designation process will undergo twelve (12) main steps for designation and an additional one step for re-designation, as shown in Figure 1, Procedure for Designation and Re-designation of WQMA. These steps establish a consistent way to designate and re-designate a WQMA while still maintaining the flexibility to accommodate the distinctiveness of each WQMA. The EMB RO shall be the lead agency for this activity.

### **STEP 1. Gather Relevant Data/Information**

The initiating process starts with gathering relevant data/information by the EMB RO that would be the basis of the WQMA designation. The data requirements have five main headings, as follows:

**1) Maps:** Maps with a scale of 1:50,000 are baseline data that provide an accurate description of the area. The maps required are topographic maps, political boundary maps, drainage maps (using the topographic map as the base), and land use maps. Maps that need updating to reflect the actual description/condition have to be ground-validated.

**2) Major Threats to Water Quality, Sources of Pollution and Other Related Data:** Key water quality problems or concerns are identified and the sources of pollution established. Information associated with water quality problems/issues such as public health and public use (drinking water supply, fishery production, tourism or recreation, etc.) must be documented. Other important datasets to ascertain problems are water quality monitoring data from EMB, self monitoring reports (SMRs) of industries, academe and other organizations. These datasets

will be evaluated against the Department's water quality guidelines for which the water body is classified.

The minimum requirements of water quality monitoring are defined according to the purpose of monitoring as follows:

- For Classification, Quarterly monitoring with a minimum of three (3) sampling sites per water body for a period of one (1) year for Primary parameters;
- For Reclassification, ten (10)-monthly sampling within a period of one year for three (3) consecutive years for Primary parameters and Quarterly sampling for three (3) consecutive years for Secondary Parameters;
- For Designation of NAA, ten (10)-monthly sampling in a period of one (1) year within the last two (2) years or quarterly sampling within the last two years.

For more details of the minimum requirement, refer to the Volume I of the Water Quality Monitoring Manual (Ambient Water Quality Monitoring).

Other water related data may include, as reference, the hydrological (water level, flow rate, runoff), hydrogeological (groundwater table depth, groundwater flow direction and velocity, extraction rate), meteorological or weather-related information (rainfall), or geographical (topography, slope, geologic structures) conditions. A consideration shall be exerted to judge whether these are affected by reactions and diffusions of pollutants. This will quantify, where possible, the existing water quality condition.

**3) Common Interest:** The justification for designating a WQMA comes with the definition and identification of a common interest such as water quality-related development programs and prospects in the areas to be covered by the proposed WQMA. This will include technical and capability enhancement as well as institutional and financial support mechanisms.

In addition, the presence of existing management areas – National Integrated Protected Areas (NIPAs), Protected Areas Management Board (PAMB), Fisheries and Aquatic Resources Management Councils (FARMCs), forest management areas (FMAs), marine protected areas (MPAs), and watershed management councils – is another point of converging interest. These management areas have similar aims and would, therefore, provide interdependent support to the WQMA. However, should the proposed WQMA overlap with the existing

management areas, prior written information from the RO must be given to such management areas.

In case a proposed WQMA overlaps with existing management areas, the Department shall coordinate and enter into agreements with the concerned agencies or entities in the furtherance of the objectives of the Philippine Clean Water Act of 2004.

**4) Stakeholders' Support:** This is a demonstrated support by at least two groups of key stakeholders toward the designation of the WQMA, as follows:

a) The LGU under the proposed WQMA can come up with separate resolutions of support, or one joint resolution; and

b) In addition, resolutions of support for WQMA designation from any (or all) of the following sectors: civil society, business, academe, and/or the water utility sectors.

**5) Socio-economic Data:** These data requirements are needed to provide a more holistic view of the area to be covered by the proposed WQMA.

a) Census and socio-economic data of the LGU in the proposed WQMA will be used to determine population and economic development growth trends; and b) Data on existing infrastructure and utilities such as drainage, water supply, sanitation and sewerage facilities for baseline information on structures and facilities.

## **STEP 2. Evaluate the Data and Information**

The data and information gathered must be evaluated against a set of criteria to ensure that the data is adequate to designate a WQMA. The first is the Criteria for Boundary Setting which shall enable the RO to take deliberate steps, from determining which water bodies in the proposed WQMA need rehabilitation or protection up to delineating the actual physical boundaries of the WQMA. There are also other important factors, as stated in Rule 5.1.2, of the CWA IRR, that need to be considered such as practical manageable size, integrated development or management plans, inter-LGU working relationships, and the presence of similar management areas or bodies.

### **1) Criteria/Conditions in Setting WQMA Boundaries**

a) The EMB-RO shall determine body/ies of water within the proposed WQMA that may need to be rehabilitated or protected. These are:

- Areas with a body of water whose water quality does not meet the guidelines of its classification or meets the guidelines but calls for

intervention for protection or improvement.

- Areas with a body of water whose water quality may not meet the guidelines of an impending water reclassification.

- Areas with a body of water which is anticipated to have declining water quality in the foreseeable future as a result of changes in land use, increased activity in domestic, commercial, industrial, and/or agricultural activities, etc.

b) The most affected body/ies of water shall be established.

- Compare water quality monitoring data with DENR's water quality guidelines.

- Determine which monitoring stations have water quality exceeding the water quality guidelines or will likely exceed the guidelines due to the reclassification of water and/or expected changes in land use.

- The monitoring data that will be used should not be more than two years old.

- A minimum quarterly monitoring for a continuous period of 12 months shall be considered.

- Only DENR-approved methods of sampling and analysis shall be considered.

- In the event that there are no monitoring data that pass the abovementioned criteria, a new water quality monitoring program should first be set up.

- Determine the most probable sources of pollution.

- Whenever possible, determine the extent of contamination through pollution load calculation, modeling and/or simulations.

c) Plot the physical boundaries of the WQMA.

- The area should be within the same hydrologic unit (i.e. watershed, sub-basin, river basin).

- This area shall cover all streams especially those that contribute to the pollution load.

- This area shall cover the land areas where pollution is proven to originate.

- This area may be made to include all adjacent lands within the

hydrologic unit that will need management to protect and preserve water quality.

- The proposed WQMA should be plotted in a 1:50,000 scale topographic map of NAMRIA or any current map verified by NAMRIA in terms of standards, coordinates, technical descriptions, and others.

## **2) Other Important Factors to be considered**

a) Practical manageable size: This refers to strategies aimed at limiting the physical size of the WQMA proposed to be covered by one WQMA designation. As such, the DENR/EMB shall consider the following:

- Tributary areas of the surface water body or river basin areas;
- Existing LGU (province, cities and municipalities) that directly drain its surface/drainage run-off;
- A single river basin/sub-watershed in an island ecosystem can be applied for with its boundaries set based on its hydrologic boundary.

