What to do with the fish pens in Laguna de Bay (Part 3)

Share it!
Updated March 19, 2017, 1:35 PM

By Dr. Emil Q. Javier

‘There are those who look at things the way they are, and ask why… I dream of things that never were, and ask why not?’ – Robert Kennedy

In the 05 March 2017 column I dealt at length with Resolution 518 series of 2017 of the Board of the Laguna Lake Development Authority (LLDA), and approved by the Department of Environment and Natural Resources (DENR) Secretary Regina Lopez, innocently titled “Declaring a Moratorium on the Operation of Aquaculture Structures within Laguna de Bay.”

However, the resolution in its last paragraph gave an ultimatum to “all operators of existing fishpens/cages to harvest their fish stocks and demolish their structures by March 31, 2017, otherwise the same will be done by the LLDA.”

Since fish culture on a per hectare basis produces more affordable animal proteins for poor consumers and creates more jobs than capture fisheries, I described the LLDA resolution as anti-poor, well-meaning but misplaced.

Last March 16, LLDA led by its brand-new energetic and youthful general manager (GM) and former mayor of Pateros, Jaime C. Medina, invited the lake fisheries stakeholders to a forum at the Los Baños headquarters of the Philippine Council for Agriculture, Aquatic, and Natural Resources Research and Development (PCAARRD) of the Department of Science and Technology (DOST) to formally introduce and explain the purposes of Resolution 518 as well as to consult them on the draft implementing rules and regulations (IRR) and the action plan (schedule) of fish pen demolitions starting April 2017.

Among those invited were small fishermen, fish pen operators, local government leaders of Rizal and laguna, other national agencies, academics from UP Los Banos (UPLB) and non-government organizations (NGOs) like our Coalition for Agriculture Modernization in the Philippines (CAMP).

No Ban on Fish Pens in Laguna de Bay

To the relief of most lake fisheries stakeholders present, LLDA GM Medina clarified that the resolution did not intend to ban fish culture in Laguna de Bay, and that the real purposes were to 1) rationalize the use of the lake water resources to ensure their long-term productivity, and 2) to protect the rights of subsistence fishermen to the preferential use of communal marine and fishing resources, as provided in Section 7 of Article XIII of the Constitution.

The LLDA resolution does not ban aquaculture which is allowed and provided under the Fisheries Code of 1998 (Republic Act 8550) but simply lays the groundwork for updating the by now obsolete 1996 Fisheries Zoning and Management Plan (ZOMAP) for Laguna de Bay based on the latest scientific estimates of the carrying capacity of the lake.

Yet to be firmed up however are the measures to give more access to subsistence fishermen to the lake’s economic potential, which in effect means helping them to construct and manage their own fish pens and cages.
Since fish farming whether in marine or inland bodies of water make economic and scientific ecological sense, provided they are regulated not to exceed the carrying capacity, the issue really boils down to equity among competing producers and the consuming public.

**Down Sizing Fish Pens to Favor Poor Fishermen Not the Way to Go**

LLDA GM Medina likewise made it clear that Resolution 518 exempts fish pens/cages covering less than one hectare, i.e. the targets are the large fish structures owned by corporations and wealthy investors.

Unfortunately, while the resolution resonates in part with the supposed directive from President Rodrigo Duterte to help the subsistence fishermen in Laguna Lake, this contradicts the more profound campaign promise of the President of accessible and affordable food for all Filipinos.

The arithmetic is straightforward: Fish pens while very productive are capital intensive. A one-hectare fish pen requires P700,000 to construct. With P1.4 million one can build a fish pen good for five hectares. But P2.8 million are good for 15–20 hectares. Thus, a four-fold increase in investment raises productivity 15–20 times.

Moreover, the advantage of larger fish pens over small ones is not only in rate of return from capital investments but more so in operating costs. The labor and recurring operating costs of large fish pens on a per hectare basis are much less than for small pens.

Since larger fish pens are that much more productive, the unit cost of producing a kilogram of fish is much less and this ultimately should translate to lower fish prices to consumers.

The policy direction therefore ought not to downsize fish farms but to push fish culture into larger management units to attain economies of scale through fish cooperatives and corporate fish farming.

This perspective, if accepted by the LLDA Board, may yet turn out to be the most positive outcome of the consultation. The Laguna de Bay fish pen operators, led by its chairman Benjamin Antonio and spokesman Mel Felix welcomed the opportunity to enter into joint ventures and partnerships with small fisher folks and their cooperatives for mutual advantage.

The small fisher folks and their cooperatives with their preferential rights to fish pens permits will have the body of water but they do not have the capital, technology and know-how and market leverage in order to succeed. They will be heavily dependent on government for these support, especially for the huge capital investments and the insurance for the periodic catastrophic risks from typhoons. On the other hand, the large fish pen operators can provide these complementing capacities at little or no cost to government.

More specifically, the partnership between the fish cooperatives and the corporate fish pens operators can be brokered and supervised by the Land Bank of the Philippines (LBP) through the new “corporative” business model being espoused by the new LBP president Alex Buenaventura.

The large fish pens operators will be the majority private investors and will provide the inputs, technology, management and market connections. LBP will be the minority investor and exercise corporate supervision to safeguard the interests of the fisher folks who as lease/permit holders are the de facto owners. The fishers/owners should receive the larger share of the income and in addition, participate as fish pen workers paid lawful wages and appropriate benefits.

**Amendments to the Draft Implementing Rules and Regulations**

The small fish pens/cages operators as well as the large corporate investors took vigorous exception to some provisions of the draft Resolution 518 IRR, particularly to the timing and schedule of fish pens demolitions.
The small fish pen operators welcomed the plan of the government to provide them with alternative livelihoods but until such time that the alternative sources of income are in place they plead that they be allowed to stock and harvest their fish in the meantime.

The corporate investors for their part while agreeing that fish pens without permits, those obstructing navigation lanes, and those not up-to-date in fish pens lease payments, should go, they insist that their lawful rights as bonafide investors in good faith compliant with DENR and LLDA’s own rules and regulations should be respected.

As Academician Rafael Guerrero III, the country’s leading aquaculture expert, pointed out, it does not make sense to demolish the existing fish pens at very high cost to government only to subsidize their reconstruction later.

**Epilogue**

To the credit of LLDA GM Medina, the consultation which most people thought would be acrimonious actually ended in a hopeful note. The fish pen operators, large and small, were assured that fish culture remains part of the development agenda for Laguna de Bay. For their part, the subsistence fishermen who derive a significant part of their livelihood from the lake were assured by government that their preferential rights to natural resources under the Constitution are recognized by the Duterte administration and will be reinforced.

What remain to be resolved are provisions for transition to soften the impact of demolition of errant, non-complying fish pens. And in the longer term, how the fisher folk and their cooperatives can team up with corporate investors, with government supervision and technological support, for a more productive, equitable, sustainable and competitive fish culture industry.

****

Dr. Emil Q. Javier is a Member of the National Academy of Science and Technology (NAST) and also Chair of the Coalition for Agriculture Modernization in the Philippines (CAMP). For any feedback, email eqjavier@yahoo.com.

Tags: DENR Secretary Regina Lopez, Dr. Emil Q. Javier, fish culture, Laguna Lake Development Authority (LLDA), manila bulletin, mb.com.ph, Resolution 518, What to do with the fish pens in Laguna de Bay (Part 3)