

# **The Role of LGUs in the Management of Fisheries/Aquatic Resources: Some Policy Issues and Proposals**

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*There are more than a few local government units (LGUs) depending in part or in whole, on their fisheries and aquatic resources as a source of livelihood and industry for the people. The Philippines is an archipelagic country with adequate marine resources, if managed competently and utilized efficiently and effectively by the concerned LGUs with the assistance of nongovernment organizations (NGOs). The extent of implementation and problems encountered in the implementation of the provisions of the Local Government Code of 1991 relating to fisheries/aquatic resource management has been documented in the six LGUs studied. Environmental management, conservation and protection must be high on the agenda of local chief executives especially now that the responsibility for such is already devolved to them.*

The critical role of the local government units (LGUs) in environmental management and protection cannot be overemphasized. Such role has been embodied in some provisions of the 1991 Local Government Code. The Code recognizes collaborative undertakings among the LGUs and nongovernment organizations (NGOs), people's organizations (POs) and the private sector in the maintenance and sustenance of activities for the promotion of ecological balance for the well-being of the community residents.

Since the passage of the Code, a number of questions have been raised regarding the role of the LGUs in environmental management and protection. To what extent have the LGUs implemented the codal provisions pertinent to the management and protection of the environment particularly the management of fisheries/aquatic resources? Have the local units promoted the establishment of NGOs/POs concerned with environmental management and protection specifically the management of fisheries/aquatic resources in the community? What kind of collaborative undertakings has been pursued by the LGUs with local NGOs/POs in the management of fisheries and other aquatic resources in the community? What supportive systems have been extended by the LGUs in the management of such resources?

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This article attempts to address the above queries. It presents and discusses some significant findings and observations from research conducted on the management of fisheries/aquatic resources at the local level. Case studies of six LGUs were made which included the City of Puerto Princesa, Palawan and the municipalities of Tabaco, Albay; Batan, Aklan; Carigara, Leyte; Kolambugan, Lanao del Norte; and Malalag, Davao del Sur.

This collaborative research was conducted by the Local Government Center, College of Public Administration, University of the Philippines and some provincial-based state universities and colleges.

### **Codal Provisions Pertinent to the Management of Fisheries/Aquatic Resources**

#### *On the Devolution of Agricultural Services*

Section 17, (b) (2) of the Code stipulates that:

extension and on-site research services and facilities related to agriculture and fishery activities which include dispersal of livestock and poultry, fingerlings, and other seeding materials for aquaculture are the responsibilities of municipalities and cities.

In managing the above services, the LGUs can link up with or may enter into joint ventures with NGOs or POs. This is specifically provided for in Sec. 35 of the Code which states that:

local government units may enter into joint ventures and such other cooperative arrangements with people's and nongovernmental organizations to engage in the delivery of certain basic services, capability-building and livelihood projects, and to develop local enterprises designed to improve productivity and income, diversify agriculture, spur rural industrialization, promote ecological balance, and enhance the economic and social well-being of the people.

Depending on the strength of their existing resources and capabilities, LGUs may also provide assistance to POs or NGOs. Sec. 36 of the Code stipulates that:

a local government unit may, through its local chief executive and with the concurrence of the *sanggunian* concerned, provide assistance, financial or otherwise, to such people's and nongovernmental organizations for economic, socially-oriented environmental or cultural projects to be implemented within its territorial jurisdiction.

*On the Establishment of the Office of the Municipal/City Agriculturist.*

Aside from the extension of assistance to POs or NGOs, the LGUs may provide services or exercise functions relative to fisheries/aquatic resources management through the Office of the Municipal/City Agriculturist. As provided for in the Code, the position of an agriculturist shall be optional for the city and municipal governments.

The city/municipal agriculturist is considered to be the main actor in the delivery of basic agricultural services. He/She also serves as the advisor of the local chief executive in matters relative to agriculture and aquaculture.

As provided for by the Code (Sec. 482), the city/municipal agriculturist shall, among others, discharge the following duties and responsibilities:

- (1) Ensure that maximum assistance and access to resources in the production, processing and marine products are extended to farmers, fishermen and local entrepreneurs;
- (2) Assist the mayor in the establishment of demonstration farms or aquaculture and marine projects;
- (3) Enforce rules and regulations relating to agriculture and aquaculture; and
- (4) Coordinate with government agencies and nongovernmental organizations which promote agricultural productivity through appropriate technology compatible with environmental integrity.

