

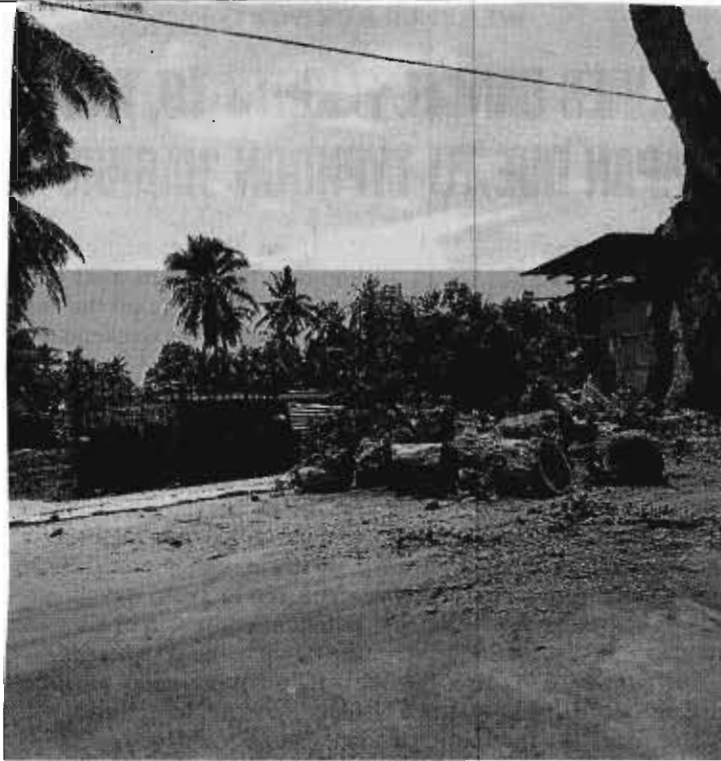
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DAY : Saturday

**DENR**

**IN THE NEWS**

Strategic Communication and Initiative Service



'SLAUGHTERED' Personnel of the Department of Public Works and Highways start the cutting of trees in the City of Naga, south Cebu. —GRACE ZABALA-OBARES

IN CITIES OF CARCAR, NAGA

## CEBU RESIDENTS PETITION TO SAVE ROADSIDE TREES

By Ador Vincent Mayol  
@inquirervisayas

CEBU CITY—Two online petitions have been launched to protect the roadside trees in the cities of Naga and Carcar in south Cebu.

Milk Joy Pactores, 25, a digital marketing manager based in Cebu, on Wednesday started a 10,000-signature campaign to ask President Duterte and the Department of Environment and Natural Resources (DENR) to stop the cutting of trees.

"Let us not sacrifice earth's lungs for our human convenience. We might not feel the effect now but our future generations surely will. Save the

trees!" the petition read.

As of Wednesday night, the petition had gathered 3,391 signatures.

A separate petition in Change.org spearheaded by Tingog Kinaiyahan also gathered 3,908 signatures since it was launched on Thursday.

### Part of heritage

Tingog Kinaiyahan's petition targets 1,000 signatures.

"The trees south of Cebu are part of our culture and heritage as a Cebuano, aside from the environmental protection they give the inhabitants of the island," their petition read.

Tingog Kinaiyahan said

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Cebu Residents petition to Save roadside trees

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the trees should not be "slaughtered" simply because of road safety reasons. "If one cannot see the trees while driving as we have done so all our lives down

south, then maybe one is not fit to drive," it said.

"Man caused the hazards. The trees simply exist where they have done so before any of us. What good will it do us if we plant a million seedlings for pictures to post and we cut the grown trees that already do the carbon ab-

sorption we need now? Protect our protectors against the climate crisis that threatens our survival."

The Department of Public Works and Highways (DPWH) planned to cut 151 trees to give way to the 73-kilometer Metro Cebu Expressway project, which will connect Naga in the south

to Danao City in the north.

The DPWH said it would plant 100 seedlings for every tree cut.

Environmental lawyer Benjamin Cabrido earlier sought the intervention of the Court of Appeals to stop the cutting of trees in Cebu City.

Cabrido filed a petition for

the issuance of a writ of kalikasan with a prayer for the issuance of a temporary environmental protection order.

A writ of kalikasan is a legal remedy that provides protection of one's constitutional right to a healthy environment. "Kalikasan" is a Filipino word for nature.

The DENR allowed its office in Central Visayas to cut four century-old narra trees and one mahogany tree on M. Velez Street at Barangay Capitol Site in Cebu City.

In his Facebook post, Cabrido said the DENR did not have any jurisdiction to issue tree-cutting permits. INQ



## Zero waste, zero pest week

THE 23rd National Urban Pest Control/Zero Waste Zero Pest Week capped its celebration with a conference on community pest control on September 27 at the Manila Hotel.

The annual celebration which is a part of the Department of Environment and Natural Resources' (DENR) Clean Up the World Month, had for its theme "Knowledge of pests plays an important role in keeping them out of our homes."

Speakers were led by inventor Gonzalo Catan Jr., EVP and founder of Mapecon PH and Mapecon Green Charcoal Philip-

pinas who talked about community pest control and principles for effective urban pest control.

The celebration was kicked off with a thanksgiving mass on September 23 then Mapecon conducted anti-dengue/zika operations in partnership with the local government unit of Manila.

Mapecon and its 46 branches nationwide joined other National Committee on Urban Pest Control operators in a conference on September 24 followed by a conference in Mindanao on September 25 and another one in the Visayas on September 26.



■ Joey Lina with inventor Gonzalo Catan Jr., EVP and founder of Mapecon PH and Mapecon Green Charcoal Philippines, and other speakers.



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## Gradual single-use plastic ban

**TAGBILARAN** – The Bohol provincial government is moving to impose a gradual ban on single-use plastic next year to address the worsening plastic waste situation in the province known for its ecotourism stature.

The gradual single-use plastic ban is one of the environmental programs laid out by the administration of Gov. Arthur Yap. The ban, Yap said, will be done in “achievable phases.”

The governor admitted he imposed the gradual ban alone. He needs to enlist the help of the various town mayors and stakeholders in banning the use of single-use plastic.

Currently, Tagbilaran city and a few other towns in the province already imposed a single-use plastic ban by passing an ordinance.

Earlier, the head of the Bohol Environment Management Office Jovencia Ganub said her office is working

with the Sangguniang Panlalawigan to craft an ordinance eventually banning the use of single-use plastic.