Having a practical manageable size for the WQMA is important as it will mean greater focus, more flexibility, and better coordination of programs within the WQMA Governing Board. In this way, the overriding vision of having improved water quality in the WQMA for sustained economic growth and development will be realized sooner.

b) Integrated development or management plans: This refers to the presence of developmental activities, efforts, projects or programs such as CLUP, Ancestral Domain Management Plan, infrastructure, urbanization, industrialization, commercialization, mining and other related developments within nearby localities, cities, municipalities, or provinces in the proposed WQMA that are supportive of or are similar to what the WQMA wants to achieve. Integration of development or management plans is important as this will result to a smoother implementation of plans and synergy.

c) Inter-LGU working relationships: This refers to the presence of good and/or friendly working relationships among and between LGU covered by the proposed WQMA as evidenced by official memoranda of agreements between or among the LGU and/or similar ordinances enacted to protect the environment, prevent, or reduce pollution, minimize all types of wastes and implementing environmental programs primarily for the interest of their respective constituents as well as concerns to public health. Possible areas in which LGU could establish working relationships may include, but are not limited to, waste management, treatment or disposal of wastewater, river rehabilitation and other related activities or programs. It is a recognized fact that LGU heads or their representatives will form part of the WQMA Governing Board. If working relationships between and among these LGU are formalized, the WQMA can then focus on achieving objectives with better success.

d) Similar management areas or bodies: This refers to the presence of other management organizations in the area having similar aims. The proposed WQMA should look for points of complementation with other management organizations that have been established in the area earlier than the WQMA. It should establish and institutionalize such system of closer coordination among all management bodies through inter-agency committee memberships and plans' synchronization, among others.

**STEP 3. Coordinate with the National Water Resources Board and other relevant government agencies**

In designating a WQMA, the Department will coordinate with the National Water Resources Board (NWRB). The coordination, however, shall not be limited to NWRB's providing the data required for designation such as boundaries of watersheds, runoff rate, water level, river discharge, water usage per sector, and data on existing infrastructure and utilities.

Likewise, data and information available in the regional and field offices (i.e. NIA, DPWH, LGU and the Department) should be utilized to supplement the data from NWRB.

**STEP 4. Prepare the Proposal for WQMA Designation**

Based on the preceding steps, a proposal for WQMA Designation has to be prepared demonstrating its rationale and background and presenting its geographical extent.

At this stage, coordination with the prospective members of the Governing Board (GB) shall be initiated to nominate representatives. As for LGU that are within the prospective WQMA boundary, they must be informed by the DENR RO (which has responsibility of initiating the process of WQMA designation) of the need to appoint a permanent and alternate member to the WQMA GB. These LGU shall be limited to provincial and municipal/city LGU only. The representative of the LGU to the GB may be any one of the following:

- a. The LGU head (governor or mayor), in which case he/she shall serve for the duration of his/her term of office as an elected official;
- b. An elected official appointed by the LGU, in which case he/she shall serve for the duration of his/her term of office as an elected official;
- c. A non-elected official appointed by the LGU, in which case he/she may serve for as long as he/she is authorized by the LGU.
- d. The LGU shall designate the same representative for all the management areas where it is a member.

On National Agencies, the RO of the Department shall inform and coordinate with the relevant national agencies to appoint a permanent and alternate member to represent it in the GB.

a. National agencies shall designate the same representatives to contiguous WQMA to ensure consistency and complementation of policies and activities.

b. The members representing the NGA shall serve permanently unless replaced by their appointing authority.

For Non-Governmental sectors, Section 5 of the CWA specifically mentions three broad sectors that must be represented in the GB. These same sectors, which are reiterated in Rule 5.3.2 of the IRR, are: (1) civil society (duly registered non-governmental organization); (2) the water utility sector; and (3) the business sector.

The RO of the Department shall inform and coordinate with the three sectors to start the process of selecting one representative each through sectoral assemblies. These sectors, therefore, shall request each of its sub-sectors, known to have an interest in the WQMA, to send its nominated representative to the sectoral assembly, which shall be organized mainly to select the particular sector's representative in the GB.

a. The selection of the sectoral representative shall be either by majority vote, or through consensus of the sector membership.

b. The civil society/NGO representative must be with:

- An NGO that is currently accredited by any of the LGU where the WQMA is proposed to be designated;

- An NGO has a track record of projects on water and the environment;

- An NGO has an existing office in the area where the WQMA is proposed to be designated.

c. The business sector representative must, likewise, be with:

- Any organization or association of business enterprises that belong to one industry. Examples: a canning or bottlers association, a subdivision owners association; or

- Any organization, confederation, or association which represents the different sectors of an industry. Example: a local chamber of commerce.

d. The civil society/NGO and the business representatives shall serve in the GB for a maximum of three years, unless re-nominated. If said representative becomes incapacitated or resigns, the sector or sub-sector represented shall nominate a new representative who shall serve a full term.

e. The water utility representative/s must be with:

- Water districts operating within the proposed WQMA including MWSS; or

- Privately-owned water service providers with approved water concessions with any LGU or other water service provider within the the proposed WQMA.

f. The water utility representative shall serve for so long as they are authorized by the agency.

The appointment of representatives and alternates shall be made formally in writing and submitted to EMB.

## **STEP 5. Convene Key Stakeholders**

### **1) Identification of Key Stakeholders**

The key stakeholders of the proposed WQMA must be identified by EMB-RO. Key stakeholders need to be notified in writing within a period of thirty (30) days by EMB-RO, and confirmation shall be made by the stakeholders within seven (7) days.

In identifying key stakeholders, EMB-RO shall refer to Rule 5.1.5 of DENR AO 2005-10 as presented in Annex 3. In case the initiating party for the proposed WQMA is not the RO, it is still the task of the RO to identify and inform all key stakeholders of the proposal to establish/designate a WQMA. Refer to Annex 4 for the pro-forma letter of notifying for the stakeholders' meeting.

### **2) Conduct of Key Stakeholders' Meeting**

Identified, informed and confirmed key stakeholders shall be convened by the EMB-RO in formal meetings.

The meeting will focus on the following:

1. The CWA and WQMA concept;
2. The proposal regarding the designation of a WQMA;
3. The membership to the governing board, in consonance with the provisions of Section 5 of the CWA and Rule 5.3 of the IRR; and
4. The holding of public consultation

## **STEP 6. Conduct Public Consultations**

As agreed during the key stakeholders' meeting, a public consultation shall be conducted in accordance with Rule 5.1.6 of the IRR of CWA.

