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DENR Administrative Order

No. 2010-10
Series of 2010

Subject: **Designation of the Silway River as Water Quality Management Area and Creation of Its Governing Board**

Pursuant to Section 5 of the Philippine Clean Water Act of 2004 (R.A. No. 9275) together with the pertinent provisions in its Implementing Rules and Regulations (DENR Administrative Order No. 2005-10) and considering the critical importance of complying with water quality standards by the Silway River, the same is hereby designated as Water Quality Management Area (WQMA).

Section 1. Objective and Policies. To ensure water quality in the Silway River for present and future generations consistent with the following policies:

- a) To streamline the processes and procedures in the prevention, control and abatement of pollution in the WQMA;
- b) To promote environmental strategies, the use of appropriate economic instruments and control mechanisms for the protection of the WQMA;
- c) To formulate a WQMA program on water quality management which recognizes that water quality management issues are inherently related and cannot be detached from concerns on water sources, ecological protection, water supply, public health and quality of life;
- d) To provide for a comprehensive management program for water pollution focusing on pollution prevention in the WQMA;
- e) To promote public information and education for stakeholders of the WQMA and encourage the participation of an informed and concerned public in water quality management and monitoring; and
- f) To encourage civil society and other sectors, particularly labor, the academe and businesses undertaking environment-related activities in their efforts to organize, educate and motivate the people in addressing pertinent environmental issues and problems in the WQMA.

Section 2. Coverage. The Silway River WQMA shall cover the Silway River and its tributaries that are within the WQMA boundary including the land embraced by the hydrologic unit identified through various maps. The following data, which were determined by a survey of the highest elevation of various points and draining to the Silway River, shall comprise the geographic coordinates of the Silway River WQMA and its watershed:



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| Boundary Control Point | Latitude | Longitude | Description |
|------------------------|----------------|----------------|---|
| Tupi | | | |
| TS-1 | N 06°14'13.8" | E 124°58'44.7" | Talcon River, Purok 1, Brgy. Talcon, Tupi |
| TS-2 | N 06°15'53.80" | E 124°58'15.2" | Downstream portion of Silway River; Purok 1, Tupi |
| TS-3 | N 06°15'04.1" | E 124°58'15.6" | Junction of Polonoling River and Silway River; 20 meters from the junction at Purok 1, Brgy. Simbo |
| TS-4 | N 06°14'51.5" | E 124°58'24.0" | Upstream portion of Silway River at Brgy. Simbo, Tupi, 25 meters from Station No. 3 (TS-3) |
| TS-5 | N 06°14'57.0" | E 124°57'37.8" | Purok 2, Brgy. Simbo, Tupi |
| Polomolok | | | |
| PS-1 | N 06°09'28.6" | E 125°08'20.6" | Downstream of Silway River at DARBCI |
| PS-2 | N 06°10'55.1" | E 125°06'22.4" | Confluence of Silway River and Matin-ao River; 100 meters from the junction at Purok Malipayon |
| PS-3 | N 06°10'55.7" | E 125°06'20.9" | Matin-ao River; 80 meters from Station No. 2 (PS-2) |
| PS-4 | N 06°11'30.0" | E 125°05'25.8" | Downstream portion of Silway River Creek; at 50 meters from Purok Maunlad |
| PS-5 | N 06°11'33.1" | E 125°05'17.9" | Purok Maunlad, Brgy. Magsaysay; 100 meters from Station 4 (PS-4) |
| PS-6 | N 06°11'30.7" | E 125°03'28.5" | Purok Maharlika; 100 meters downstream of Silway River from Magsaysay Bridge |
| PS-7 | N 06°11'44.7" | E 125°02'27.9" | Purok 2, Rubber, Polomolok |
| PS-8 | N 06°11'54.6" | E 125°02'03.5" | Purok Maguindanao, Lumakil; 50 meters downstream side of the hanging bridge |
| PS-9 | N 06°14'21.6" | E 124°59'05.9" | Purok 1, Tboli at Koronadal Proper; 20 meters upstream portion of Silway Bridge |
| General Santos | | | |
| GSS-1 | N 06°06'15.9" | E 125°09'56.7" | Mouth of Silway River |
| GSS-1a | N 06°06'36.4" | E 125°09'41.3" | Confluence of Silway River and Sinawal River; Purok Bulaong Ext., Brgy. Labangal, General Santos City |
| GSS-1b | N 06°06'36.2" | E 125°09'39.4" | Downstream Portion of Sinawal River 50 meters from Station 2 (GSS-2) |



