



National
Water
Resources
Board



DEVOLVING FUNCTIONS and SHARING POWER with LGUs

**Managing Water Resources for Sustainability and Equity
in the Sta. Rosa Watershed
Silang Cavite
March 11, 2009**

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Presentation Agenda

- Mandates/Functions of NWRB
- Why there is a need to deputize?
- LGUs and other agencies deputized by NWRB
- MOA between LGUs and NWRB
- Transferring surface water permitting to LLDA
- Guidelines on Deputation

Mandates of NWRB

The National Water Resources Board (NWRB), as the national regulating and coordinating agency on water resources management and development, is mandated to implement the Water Code of the Philippines that consolidates the laws governing the ownership, appropriation, utilization, exploitation, development, conservation, and protection of water resource.

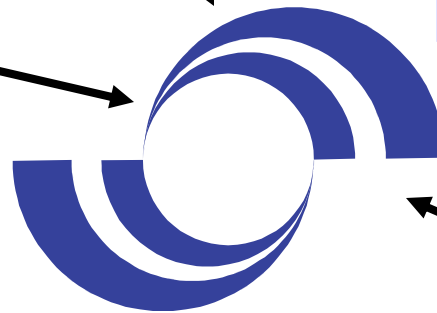
PD 424 creating the NWRC (1974)

***Policy Formulation and
Coordination***

PD 1067 The Water
Code of the Philippines
(1976)

Resource Regulation

EO 124-A converted NWRC
to NWRB (1987); transferred
BRS to DPWH



**The National Water
Resources Board**

PD 1206 assigned the
residual functions of
the Board of
Waterworks and the
defunct Public Service
Commission to NWRB

Economic Regulation

EO 123 reconstituted
the NWRB Board;
transferring NWRB to
DENR and transferring
regulatory functions of
LWUA to NWRB (2002)

I. Policy Formulation & Coordination

- The NWRB is the **Apex Body** for the water sector
- The formulation of policies and plans for the Philippine water sector within the framework of **Integrated Water Resources Management** through the coordination and integration of development programs, projects and activities.

General Strategy – Adopt IWRM Approach

- Identify / establish Water Resources Regional Councils (WRRCs) / River Basin Organizations (RBOs) while strengthening existing RBOs to promote devolution of decision-making processes to the lowest appropriate levels capable of handling such tasks.
 - Creation of River Basin Control Office
 - Development of Master Plan Study for Agusan River Basin

Initiatives on Integrated Water Resources Management Implementation

- ***Bohol Integrated Water Resources Management Board***, chaired by the Governor
 - provide LGUs measures to be adopted to safeguard, conserve and protect the environment
 - function include acceptance of application and payment of WPA, investigation and monitor compliance

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■ ***Negros Island IWRM Council***

-Chairperson of the Committee on Environment of the Sangguniang Panlalawigan

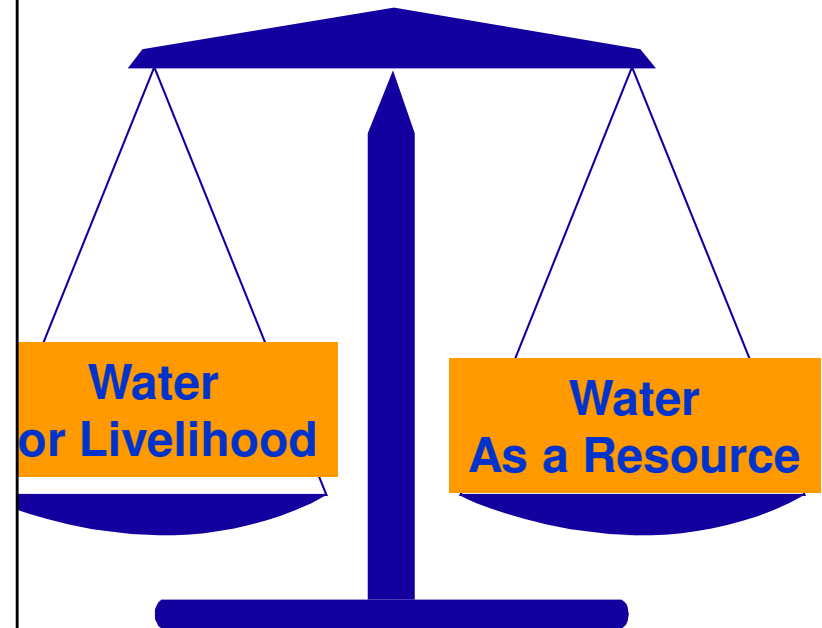
Some of the functions:

- policy making body
- develop strategy
- formulate IWRM plan
- monitor water resources such as flows, water quality ,etc.
- acceptance of water permit applications

■ ***Tabla Watershed Council***, Negros Occidental

II. Resource Regulation

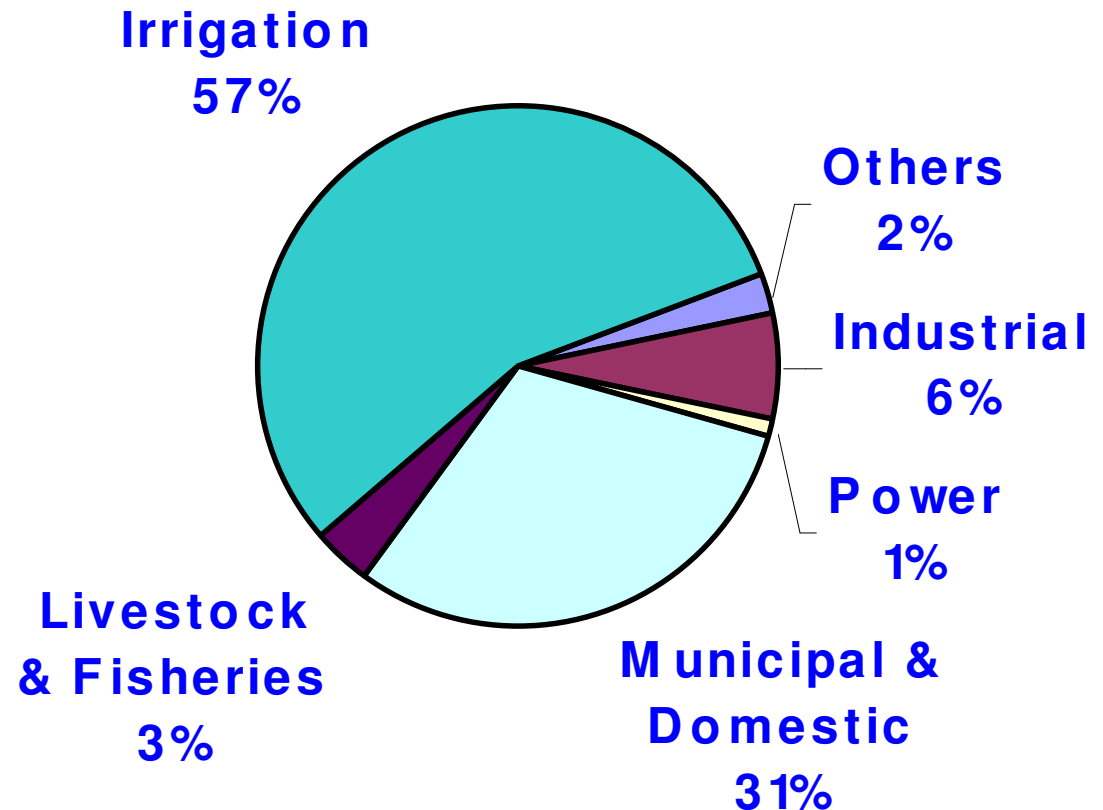
- The conservation and protection of all water resources by regulating their utilization and allocation based on policies consistent with beneficial use and sustainable development.
- All water appropriators are required to secure **water rights**



Water Permits Issued

Water Uses

- Domestic
- Municipal
- Irrigation
- Power Generation
- Fisheries
- Livestock Raising
- Industrial
- Recreational
- Other Purposes