Public consultations shall provide an opportunity to inform, educate and communicate with an identified public focusing on the following three (3) basic objectives:

1. To present basic information on the proposal to designate a WQMA in the area.

2. To initiate the education process on the need for water quality management, the benefits to be derived from WQMA formation, thus

serving as a jumping board for understanding the WQMA concept.

3. To provide a venue where two-way communication can flow – that is, the DENR giving its message/s and the participants conveying issues and concerns for discussion and/or resolution.

Public Consultations will be convened generally in the following manner. Identification of the Public. The public must be identified in the context of the proposed WQMA.

Information Dissemination Activities. The EMB-RO is tasked to disseminate information regarding the proposed WQMA with emphasis on the purpose and objectives of the WQMA and the activities to be undertaken thereof.

Well-planned and properly disseminated information is the first principle of participation. Information on the what, the why and the how for WQMA designation should be disseminated using the print, broadcast and electronic media in order to comply with “due notice” as provided for in the CWA prior to the conduct of actual public consultations.

The proposed WQMA shall be published once in a local newspaper of general circulation within the proposed WQMA to inform the concerned stakeholders and encourage stakeholder participation.

After information dissemination activities, the DENR RO will start the actual formal public consultations. If the proposed WQMA covers more than one province, only one public consultation can be conducted for all contiguous municipalities under one province.

Invitations or notices to the general public must contain: a) the place or venue of the public consultation; b) the date and time; c) the program or agenda; d) the organizers and speakers.

#### **STEP 7. Revise the WQMA proposal**

Incorporate relevant issues and concerns which were raised during the consultation. The revised proposal shall be submitted by the EMB-RO to the EMB Central Office, particularly to the WQM section with the pertinent documents.

At this stage, a DENR Administrative Order for designating the WQMA shall be drafted, which shall include 1) Objectives, 2) Basic Policies, 3) Coverage, presenting geographical coordinates and relevant provinces, cities/municipalities and baranagays, 4) Creation of the Governing Board, presenting governing board members, 5) functions of the Governing Board, 6) Governing Rules, 7) Meetings, 8) Technical Working Group and Technical Secretariat, 9) Multi-sectoral Groups, 10) Management of the Area Water Quality Management Fund, 11) Revisions/Review of the Coverage of the WQMA and Representation in the Board, 12) Effectivity.

DENR Administrative Order No. 07 (Series of 2008) on Designation of the Marilao-Meycauayan-Obando River System Water Quality Management Area and Creation of its Governing Board is attached as a sample.

**STEP 8. Evaluate the Proposal by the EMB Central Office (CO)**

The proposal to designate a WQMA must pass an evaluation by the EMB CO, in particular, its Water Quality Management Section. If found to have fully complied with the law, then the proposal will be forwarded to the Office of the Secretary with the recommendation for WQMA designation based on having met the prerequisites for designation such as the completion of all data requirements and the conduct of key stakeholders and public consultations.

However, if the proposal is found to have not fully complied with the requirements, then it shall be returned back, with notations, to the EMB RO.

**STEP 9. Endorse and Recommend WQMA Designation and Composition of the GB**

Upon the completion of the evaluation of the Proposal, the EMB CO endorses the WQMA designation and recommends the draft DAO on the WQMA designation and Creation of its Governing Board.

All final documents regarding the WQMA designation and composition of the GB are addressed to the Department Secretary, and shall emanate only from the Director, EMB CO. This ensures that each proposal has passed strict evaluation for its compliance with all the requirements found in the CWA.

**STEP 10. Designate WQMA by the DENR Secretary**

Rule 5.1.7 of the CWA IRR states that the designation of the WQMA is made by the DENR Secretary upon the recommendation of the EMB. The designation, therefore, shall take the form of a Department Administrative Order (DAO).

**STEP 11. Inform the LGU, NGA, Business, Civil Society/NGO, GOCC and Water Utility Sectors to Submit Nominations in the GB**

The DENR RO through the EMB shall inform all relevant stakeholders, particularly those constituting the WQMA GB, of the designation of WQMA by the DENR Secretary. Each member organization of the WQMA GB shall formally nominate the representatives in line with the description in Step 4.

For LGU, one important criterion of the LGU representative to the GB is the ability to make firm commitments on behalf of the LGU. Therefore, the appropriate level in the decision-making hierarchy must be considered by the LGU appointing authority in assigning a representative. In case the LGU belongs to more than one WQMA, the name of the LGU representative plus an alternate will be forwarded to the RO not later than six months from the formal approval/designation of the WQMA by the DENR Secretary.

As for National Agencies, the name of the NGA representative plus an alternate will be forwarded to the RO not later than six months from the formal approval/designation of the WQMA by the Department Secretary. On Non-governmental sector, 1) The name of the sectoral representative for the NGO/civil society sector, the business sector, and the water utility sector shall be submitted to the RO not later than six months after the formal approval/designation of the WQMA by the DENR Secretary. In cases where one sector requests for more than one member to the GB, this must be approved by the DENR Secretary. The sector must cite strong justifications to support such a request.

#### **STEP 12. Submit Names of GB Membership to the DENR**

The names of the permanent and alternate members of the GB shall be submitted to the Secretary of the DENR for confirmation.

#### **STEP 13. Re-designate WQMA**

The re-designation of a WQMA can be undertaken as stated in Rule 5.1.7: “Thereafter, these initial WQMA may be subject to review and consultations for re-adjustment of boundaries and representation in the Governing Board, if necessary.”

Section 5.2 of the CWA is the basic provision for re-designation of the WQMA:

“Re-designation of WQMA. When necessary, and only after undertaking necessary studies and conducting consultations with relevant local government authorities and other concerned stakeholders, the Secretary of the Department, upon recommendation of the Bureau, shall revise the designation of WQMA, re-adjust its boundaries or reconstitute its membership for adequate representation.”

Thus, a WQMA can be re-designated only if one or more of the following conditions are present:

- 1) When studies of land use show additional development that would need re-adjustment in WQMA boundaries;
- 2) When new water quality data becomes available that would warrant the change in WQMA boundaries;

- 3) When re-classification of waters is made;
- 4) When LGU stakeholders demand removal or inclusion in the WQMA;
- 5) Upon the approved request of stakeholders to reconstitute membership in the GB for adequate representation.

In all cases, consultations with the relevant local government authorities should be made, as a prerequisite to final recommendation for re-designation by the EMB to the DENR Secretary, as stated in Section 5.2 of the CWA. In this connection, the RO will conduct at least one consultation meeting with the LGU concerned and get their consensus with regards to the re-designation, re-adjustment of the WQMA boundaries or reconstitution of its membership to the governing board.