| Boundary Control Point | Latitude | Longitude | Description |
|------------------------|-----------------------|----------------|---|
| GSS-1c | N 06 N 06°06'42.1" | E 125°08'20.3" | Foot of Sinawal Bridge; Located at Makar-General Santos Road, Purok San Vicente, Brgy. Labangal, General Santos City |
| GSS-2 | N 06°06'42.1" | E 125°08'52.9" | Silway Bridge, Purok Palen, Brgy. Labangal, General Santos City |
| GSS-3 | N 06°07'08" | E 125°09'21.5" | Confluence of Silway River and Apopong River; 60 meters downstream at Purok Matibay, Brgy. San Isidro |
| GSS-4 | N 06°09'27.4" | E 125°08'25.9" | Confluence of Silway River and Klinan River; Near the NIA Dam at Brgy. Mabuhay |
| GSS-5 | N 06°06'36.2" | E 125°09'39.4" | Downstream of Klinan River at Brgy. Mabuhay; 120 meters from Station 7 (GSS-7) |
| GSS-6 | N 06°06'42.1" | E 125°08'52.9" | Midstream of Klinan River |
| GSS-7 | N 06°11'52.2" | E 125°08'02.1" | Upstream of Klinan River; Purok 7, Brgy. Mabuhay, General Santos City |
| GSS-8 | N06°11'56.40" | E125°07'56.90" | Brgy. Mabuhay, General Santos City |

Section 3. Political/Administrative Jurisdiction. As determined by the DENR Region XII, the political/ administrative jurisdiction of the Silway River WQMA encompasses the following areas:

| Province/City | Municipality | Barangays |
|----------------|--------------|-----------------|
| South Cotabato | T'boli | Talcon |
| | | Datal Bob |
| | | Lambangan |
| | | Basag |
| | | Aflek |
| | | Malugong |
| | | Mongocayo |
| | | Kematu |
| | | T'bolok |
| South Cotabato | Tupi | Simbo |
| | | Polonuling |
| | | Kablon |
| | | Acmonan |
| | | Poblacion |
| | | Bunao |
| South Cotabato | Polomolok | LInan |
| | | Bentung |
| | | Cannery Site |
| | | Crossing Palkan |
| | | Glamang |
| | | Kinilis |



| Province/City | Municipality | Barangays |
|---------------------|--------------|------------------|
| | | Klinan 6 |
| | | Koronadal Proper |
| | | Lamcaliaf |
| | | Landan |
| | | Lafu |
| | | Lumakil |
| | | Magsaysay |
| | | Maligo |
| | | Pagalungan |
| | | Palkan |
| | | Poblacion |
| | | Polo |
| | | Rubber |
| | | Silway 7 |
| | | Slway 8 |
| | | Sulit |
| | | Sumbakil |
| | | Upper Klinan |
| General Santos City | | Apopong |
| | | Labangal |
| | | Dadiangas West |
| | | City Heights |
| | | Dadiangas North |
| | | Mabuhay |
| | | San Isidro |

Section 4. Creation of the WQMA Governing Board. A WQMA Governing Board to be chaired by the Regional Director of Environmental Management Bureau, Region XII, is hereby created and shall have the following members:

1. Representative of the National Water Resources Board (NWRB)
2. Representative of the Governor, Province of South Cotabato
3. Representative of the Chairman, Regional Development Council, Region XII
4. Representative of the respective Mayors of the following City/ Municipalities:
 - a. General Santos City;
 - b. Municipality of Polomolok, South Cotabato;
 - c. Municipality of Tupi, South Cotabato; and
 - d. Municipality of T'boli, South Cotabato
5. Representative of the following Regional Offices in Region XII:
 - a. Department of Agriculture;
 - b. Department of Public Works and Highways;
 - c. Department of Health;
 - d. Department of Education
 - e. Department of Science and Technology;
 - f. Department of Trade and Industry;
 - g. Bureau of Fisheries and Aquatic Resources;
 - h. National Irrigation Administration;
 - i. Housing and Land Use Regulatory Board;