Meanwhile, Ganub said Yap convened the Provincial Mining Regulatory Board the other day to discuss the processes involved in releasing quarry permits and the licensing of quarry operators.

The Bohol governor has suspended the quarry operations in the province through Executive Order 4.

# Solving the plastic problem

**Two progressive and admirable cities in Israel have declared war on the intolerable plastic pollution along their beaches by announcing the adoption of strict regulatory measures**

JERUSALEM, Israel – Last week, I wrote about Egypt and its period of energy transition, comparing it to our own ongoing energy transition in the Philippines. Now, as I am writing this from Israel, I will also reflect on efforts being made here as compared to similar initiatives I have experienced back in the Philippines. I can truly say that I am learning quite a lot from my time abroad. It is always fresh and exciting to look at how other countries and cities innovate and develop their own ways of protecting the environment and fighting pollution.

Case in point: I learned here in Israel that two cities, namely Herzliya and Eilat, are set on tackling the issue of plastic. In a determined move to curb and lessen pollution, these two Israeli cities have banned single-use plastics (SUP) from beaches. In fact, it was mentioned in the news bit that I read here that the plastic plate and utensils are seen by the citizens in these two cities as symbols of environmental

destruction and pollution. Yes, these items have their use in our society, but looking at how major the plastic problem in Israel is right now, I hope that our country will never reach the point where the plastic problem is already so glaring.

Israel's consumption of disposable plastic continues to rise, and they are already producing about a million tons of plastic waste each year. It was noted that waste along Israel's Mediterranean shores is among the highest in the region. And the effects of this are disastrous: microplastic particles floating offshore tend to intoxicate and poison the marine life in the area, and poor waste management results in overflowing landfills, which in turn contaminate surrounding ecosystems. Monitoring Israel during my time here, I have already seen some improvement. But sadly, it is clear that there is still much work to be done.

But where there is a will, there is a way: two progressive and admirable

cities in Israel have declared war on the intolerable plastic pollution along their beaches by announcing the adoption of strict regulatory measures. In the case of Herzliya, it is absolutely crucial that they act on the plastic problem because it is a major tourist destination. Known



**THE Z PERSPECTIVE**  
Joe Zaldarriaga

for its beautiful beaches, the plastic problem will not only negatively affect the environment of the city, but it will also disenchant tourists if the issue escalates to an unmanageable point.

In the case of Eilat, the city is known around the world for its diverse marine life, gorgeous corals, and has made a name for itself as a premiere diving destination. So, in this case, the real concern is the marine environment. The plastic problem will destroy the corals, and possibly suffocate and kill the marine life. This will in turn wreak havoc on the entire marine ecosystem of the area. The problem gets out of hand. And

as expected, this will also put the city's tourism in peril, since divers will lose interest in such damaged underwater sites. Thus, the efforts that these two cities have put into banning SUP are common sense. You have to protect that which makes you thrive. Israel simply must take care of its environment

because too many factors are at risk.

**The protection of the environment is a collective obligation that we not only owe to the communities we serve, but more importantly, the future generation.**

Now that I have reflected on this global scale regarding the SUP problem, it makes me ponder on how we as individuals can make small changes to our lifestyles in order to make a huge difference to the environment.

Sometimes, it starts with fixing habits, then it develops into a culture, which one can bring over to family, friends, and even to entire companies. Therefore, I was impressed by my second home, Meralco, as it took a unified stance against plastic.

Like Israel, my company made a brave stand, and joined in the war against plastic and pollution. It is not an easy war to win. And it will most probably take a long time to completely solve the plastic problem of the Philippines, or even just of Metro Manila. But if we all do our part, then slowly we will get closer to that ultimate goal of a more sustainable, cleaner and greener society.

Similar to the two Israel cities I discussed earlier, Meralco announced that to help save the country's environment, it has banned SUP, polystyrene foam and similar products from all of its premises, activities, and corporate events effective 1 October 2019.

Meralco president and chief executive officer Atty. Ray C. Espinosa said, "The protection of the environment is a collective obligation that we not only owe to the communities we serve, but more

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## Solving the Plastic Problem

importantly, the future generation. It is, therefore, incumbent upon us to ensure that we integrate sustainability in all areas of our operations and in our workplace to create a positive impact to the environment."

Aside from reducing its contribution of plastic to landfills and marine pollution, Meralco also aims to educate employees and business partners on the responsible use of plastic for proper disposal for a sustainable economy, and help pave the way for a lifestyle change.

The data and facts are as clear as day: According to a report published by the United Nations Environment Program, the world's ability to cope with plastic waste is already overwhelmed. Only nine percent of the nine trillion kilos of plastic the world has produced has been recycled. Most end up in landfills, dumps or in the environment. If current consumption patterns and waste management practices continue, then by 2050 there will be around 12 trillion kilos of plastic litter in landfills and the environment.

And this is just the beginning: As the first of many sustainability initiatives, the use of SUP, including polystyrene foam and similar products, is banned from all offices, premises and facilities of Meralco, including operations centers, business centers, subsidiaries, affiliates, and in company events and activities effective 1 October 2019. SUP covered by the ban include plastic grocery bags, beverage bottles, food service utensils (cutlery, plates, cups, lids, straws, stirrers) and dispensing containers for cleaning fluids.

And our leaders are there at the forefront, leading the charge in this plastic-free revolution. "Everyone in Meralco is committed to do their part in ensuring that we embrace sustainability as a way of life by greatly reducing our contribution to the million tons of plastic wastes that are used and dumped in our waterways, rivers and oceans every day," Espinosa said.

I'm definitely looking forward to going back home to be part of this plastic-free movement. And I hope you, my dear readers, can join in on this cause as well.



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# Ginebra appeals water pollution case

By IRIS GONZALES

Ginebra San Miguel Inc., the listed beverage company of conglomerate San Miguel Corp., said it would appeal the P1 million fine imposed against it by the Department of Environment and Natural Resources (DENR).

In a disclosure yesterday, GSMI said the DENR had slapped its subsidiary East Pacific Star Bottlers Philippines Inc. a P1 million penalty for supposedly violating Republic Act 9275 or the Clean Water Act of 2004.

The DENR-Pollution Adjudication Board ruled that East Pacific allegedly discharged effluents which do not meet

the DENR effluent standards.