### 3. REQUIRED DATA/INFORMATION

#### 3.1 GENERAL

Designation requests may be initiated by either the RO itself or any concerned government agency or civil society. The applicant will be responsible for completing the proposal application and providing the justification for the designation. All information requested in this Manual must be made available for the review of the proposal. The information will support the analysis and decision-making processes.

#### 3.2 TYPES OF REQUIRED DATA/INFORMATION AND SOURCES

The following data/information will be necessary to validate the designation of a WQMA. This set of data can also be used in the delineation of NAA.

TYPE OF DATA	DATA	SOURCE OF DATA
Maps	Topographic Map, Drainage Map	NAMRIA, NWRB, Google Earth
	LGU Covered	Political Boundary Maps
	Land Use Maps	LGU
	<ul style="list-style-type: none"> <li>▪ Present</li> <li>▪ Planned</li> </ul>	
	Highly Mineralized Area	MGB
Major Threats to Water, Sources of Pollution and Other Related Data	Water Quality Problems/Concerns	Stakeholders
	Water Quality Monitoring Data	EMB, SMR, Academe, NGO
	Pollution Sources Data <ul style="list-style-type: none"> <li>▪ Location</li> <li>▪ Load and Type</li> </ul>	EMB, SMR, NGOs

TYPE OF DATA	DATA	SOURCE OF DATA
	Runoff Rate, Water Level, River Discharge Data	NWRB, Bureau of Research and Standards (DPWH), MMDA, NIA
	Water Usage per Sector Data	NWRB, LWUA, Water Utilities (Water Districts and Water Service Providers), NIA, DA, MWSS/Concessionaires, DOE/NPC
	DENR Classification of Water Bodies	DENR
	Weather-related Information • Rainfall	PAGASA
	Soil Map	BSTM
Other Data	Census and Socio-economic Data including Indigenous Peoples (IPs)	NSO, LGU
	Existing infrastructure and Utilities • Drainage • Sanitation and Sewerage • Agricultural canals • Dams	LGU, NWRB, DOH, DPWH, DA, NIA LWUA, Water Utilities (Water Districts, BWSA, RWSA, MWSS/Concessionaires NIA, DA NPC, DPWH, NIA, WD
	Listing of Industries Mining Activities	DTI, LGU MGE
Common Interest	Water Quality-related Development Programs	DENR, LGU
	Existing Management Areas • NIPAS • FMA • MPA • FARMC and Watershed Council	DENR, DA, LGU
Stakeholder Support	Stakeholder Resolutions	LGUs, Civil Society

## **ANNEXES**

***ANNEX 1: PROVISIONS IN THE PHILIPPINE CLEAN WATER ACT OF 2004 (REPUBLIC ACT NO. 9275) AND ITS IMPLEMENTING RULES AND REGULATIONS***

***ANNEX 2: PROCEDURE FOR DESIGNATION AND REDESIGNATION OF WQMA***

***ANNEX 3: KEY STAKEHOLDERS IDENTIFIED IN THE CWA IRR***

***ANNEX 4: PRO-FORMA LETTER***

***ANNEX 5: SAMPLE DAO ON DESIGNATION OF A WQMA***

**ANNEX 1**  
**PROVISIONS IN THE PHILIPPINE CLEAN WATER ACT OF 2004**  
**(REPUBLIC**  
**ACT NO. 9275) AND ITS IMPLEMENTING RULES AND REGULATIONS**

**SEC Provision**

**5 Water Quality Management Area.** - The Department, in coordination with National Water Resources Board (NWRB), shall designate certain areas as water quality management areas using appropriate physiographic units such as watershed, river basins or water resources regions. Said management areas shall have similar hydrological, hydrogeological, meteorological or geographic conditions which affect the physicochemical, biological and bacteriological reactions and diffusions of pollutants in the water bodies, or otherwise share common interest or face similar development programs, prospects, or problems.

Said management area shall be governed by a governing board composed of representatives of mayors and governors of member LGUs, and representatives of relevant national government agencies, duly registered nongovernmental organization, water utility sector, and business sector. The Department representative shall chair the governing board. In the case of the LGUs with memberships on more than one (1) management board, the LGU shall designate only one (1) single representative for all the management areas where it is a member.

The governing board shall formulate strategies to coordinate policies necessary for the effective implementation of this Act in accordance with those established in the framework and monitor the compliance with the action plan. Each management area shall create a multi-sectoral group to establish and effect water quality surveillance and monitoring network including sampling schedules and other similar activities. The group shall submit its report and recommendation to the chairman of the governing board.

A technical secretariat for each management area is hereby created which shall be part of the Department and shall provide technical support to the governing board. They shall be composed of at least four (4) members who shall have the following minimum qualifications:

- a) One (1) member shall be a member of the Philippine Bar;
- b) One (1) member shall be a Chemical Engineer, Chemist, Sanitary Engineer, Environmental Engineer or Ecologist or have significant training and experience in chemistry;
- c) One (1) member shall be a Civil Engineer or Hydrologist or have significant training and experience in closely related fields and mainly experience on ground water, respectively; and
- d) One (1) member shall be a Geologist or Biologist or have significant training and experience in closely related fields.

The areas within the jurisdiction of the Laguna Lake Development Authority (LLDA) shall be designated as one management area under the administration of LLDA in accordance with R.A. No. 4850, as amended: Provided, however, that the standards promulgated pursuant to this Act and wastewater charge system established pursuant hereof shall be enforced in said area.

**5. Designation and Management of Water Quality Management**

## **Areas (WQMA)**

### **5.1 Procedure for designation of WQMA;**

**5.1.1 Initiating the process of designation.** The Regional Offices of the Department shall initiate the process of designation by evaluating information using the criteria to be developed by the Department. However, any concerned government agency, including local government units, Protected Area Management Boards, watershed councils, Fisheries and Aquatic Resources Management Councils, government corporations with relevant concerns, or civil society, may propose the designation of a WQMA in their area to the Department and submit the relevant information. The concerned agency or organization shall follow the general procedure for designation outlined herein and coordinate with the Department throughout the process of consultations and data gathering.

**5.1.2 Other considerations for designation.** The Department shall also consider practical manageable size, integrated development or management plans, inter-LGU working relationships and existence of similar management areas or bodies in the designation of the WQMA.

**5.1.3 Requirements for the proposal.** The proposal for WQMA designation shall include a map of the area, technical description/justification, and management rationale including major threats to water quality.

**5.1.4 Role of NWRB.** The NWRB shall provide relevant technical data necessary for determining the appropriate boundaries of the WQMA. The NWRB shall work closely with the Department in the determination of such boundaries.