*On the Role of the Environment and Natural Resources Officer*

Another officer who plays a critical role in the management of fisheries/aquatic resources is the environment and natural resources officer. The position of the said officer is considered to be optional in the sense that the LGU may or may not appoint an environment and natural resources officer, depending on the needs of the local unit.

As provided for in Sec. 484 of the Code, the environment and natural resources officer shall head the office on environment and natural resources and shall perform, among others, the following duties and functions:

- (1) Formulate measures for the consideration of the *sanggunian* and provide technical assistance and support to the local chief executive in carrying out measures to ensure the delivery of basic services and provision of adequate facilities relative to environment and natural resources services;

- (2) Establish, maintain, protect and preserve communal forests, watersheds, mangroves, greenbelts, and similar forest projects;
- (3) Render assistance for natural resources related to conservation and utilization activities consistent with ecological balance; and
- (4) Coordinate with government agencies and NGOs in the implementation of measures to prevent and control land, air and water pollution with the assistance of the DENR.

### *On Financial Resources*

The Code also recognizes the importance of financial resources for the implementation of projects/activities concerned with the management of fisheries/aquatic resources. The municipal/city governments are given authority by the Code to impose fishery rentals, fees and charges. Sec. 149 states:

- (a) Municipalities shall have the exclusive authority to grant fishery privileges in the municipal waters and impose rentals, fees or charges therefor in accordance with the provisions of this Section.
- (b) The *sangguniang bayan* may:
  - (1) Grant fishery privileges to erect fish corrals, oyster, mussel or other aquatic beds or bangus fry areas within a definite zone of the municipal waters as determined by it: *Provided*, however, That duly registered organizations and cooperatives of marginal fishermen shall have the preferential right to such fishery privileges; *Provided, further*, that the *sangguniang bayan* may require public bidding in conformity with and pursuant to an ordinance for the grant of such privileges; *Provided, finally*, That in the absence of such organizations and cooperatives or their failure to exercise their preferential right, other parties may participate in the public bidding in conformity with the above cited procedure.
  - (2) Grant the privilege to gather, take or catch bangus fry, prawn fry or *kawag-kawag* or fry of other species and fish from the municipal waters by nets, traps or other fishing gears to marginal fishermen free of any rental, fee, charge or any other imposition whatsoever.
  - (3) Issue licenses for the operation of fishing vessels of three (3) tons or less for which purpose the *sangguniang bayan*, shall promulgate rules and regulations regarding the issuances of such licenses to qualified applicants under existing laws.

*On the Passage of Municipal/City Ordinances*

Further provisions state that the *sanggunian* shall pass an ordinance "penalizing the use of explosives, noxious or poisonous substances, electricity, *muro-ami*, and other deleterious methods of fishing and prescribe a criminal penalty therefor in accordance with the provisions of the Code." The Code has also given the *sanggunian* the authority to "prosecute violations of the provisions of applicable fishery laws."

**Managing Fisheries/Aquatic Resources  
at the Local Level***Extent of Implementation of the Codal Provisions*

*Extension and On-Site Research Services and Facilities.* Among the six LGUs studied, the municipalities of Batan (Aklan), Kolambugan (Lanao del Norte) and Malalag (Davao del Sur) have provided extension and on-site research services and facilities as provided for by the Code. It is quite interesting to note that Puerto Princesa which is the only city among the group has not provided such services. Tabaco which is a third class municipality in terms of income has not also implemented such provision of the Code. And yet, these two LGUs are relatively richer in terms of resources. This suggests that the provision of extension and on-site services does not depend on the financial capacity of the LGUs. It could be a function of the priority concerns of the LGUs.