In response, East Pacific said it has already corrected such finding.

It said it would file a motion for reconsideration of the DENR-PAB order on or before Oct. 23.

GSMI is majority owned by SMC and is primarily engaged in the manufacture and sale of alcoholic and non-alcoholic beverages until it disposed its non-alcoholic beverage assets in favor of San Miguel Brewery Inc. in April 2015.

According to its profile, it operates three liquor bottling facilities that are located in Cebu, Pangasinan and Laguna. The company also has toll manufactur-

ing agreements with third parties for the production of both its alcoholic and non-alcoholic beverages.

Its flagship product is Ginebra San Miguel. Other products include GSM Blue, Gran Matador Brandy, Primera Light Brandy, Antonov Vodka, and Vino Kulafu among others.

In 2017, the company released two new variants of GSM - Margarita and Gin Pomelo along with its newest product, Anejo Gold Medium Rum.

Aside from East Pacific Bottlers, another subsidiary of GSM is Distileria Bago Inc., an entity with a distillery located in Negros Occidental that converts sugar cane molasses into alcohol.



# Lawmakers blast Manila Water

BY JAVIER JOE ISMAEL

**L**AWMAKERS on Friday blasted Manila Water Co. Inc. for warning that water rates could increase "exponentially" if the Supreme Court decision upholding the massive penalty imposed on water concessionaires is implemented.

Sen. Sherwin Gatchalian slammed the agency for its threat to increase rates by 780 percent following the P1.8-billion fine slapped on water firms for non-compliance with environmental laws.

"Increasing rates by 780 percent is unconscionable and a downright highway robbery. No business in the world earns 780 percent in profit! Government regu-

lators should never allow this inhumane increase," said Gatchalian in a statement.

Buhay party-list Rep. Jose "Lito" Atienza also lambasted Manila Water.

"This is the height of arrogance! Instead of complying with the Supreme Court order, they are now threatening consumers with an oppressive hike in water rates

▶ Blast A2

## BLAST FROM A1

### Lawmakers

unless the high tribunal reverses its ruling. This is tantamount to blackmail," the lawmaker said.

"For the past 22 years, they have been charging consumers a so-called "environmental fee" purportedly to put up sewer lines connecting all households to the waste-water treatment facilities. Instead of flowing directly into water bodies such as the Laguna de Bay and Manila Bay, water from households and commercial establishments should be directed to these treatment facilities, converting it to a level that can even be of drinking quality. But until now they have not rendered this service as stipulated in their concession agreement with the government," Atienza said.

"This is precisely why essential needs such as water should never be privatized and put in the hands of businessmen whose sole motivation is profit," he added.

It was during Atienza's term as Environment secretary when

Manila Water and Maynilad Water Services Inc. were penalized with P100,000 daily for non-compliance with the Clean Water Act and provisions of their concession agreement.

"We first cited the three entities in April 2009 for violating Section 8 of the Clean Water Act which requires them to provide waste-water treatment facilities and to connect sewerage lines in all establishments, including households, to an available sewerage system. The following month, we imposed on them an initial fine of P29.4 million, an amount that has since ballooned to almost P2 billion," the former Manila mayor said.

The high court recently upheld the penalties imposed against the Metropolitan Waterworks and Sewerage System, Maynilad and Manila Water.

The high court directed the two water companies to pay the fines in 15 days, without prejudice to additional daily fines until the violators meet the terms of their contract and follow the law.

In its motion for reconsideration, Manila Water said enforcing the Supreme Court decision could lead

to steep water rate hikes and trigger huge traffic jams because of the massive diggings.

Atienza said the water concessionaires had enough time to construct treatment facilities.

"Instead of fulfilling their contractual obligation of putting up waste-water treatment facilities, they are now blackmailing the Supreme Court with this impending increase. Up to this point, 22 years after the effectivity of their contract, what have they been doing? They have merely been sending 'Malabanan-type' sewer tanks to requesting households to have their pozo negro cleaned. They have been stonewalling on the issue, shortchanging the people and the government," he said.

"As we have been repeatedly calling for in Congress and outside, these water companies should put up sufficient wastewater treatment facilities, to connect all households and establishments in their concession areas to an available sewerage system. Until they do, they will have to continue paying the daily fine of P322,102, which escalates by 10 percent in two years," Atienza added.

He called on the government to review the concession agreements with the two companies.

"Di ba sa kahit anong negosyo, merong panalo, merong talo? Kapag pumasok kayo sa negosyo with the government, kung matalo kayo, wala kayong magagawa. (Isn't it that in every business endeavor, there is a winner and loser? When you enter into a contract with the government, if you lose, you can't do anything)," Atienza said.

"You have been collecting money from us for the past 22 years. You should give back every centavo, as well as money you have borrowed from international financial institutions in the name of the Philippine government. Kung hindi kayo makakabayad nito, ang mga mamamayan na naman ang magbabayad, ang mamamayan na naman ang mahihirapan. (If you can't pay, the citizens will pay instead and the burden is passed on to them.) The Supreme Court decision on this matter has been hailed by everyone. But now, Manila Water has the temerity to ask that it be reversed!" the lawmaker said.

WITH JAIME PILAPIL



## Editorial

### Manila Water's threats are unacceptable

**A**CCORDING to water concessionaire Manila Water Co. Inc., if it and its counterpart Maynilad Water Services Inc. are compelled to follow a recent Supreme Court ruling, consumers in Metro Manila will see a 780-percent increase in their water rates and suffer even greater traffic congestion due to construction work. The alarming statement should be regarded by the public and the high court for what it is — an attempt to accomplish by threat what could not be achieved through a legal proceeding and dealt with appropriately.

Back in August, the Supreme Court upheld a 2011 Court of Appeals ruling that found the two water concessionaires guilty of violating the

2004 Clean Water Act through their failure to provide sewerage connections to all their customers. The high court imposed a fine of P921 million on each of the companies, and set an additional penalty of P322,000 per day from the date of the ruling for failure to comply with it.

