

Item No.: 19

Date: 07 2026 APR



Sangguniang Panlalawigan  
Province of Leyte

**RECEIVED**

Date: MAR 30 2026  
By: Jennin V.

Republic of the Philippines  
**PROVINCE OF LEYTE**  
Provincial Capitol  
Tacloban City

-oOo-

**PROVINCIAL LEGAL OFFICE**

PROVINCE OF LEYTE  
LEGAL OFFICE  
**RELEASED**

By: [Signature]  
Date: 3.30.26 Time: 9:24

**2<sup>nd</sup> INDORSEMENT**  
March 20, 2026

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 11 series of 2025 of the Sangguniang Bayan of MacArthur, Leyte.

**Issues/concerns for review/recommendation/legal opinion is/are as follows:**

- Ordinance No. 11 series of 2025: “**MacArthur Water Bodies and Wetlands Protection and Conservation Ordinance of 2025.**”

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 4479(a)(1)(vi)<sup>1</sup> of the Local Government Code of 1991 (R.A 7160) pursuant to RA 9275<sup>2</sup>. Hence, we recommend the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

  
**ATTY. JOSE RAYMUND A. ACOL**  
*Provincial Legal Officer*

<sup>1</sup> (vi) *Protect the environment and impose appropriate penalties for acts which endanger the environment, such as dynamite fishing and other forms of destructive fishing, illegal logging and smuggling of logs, smuggling of natural resources products and of endangered species of flora and fauna, slash and burn farming, and such other activities which result in pollution, acceleration of eutrophication of rivers and lakes, or of ecological imbalance;*

<sup>2</sup> “*Philippine Clean Water Act of 2004*”



RECEIVED

By: RET Emma *[Signature]*  
Date: 03-20-26 Time: 8:48 AM

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte  
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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> INDORSEMENT**  
19 March 2026

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 11, series of 2025 of the Municipality of MacArthur, Leyte**, entitled: **An Ordinance declaring Lake Bito, Balire River, Ibawon River, and all wetlands and bodies of water within the Municipality of MacArthur, Leyte as protected water ecosystems, providing measures for their conservation, sustainable management, appropriating funds and penalties for violations thereof.P**

**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian





Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF MACARTHUR

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*Office of the Sangguniang Bayan*

ENDORSEMENT  
March 19, 2026

Sangguniang Panlalawigan  
Province of Leyte

**RECEIVED**

Date: **MAR 19 2026**

*James G. Iñan*

Respectfully submitting to the Honorable Provincial Board for consideration and approval the herein Municipal Ordinance No. 11, Series of 2025, entitled AN ORDINANCE DECLARING LAKE BITO, BALIRE RIVER, IBAWON RIVER, AND ALL WETLANDS AND BODIES OF WATER WITHIN THE MUNICIPALITY OF MACARTHUR, LEYTE AS PROTECTED WATER ECOSYSTEMS, PROVIDING MEASURES FOR THEIR CONSERVATION, SUSTAINABLE MANAGEMENT, APPROPRIATING FUNDS AND PENALTIES FOR VIOLATIONS THEREOF.

*Stephanie*  
MARIE STEPHANIE DE LA CRUZ- PULGA  
Secretary to the Sanggunian

*Public Service Above Self*



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF MACARTHUR  
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## Municipal Ordinance No. 11 Series of 2025

AN ORDINANCE DECLARING LAKE BITO,  
BALIRE RIVER, IBAWON RIVER, AND ALL  
WETLANDS AND BODIES OF WATER  
WITHIN THE MUNICIPALITY OF  
MACARTHUR, LEYTE AS PROTECTED  
WATER ECOSYSTEMS, PROVIDING  
MEASURES FOR THEIR CONSERVATION,  
SUSTAINABLE MANAGEMENT,  
APPROPRIATING FUNDS AND PENALTIES  
FOR VIOLATIONS THEREOF



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF MACARTHUR

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Office of the Sangguniang Bayan

Sangguniang Panlalawigan  
Province of Leyte

**RECEIVED**

Date: MAR 19 2026  
By: [Signature]