Apparently, the other LGUs have considered extension and on-site research services as very important based on their locations and/or situations. Kolambugan, for instance, which has the largest number of coastal barangays in the province of Lanao del Norte has to depend on fishery/aquatic/coastal resources. In this regard, the need to extend services to the coastal barangays becomes imperative. Thus, the municipality has gone into seaweeds and tilapia fingerlings dispersal. The same is true of Batan, Aklan. The municipality has a project on the dispersal of bangus fingerlings and has extended support to demo farms and provided assistance for farm inputs such as fertilizers.

*Enforcement of Fishery Laws.* As shown by the case studies, all the six LGUs have adopted and established some measures to enforce fishery laws in their respective localities. Puerto Princesa, Tabaco, and Carigara have their Baywatch or *Bantay Dagat* patrols which monitor the movement of every seacraft and the use of illegal fishing methods. Meanwhile, Batan, Kolambugan and Malalag have organized their own task forces or boards to perform the same function. Batan particularly has designated some municipal employees to

serve as fish wardens and some barangay officials, Department of Agriculture (DA) personnel, and Philippine National Police (PNP) members as Deputy Fish Wardens.

The above measures imply the awareness of the LGUs about the strong need to protect their coastal resources and to regularly monitor activities in their municipal/city waters.

*Joint Ventures with NGOs/POs.* Surprisingly, not all of the sample LGUs have established some joint ventures with NGOs/POs with respect to fishery/coastal resources management. As documented by the case studies, only three of the sample LGUs have some collaborative undertakings with certain NGOs/POs. Carigara, for example, has a joint venture with Leyte-Samar Rural Development Worker Association-Carigara Bay Development Center (LABRADOR-CABDEC) in the management of fisheries resources. Kolambugan coordinates with the Federation of Cooperatives in managing the Fishery Sector Program, and Malalag collaborates with the KAPWA Upliftment Foundation in the management of fisheries/aquatic resources in the community.

*Provision of Assistance to NGOs/POs.* The LGUs have established collaborative linkages/joint ventures with NGOs/POs. They have also provided some assistance, i.e., technical, funds and loans, to said NGOs/POs. Nevertheless, two other local units, Puerto Princesa and Tabaco, have extended assistance to the fishery sector despite the absence of joint ventures with NGOs.

*Grant of Fishery Privileges to Marginal Fishermen.* As found in the case studies, three local units have not granted fishery privileges to marginal fishermen while the other three LGUs have. Carigara and Malalag for example, have passed an ordinance and Fishery Code, respectively, which specifically grants preferential right to cooperatives of marginal fishermen. Kolambugan has also granted the said right and privilege to marginal fishermen to gather fry and catch fish in the municipal waters. Apparently, these three local units have recognized the need for marginal fishermen to have access to such right and privilege. As a sector, they could not compete with the "big" fishermen who have all the resources to pay the charges imposed by the local government.

*Passage of Ordinances Penalizing the Use of Deleterious Methods of Fishing.* It is worth noting that all the sample LGUs have passed ordinances providing for penalties for the use of deleterious methods of and illegal fishing. In particular, Malalag has amended its Municipal Fishery Ordinance by banning commercial fishing trawls and other fishing methods with the use of compressors. It also prohibits destructive methods like the use of dynamites. Kolambugan has also passed a new Basic Fishery Ordinance which provides for fines and penalties for the use of deleterious methods of fishing.

The passage of the above ordinances by the LGUs is a telling sign that the units are very much aware of the disastrous effects of such methods of fishing and are in the direction of conserving their fishery/coastal resources for sustainable development.

*LGU Share of the National Government Collection from Fishery Charges.* One of the significant provisions of the Code regarding management of fisheries/coastal resources is the 40 percent share of LGUs from the collection of fishing charges. This would add to the meager financial resources of the local units. However, this particular provision has not been actualized because the LGUs under study have not received yet their share from the national government.

*Creation of the Office of the Municipal Agriculturist and the Position of Environment and Natural Resources Officer.* One of the devolved functions is agricultural services. In this light, it is significant to note that all the sample LGUs have created their own Municipal Agriculturist Offices whose functions lend to the provision of assistance/access to resources in the production, processing, and marketing of marine products; extension services and livelihood assistance to fishermen; water resources utilization and conservation projects; and enforcement of fishery laws.

The creation of the said office is a very positive sign of the seriousness of the LGUs to conserve, protect and manage well their water/fisheries/coastal resources.