Both Manila Water, which provides water services to the eastern half of the greater metro area, and West Zone concessionaire Maynilad have appealed the ruling, which is their right. So far, however, only Manila Water has issued aggressive public comments on the matter. In its appeal of the ruling, Manila Water contended that the Supreme Court

“*These arguments are completely specious, and should be disregarded at the very least, if not considered the basis for finding Manila Water in contempt of the Supreme Court ruling for defiantly threatening economic sabotage if the company does not get its way. Manila Water is arguing that the Clean Water Act allows it to essentially do nothing to improve the sewerage network, which was certainly not the law's intent.*”

misread the Clean Water Act. The law only required the water suppliers to interconnect the “existing” water lines of homes, condominiums, subdivisions, and business establishments, to the “available” sewer lines of the concessionaires, not to complete the entire sewerage network, it argued.

Manila Water claimed that by 2009 — the original five-year time frame provided by the law — it had complied with those terms of the Clean Water Act, connecting 61,000 of 63,000 customers to the sewerage system, which were as many as the system could accommodate.

In its public statement explaining its appeal, Manila Water said that if the two concessionaires were forced to compress what was supposed to be a 40-year project to complete the entire sewerage system into just five years, it would have to impose a water rate increase of P26.70 per cubic meter (the basic charge averages about P25.50 per cubic meter now). In addition, the construction work required would result in “worse traffic in Metro Manila” because hundreds of kilometers of streets in its East Zone concession area would have to be dug up all at the same time.

These arguments are completely specious, and should be disregarded at the very least, if not considered the basis for finding Manila Water in contempt of the Supreme Court ruling for defiantly threatening economic sabotage if the company does not get its way. Manila Water is arguing that the Clean Water Act allows it to essentially do nothing to improve the sewerage network, which was certainly not the law's intent. Manila Water is further arguing that the public must bear the costs and consequences of its failure to do anything for 15 years, which was certainly not the intent of the Supreme Court's ruling.

It is obvious that Manila Water — and presumably, Maynilad as well, although it apparently has chosen to take a higher road and let its appeal of the high court ruling speak for its perspective on the issue — faces a formidable financial and engineering challenge to comply with the Supreme Court's decision, but it is a challenge that is entirely of its own making. The high court should make it clear that the company, and not its customers, should bear the costs of correcting its error.



# Water users to pay for SC-imposed fines on Manila Water

**M**ANILA Water Co., Inc. is threatening its water subscribers with an unconscionable 780-percent increase in water rates, or about P26.70 per cubic meter, if the Supreme Court (SC) will not reverse its recent decision imposing a P921-million fine on the concessionaire.

Aside from the increase in water rates, Manila Water has also threatened the public with a frighteningly worse traffic situation if they have to dig up the roads for the installation and construction of sewage lines.

This is nothing but blackmail and undue influence on the forthcoming resolution of their motion for reconsideration pending before the Supreme Court.

## Supreme Court decision

On Aug. 6, 2019, the Supreme Court ruled on the consolidated cases of *Maynilad v. The Secretary of DENR* (GR 202897), *Manila Water v. The Secretary of DENR, et al.* (GR 206823), and *MWSS v. The Pollution Adjudication Board* (GR. 207969), which was penned by Justice Ramon Paul L. Hernando. In the said decision, the court *en banc* denied the petitions filed by Maynilad Water Services Inc. (Manila Water) and Metropolitan Waterworks and Sewerage System (MWSS), and affirmed with modifications the decisions of the Court of Appeals (CA) in CA-GR SPs 113374, 112023 and 112041.

Voting 12-0, the justices found Maynilad, Manila Water and MWSS liable for violation of Section 8 of the Philippine Clean Water Act (Republic Act 9275).

Maynilad and Manila Water were declared to be jointly and severally liable with MWSS for the total amount of P921,464,184 covering the period starting from May 7,



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2009 to Aug. 6, 2019. Thereafter, from finality of the decision until Maynilad and Manila Water have fully paid the P921 million, they will be fined in the initial amount of P322,102 a day, subject to a further 10-percent increase every two years as provided under Section 28 of the Philippine Clean Water Act, until full compliance with Section 8 of the same law. The total amount of the fines imposed on these water concessionaires will likewise earn legal interest of six percent per annum from finality and until full satisfaction of the decision.

## Section 8 of Clean Water Act

The pertinent section that the water concessionaires (and their regulator MWSS) violated pertains to domestic sewage collection, treatment and disposal. It stipulates that, "within five (5) years following the effectivity of this Act, the agency vested to provide water supply and sewerage facilities and/or concessionaires in Metro Manila and other highly urbanized cities (HUCs) as defined in Republic Act No. 7160, in coordination with LGUs, shall be required to connect the existing sewage line found in all subdivisions, condominiums, commercial centers, hotels, sports and recreational facilities, hospitals, market places, public buildings, industrial complex and other similar establishments including households to available sewerage system: Provided, That the said connection shall be subject to sewerage services charge/fees in ac-

cordance with existing laws, rules or regulations unless the sources had already utilized their own sewerage system: Provided, further, That all sources of sewage and septage shall comply with the requirements herein. In areas not considered as HUCs, the DPWH in coordination with the Department, DOH and other concerned agencies, shall employ septage or combined sewerage-septage management system."

The Supreme Court ruled that Section 8 provides for certain obligations of the concessionaires. The setting of the obligation is prefaced by stating a day certain for its complete performance-period of within five years from effectivity of the Clean Water Act, specifically May 7, 2009. This obligation is imposed upon the "the agencies vested to provide water supply and sewerage facilities and/or concessionaires in Metro Manila and other highly urbanized cities (HUCs)." What the law requires is the connection of "the existing sewage line found in all subdivisions, condominiums, commercial centers, hotels, sports and recreational facilities, hospitals, market places, public buildings, industrial complex and other similar establishments including households to available sewerage system." Manila Water, Maynilad and MWSS blatantly failed to perform these obligations.

The high court even emphasized that the terms of Section 8 are absolute. The obligation imposed on the water concessionaires by Section 8, to connect the existing sewerage lines is mandatory and unconditional. After the expiration of the five-year compliance period, the obligatory force of Section 8 becomes immediate and can be enforced against the concessionaires without subordination to a future happening or uncertain event.

The court further reiterated that

based on Maynilad and Manila Water's own assertions, their compliance with Section 8 of the law has been dismal at best. Given that a decade has already passed following the effectivity of the Clean Water Act, both concessionaires' compliance with Section 8 in the current year does not even reach 20-percent sewerage coverage.

## Stop Manila Water

According to Wikipedia, Manila Water is the sole provider of water and used water (wastewater) services to over 6 million people in the East Zone of Metro Manila. It is a subsidiary of the country's oldest conglomerate, Ayala Corp.

