



National
Water
Resources
Board

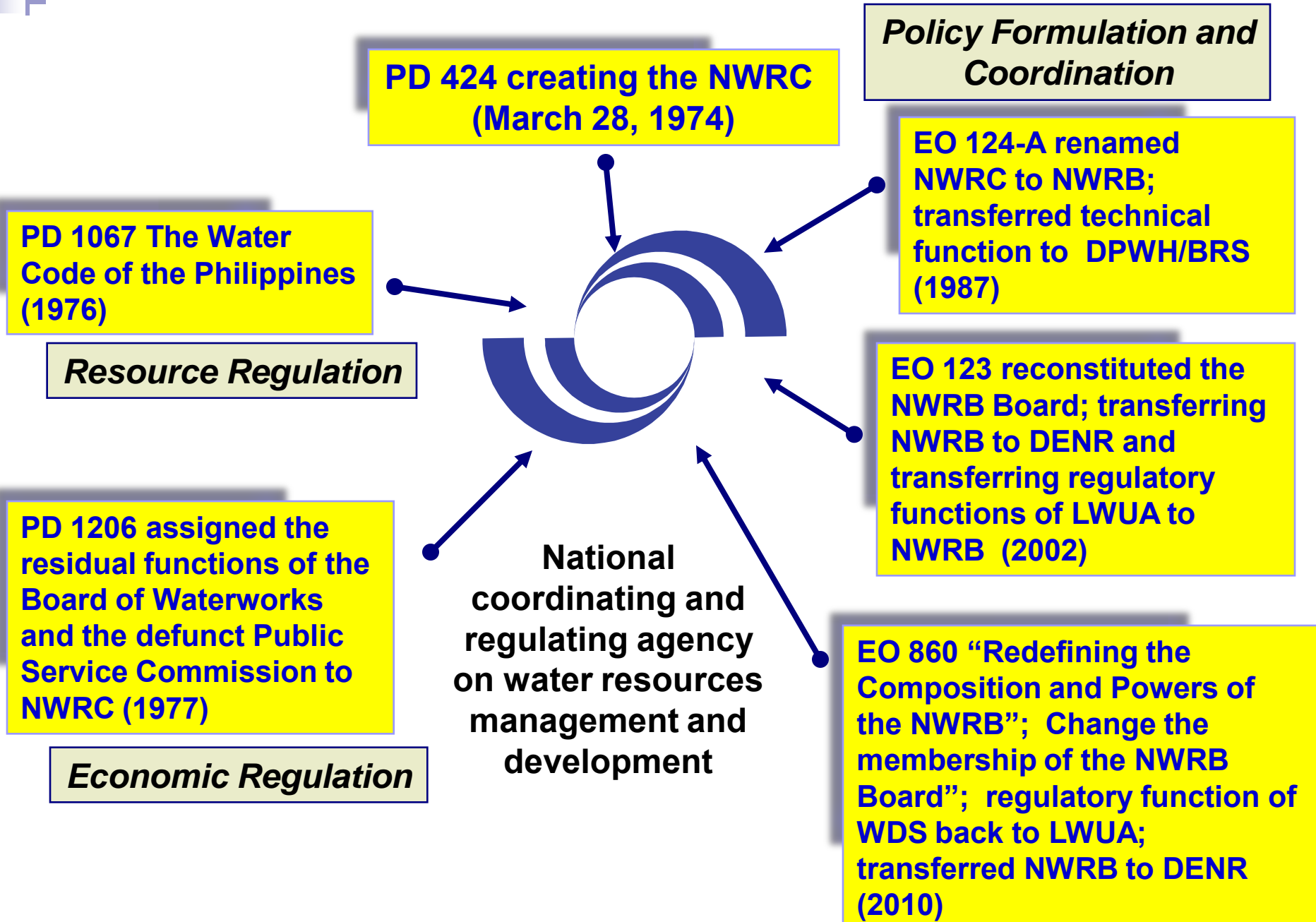
NWRB WATER PERMIT REQUIREMENTS AND PROCESSING, FEES & CHARGES

Presentation by:

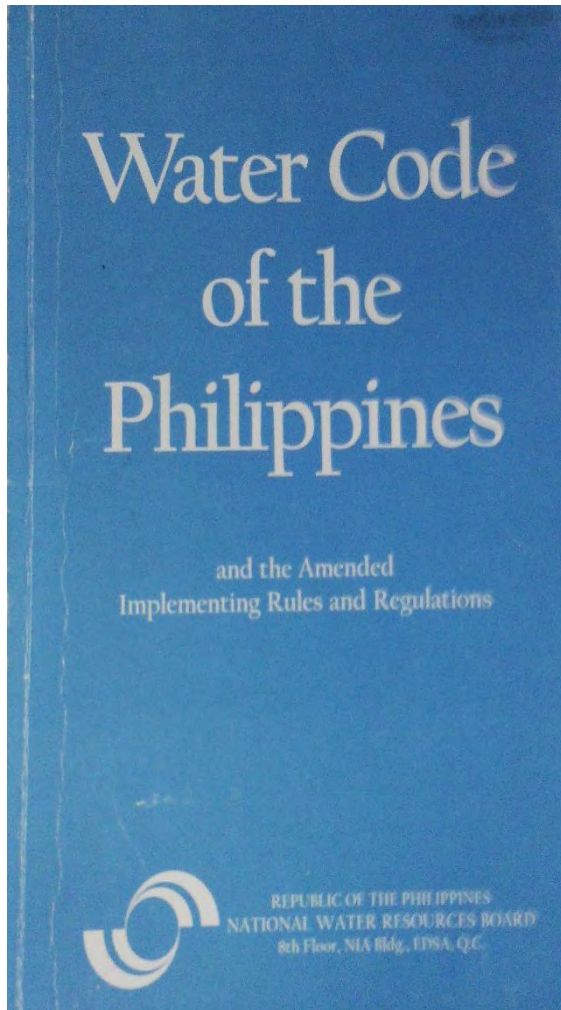
**DR. SEVILLO D. DAVID, JR.,
Executive Director
NWRB**

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The Water Code of the Philippines (PD 1067)



A law governing the ownership, appropriation, utilization, development and protection of the Philippine water resources

Underlying Principles

- ◆ All waters belong to the State
- ◆ All waters that belong to the State can not be the subject of acquisitive prescription
- ◆ The State may allow the use or development of waters by administrative concession
- ◆ The utilization, exploitation, development, conservation and protection of water resources shall be subject to the control and regulation of the government through the National Water Resources Council (NWRC) now National Water Resources Board (NWRB)
- ◆ Preference in the use and development of waters shall consider current usages and be responsive to the changing needs of the country

2. The NWRB Mandate

- I. Policy Formulation and Coordination
- II. Resource Regulation
- III. Economic Regulation

WATER RIGHTS SYSTEM AS A TOOL FOR WATER RESOURCES ALLOCATION

“Water Rights – is the privilege granted by the government to appropriate and use water, evidence by a document known as a **water permit.**”

Prior appropriation doctrine of “first in time, first in right” for water allocation is adopted

Article 13 thereof states that “no person including government instrumentalities or government-owned or controlled corporations shall appropriate water without a “**water right**,” which shall be evidenced by a document known as a “**Water Permit**”.

Water Right is a privilege granted by the government to appropriate and use water.

MEASURE AND LIMIT OF APPROPRIATION OF WATER

The measure and limit of appropriation of water shall be *beneficial use*.

Beneficial use of water is the utilization of water in the right amount during the period that the water is needed for producing the benefits for which the water is appropriated.

Water permit shall continue to be valid as long as water is beneficially used: however, it may be suspended on the *grounds* of: non-compliance with approved plans and specifications or schedules of water distributions, use of water for a purpose other than that for which it was granted, non-payment of water charges, wastage; failure to keep records of water diversion, when required, and violation of any term or condition of any permit or rules and regulations promulgated by the Board.

Uses of Water

- 💧 **Domestic**
- 💧 **Municipal**
- 💧 **Irrigation**
- 💧 **Power Generation**
- 💧 **Fisheries**
- 💧 **Livestock Raising**
- 💧 **Industrial**
- 💧 **Recreational**
- 💧 **Other Purposes**

When Permit/Authority must be secured from NWRB

- ◆ Appropriation of water for any purpose
- ◆ Change in purpose of appropriation
- ◆ Amendment of an existing permit
- ◆ Transfer/Lease of water permit
- ◆ Temporary permit to appropriate and use of water
- ◆ Developing a stream, lake, or spring for recreational purpose
- ◆ Such other instances that will require a permit as determined by the Board