While all the local units have created their own Municipal Agriculturist Offices, not all of them have created the position of Environment and Natural Resources Officer. Puerto Princesa has designated one to the position while Tabaco has just designated an Officer-in-Charge. Batan and Carigara have not created a position for this officer, while Kolambugan has designated the Community Environment and Natural Resources Officer (CENRO) of the Department of Environment and Natural Resources (DENR) to take charge of mangrove rehabilitation in the municipality. Meanwhile, Malalag, for efficient use of its resources, has established the Office of the Municipal Agriculturist and Environment Officer to take charge of the agricultural and environmental concerns of the municipal government.

It seems that the sample LGUs do not have enough resources to create the office or position of Environmental and Natural Resources Officer (ENRO). Nevertheless, some of the supposed functions of the ENRO are lodged with the Office of the Municipal Agriculturist.

*Problems Encountered in the Code's Implementation*

All the sample LGUs are beset with the lack of resources such as manpower, financial and technical, to fully implement the provisions of the Code. Puerto Princesa and Malalag for instance, need full-time and qualified personnel to provide the necessary extension services. Tabaco lacks a fishing/aquatic technician or technologist in the Office of Municipal Agriculturist.

Related to the lack of technical personnel is the insufficient technical know-how in the management of fisheries/aquatic resources particularly in establishing the specific boundaries of municipal waters in the case of Kolambugan.

Due to meager financial resources of the local units, there are difficulties in sustaining and maintaining the *Bantay Dagat* Program.

Complementing the above problem is the absence of issue-oriented NGOs and advocacy groups as noted in Tabaco.

*Promoting the Establishment of NGOs/POs Concerned with Management of Fisheries/Coastal Resources*

In all the sample LGUs, promoting the establishment of NGOs/POs concerned with the management of fisheries/coastal resources takes the form of accreditation of said organizations. Tabaco and Batan have started accrediting POs and NGOs while Kolambugan has encouraged the establishment of fishermen coops with the assistance of existing NGOs in the community. Also, Malalag has assisted POs in the preparation of documents for their accreditation and registration with the Securities and Exchange Commission (SEC).

Carigara has not yet accredited LABRADOR-CABDEC, the NGO which is very much concerned with the management of such resources, and Puerto Princesa does not have a specific policy on this kind of endeavor.

*Collaborative/Support Systems Extended to NGOs/POs*

Aside from accrediting and encouraging the establishment of NGOs concerned with the management of fisheries/coastal resources, majority (five out of six) of the cases have established some support systems to such NGOs in various forms. In Tabaco, for example, the concerned NGOs participate in the Municipal Resources Council. The same is true in Batan where NGOs/POs participate in the meetings and planning exercises of its Coastal Resource Management Council.



In Kolambugan, three NGOs were involved in the management of coastal resources through community awareness building and organizing activities. About thirteen fishermen coops are also involved in the formulation of barangay development plans which include the Barangay Integrated Coastal Resources Management Plan.

Malalag provides logistical support to NGOs/POs in the form of seedlings and planting materials, use of facilities, transportation and financial assistance in membership seminars and advocacy training. The local unit works closely with the KAPWA Upliftment Foundation, an NGO, in the rehabilitation of Baybay, a coastal barangay.

Although Puerto Princesa has not established any linkage with NGOs/POs in the management of coastal resources, it has extended financial assistance to certain NGOs operating within its territorial jurisdiction.

#### *Linkages Among Agencies and NGOs/POs*

As noted from the case studies, a number of government agencies, NGOs/POs, and academic institutions whose operations are based in the local communities, are linked to each other through the local government structures like the Municipal Development Council and fishery related bodies, i.e., Provincial Environmental Defense Council in Malalag, the Inter-Municipal Coastal Resource Management Council in Batan, and the Municipal Fishery Law Enforcement Task Force in Kolambugan

The involvements of the various sectoral players are operationalized not only through the local government structures and other fishery-related bodies but also through the implementation of the Department of Environment and Natural Resources' Coastal Environment Program (CEP), Coastal Resource Management-Fishery Sector Program (CRM-FSP) of DA, and the Coastal Resource Management of Canadian International Development Agency (CIDA). All these programs include projects aimed at conserving and developing coastal resources in all the study sites.