Judging by Manila Water's pronouncements this week, their water subscribers will pay for these Supreme Court-imposed fines. Really?

If the oligarchs of Manila Water can get away with this blackmail, then they can get away with anything. They were the ones who were found liable and penalized by the Supreme Court. The lowly water users have nothing to do with their infractions of the law.

Passing on the penalties imposed on them to hapless ordinary citizens is not only criminal but highly immoral. Only the most debauched minds could have conceived this devilish plan. Manila Water should not be allowed to do this!

*Watch the delayed streaming of "News and Nuances Kapihan at Almusalan (NANKA)" media forum at The Manila Times TV, www.manilatimestv.com, every Friday 5PM.*

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## Clean water is non-negotiable



LAST Aug. 6, 2019, the Supreme Court released a decision, which if affirmed by denying the pending motions for reconsideration, would be the most important environmental decision it has ever made. *Maynilad vs. DENR* will be hailed in the future for its vision, decisiveness, and impact on Metro Manila's waterways—Manila Bay, Pasig River, Laguna Lake, and other water bodies in this metropolis.

*“The decision is good for public health and for all of us.”*

*Maynilad is a decision far more important than Oposa vs. Factoran in 1994 that recognized the right of citizens to a sound environment and the standing of future generations to be represented in present controversies that will affect them in the future. As good as that decision was, it did not result in protecting our forests as that case did not result in the cancellation of the timber license agreements that was wrecking havoc on our forests. Logging continued on for another decade and millions of hectares of forests were lost because of that.*

*Maynilad is a decision that will have more impact than *Concerned Citizens vs. MMDA* decided in 2008. In that case, the Supreme Court ordered government agencies and concerned private actors, including the protagonists in this case *Maynilad Water Services Inc., Manila Water Company Inc., and the Metropolitan Waterworks and Sewerage System (MWSS)*, to clean up Manila Bay. That, too was a great decision, introducing a new environmental writ of *Continuing Mandamus*. But 11 years later, Manila Bay is many times dirtier than when*

*Concerned Citizens was decided. Not only has the government agencies and the private sector failed to comply with the order, but by the local governments and national agencies allowing more development—malls, casinos, reclamation projects, etc.—things have turned for the worse for Manila Bay.*

*This case could be different. In essence, the Court upheld the Department of Environment and Natural Resources (DENR) and found the two water companies *Maynilad Water and Manila Water*, jointly with the *MWSS*, liable for fines for violation of the Philippine Clean Water Act by not installing as required by law a sewerage system for Metro Manila. *Maynilad* was fined for the total amount of P921,464,184.00 while *Manila Water* is found liable for the total amount of P921,464,184.00. Both companies have filed motions for reconsideration and have launched a public relations campaign to reverse the decision, warning that our water bills will increase as a consequence of the decision.*

*These are the same tactics employed by oil companies in the 1990s when they tried to delay as long as possible the phaseout of lead gasoline. As it was then, what is at stake is public health. Already, there is resurgence, an outbreak of polio that in my view is not attributable to Public Attorney Persida Acosta's legal work on *Dengvaxia*. The state of sanitation in the country, including Metro Manila, is also to blame.*

*For the record, I do not support Attorney Acosta's prosecution of government officials for *Dengvaxia* as the evidence beyond reasonable doubt for cases like this are near impossible to obtain; what is always a better strategy is to go after those with deep pockets, the companies that created the problem (*Sanofi* in the case of *Dengvaxia*) in the first place out of pursuit for profit.*

*In the same way, it's not consumers and ordinary people that are causing and accelerating the climate emergency—it's the large carbon emitters—the oil, coal, cement, big agricultural (meat, soy bean, etc.), palm oil, and similar companies that are to blame.*

Turn to A5



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## Clean water...

From A4

This is exactly what the DENR and the Supreme Court does in the Maynilad case. Thankfully they did not go after the usual suspects—the poor, informal settlers that we blame for polluting Manila Bay. It's not them—it's the government through the MWSS and the water companies entrusted with responsibility to be the stewards of our water resources that must bear the responsibility for our dirty water.

Clearly the Supreme Court, speaking eloquently and clearly through Associate Justice Ramon Paul Hernando (this is his first major opinion, according to Associate Justice Marvic Leonen in his concurrence) understands what is at stake in this controversy over the water companies' responsibility for our water resources. "All told," according to the Court, "the case before Us is monumental." It explains why:

"Water is not a mere commodity for sale and consumption but a natural asset to be protected and conserved. Sanitation is its corollary constant, as a poor state of sewerage systems is one of the pillars of people's miseries. We have a collective responsibility to preserve water resources and improve sanitation facilities for future generations.

\*\*\*

As humanity have always known, water is one of the most essential resources in the world and its preservation a top priority. It is an ever-active but unsung

hero in human progress—a natural resource vital for conservation of life, environmental protection, and economic development.

It cannot be gainsaid that the role of water spans from the nuclear to the astronomical. Yet this "giver of life" is threatened by various adversities. Local incidents of water scarcity are fast becoming normal occurrences because of extended El Niño conditions resulting from climate change. Our sewerage systems are antiquated, if not defunct or nonexistent, and far too neglected—he fact that urban informal settlers by the creeks use the same as their bathrooms and trash bins has reached the status of common knowledge. That water has become an ironically expensive resource is ever more apparent, and unstable access to potable water is afflicting more and more areas over time. While their importance is all too obvious, the state of the Philippines' water supply and water sanitation appear hopelessly grim.

The principal duty of the State and the water industry to supply drinking water and provide top-notch wastewater services through provisions of sewage and septage treatments to households and businesses needs no further emphasis. People have perpetually guarded themselves against water contamination and have evolved from conveying raw waste to natural bodies of water to devising complex sewerage systems. In more ways than one, water and water quality has been a strategic resource which can cause considerable health, sanitation,

and biodiversity impacts. Its sociological effects also proliferate in the cultural and economic lives of each individual."

Acknowledging the basic tenet that water is a vital part of human existence, the Supreme Court introduces in *Maynilad vs. DENR* the Public Trust doctrine. This is an excellent development and long-warranted not just for water resources but also for all utilization of natural resources whether by the state or by private entities the state entrusts the utilization of natural resources, too.

Justice Hernando's opinion is brilliant and innovative as it links the better-known doctrines of the Regalian doctrine and *parens patriae* to the Public Trust doctrine using the latter to give a new interpretation to the former doctrines, filling up gaps in the current jurisprudence.