Attested:

[Signature]  
JESUS A. BARANDA  
Municipal Vice Mayor

Concurred:

[Signature]  
RAUL E. MUNDALA  
SB Member

[Signature]  
IRENEO G. REMANES JR.  
SB Member

RONALD DOMINIC B. BABANTE  
SB Member (On Official Travel)

[Signature]  
TRINA C. BURAWIS  
SB Member

[Signature]  
JONATHAN T. BARQUIN  
SB Member

[Signature]  
VICTORIANO T. LAZAR  
SB Member

XANDRIX P. PANTIN  
SB Member

[Signature]  
GWENDOLYN M. BERISO  
SB Member

[Signature]  
JOSE A. BARANDA  
Ex-Officio Member  
President, Liga ng mga Barangay

RALPH MARTIN P. EGOS  
Ex-Officio Member  
SKF President (On Official Travel)

Approved:

[Signature]  
RUDIN T. BABANTE  
Municipal Mayor  
Date Approved: MARCH 16, 2026

EXCERPT FROM THE MINUTES OF THE 32ND REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MACARTHUR, LEYTE HELD ON 23 FEBRUARY 2026 AT THE MUNICIPAL SESSION HALL.

PRESENT:

Honorable Jesus A. Baranda	Vice Mayor, Presiding
Honorable Raul E. Mundala	SB Member
Honorable Ireneo G. Remanes Jr.	SB Member
Honorable Trina C. Burawis	SB Member
Honorable Jonathan T. Barquin	SB Member
Honorable Victoriano T. Lazar	SB Member
Honorable Xandrix P. Pantin	SB Member
Honorable Gwendolyn M. Beriso	SB Member
Honorable Jose A. Baranda	Ex-Officio Member President, Liga ng mga Barangay

ABSENT:

Honorable Ronald Dominic B. Babante	SB Member (On Official Travel)
Honorable Ralph Martin P. Egos	Ex-Officio Member SKF President (On Official Travel)

MUNICIPAL ORDINANCE NO. 11  
Series of 2025

AN ORDINANCE DECLARING LAKE BITO, BALIRE RIVER, IBAWON RIVER, AND ALL WETLANDS AND BODIES OF WATER WITHIN THE MUNICIPALITY OF MACARTHUR, LEYTE AS PROTECTED WATER ECOSYSTEMS, PROVIDING MEASURES FOR THEIR CONSERVATION, SUSTAINABLE MANAGEMENT, APPROPRIATING FUNDS AND PENALTIES FOR VIOLATIONS THEREOF

SPONSORED BY : Honorable Gwendolyn M. Beriso

WHEREAS, Section 16 of the Local Government Code of 1991 declares that every local government unit shall exercise the powers necessary for its efficient and effective governance, and shall enhance the right of the people to a balanced ecology;


WHEREAS, The Municipality of MacArthur, Leyte is endowed with important aquatic ecosystems such as Lake Bito, Balire River, Irawon River, Coastal jurisdiction and other wetlands that are vital sources of

Attested:

  
JESUS A. BARANDA  
Municipal Vice Mayor


Concurred:


  
RAUL M. MUNDA  
SB Member


  
RENEO G. REMANES JR.  
SB Member


RONALD DOMINIC B. BABANTE  
SB Member (On Official Travel)

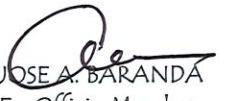
  
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SB Member

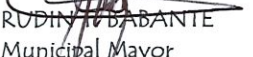
  
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President, Liga ng mga Barangay

RALPH MARTIN P. EGOS  
Ex-Officio Member  
SKF President (On Official Travel)

Approved:

  
RUDIN B. BABANTE  
Municipal Mayor  
Date Approved: MARCH 16, 2026

food, livelihood, climate regulation, biodiversity, and natural disaster mitigation;