#### *Critical Issues/Concerns Impairing Fishery/Aquatic Resource Management System*

As documented by the case studies, the common problems affecting the fisheries/coastal resources management system are the (1) insufficient logistical support to Baywatch Program, to support alternative livelihood programs, to conduct training programs on mangrove reforestation, and other related coastal resources management programs; (2) weak law enforcement and inadequate law enforcement facilities; and (3) lack of organizational and technical capability.

Despite the structural and program linkages with the NGOs/POs, some operational problems are noted in Puerto Princesa, Batan, and Carigara. In Puerto Princesa, for instance, some civic organizations appear to be unconcerned about coastal resources management programs. In Batan, there seems to be the lack of systematic or effective inter-municipal coordination mechanism among NGOs/POs and the LGU. And in Carigara, a weak linkage between the municipal government and LABRADOR exists.

Perhaps due to the lack of technical know-how on the part of Batan, it is noted that there is lack of comprehensive plan for fisheries and aquatic resources.

In the same vein, there is no integrated policy for fisheries/coastal resources management for Malalag Bay. It seems that the absence of such policy is reflective of the lack of provincial initiative for an area-wide policy on fisheries/coastal resources management.

### **Summary and Concluding Statement**

The case studies documented the existing management systems on fisheries/aquatic resources at the local level. Specifically, the research undertaking assessed the extent of implementation of the codal provisions pertinent to the management of said resources. It identified critical issues and problems affecting the implementation of such codal provisions as well as those related to the management of fisheries/aquatic resources at the community level.

As found in the case studies, the sample LGUs have generally implemented the pertinent provisions of the Code. Majority of them have provided extension and on-site research services and facilities to the fishery sector. Their awareness and concern about protecting their fisheries/coastal resources are very much evident in their adoption of some measures to enforce fishery laws in their respective communities. Three of the municipalities have established Baywatch or *Baybay Dagat* patrols and the rest have organized their own task forces or boards to monitor illegal activities in their municipal waters.

Aside from the enforcement of fishery laws, the LGUs also passed ordinances providing for penalties for the use of illegal and deleterious methods of fishing.

While some NGOs/POs concerned with the management of fisheries/coastal resources are noted to be operating in almost all of the LGUs, only 50 percent have established some joint ventures with them on this matter. Nevertheless,

despite the absence of such collaborative undertakings, they have provided some assistance in the form of technical know-how, funding and loans.

It is also noted from the case studies that three of the sample LGUs have granted fishery privileges to marginal fishermen most especially fishermen cooperatives. The grant of fishery privileges to such groups encourages the formation of coops in the countryside which is a positive approach to community management of resources.

Following the devolution of agricultural services to the local units, it is significant to mention that all of the sample LGUs have created their own Municipal Agriculturist Offices whose functions focus on the provision of assistance/access to resources in the production, processing, and marketing of marine products; extension services and livelihood assistance to fishermen; water resources utilization and conservation projects; and enforcement of fishing laws. The establishment of such office suggests the seriousness of the LGUs to conserve, manage and protect their fisheries/coastal/water resources.

Nonetheless, the implementation of the Codal provisions is not without problems. The case studies have identified that the difficulties encountered by the LGUs in fully implementing such provisions were caused by insufficiency or lack of resources in terms of manpower, financial, and technical. Competent and qualified personnel who would work on a full-time basis are needed to provide technical and other services to the fisherfolk. The transfer of technology to the LGUs in the management of their resources is also needed.

The sustenance and the maintenance of the *Bantay Dagat* Program appear to be imperiled due to the lack of financial resources among the LGUs.

Despite the identified problems, the sample LGUs have made some initiatives toward promoting the establishment of NGOs/POs concerned with the management of fisheries/coastal resources. As a starter, the units have accredited POs/NGOs operating within their respective localities. Furthermore, they have established some support systems for the operations of these NGOs/POs such as participation in the Municipal Resources Council or the Coastal Resource Management Council. Aside from this kind of participation, the units have extended logistical support in the form of provisions of seedlings and planting methods, use of facilities, transportation and financial assistance in membership seminars and advocacy training.