6. Regional Representative of the following sectors:

- a. Business/ Industry;
- b. Water Utility;
- c. Duly registered Non-Government Organizations/Local Peoples' Organizations/Civil Societies involved in Natural Resource Management or Environmental Concerns;
- d. Academe

7. Representative of the following Boards/Councils:

- a. Protected Area Management Board – Mt. Matutum Protected Landscape
- b. Protected Area Management Board – Sarangani Bay Protected Seascape
- c. Fisheries and Aquatic Resources Management Councils

The terms, vacancy and compensation of the Governing Board shall be governed by DAO 2005-10. The Local Chief Executives and Head of Offices may appoint/authorize representatives to the Board, provided that he/she shall be able to make commitments; Provided, further that the LGU representative in another WQMA shall also serve as its representative in the Silway River WQMA.

Representatives from the business sector, and peoples' organizations/ non-government organizations/ civil society shall be designated in accordance with the procedure and requirements laid down in DAO 2005-10.

Section 5. Functions of the Governing Board. The Governing Board shall have the following functions:

- a. Prepare and publish on a regular basis a Water Quality Status Report for the WQMA and submit a copy thereof to the EMB Region XII and to the EMB Central Office to be consolidated into the National Water Quality Status Report;
- b. Formulate strategies to harmonize policies/ regulations / local legislation necessary for the effective implementation of R.A. No. 9275 in accordance with those established in the Integrated Water Quality Management Framework;
- c. Review the initial WQMA Action Plan prepared by the EMB Region XII and draft a common and integrated compliance plan. The Board shall consequently prepare and adopt an Action Plan for the succeeding periods to be submitted to the EMB Regional Office XII for review and for subsequent approval by the DENR Secretary.;
- d. Monitor and facilitate the compliance to the WQMA Action Plan by the local governments;
- e. Coordinate relevant activities among its members and member agencies and facilitate resolution of conflicts; and
- f. Undertake complementary interventions for non-point sources, considering their greater contribution to pollution;

Section 6. Governing Rules. The Governing Board shall formulate its own Governing Rules based on applicable and pertinent laws, policies, rules and regulations.



Section 7. Meetings. The Governing Board shall meet quarterly or as often as may be required pursuant to its Governing Rules.

Section 8. Technical Working Group and Technical Secretariat. The Governing Board pursuant to DAO 2005-10 and other the governing rules shall form a Technical Working Group (TWG) to ensure broad-based participation of all the stakeholders in the work of the Governing Board.

The Governing Board shall likewise create a Technical Secretariat of the WQMA which shall be based at the EMB Region XII.

Section 9. Multi-Sectoral Group. The Governing Board shall create a Multi-Sectoral group for water quality monitoring and surveillance network, in accordance with DAO 2005-10. Said group shall augment and complement monitoring and reporting efforts of the DENR.

Section 10. Amendments and Revisions. Amendments or revisions of any of the provisions hereof shall be upon consultation with the concerned stakeholders in accordance with existing policies on the matter and subject to the written approval of all the parties thereto.

Section 11. Separability Clause. Should any of the provisions of this Order be subsequently declared invalid or null and void, the validity of the other provisions not affected shall not be impaired and shall remain to be in full force and effect.

Section 12. Re-adjustment of Boundaries, Re-designation of WQMA and Reconstitution of Membership. The re-adjustment of the boundaries of WQMA may be undertaken only after the requisite technical studies and consultations with the Local Government Units concerned. In the event that re-designation of WQMA becomes necessary, said re-designation shall likewise be based on the proposal, and aforesaid technical studies and consultations. The reconstitution of membership and representations in the Governing Board shall also follow the same process.

Section 13. Effectivity. This Order shall take effect fifteen (15) days after its registration with the Office of the National Administrative Registry and publication in a newspaper of general circulation.


HORACIO C. RAMOS
Secretary 



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