WHEREAS, Ordinance No. 02, Series of 2019 of the Municipality of MacArthur, Leyte, entitled "An Ordinance Prescribing Rules and Regulations Governing the Construction, Establishment, or Operations of Fish Pens, Fish Cages, Fish Traps, and Hatcheries in the Inland Bodies of Water of MacArthur, Leyte," was enacted to ensure the sustainable use and management of the municipality's inland aquatic resources, and to regulate aquaculture activities in accordance with environmental and ecological standards;

WHEREAS, the continuing threats of pollution, illegal dumping of waste, illegal fishing, unsustainable land use, mining runoff, and encroachment compromise the ecological balance and water quality of these bodies of water;

WHEREAS, it is the policy of the State under R.A. 9275 (Philippine Clean Water Act of 2004), R.A. 9147 (Wildlife Resources Conservation and Protection Act), and R.A. 7586 (NIPAS Act) to protect, preserve, and rehabilitate the country's natural resources and biodiversity.

WHEREFORE, on motion of Honorable Gwendolyn M. Beriso duly seconded by en masse, be it

Ordained by the Sangguniang Bayan of the Municipality of MacArthur, Leyte that:

ARTICLE I  
TITLE AND SCOPE

SECTION 1. Title.

This Ordinance shall be known as the *"MacArthur Water Bodies and Wetlands Protection and Conservation Ordinance of 2025."*

SECTION 2. Scope and Coverage.

This Ordinance shall cover Lake Bito, Balire River, Ibawon River, Coastal jurisdiction, and all wetlands, tributaries, and inland water bodies within the territorial jurisdiction of the Municipality of MacArthur, Leyte.


ARTICLE II  
DECLARATION OF POLICY

SECTION 3. Declaration as Protected Water Ecosystems.

Lake Bito, Balire River, Ibawon River, Coastal jurisdiction and all other natural bodies of water and wetlands in MacArthur are hereby declared Protected Water Ecosystems. These ecosystems shall be managed, conserved, and rehabilitated to ensure their long-term ecological integrity and sustainable use.

ARTICLE III  
PROHIBITED ACTS

Attested:

  
JESUS A. BARANDA  
Municipal Vice Mayor

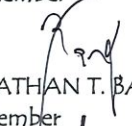
Concurred:

  
RAUL E. MONDALA  
SB Member


  
IRENEO C. REMANES JR.  
SB Member

RONALD DOMINIC B. BABANTE  
SB Member (On Official Travel)

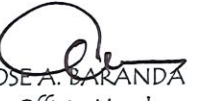
  
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President, Liga ng mga Barangay

RALPH MARTIN P. EGOS  
Ex-Officio Member  
SKF President (On Official Travel)

Approved:

  
RUDIN B. BABANTE  
Municipal Mayor  
Date Approved: MARCH 16, 2026

**SECTION 4. Prohibited Acts.**

The following activities shall be prohibited within the declared protected areas:

- Dumping of garbage, sewage, wastewater, or any pollutant into the water or its tributaries;
- Mining runoff or tailings disposal into the rivers or lake;
- Illegal fishing methods, including electrofishing, use of poison, explosives, or fine mesh nets;
- Encroachment or reclamation of wetlands or riverbanks;
- Cutting of trees or vegetation within 20 meters from the water's edge (buffer zone);
- Construction of structures without a valid Environmental Compliance Certificate (ECC), and Locational Clearance or Zoning Clearance;
- Extraction of sand and gravel from rivers or lake shores without proper permits and clearances;
- Burning of vegetation within the riparian or wetland zones.
- Allowing animals such as cows, carabaos, ducks, chickens, and other similar livestock to enter, graze, or wallow in rivers and other bodies of water, as well as to dump or discharge manure and animal waste therein.

