PROCEDURAL GUIDELINES FOR THE PROCESSING OF APPLICATION FOR PERMIT TO OPERATE FISHPEN IN THE LAGUNA DE BAY REGION FOR 1994

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In view of the need to upgrade existing policies and procedures regarding the operation, supervision and control over fishpen structures in the Laguna de Bay Region, and In order to carry out the program to rationalize the operation of fishpens in laguna de Bay waters for its sustainable development, the following procedural guidelines are hereby prescribed:

I
Scope

Acceptance and processing of application for the annual permit to operate fishpen structures for 1994 shall be made on February 28 to March 4, 1994 at the New LLDA Bldg., Rizal Capitol Compound, Pasig, Metro Manila.

II
Allowable Area

- Corporation - 50.0 hectares

- Cooperative - 5.0 hectares

- Individual - 5.0 hectares

III
Registered Fishpen (as of March 1993)

1. With area expansion in excess of the original area applied for but within the allowable limit as stated above.

1.1

Renew only to the extent of the area applied for In 1993 as appears on the Fishpen Permit and submit a waiver on the excess area. Provided that, ft Is within one and the same enclosure.

1.2

The waiver should be made under oath and attached to the application for renewal which should include a Deed of Undertaking to self-demolish the excess area within a given time frame but not to go beyond September 30, 1994.

1.3

If expansion Is found In a separate enclosure, it should be treated as another fishpen, hence, subject for Immediate demolition; unless covered by a separate permit.

1.4

The applicant should be made to pay for his renewal fees for 1994 (only to the original area) and penalty for the excess area In 1993.

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(No payment shall be received for excess area in 1994. The only remedy is self-demolition). However, issuance of permit shall be held In abeyance until self-demolition of excess area Is completed.

1.5

If fishpen is outside fishpen belt but duly registered as of 1993, the operator should apply with the Office of the General Manager for transfer of site or relocation to an area within the fishpen belt and self-demolish his original fishpen structure.

1.6

Deadline for Payment for registration is on or before 31 May 1994.

III
Unregistered Fishpens

1. All fishpen operators who are not registered with the LLDA as of March 1993 are not qualified for 1994 registration and considered as having abandoned their rights thereto except for bonafide cooperatives.

2. Reoperation of abandoned fishpen is indefinitely suspended.

3. All those not registered with LLDA as of March 1993 but with mayor's permit shall be given sufficient time to harvest their stocks but not later than September 30, 1994, provided that a Deed of Undertaking be submitted to the LLDA stating his self-demolition plan and proof of payment of arrears and the corresponding penalties, without prejudice to the filing of the necessary criminal action for violation of R.A, 4850, as amended.

4. Assessment of Penalties shall be as follows;

1 to 30 hectares

=

P 5,000.00/ hectares

31 to 50 hectares

=

10,000.00/hectares

51 to 100 hectares

=

25,000.00/hectares

101 hectares up

=

50,000.00/hectares

5. Deadline for payment of penalties should be on or before 31 May 1994. Non-payment on the specified deadline will subject the fishpen to Immediate demolition with a ten (10) day notice.

IV
Transfer of Site

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1. For legitimate fishpen operators, requests for transfer of site may be granted, provided that, relocation will be within fishpen belt and that LLDA requirements are duly complied with.

2. For unregistered fishpen operators, no request for relocation shall be granted in their favor.

V
Request For Transfer of Rights/ Ownership

No transfer of rights to operate fishpen shall be allowed. Fishpen permits are non-transferable.

VI
Request for Change of Ownership From Individual to Corporation or Cooperative or From Corporation to Cooperative

No change of ownership from Individual to corporation or cooperative or from corporation to cooperative will be granted except under meritorious cases.

VII
1993 Permit Applications

1. Those who submitted their applications per LLDA Notice on March 1993 shall be processed and evaluated accordingly.

2. All existing regulations inconsistent with this Order is deemed revoked and/or modified accordingly.

VIII
Moratorium on All New Fishpen as Per Executive Order No. 121 Dated 24 August 1993

Pursuant to the provisions of Section 5, Executive Order No. 121, as quoted hereunder. the LLDA Is not granting new permits for any-new fishpens.

> "Section 5. Moratorium - Effective immediately, there shall be a moratorium In the issuance of new land development permits, clearances or concessions in the subject areas, as well as the issuance of permits for the construction and operation of fishpens and fishcages In the Laguna Lake and the lease, sale or other mode of disposition involving portions or the adjacent portions of the Mt. Makiling Reserve Area."

Fishpen set-up after August 24, 1993 would be subject for Immediate demolition.

For strict compliance.

Adopted:

(Sgd) ARIEL R. ALMENDRAL
General Manager

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