**5.1.5 Convening of key stakeholders.** The Regional Office of DENR shall inform and consult the Regional Development Council, LGUs, NGOs, water utilities and business sectors as well as Protected Areas Management Boards, watershed councils, Fisheries And Aquatic Resources Management Councils or government corporations with relevant concerns, where appropriate and relevant to a proposed WQMA, before the formal designation of the WQMA.

**5.1.6 Public Consultations.** The Department shall disseminate the proposal for WQMA designation in the proposed area and conduct public consultations after due notice. Consultations shall also cover areas contiguous to the proposed WQMA.

**5.1.7 Designation by the Secretary.** The designation of the WQMA shall be made by the Secretary upon recommendation of the Bureau, based on the proposal, technical studies and consultations. In the first year of implementation, the Secretary may designate WQMAs based on previously identified priority areas. Thereafter, these initial WQMAs may be subject to review and consultations for re-adjustment of boundaries and representation in the governing board, if necessary.

**5.2 Re-designation of WQMA.** When necessary, and only after undertaking necessary studies and conducting consultations with relevant local government authorities, the Secretary of the Department, upon recommendation of the Bureau, shall revise the designation of WQMA, re-adjust its boundaries or reconstitute its membership for adequate representation.

**5.3 Membership in the Governing Board.**

**5.3.1 Appointment of Representatives.** National agencies and local government units shall appoint their permanent and alternate members to the Board. The representative shall be able to make commitments. In case a local government unit belongs to more than one WQMA, the LGU shall designate the same representative for all the management areas where it is a member. National agencies shall likewise designate the same representatives to contiguous WQMAs to ensure consistency and complementation of policies and activities.

**5.3.2 Non-government Members.** Within six (6) months from the designation of a particular WQMA, representative(s) from civil society, water utility and private business sectors in the WQMA or with recognized interests in the area shall be chosen from among themselves through sectoral assemblies convened for the purpose. Such assemblies shall be open to all accredited civil society or private business organizations in the proposed area. The Secretary may provide for several members from each non-government sector to ensure that significant sub-sectors are represented, depending on the size of the WQMA and complexity of the problems or issues faced. Each sub-sector shall choose their representative.

**5.3.3 Terms of Membership.** Members representing national government agencies shall serve permanently unless replaced by their appointing authority. Elected officials of local government units shall serve for such time as may be permitted by their terms of office, while their representatives shall serve for as long as they are authorized by the local government unit. Non-government members shall serve for a maximum of three (3) years, unless re-nominated. The representatives of the water utility sector shall serve for as long as they are authorized by the agency. When a representative from the civil society or business sector is incapacitated or resigns, the sector or sub-sector represented shall nominate a new representative who shall serve a full term.

**5.3.4 Compensation and expenses.** Members shall serve without compensation, except for actual and necessary expenses (i.e. travel) incurred in the performance of their duty, which shall be charged to the operational budget of the WQMA.

**5.3.5 Chair of the Governing Board.** The Secretary shall designate the Deputy representative as Chair of the Governing Board. However, the governing boards may choose a co-chair or alternate chair from among the member local chief executives to preside over regular meetings.

**5.3.6 Meetings.** The Governing Board shall meet quarterly or more often, as provided in the Governing Rules.

**5.4 Functions of the Board.** Each Governing Board shall perform the following functions within its jurisdiction:

5.4.1

5.4.2

Prepare and publish on a regular basis a Water Quality Status Report for the WQMA and submit a copy to the Department for consolidation into the National Water Quality Status Report;

5.4.3 Formulate strategies to coordinate policies/regulations/local legislation necessary for the effective implementation of this Act in accordance with those established in the Framework;

5.4.4 Review the initial WQMA Action Plan prepared by the Department and draft a common and integrated compliance plan. Thereafter, prepare a draft Action Plan for succeeding periods for submission to the Department;

5.4.5 Monitor and facilitate the compliance of local governments with the WQMA Action Plan;

5.4.6 Coordinate relevant activities among its members and member agencies and facilitate resolution of conflicts; and

5.4.7 Undertake complementary interventions for non-point sources, considering their greater contribution to pollution.

5.5 **Governing Rules.** Governing Rules shall be issued by the individual Governing Boards. These governing rules shall be submitted to the Department, through the Regional Office, for comment to advise the Governing Board of possible conflict in policies and laws of national application.

5.6 **Technical Working Groups.** Technical working groups may be formed by the Governing Board to ensure broad-based participation in the work of the Governing Board. The Board shall identify the members of the TWG.

5.7 **Multi-sectoral group.** The Governing Rules shall provide for the creation and operation of a multi-sectoral group for water quality monitoring and surveillance. The Board shall ensure that the operations of the group do not unnecessarily duplicate the regular monitoring functions of government agencies and local governments. Inspections conducted by the multi-sectoral group shall be duly authorized by the chairman or co-chairman. Members of the inspection team must be adequately trained and formally deputized.

5.8 **Technical Secretariat.** The technical secretariat of the WQMA shall be based in the Regional Office of the Department. The Department may designate the same qualified personnel to serve in the secretariat of contiguous WQMA's.

5.9 **Funding for Activities.** An amount of not more than ten percent (10%) of the total amount accruing to the Area Water Quality Management Fund annually shall be allocated for the operational expenses of the governing board, its secretariat and multi-sectoral water quality surveillance and monitoring network.

5.10 **LLDA as WQMA.** The LLDA governing board shall consist of the members of the LLDA board of directors and representatives from the sectors provided in Sec. 5 of the CWA. The jurisdiction, powers and functions of the governing board of the LLDA-WQMA shall be limited by the CWA, without prejudice to the powers and functions of the board of directors under R.A. 4850, as amended.