**ARTICLE IV**

**MANAGEMENT, CONSERVATION, AND REHABILITATION**

**SECTION 5. Creation of the MacArthur Water Bodies Management Council (MWBMC).**


A multi-sectoral body shall be created composed of the following:

- Municipal Environment and Natural Resources Officer (MENRO) – Chairperson
- Municipal Agriculturist
- Municipal Planning and Development Officer (MPDO)
- Representatives from Barangays surrounding Lake Bito, Balire, and Ibayon
- Accredited Civil Society Organizations
- Local fisherfolk association
- CENRO/PENRO (as adviser)

**SECTION 6. Functions of the MWBMC.**


- Draft and implement a Wetland & Water bodies Management Plan for protected water bodies
- Conduct regular water quality monitoring and biodiversity assessment
- Recommend budget allocations, zoning policies, and carrying capacity limits
- Conduct Information, Education, and Communication (IEC) campaigns

Attested:

  
JESUS A. BARANDA  
Municipal Vice Mayor


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SKF President (On Official Travel)

Approved:

  
RUDIN T. BABANTE  
Municipal Mayor

Date Approved: MARCH 16, 2024

- Facilitate community-based conservation and eco-tourism initiatives

**SECTION 7. Buffer Zone.**

A 20-meter buffer zone from the edge of each water body shall be established and maintained with native vegetation and no permanent structures allowed.

**ARTICLE V  
PENALTIES AND ENFORCEMENT**

**SECTION 8. Penalties.**

Any violation of the siting, construction, or operational standards within wetlands, rivers, lakes, coastal jurisdiction and other inland bodies of water in the Municipality of MacArthur, Leyte shall be subject to penalties as prescribed by applicable national laws, such as the Philippine Fisheries Code of 1998 (RA 8550 as amended by RA 10654), the Clean Water Act of 2004 (RA 9275), and relevant provisions of the Environmental Impact Statement (EIS) System (PD 1586).

Further, specific penalties for unauthorized, unregulated, or environmentally harmful activities within the inland bodies of water—such as the improper siting or operation of fish pens, fish cages, fish traps, and hatcheries—are governed by Municipal Ordinance No. 02, Series of 2019 of MacArthur, Leyte. This ordinance provides sanctions against violators, including administrative measures and other legal remedies to ensure compliance and protect the ecological integrity of the municipality's aquatic resources.

**SECTION 9. Enforcement Mechanism.**

- MENRO is hereby deputized to enforce this ordinance
- Barangay Tanods may be deputized as Environmental Wardens
- Violations shall be reported to the Municipal Monitoring Team, which shall validate and document violations for action

**SECTION 10. Funding.**

For the effective implementation of this ordinance, the Municipal Government of MacArthur, Leyte shall appropriate funds under the Office of the Municipal Mayor.

**ARTICLE VI  
FINAL PROVISIONS**


**SECTION 11. Separability Clause.**

If any part of this Ordinance is declared unconstitutional, the remaining provisions shall remain in full force and effect.

**SECTION 12. Repealing Clause.**

All ordinances, rules, and regulations inconsistent with this Ordinance are hereby repealed or modified accordingly.

Attested:


  
JESUS A. BARANDA  
Municipal Vice Mayor


Concurred:

  
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SB Member


  
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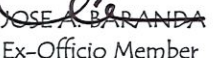
  
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Ex-Officio Member  
SKF President (On Official Travel)

Approved:

  
RUDIN T. BABANTE  
Municipal Mayor


Date Approved: MARCH 16, 2026

**SECTION 13. Effectivity.**

This Ordinance shall take effect after the approval from the Sangguniang Panlalawigan and the requirement of posting prescribed in RA 7160 is complied with.

ENACTED by the Sangguniang Bayan in session assembled on February 23, 2026 at the Municipal Session Hall, Legislative Building, MacArthur, Leyte, Philippines.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

  
MARIE STEPHANIE DE LA CRUZ- PULGA  
Secretary to the Sanggunian



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF MACARTHUR  
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*Office of the Sangguniang Bayan*

## CERTIFICATE OF POSTING

THIS IS TO CERTIFY that Municipal Ordinance No. 11, Series of 2025 of the Sangguniang Bayan of MacArthur, Leyte, duly enacted on 23 February 2026 and approved last 16 March 2026 has been posted since 17 March 2026 at the bulletin board of the Legislative Building, at Poblacion Public Market, and at Palale I Outpost pursuant to Section 511 of R.A. 7160.

  
MARIE STEPHANIE DE LA CRUZ- PULGA  
Secretary to the Sanggunian

*Public Service Above Self*