Justice Leonen's concurring opinion is also brilliant in nuancing the same doctrines and emphasizing the significance of the introduction of Public Trust in our jurisprudence.

For sure, the result of this new approach to natural resources it that it puts an additional strain upon the duty of the water industry to comply with the laws and regulations of the land. And that is good for public health and for all of us.

In my next column, I will elaborate on the reasoning of the court and how it reached this great environmental outcome.

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## WATER SHORTAGE TINALAKAY, TOTAL REHAB PROJECT ARANGKADA SA LAGUNA

**LAGUNA** — **MAGKASAMANG** tinungo ng lokal na pamahalaan ng bayan ng Liliw kasama ang lahat ng mga Barangay chairman ang mismong bukal na nasa Barangay Kanlurang Bukal na pinagkukuhanan ng tubig sakop ng Bundok Banahaw na nagsusuplay sa mga residente sa buong bayan kamakalawa ng umaga.

Doon mismo sa lugar ipinaliwanag ni Liliw Municipal Mayor Erickson Sulibit sa harap ng mga Barangay chairman ang kinakaharap na problema sa tubig at ang pinagmumulan nito.

Isa aniya ang problema ng distribution pipe line dahil sala-salabat na ang mga ito bukod pa ang bumaba na halos 1 feet na lebel ng tubig na dapat sana ay tumaas para masuplayan ng tama ang nasa 33 barangay na may mahigit na 30 libong bilang ng pamilya.

Ayon sa isinagawang pag-aaral ng mga ito, lumilitaw na sa halip na tumaas ang lebel ng tubig sa panahon ng tag-ulan ay bumababa pa ito na taliwas sa panahon naman ng tag-init na ito ay tumataas.

Ang pagbabago umano ng klima o climate change ang hinihinalang pinagmumulan ng problema sa Bundok Banahaw kung saan nasa limang barangay ang nakaranas ng kawalan ng suplay ng tubig mahigit limang

buwan na ang nakakaraan.

Apektado nito ang mga barangay ng Daniw, Dita, Dagatan, Malabo Kalantukan at ang Bayate kabilang ang iba pang lugar na nasasakupan ng bayan ng Liliw na iniulat na mahina na rin ang dumadaloy na tubig.

Bukod dito, ang mga karatig na bayan ng Majayjay, Nagcarlan, Rizal at lungsod ng San Pablo kabilang ang bayan ng Lucban na pawang nasa paligid ng Mount Banahaw ay nakakaranas na rin ngayon ng mahinang daloy ng tubig na nagmumula sa mga bukal.

Dahil dito, pinasimulan ni Sulibit ang Total Rehabilitation Project ng patubig para sa aniya ay agad na maresolba ang kinakaharap na problema ng kanyang mga kababayan kung saan pinaglaanan aniya nito ng pondo na umaabot sa P55 milyon na inutang ng mga ito sa Land Bank.

Karagdagan pang pondo ang ipinagkaloob ng pamunuan ng Department of the Interior and Local Government (DILG) na halagang P11 milyon mula sa Assistance to the Municipality (AM) kung saan ilalaan naman aniya ito sa pagsasaayos ng Water Treatment Facility para magamit na rin ang tubig sa ilog upang makapag-supply ng potable water sa mga residente.

Umaabot sa higit 22 kilometro ng linya ng panibagong pipeline mula sa pinagkukuhanan ng tubig ang kailangan nilang gawin kung saan nakatakda umano itong matapos sa loob ng mahigit na 10 buwan.

Kaugnay nito, pinag-aaralan pa rin ni Sulibit ang pagdedeklara nito ng State of Calamity para magamit ng mga ito ang kanilang calamity fund samantalang makikipag-ugnayan din aniya ito sa pamunuan ng Department of Energy and Natural Resources (DENR) at sa iba pang ahensiya ng Pamahalaan ukol dito.

Kasunduan o ang isang moratorium ang ninanais pa rin nitong ipatupad sa lahat ng pamunuan ng barangay kaugnay ng isinasagawang walang habas na pagpuputol ng mga puno sa bundok kung saan marami ang naaapektuhan.

Samantala, hinaing naman ng mga residente, mas mabuti pa aniyang mawalan ng koryente huwag lamang ang tubig dahil lahat ay nagagawa ayon kay Lola Ines Argoson ng Brgy. Kanlurang Bukal.

Higit limang buwan na aniyang walang tubig sa Barangay Dita na ayon kay Jenny Acierto ay gumagastos pa aniya sila para makapag-igib lamang ng tubig sa bayan ng Pila gamit ang kanilang truck. **DICK GARAY**



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# MIGRATORY BIRDS FLOCK TO PHILIPPINE WETLANDS

WINTER is coming. For the northern half of the globe, colder seasons mean harsher living conditions for many wildlife. Various species migrate from their chilly homes to escape toward warmer climes during this period. Many of our feathered friends make stops in the Philippines to recover from their thousand kilometer journey.

As part of the East Asian-Australian flyway, the Philippines beholds the arrival of tourist birds by mid-September. Some locales have noted these patterns as a mark of the amihan or northeastern monsoon season, when they see the familiar white egrets arriving in our wetlands and rice paddies. Many of these birds then return to their Northern habitats near April of the following year.

Crossing several seas and countries leave these birds exhausted from their journey when they

reach the Philippine territory. As such, it is important that we provide them a decent welcome by ensuring that our wetlands and forests are healthy and thriving. A chain of protected wetlands dot the country from north to south supporting the Philippine leg of their journey:

- Candaba Swamp (Pampanga)
- Las Piñas-Parañaque Critical Habitat and Ecotourism Area or LPPCHEA (Manila Bay)
- Naujan Lake (Mindoro)
- Olango Island (Cebu)
- Agusan Marsh (Agusan del Sur)

For over 45 years, environmental group Haribon Foundation has advocated for the conservation of these sites and beyond so that migrating (and resident) birds have more areas to make intermediate stops to support their wild populations.

Haribon has its roots as a bird-watching society and is closely linked with species monitoring

and conservation. Bird watching activities are available for forest, urban and migratory birds. During a bird watching activity, participants are able to identify and contribute to the global movement in keeping track of avian populations.