ANNEX 2

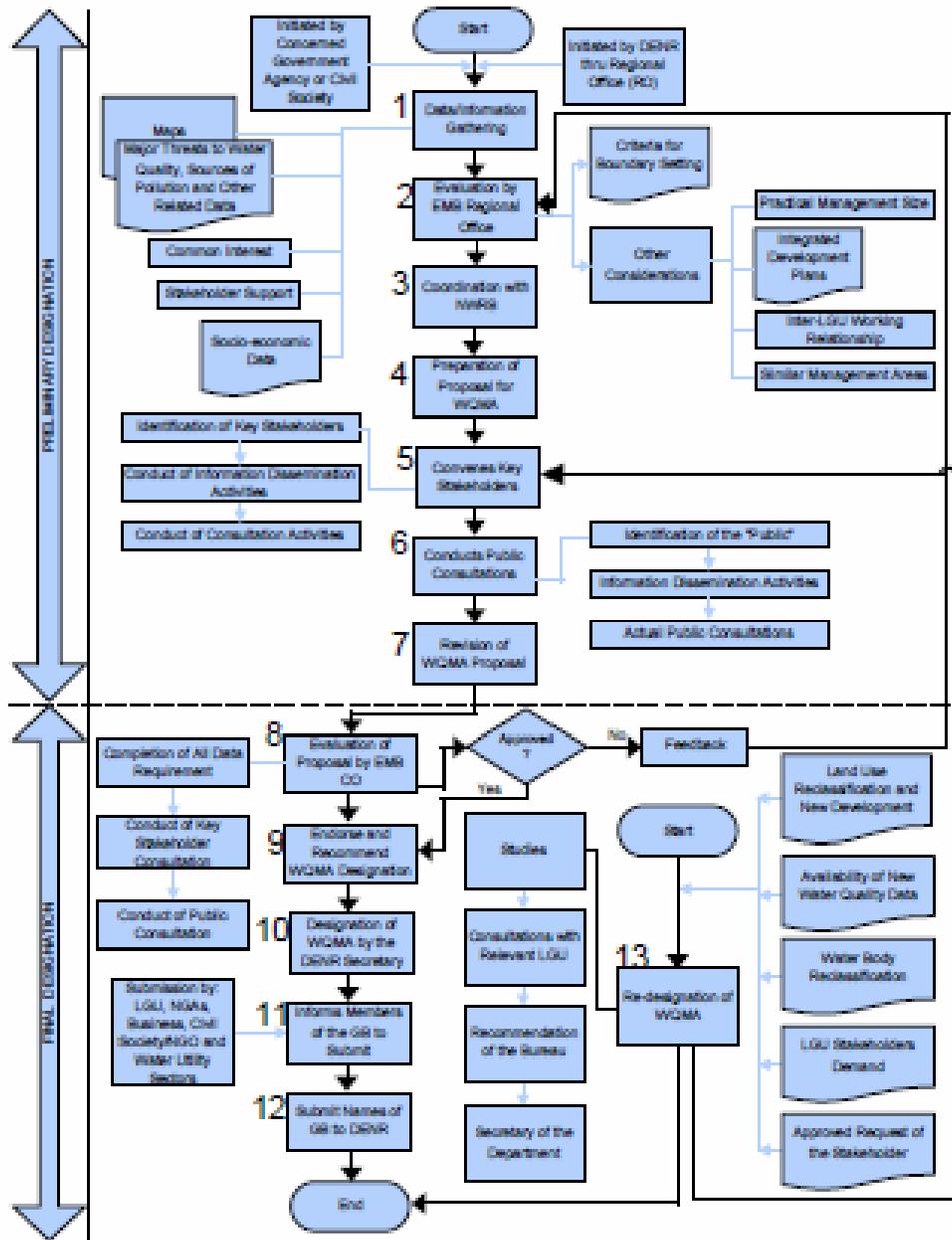


Figure 1 Procedure for Designation and Redesignation of WQMA

### **ANNEX 3 Key Stakeholders identified in the CWA IRR**

Rule 5.1.5 (IRR) has identified some of the key stakeholders (organizations/offices/agencies/units) for the purpose of designating a WQMA.

These are:

- a. The Regional Development Council;
- b. The Local Government Units (LGU): The LGU shall mean the provinces, municipalities and cities that would be covered by the proposed WQMA designation;
- c. The Non-Government Organizations (NGO): To be considered a key NGO stakeholder, the NGO must possess the following criteria:
  - The NGO is currently accredited by any of the LGU where the WQMA is proposed to be designated;
  - The NGO has a track record of projects on water and the environment; and
  - The NGO has an existing office in the area where the WQMA is proposed to be designated.
- d. The Water Utilities: The following will be considered as key stakeholders under this category:
  - Water districts operating under the proposed WQMA including MWSS; and
  - Privately-owned water service providers with approved water concessions with any LGU under the proposed WQMA;
- e. The Business Sectors: To ensure the broad-based participation of the business sector, the following will be considered as key business stakeholders:
  - Any organization or association of business enterprises that belong to one industry. Examples: a canning or bottlers association, a subdivision owners association; and
  - Any organization, confederation, or association which represents the different sectors of an industry. Example: a local chamber of commerce;
- f. Protected Areas Management Board: The PAMB governs all or part of the area where the WQMA is proposed;
- g. Watershed Councils: The watershed council governs all or part of the area where the WQMA is proposed;
- h. Fisheries and Aquatic Resources Management Council: The FARMC governs all or part of the area where the WQMA is proposed;
- i. Government Corporations: The GOCC are considered key stakeholders in that they may have policies directly affecting the operations of the proposed WMQA or vice versa. Examples: the Local Water Utilities Administration (LWUA), Philippine Export Zone Authority (PEZA);
- j. National Government Agencies: The NGA having relevant concerns with the proposed designation of the WQMA are also key stakeholders. Examples: the Department of Agriculture (DA), Department of Health

(DOH), the Department of Public Works and Highways (DPWH).  
In addition, the following may also be invited as key stakeholders in  
WQMA

designation :

k. Academe, which may provide relevant studies or researches  
undertaken

or become a source of technical information pertaining to the areas  
relevant to WQMA designation, etc.

l. Indigenous Peoples Group / Indigenous Community Organization found  
within the WQMA, which should be informed of the WQMA designation,  
hence is counted on to cooperate and provide support in WQMA-related  
activities.

m. Other sectors which are deemed relevant to WQMA designation.

## **ANNEX 4**

### **PRO-FORMA LETTER**

(To be sent to stakeholders, i.e. advocacy groups, human service agencies, etc.)

*Add Date of Letter*

You are invited to attend

#### **Stakeholders' Meeting for (Name of proposed WQMA)**

*Add date of meeting*

*Add time of meeting*

*Add Location of Meeting*

Hosted by the **(Add name)**

The (name of the proponent) is initiating a series of consultations as part of a

proposal to designate (name of the area) as a Water Quality Management Area

in Pursuant to the Implementing Rules and Regulations of the Philippine Clean Water Act of 2004 (Republic Act No. 9275).

The Department of Environment and Natural Resources, as represented by

the regional office of Environmental Management Bureau, has an obligation to

consult with various stakeholders within the prospective area of the WQMA.

These consultations are intended to provide you with an opportunity to review

the proposed WQMA and to present your views to DENR-EMB officials. EMB

will give full and fair consideration to your views and you will be informed of

any decision as a result.

The attached proposal document for WQMA Designation provides the background and context regarding the proposed WQMA. This letter invites you

to review the enclosed material.

You have been identified as representing an agency with an interest in this proposed WQMA. You are invited to participate in a stakeholders' meeting to help improve WQMA designation and subsequent tasks for water quality improvement for the current and future generation.