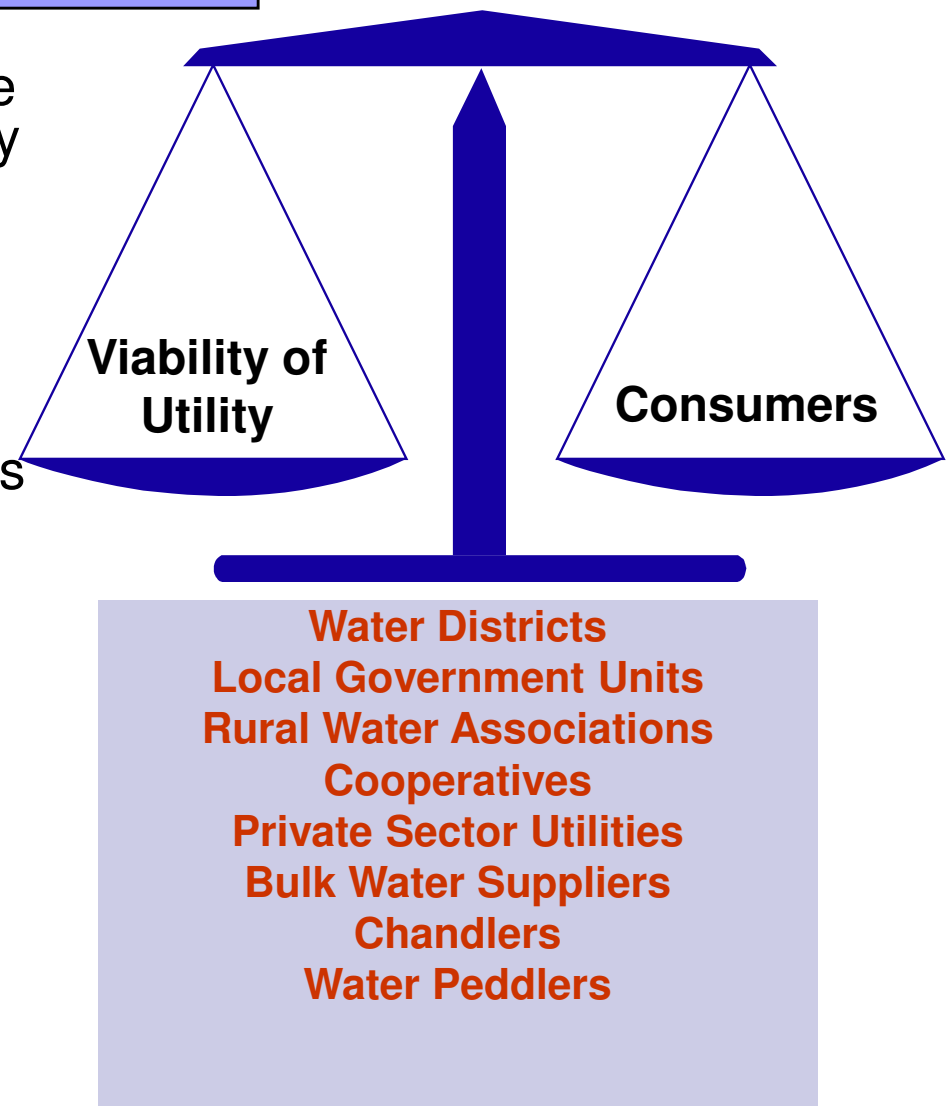


WATER RIGHT is the privilege granted by the government to appropriate and use water

Appropriation of waters, as defined in the Water Code is the acquisition of rights over the use of waters or the taking or diverting of waters from a natural source in the manner and for any purpose allowed by law.

III. Economic Regulation

- The protection of consumers and the economic viability of water utilities by determining service standards and targets, tariff levels and schemes, monitoring and measuring company performance, enforcing compliance, and imposing sanctions
- Currently regulates 383 water utilities
- All private utilities are required to secure a Certificate of Public Convenience
- Around 3,000 water utilities nationwide



Why there is a need to deputize?

