

SECTION 3. **Imposition of Taxes and Administrative Fees**

All applicants of Quarry and Mining Permit shall pay to the Municipal Treasurer the proper amount as Quarry and Mining Environmental Users Fee prior to the issuance of the Sangguniang Bayan Resolution. Proof of payment shall form part of the requirements in the issuance of CENRO endorsement.

ARTICLE V

FISHERY RESOURCES AND COASTAL ZONE MANAGEMENT

SECTION 1. **Policy Statement**

- a. The Municipality shall promote, conserve, protect and develop all its inland, coastal and marine waters including the resources contained therein. For this purpose, the Municipality shall adopt an integrated 17 planning approach that will involve all sectors including concerned agencies, non-governmental organizations and other stakeholders.
- b. The Municipality shall define its coastal zone and the resources therein for the preferential use of its residents subject to the limits of optimum sustainable yields as determined through continuing resource accounting and evaluation studies undertaken by the Municipality, national government agency or scientific institution.
- c. The Municipality shall implement a preventive and precautionary policy against industrial pollution of the coastal zone through the adoption of relevant laws against industrial wastes and effluent discharges to the sea and coastal areas and by ensuring that all industrial establishments within its jurisdiction shall be subject to Environmental Impact Statement System.

SECTION 2. **Scope of Powers**

The Municipality, in the exercise of its powers, duties and functions as provided for in RA 7160, RA 8550 and other relevant laws, shall adopt adequate measures to safeguard and conserve fishery and coastal resources. The Municipality shall strengthen inter-barangay cooperation and coordination with nearby municipalities in installing mechanisms to monitor and assess the impact of development activities in the overall integrity of fishery resources.

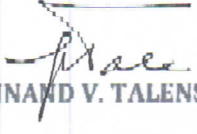
SECTION 3. **Integrated Coastal Zoning and Resource Management Framework**

Within two (2) years after the effectivity of this Code, the Municipality shall formulate the Municipal Zoning and Management Plan towards a co-management approach between the Municipal Government and the resource users working within the tenets of existing laws particularly in the institutionalization of the Fisheries and Aquatic Resources Management Council pursuant to R.A. No. 8550.

The plan shall focus on the definition and delineation of areas and resources, spell out the issues requiring serious attention and preferential treatment, and describe the necessary tools and strategies.


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It shall assume a multi-sectoral character to address the trans-boundary and multi-user conflicts besetting the Municipality.

SECTION 4. Protection and Regulation

Generally, the provision of this Section anchors itself on the provisions of R.A. No. 8550 and its implementing rules and regulations. In addition to the powers, duties and functions set forth in Republic Act No. 7160, the Municipality shall initiate measures, including the passage of ordinances, for the protection and regulation of fishery resources. Such measures shall emphasize the following:

- a. The designation of high sensitivity areas like estuaries and wetland that serve as breeding grounds and nursery grounds of commercially-important marine resources;
- b. The establishment of marine reserves and protected areas. Sanctuaries and marine reserves shall be a minimum of 10 percent of the total municipal waters as a basis for stock replenishment and to preserve biodiversity. The exact scope of and management plan for the sanctuary shall be declared in a separate ordinance;
- c. The prohibition of the gathering of corals, giant clams, spawning fishes and other endangered marine flora and fauna;
- d. The prohibition on the capture of dolphin, sea cow (dugong) and other endangered marine animals;
- e. The implementation of resource rehabilitation projects such as artificial reefs and mangrove rehabilitation and reforestation; and
- f. The tapping of local communities in resource management planning, management of resource conservation projects and adoption of participatory research.

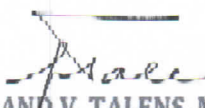
SECTION 5. Preservation of Ecosystems That Support Coastal Resources

The following measures are hereby mandated to ensure that ecosystems in the coastal zone are conserved:

- a. The extraction of beach resources, such as mangroves, pebbles, sand, gravel, boulders and wood products is prohibited unless allowed under conditions set by national law;
- b. The enforcement of fishery laws through community-assisted multi-sectoral Task Force shall be intensified through the conduct of actual seaborne patrol operations, education of communities on the merits of fishery laws, encouragement of community's participation in peer pressure against violations and the deputation of fishery wardens;


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- c. The construction of tourist facilities directly in the water's edge where such would result to the loss of breeding and nursery grounds of fishes is prohibited;
- d. The conversion of wetlands into fish farms shall no longer be allowed. The extraction of freshwater in coastal areas that may result in the intrusion of saline waters into the freshwater table shall not be allowed unless covered by adequate impact assessment studies; and
- e. The preparation of coastal land-use plans to attain a balance of development activities, infrastructure and ecological stability, strategies to reduce siltation from agricultural and denuded uplands, reduction in the rate of river sedimentation, zoning policies and strategies to contain the infringement of human settlements and industrial infrastructure in highly sensitive wetlands, and the development of environment-friendly tourism programs.

SECTION 6. **Alternative Livelihood.** The Municipality shall initiate livelihood and diversification programs among coastal fisherfolk, recognizing the participation of women and out-of-school youth. Such programs shall be directed towards land-based opportunities as a respite from routinary fishing activities.

SECTION 7. **Artificial Reefs and Mangrove Resources Management.** The necessary legislative or executive measures shall be passed to implement resource rehabilitation projects such as the establishment of artificial reefs where fishing is prohibited, and mangrove rehabilitation and reforestation to recover nursery grounds for fishes.