With theme "Protect Birds: Be the Solution to Plastic Pollution," this year's World Migratory Bird Day observed on October 12 also aims to highlight the impact of plastic pollution on migratory birds and their habitats.

Haribon continues to conduct Coastal Clean-up drives in the LPPCHEA to raise awareness on the conservation of coasts and wetlands — our migratory birds' resting and feeding stops.

**JOSEPH SENGA**

*To arrange an activity with Haribon, contact [partnerships@haribon.org.ph](mailto:partnerships@haribon.org.ph). Joseph Senga is the partnerships specialist of Haribon Foundation.*



Curlews are spotted in the Buguey wetlands in Cagayan province. CONTRIBUTED PHOTO



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# Excessive waste blamed for Las Piñas, Parañaque fish kill

By **LOUISE MAUREEN SIMEON**

The fish kill in the coastal areas of Las Piñas and Parañaque City was caused by poor levels of dissolved oxygen due to excessive waste, government tests bared.

The Bureau of Fisheries and

Aquatic Resources (BFAR), an attached agency of the Department of Agriculture, conducted an assessment after dead fish were found floating in the Las Piñas-Parañaque Critical Habitat Ecotourism Area.

"The water quality test conducted in three sampling areas by BFAR

shows poor levels of dissolved oxygen and higher levels of ammonia and phosphates than the standard level," the agency said.

Dissolved oxygen should be greater than five parts per million (ppm) but tests showed it was only 0.70 to two ppm. There was also high level of ammonia at 3.59 ppm

when it was supposed to be less than 0.05 ppm.

BFAR said the ammonia in the water samples, however, might have also come from agricultural, domestic and industrial wastes. It was also the same case with phosphate at 8.28 ppm when the standard should have been just 0.5 ppm.





# Authorities eyeing various causes for Las Piñas-Parañaque fishkill

By JOSEPH ALMER PEDRAJAS

**A**uthorities are eyeing poor levels of dissolved oxygen, dynamite fishing, change of water temperature and low oxygen level as some of the possible causes that killed about 30 tubs of fish and several mussels which were found along the coastline of Las Piñas and Parañaque cities for two days.

Nearly two tons of various species of dead fish – including sapsap, salaysay, bagaong, asuhos, banak, tilapia and salinyasi – were discovered Thursday morning while several mussels were found Friday morning on the coast of Las Piñas-Parañaque Critical Habitat and Ecotourism Area's (LPPCHEA) Freedom and Long islands.

Joey Petra, farm worker at LPPCHEA, said they immediately sought assistance from various agencies, including Bureau of Fisheries and Aquatic Resources (BFAR), after seeing hundreds of dead fish as this "did not usually happen."

"Sa walong taon ko dito, ngayon lang po nangyari 'yan na masama ang tubig, na namatay ang mga isda (In my eight years of working here, it was the first time that the waters got so bad to kill the fish)," he said.

"[Bago namin makita yung mga isda], kulay gatas na ang tubig sa Manila Bay (Before the dead fish were found, the water at the Manila Bay had a color like a milk)," he added.

P/Col. Jason Cipriano, Philippine National Police regional maritime group chief, added that it was also the first time that the maritime police encountered such an occurrence in six years.

"Kaya nagtataka kami bakit nagkaroon ng fishkill (So we were confused why there was a fishkill)," he said.

According to the result, released on Friday, three sampling areas in Parañaque City showed "poor levels of dissolved oxygen and higher levels of Ammonia and Phosphates than the standard level," after the BFAR conducted water quality test.

If at high levels, the BFAR said that, ammonia and phosphate, which might come from domestic sewage and waste, "may cause detrimental effects to the fish, which may result in fish kill."

Initial findings conducted by Parañaque City Agriculture and Fisheries Office Exten-

sion showed that dynamite fishing might be the cause of the alleged fishkill.

"May mga isda na dumaaan ng traumatic experience (there were fishes that apparently underwent traumatic experience), which is probably caused by dynamite fishing," said Nilo Germedia, Parañaque City Agriculture department officer-in-charge, adding that the result was only based on external and internal investigation on the dead fish.

"Pero it's not yet conclusive kasi subject pa ng laboratory investigation ng BFAR (But it's not yet conclusive since they would still be subjected to laboratory investigation of BFAR)," he added.

Meanwhile, Cesar Canoy, Las Piñas City's fishery technologist, said that they were also eyeing the change of water temperature due to the changing weather as the cause of the suspected fish kill.

"Ang nangyari kasi dito, ayon sa source ng mga fisherfolk, minsan pag tapos ng bagyo, madalas mangyari yan (According to fisherfolk, it usually happened when there was a typhoon)," he told Manila Bulletin.

They were also considering other causes, such as low oxygen level and water mixed with acid, as there were small dead fish found.

"Itong mga isda, mga bata pa... mahihilig sa mababang tubig... mahihilig mag crossing (Juvenile fish are normally found on the shallow water and are usually crossing other waters)," he said.

"Kaya hanggang siguro [napunta sa ibang] tubig, nawalan ng oxygen [dahil] ang tubig nyan nahaluan ng acid (So it might be that they lose oxygen after crossing another which was probably mixed with oxygen)," he added.

Amid reports that several individuals were collecting the dead fish, local government units and the maritime police warned residents, particularly fishermen, in the cities not to consume them as the cause of their death has yet to be officially determined.

"Wag nating kainin 'to kasi hindi natin alam anong klaseng kemikal o ano kinamatay nito (Don't eat them because we don't know yet what or what kind of chemical that killed them)," Cipriano said.

The maritime police had already removed Thursday evening the fishes on the coast, while they continued collecting the floating dead fish on the Manila Bay on Friday morning.



**Fisk kill** — Hinahakot na ng mga kawani ng DENR at BFAR ang tone-tone-ladang patay na isda na matatagpuan sa Wet Land sa Las Piñas/Parañaque. Ayon kay Parañaque City Agriculture and Fisheries Office Nilo Jermedia, lumalabas sa pagsusuri na sumabog na dinamita ang posibleng dahilan nang pagkamatay ng mga isda. (Jonas Sulit)



# Saving oceans through beauty

THE oceans make human life possible. After all, we all depend directly or indirectly on the oceans. The oceans covers 71 percent of the Earth's surface and contains about 97 percent of the Earth's water. More than 3 billion people depend on the oceans. Our oceans provide food and water supply, renewable energy, benefits for our health and well-being, cultural values, tourism, trade and transport.