Interlinkages between and among the LGUs, national government agencies, NGOs/POs and some academic institutions appear to be extensive in the study sites. These various development actors are linked to each other through their membership and participation in the operations of certain local government structures like the Municipal Development Council and fishery

related bodies such as the Provincial Environmental Defense Council in Malalag, the Inter-Municipal Coastal Resources Management Council in Batan, and the Municipal Fishery Law Enforcement Task Force in Kolambugan.

These networks are also operationalized through their involvements in the implementation of some programs like the Coastal Environment Program (CEP) of DENR, Coastal Resource Management-Fishery Sector Program (CRM-FSP) of DA, and the Coastal Resources Management of CIDA.

Based on the networks and linkages among the various players, a common strategy or approach that emerges is the participation of the community through the NGOs/POs in the implementation of programs related to fisheries/coastal resources management. The LGU merely provides the support system for the effective operationalization of the program. It also takes the lead in providing the necessary forum for consultations and multisectoral dialogues.

Although structural mechanisms have been set up in the community, some operational problems appear to beset the management of such resources. These are: (1) inadequate logistical support to Baywatch Program, to support alternative livelihood programs, to conduct training programs on mangrove reforestation, and other related coastal resources management programs; (2) weak law enforcement and poor law enforcement facilities; and (3) lack of organizational and technical capability.

The above issues and concerns should be addressed to come up with more effective management systems of fisheries/aquatic/coastal resources at the local level. In this light, the following policy proposals are in order:

1. A major shift in orientation in the delivery of agricultural services from land-based agriculture to fisheries and aquaculture should be made. Such a shift can be realized by channeling additional resources, such as manpower and facilities, to the implementation of devolved fishery functions. To concretize this channeling of additional resources, a unit under the Municipal Agriculturist Office can be created which will take charge of fisheries and coastal resources programs and projects.
2. DA and DENR should provide the needed technical assistance to the LGUs within their areas of operations. Hands-on kind of training could be organized for the LGU personnel tasked with the functions pertaining to the management and conservation of fisheries/aquatic/coastal resources.
3. In case the LGU does not have the competent and technically prepared personnel to perform the said functions, the DA and

DENR should assign one of their technical staff to assist the local unit in undertaking such activities.

4. In terms of economies of scale, bay or gulf-wide management systems must be encouraged and supported by all LGUs and NGOs/POs concerned. Moreover, inter-local cooperation among the local units covering the coastal and marine areas in the region should be established. Perhaps, a regional structure could be put up and the roles and functions/responsibilities of each sector or collaborating unit identified for proper delineation of functions.
5. The LGU and the other national government agencies operating within the area should share the cost of maintaining and sustaining the *Bantay Dagat* or Baywatch Program. This function should be a shared responsibility between the LGU and the other national government agencies.
6. A stronger coordinative mechanism should be evolved among law enforcement agencies, i.e., LGU, PNP, DENR, and barangay, to fully enforce the fishery laws and anti-illegal fishing activities.

The cost of upgrading the law enforcement facilities should be shared among such local bodies. Each unit/agency including the barangay should be able to contribute some funds for the upgrading of the said facilities.

7. To strengthen the financial capacity of the LGUs, their shares from the national government collection from fishery charges should be given. The Department of Budget and Management (DBM) should look into this to facilitate the release of such shares.
8. Every local unit must prepare and implement a comprehensive plan for the management of fisheries and aquatic resources, in the context of people's participation and empowerment. Such a comprehensive plan requires a sector study assessing the status of said resources. The study should cover issues on fisheries resources, illegal fishing, market opportunities and reforestation.
9. The overall resource management program can be lodged with a national government agency with a team of LGUs and NGOs/POs working under joint agreements.

10. In terms of local legislation, declaration of open and closed fishing seasons must be made by the concerned legislative councils. Such declaration must be premised on the availability of alternative livelihood programs which must be primarily supported by LGUs in coordination with the NGOs/POs.
11. The Fishery Ordinances of all LGUs must be updated in line with the Local Government Code of 1991. The updated ordinance ought to go hand in hand with the information and education campaign on fisheries and aquatic resource management.