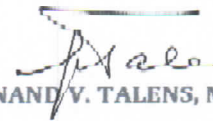
SECTION 8. **Measures to Mitigate Marine Pollution.** Measures shall be undertaken in coordination with concerned agencies, to control the damage to coastal ecosystems by marine transportation such as the destruction of corals by anchors and attached chains, boat grounding on coral reefs, and waste disposal by ships and other transport vessel. The Municipality shall devise measures aimed at promoting the concept of the resource user as steward responsible for coastal environment protection and for maintaining the coastal resource.

SECTION 9. **Preventive Measures Against Marine Health Hazards.** The Municipality shall adopt preventive measures against marine health hazards. The Municipality shall ensure that the coastal waters remain wholesome for its various uses, including recreational and food supply purposes. The Municipality shall conduct continuing community education in this regard.

SECTION 10. **Fishery Resource Management Fund.** The funds for Fishery Resource Management shall be taken from the yearly Internal Revenue Allotment of the Municipal Development Fund to support fisheries management activities.


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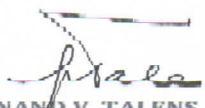

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**ARTICLE VI
WATER RESOURCES**

- SECTION 1. Policy Statement.** The Municipality recognizes the primary importance of water in the well-being of Roxaseño and its responsibility in ensuring the conservation, protection and equitable appropriation of water resources for its constituents consistent with the order of preference adopted by the State as follows:
- a) Domestic and municipal use;
 - b) Irrigation;
 - c) Power generation;
 - d) Fisheries;
 - e) Livestock raising;
 - f) Others.
- SECTION 2. Scope of Powers.** In the exercise of the powers, functions and responsibilities to regulate and monitor the exploitation and use of the water resources, the Municipality shall:
- a) Ensure effective management, protection and maintenance of small watershed which are sources of local water supply;
 - b) Conduct comprehensive study on hydrological mapping of water resources;
 - c) Undertake immediate rehabilitation of critical watershed of irrigation systems;
 - d) Implement measures for safe and adequate water supply; and
 - e) Collect fees and charges to water users in accordance with Section 289 of RA 7160.
- SECTION 3. Water Resources.** Recognizing the need to provide safe water for its residents, the Municipality shall undertake the following measures:
- a) The identification of water resources for domestic and municipal uses within its territorial boundaries;
 - b) The inventory of water resources to include their physical characteristics, location and types to be maintained and updated by the Municipality for future assessment and use;
 - c) The determination of contaminated water resources such as the saltwater -intruded and chemical - contaminated areas as part of the environmentally affected areas;
 - d) The establishment of a water budget on a periodic basis to determine water needs and potentials;
 - e) The identification of the watershed within territorial limits and incorporation in the zoning plans; and
 - f) The adoption of a long -range plan for water resources development.
- SECTION 4. Water Supply Quality.** The Municipality shall ensure the health of its residents. , It shall adopt measures to prevent contamination of water supply and notify the general public in the event contaminated water has entered the system.


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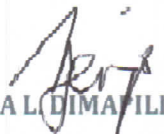

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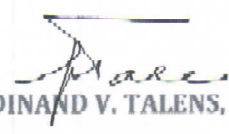
SECTION 5. Water Demand:

- a) **Water Use.** In reference to the Water Code of the Philippines, the development of water resources shall consider the security of the State, multiple use, beneficial use, adverse effects and cost of development. The Municipality shall adhere to this provision in the use of water resources within the Municipality.
- b) **Heavy Users of Water.** Within its political boundary, the Municipality shall identify the heavy users of either surface water or ground water (those consuming more than thirty (30) cubic meters per 20 month on a regular basis), including government-owned and controlled corporations, and shall determine on a periodic basis the rate of extraction and use. In allowing water concessionaires, or whenever the environmental welfare and safety of the Municipality demands, the Municipality shall take the following actions:
- 1) Require water users to attach water meters to water conveyance facilities and, in coordination with the local water district, compel them to report their water use to the Municipality, within 30 days from formal demand;
 - 2) Assess the extraction of water on the basis of resource use and apply appropriate charges based on economic rent policy, whether for the benefit of the Municipality or the affected barangay;
 - 3) Come up with an action plan to conserve water for every sector of water users in the Municipality. Wastage, spills, leaks and seepage in water handling should be kept to minimum levels;
 - 4) Monitor that water delivery from the existing water district be made efficient and non-revenue water (NRW) be minimized;
 - 5) Require industrial and commercial users of water to come up with water recycling and reuse systems to minimize their consumption within 30 days upon formal demand by the Municipality;
 - 6) Coordinate efforts to draw up and identify means and ways to increase the reuse factor which will cut across the demands of sectoral users; and
 - 7) Monitor that those issued permits to draw water by the National Water Resources Board (NWRB) shall not exceed the limits provided for in their Permit. Otherwise, cancellation or revocation of their Permit shall be initiated.

SECTION 6. Water Quantity and Quality Management. In close coordination with concerned NGAs and the Province, the Municipality shall provide direction and technical assistance in so far as water quantity and quality management is concerned. The Municipality, through an Executive Order, shall create the Water Resources Council (WRC) composed of the Municipal Mayor or his representative as the Chairman, and representatives from NGAs, PAMB, local water district, Municipal Legal Office, Municipal Engineer's Office, Municipal Health Office, Municipal Planning and Development Office, Municipal ENRO, Sangguniang Bayan Committees on Environmental Protection and Health, and the private sector as members, subject to existing laws. The function of the WRC shall encompass all water resources and other related undertakings. The Municipality shall allocate funds to cause the council to become operational and effective.


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