"Saving oceans through beauty," a guiding light that pushes one inspiring group to organize the annual Miss Scuba Philippines. Cindy Pacia Madduma, Miss Scuba International 2016 and now National Director for the Philippines, believes that "by sharing the beauty and the wonders of the underwater world through this pageant will enable more people to understand how fragile our oceans are and how we can all play our individual roles to make a big difference."

For three consecutive years, together with German John Sipin of the Young Environmental Forum, Oscar Gador of Greenpeace, and Gregg Yan of The Best Alternatives, we had the privilege to handle the marine conservation workshops for the candidates of Miss Scuba Philippines.

With the coronation night happening on October 15, I am privileged to have a brief discussion with seven candidates — Rona Marie Ciara Garcia of Paranaque City, Helly Johann Rosalejos of Camiguin, Katreena Eslava of Ilagan City, Krishia Mae Abad of Tarlac, Ma. Flordeliz Mabao of Rizal Province, Maricres Castro of Pilar, Sorsogon, and Mary Jane Bascos of Bacolod City — how each of them can further promote "taking care of our ocean" and the activities they can do to push



## ALL ABOUT CHOICES

LUDWIG O. FEDERIGAN

the objective forward.

### As a candidate for Miss Scuba Philippines, how can you further promote "taking care of our ocean"?

Rona Marie Ciara: "Taking care of our ocean" is easy to say and post online, but is one of the neglected issues by many. I intend to push sustainable projects and activities that will strengthen people's mindset to "take care of our ocean" each day of their life, not just every time they are in front of a camera.

Helly Johann: Social media is a very powerful platform. People nowadays are not quite aware of what is currently happening to our ocean. I will use social media to create and spread awareness for marine conservation — sharing of videos and photos of marine disaster and plastic pollution, coastal clean ups — and to influence people not to use single-use plastic, thereby minimizing their carbon footprints. Further, I intend to engage our local government unit to organize symposium on raising awareness and implementing projects that will help on our ocean.

Katreena: We cannot move forward with excess garbage. I will now use my voice and influence to take care of the ocean by educating and encouraging fellow Filipino families, local government officials, and business organizations to reduce the use of plastics with the goal of not to add up to the dangerously high number of plastic wastes being thrown into the ocean. I know I cannot do everything that the ocean need to regain its health and treasures, but if I can significantly contribute to



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## Saving Oceans through beauty

lessen our plastic pollution. It is a fight worth our while.

**Krishia Mae:** I can take care of the ocean by enlightening our people the causes and effects of the current state of our ocean. The more people are aware, the more they would extend help and be catalyst of change in saving marine lives.

For example, personally, I do not care that much because I feel like I am not knowledgeable about it. I am not capable. I am not equipped. But when I joined Miss Scuba Philippines, I learned a lot especially when it comes to our ocean and its current state which is really disappointing and if only I am a superhero, I'll do whatever it takes to save marine biodiversity.

**Ma. Flordeliz:** As a graduate of communication arts, I could use my knowledge in the art of informing, influencing and motivating the public through the means of mass media and spread awareness. I can use the power of social media to encourage the public to take immediate action.

**Maricres:** I can further promote taking care of the ocean by acting as a voice of compassion for the creatures residing below that support life above the surface. We are so inexplicably intertwined, life on land and life below the water, and

that is why when I served in Africa for two years as a US Peace Corps Health Volunteer, I helped teach rural aqua cultural promotion as a vital protein source but also to showcase how we can live sustainably even in the heart of Africa, and around the world.

**Mary Jane:** I could use social media platforms in influencing my friends and followers in having a lifestyle that is eco-friendly. I am aiming to launch an assertive social media campaign enlightening the people in all walks of life on climate change. I want people see what we can achieve if we help each other in taking good care of our ocean.

### What activities can you do?

**Rona Marie Ciara:** Environmental education is a key component in addressing ocean pollution. I will volunteer with advocacy groups that will capture the delivery of this outcome.

**Helly Johann:** As a way to empower our people, we have G-Project and Live Genesis Advocacies that focuses on greener nation, greener places, refuse single-use plastic and bring your own bottles, and to influence others to strongly follow the advocacy.

**Katreena:** Since February 2019 I

have started supplying an innovative i4 technology water purifier that can turn tap water to DOH-approved 99.99-percent clean and safe drinking water to households and companies, which led my clients to stop buying drinking water from plastic bottles and plastic containers.

**Krishia Mae:** Social media has been a great platform to communicate and disseminate information all over the world. As a social media influencer, I will engage people to lessen the use of plastics, to support eco-friendly products and, last but not the least, to provide free seminars to every barangay or school in order to let the young and the adults the real situation of our ocean and what we can do about it. Engaging through seminars might be a little challenging but at least, it is giving these people the reality of what could happen in the future.

**Ma. Flordeliz:** We should start with ourselves and practice a greener lifestyle. The simple positive changes we do such as refusing plastic straws could make a difference. We could apply these simple things to our lives, make it a habit then influence our family and friends to practice such. Then micro actions together create a macro impact.

**Maricres:** One of the activities I can do is to create a one-minute

video with insights and advice on how to spread and inspire the public to #break-freefromplastic and, at the same time, to live a life of sustainability. Another great initiative is to promote the conservation of water in order to reduce our wastewater that directly pollutes our ocean.

My love for our ocean also manifests itself in working to empower the next generation of ocean ambassadors. Working with youth means that I will continue to spread my advocacy by doing school tours and mentoring green school clubs in my city to reduce, reuse and recycle.

**Mary Jane:** As a young professional working in an engineering firm that values work-life balance, I would propose to the management to create an employee's scuba diving club where members of the club will be trained to dive so they will see the world under the sea, encourage them to participate, and to do clean-up drives and be more engaged in protecting our ocean.

Our oceans are beautiful — literally. There is no doubt that the Philippines, who have a high level of craziness in beauty pageants, can use beauty in saving our oceans. Thereby, erasing the Philippines in the global ranking as the third biggest contributor in ocean pollution.

*The author is the executive director of the Young Environmental Forum. He completed his climate change and development course at the University of East Anglia (United Kingdom) and executive program on sustainability leadership at Yale University (United States). On Monday, October 14, he will deliver a presentation during the Ateneo Global Climate Change Week 2019 at the Ateneo de Manila University, Quezon City. He can be emailed at ludwig.federigan@gmail.com.*