- Recognizing the importance and the need for proper and effective conservation and development of water resources it is imperative to adopt an integrated and coordinated approach to the development planning and implementation of PD 1067.
- The NWRB with its current constraints in terms of financial and human resources recognized the need to collaborate and partner with different agencies in order to effectively manage the water resources of the country.

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- Under Article 80 of the Water Code of the Philippines, the Board may deputize any official or agency of the government to perform any of its specific functions or activities.
- Since NWRB does not have regional offices, deputized agencies were created through a Memorandum of Understanding between NWRB and agencies such as NIA, DPWH, NPC and WDs to perform some functions of NWRB (1980's)

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- LGU deputation is one of the approaches that is considered in response to the concern of the stronger presence of NWRB in a certain area

LGUs and other Agencies deputized by NWRB

- NIA- Provincial Irrigation Engineers
- NPC- Regional Managers
- DPWH- Regional Managers
- Selected Water Districts
- Municipalities of Sta. Fe, Bantayan and Madrilejos, Cebu

Memorandum of Agreement between LGUs and NWRB (joint monitoring on groundwater activities)

- Quezon City
- San Juan

Obligations of LGUs include:

- requirement for application of business permit, well driller's accreditation with NWRB
- monitor well drilling and water resources development activities
- collect data on well users in the area
- undertake information campaign on groundwater users, etc.

MOA under process

- Palawan
- Naga City
- Davao City and DCWD

Transfer of surface water permitting to LLDA

NWRB to transfer *surface water* permitting within the Laguna de Bay Region (part of Batangas, Cavite, Laguna, Metro Manila, Quezon and Rizal) to LLDA as part of their mandates

- acceptance of application
- processing
- approval
- collection of annual water charges
- all documents will be transferred to LLDA

Guidelines on Deputation

On October 22, 2008, a new guidelines on the deputation of Water Districts, National Irrigation Administration and Department of Public Works and Highways Regional Offices and other agencies of the Government was approved

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■ ***Criteria***

- Must be a government agency
- In good standing (accounts settled with NWRB)
- Availability of qualified staff (trainings, degree)
- Will provide staff, office space, facilities, etc.
- Other criteria requested by NWRB

Responsibility of Deputized Agent

- Accepts, processes, investigates and submit reports with recommendations on water permit application.
- Investigates and submit reports with recommendations on water use controversies referred by NWRB within the respective territorial jurisdiction.
- Conducts continuing inventory of different users of water and other water resources development activities in their respective jurisdiction in conformance with the provisions of the Water Code

Cont.

- Conducts monitoring of well drilling activities in respective jurisdictional area.
- Monitors and validates compliance by water permittees with the conditions imposed in the water permits.
- Execute Board orders, decisions, rulings, writ of executions, etc. that are referred to them for appropriate action.
- Accepts fees in the form of Postal Money Order payable to NWRB (e.g. filing fees, annual water charge, etc.) and remits the same to NWRB seeing to it that it is not expired or stale. The collection and receiving officer/s shall be bonded and shall remit to NWRB under a special account created for this purpose.

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- Notifies NWRB of violations by water appropriators and illegal drilling activities for the issuance of Notice of Violation (NOV) and Cease and Desist Orders (CDOs).
- Seeks the assistance of local or national police agencies in enforcing CDO issued by NWRB on illegal appropriations and drilling activities without water permits.
- Enter upon private lands, with previous notice to the owner, for the purpose of conducting surveys and hydrologic investigations.
- Conducts water resources assessment and other related studies with the assistance of NWRB.

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- Undertakes information, education and communication campaign to key stakeholders regarding the Water Code of the Philippines and its Implementing Rules and Regulations, etc.
- Performs other functions that maybe assigned by NWRB

Limitation of the Guideline

- The deputation of any or all deputized agents may be revoked once the NWRB is attached to the Department of Environment and Natural Resources (DENR) in accordance with the Rationalization Plans
- DENR Regional Offices are capacitated to undertake the function of deputized agents.

Working together to secure sustainable water for all