Further, we would appreciate if you could send an alternate if you are not available on the designated time. We look forward to seeing you on *(add date of meeting)* in *(add Location of Meeting)*.

Thank you for your time and assistance in this important process.

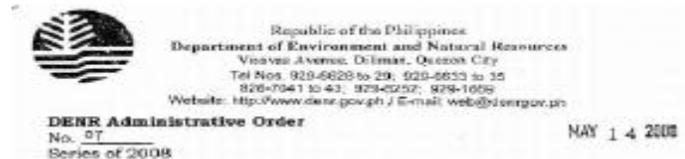
Sincerely,

*Attachment: Proposal on WQMA (add the draft name of WQMA)*

## Annex 5 A Sample DAO on WQMA Designation

Designation of the Marilao-Meycauayan-Obando River Systems Water Quality

Management Area and Creation of its Governing Board is attached as a Sample



Subject: **Designation of the Marilao-Meycauayan-Obando River System Water Quality Management Area and Creation of Its Governing Board**

Pursuant to Section 5 of the Philippine Clean Water Act of 2004 (R.A. No. 9275) together with the pertinent provisions in its Implementing Rules and Regulations (DENR Administrative Order No. 2005-10) and considering the critical importance of complying with water quality standards by the Marilao-Meycauayan-Obando River System, the same is hereby designated as Water Quality Management Area (WQMA).

**Section 1. Objective and Policies.** To ensure water quality in the Marilao-Meycauayan-Obando River System for present and future generations consistent with the following policies:

- a) To streamline the processes and procedures in the prevention, control and abatement of pollution in the WQMA;
- b) To promote environmental strategies, the use of appropriate economic instruments and control mechanisms for the protection of the WQMA;
- c) To formulate a WQMA program on water quality management which recognizes that water quality management issues are inherently related and cannot be detached from concerns on water sources, ecological protection, water supply, public health and quality of life;
- d) To provide for a comprehensive management program for water pollution focusing on pollution prevention in the WQMA;
- e) To promote public information and education for stakeholders of the WQMA and encourage the participation of an informed and concerned public in water quality management and monitoring; and
- f) To encourage civil society and other sectors, particularly labor, the academe and businesses undertaking environment-related activities in their efforts to organize, educate and motivate the people in addressing pertinent environmental issues and problems in the WQMA.

**Section 2. Coverage.** The Marilao-Meycauayan-Obando River Systems WQMA shall cover the Marilao River, Meycauayan River, Obando River and their tributaries that are within the WQMA boundary including the land embraced by the hydrologic unit identified.

The following data shall comprise the geographic coordinates of the Marilao-Meycauayan-Obando River Systems WQMA:

Boundary Control Point	Latitude	Longitude	Description
1	14° 45.50	121° 03.36'	End of Susano Road, Caloocan City
2	14° 45.42'	121° 03.41'	Susano Road, Caloocan City
3	14° 44.42'	121° 01.81'	Depaso Road, Caloocan City
4	14° 44.20'	121° 01.94'	Caloocan-Quezon City boundary on Depaso Road
5	14° 43.32'	121° 00.96'	Caloocan-Quezon City boundary on Gen. Luis Road
6	14° 43.23'	121° 00.24'	Gen. Luis Road, Caloocan City
7	14° 42.39'	120° 59.25'	Paseo de Blas Road, Valenzuela City
8	14° 41.61'	120° 57.75'	Intersection of Rincon and Gov. Santiago Road, Valenzuela City
9	14° 41.37'	120° 57.53'	Gov. Santiago and Mayayo River (Polo River), Valenzuela City
10	14° 41.93'	120° 57.36'	Polo River boundary of Malabon City and Valenzuela City
11	14° 41.93'	120° 57.00'	Boundary of Malabon City and Obando
12	14° 41.40	120° 56.64'	Boundary of Malabon City and Obando on P' Navarrete Road
13	14° 42.85'	120° 55.05'	Boundary of Malabon City and Obando on Dimpalit River
14	14° 42.83'	120° 54.80'	Boundary of Malabon City and Obando on Dimpalit River
15	14° 42.57'	120° 54.79'	Boundary of Malabon City and Obando on Dimpalit River
16	14° 42.20'	120° 54.30'	Boundary of Malabon City and Obando in Manila Bay
17	14° 42.96'	120° 53.83'	Boundary of Obando and Bulacan on Obando River
18	14° 43.33'	120° 54.10'	Boundary of Obando and Bulacan on Obando River
19	14° 43.94'	120° 53.94'	Boundary of Obando and Bulacan on Obando River
20	14° 45.00'	120° 54.00'	Boundary of Obando and Bulacan on Obando River
21	14° 44.87'	120° 54.98'	Boundary of Obando and Valenzuela City on Obando River
22	14° 44.50'	120° 55.14'	Boundary of Obando and Valenzuela City on Obando River
23	14° 44.09'	120° 55.96'	Obando River, Valenzuela City
24	14° 44.39'	120° 56.52'	Boundary of Marilao, Meycauayan and Valenzuela City on Meycauayan River
25	14° 45.07'	120° 56.73'	Marilao near Nagbalun
26	14° 45.68'	120° 56.70'	Marilao Road junction
27	14° 46.52'	120° 56.94'	Marilao near Tubing Bog Subdivision
28	14° 47.10'	120° 57.68'	Marilao
29	14° 47.17'	120° 58.57'	Marilao
30	14° 46.77'	120° 58.94'	Marilao
31	14° 47.11'	120° 59.14'	Prerina Road, Marilao
32	14° 47.79'	120° 59.15'	Santa Maria
33	14° 48.84'	120° 59.72'	Santa Maria near San Vicente
34	14° 48.71'	121° 00.11'	Santa Maria
35	14° 48.59'	121° 01.59'	San Jose del Monte
36	14° 47.86'	121° 02.91'	Bocaue Provincial Road, San Jose del Monte
37	14° 47.60'	121° 03.83'	Bocaue Provincial Road, San Jose del Monte
38	14° 47.43'	121° 04.40'	Bocaue Provincial Road San Jose del Monte
39	14° 46.65'	121° 04.47'	Boundary of San Jose del Monte and Caloocan City on Bocaue Provincial Road

The political/administrative jurisdiction of the Marilao-Meycauayan-Obando River Systems WQMA encompasses the following areas:

Region	Province	City/Municipality	Barangay
III	Bulacan	Marilao	Loma de Gato, Prenza 1 <sup>st</sup> , Prenza 2 <sup>nd</sup> , Sta. Rosa 2 <sup>nd</sup> , Sta. Rosa, Lambakin, Patubig, Saog, Lias, Tabing-ilog
		Meycauayan	Bagbaguin, Bahay Pare, Bancal, Banga, Bayugo, Caingin, Calvario, Camalig, Hulo, Iba, Langka, Lawa, Libton, Liputan, Longos, Malhacan, Pajo, Pandayan, Pantoc, Percz, Poblacion, Saint Francis, Saluysoy, Tugatog, Ubihan, Zamora
		Obando	Binuangan, Catanghalan, Hulo, Lawa, Paco, Pag-asa (formerly Poblacion, Paliwas, Panghulo, Salambao, San Pascual, Tawirañ
		San Jose del Monte	Gaya-gaya, Muzon East, Muzon North, Muzon South, Muzon West, Poblacion, Tungkong Mangga
		Sta. Maria	Buenavista, Bulac, Camangyanan, Mahabang Parang, Parada, San Vicente, Bagbaguin, San Gabriel, Lagtikan, Tumana
National Capital Region (NCR)		Valenzuela	District 1 Arkong Bato, Balangkas, Bignay, Bisig, Canumay, Coloong, Dalandan, Isla, Lawang Bato, Lingunan, Mabolo, Maianday, Malinta, Palasan, Pariancillo Villa, Pasolo, Poblacion, Pulo, Punturin, Rincón, Tagalag, Veinte Reales, Wawang Pulo
			District 2 Gen. T. De Leon, Karuhatan, Bagbaguin, Mapulang Lupa, Marulas, Maysan, Parada, Paso de Blas, Ugong
		Caloocan	Bo. Talipapa, Sta. Quiteria, Baesa, Bagong Barrio, Morning Breeze, Bonifacio, Sangandaan, Poblacion, Dagal-dagatan, Maypajo, Grace Park East, Grace Park West, Barrio San Jose, Bagbaguin, Kaybiga, Llano, Deparo, Bagumbong, Bagong Silang, Tala

**Section 4. Designation of the Governing Board.** The Governing Board to be chaired and co-chaired by the Environmental Management Bureau (EMB) Regional Directors (RDs) of DENR-Region III and NCR, respectively, shall have the following members:

1. Representative of the National Water Resources Board (NWRB);
2. Representative of the Governor, Province of Bulacan;
3. Representative of the Chairman, Metro Manila Development Authority (MMDA);
4. Representative of the General Manager of the Laguna Lake Development Authority (LLDA);
5. Representative of the respective Mayors of the following Municipalities/Cities:
  - a. Municipality of Marilao, Bulacan;
  - b. Municipality of Obando, Bulacan;
  - c. Municipality of Sta. Maria, Bulacan;
  - d. City of Meycauayan, Bulacan;
  - e. City of San Jose del Monte, Bulacan;
  - f. City of Valenzuela, Metro Manila;
  - g. City of Caloocan, Metro Manila;
2. Representative of the following Regional Offices in Region III:
  - a. Department of Agriculture;
  - b. Department of Public Works and Highways;
  - c. Department of Health;
  - d. Department of Science and Technology;
  - e. Department of Trade and Industry;
  - f. Bureau of Fisheries and Aquatic Resources;
  - g. National Irrigation Administration;
  - h. Housing and Land Use Regulatory Board;
3. Regional Representative of the following sectors:
  - a. Business/Industry;
  - b. Water Utility;
  - c. Duly registered Non-Government Organizations/Local Peoples' Organizations/Civil Societies involved in Natural Resource Management or Environmental Concerns
  - d. Academe.

The terms, vacancy and compensation of the Governing Board shall be governed by DAO 2005-10. The Local Chief Executives and Head of Offices may appoint/authorize representatives to the Board, provided that he/she shall be able to make commitments.

Representatives from the business sector, and peoples' organizations/non-government organizations/ civil society shall be designated in accordance with the procedure and requirements laid down therein.

**Section 5. Functions of the Governing Board.** The Governing Board shall have the following functions:

- a. Prepare and publish on a regular basis a Water Quality Status Report for the WQMA and submit a copy thereof to the EMB-Central Office to be consolidated into the National Water Quality Status Report;
- b. Formulate strategies to harmonize policies/regulations/local legislation necessary for the effective implementation of R.A. No.

9275 in accordance with those established in the Integrated Water Quality Management Framework;

- c. Review the initial WQMA Action Plan prepared by the EMB Regional Offices concerned and draft a common and integrated compliance plan. The Board shall consequently prepare and adopt an Action Plan for the succeeding periods to be submitted to the EMB Regional Offices concerned for review for subsequent approval by the DENR Secretary.;
- d. Monitor and facilitate the compliance to the WQMA Action Plan by the local governments;
- e. Coordinate relevant activities among its members and member agencies and facilitate resolution of conflicts; and
- f. Undertake complementary interventions for non-point sources, considering their greater contribution to pollution;

**Section 6. Governing Rules.** The Governing Board shall formulate its own Governing Rules based on applicable and pertinent laws, policies, rules and regulations.

**Section 7. Meetings.** The Governing Board shall meet quarterly or as often as may be required pursuant to its Governing Rules.

**Section 8. Technical Working Group and Technical Secretariat.** The Governing Board pursuant to the governing rules shall form a Technical Working Group (TWG) to ensure broad-based participation of all the stakeholders in the work of the Governing Board.

The Governing Board shall likewise create a Technical Secretariat of the WQMA which shall be based at the EMB, DENR-Region III.

**Section 9. Multi-Sectoral Group.** The Governing Board shall create a Multi-Sectoral group for water quality monitoring and surveillance network. Said group shall augment and complement monitoring and reporting efforts of the DENR.

**Section 10. Amendments and Revisions.** Amendments or revisions of any of the provisions hereof shall be upon consultation with the concerned stakeholders in accordance with existing policies on the matter and subject to the written approval of all the parties thereto.

**Section 11. Separability Clause.** Should any of the provisions of this Order be subsequently declared invalid or null and void, the validity of the other provisions not affected shall not be impaired and shall remain to be in full force and effect.

**Section 12. Re-adjustment of Boundaries, Re-designation of WQMA and Reconstitution of Membership.** The re-adjustment of the boundaries of WQMA could be undertaken only after the requisite technical studies and consultations with the Local Government Units (LGUs) concerned. In the event that re-designation of WQMA becomes necessary, said re-designation should likewise be based on the proposal, and aforesaid technical studies and consultations. The reconstitution of

membership and representations in the Governing Board shall also follow the same process.

**Section 13. Effectivity.** This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation and fifteen days after its registration with the Office of the National Administrative Registry (ONAR.)

  
JOSE L. ATIENZA, JR.  
Secretary

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