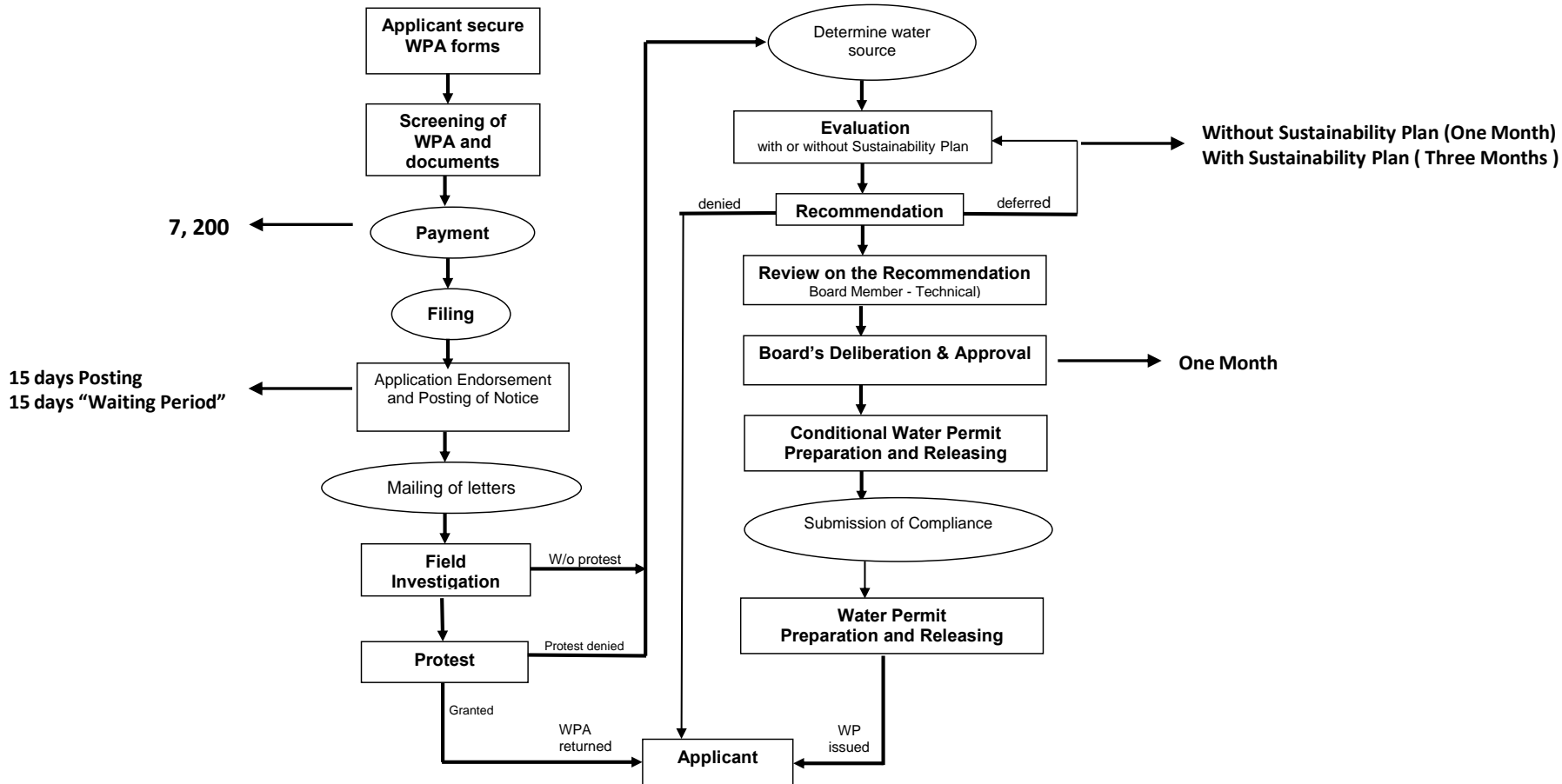
Qualifications of Applicants for Permit/Authority

- Citizens of the Philippines
- Associations, duly registered cooperatives or corporations organized under Philippine laws, at least 60% of the capital of which is owned by citizens of the Philippines
- Government entities and instrumentalities, including government-owned or controlled corporations

Requirements for Power Generation purpose

- ◆ Proof of Land Ownership of, legal title to, or right to use, the property on which the water source is situated; Right to use the land from appropriate government agency in case the water source is located within inalienable land or public domain
- ◆ Certificate of Registration from relevant agencies (SEC, DTI, CDA)
- ◆ Schematic Diagram of the proposed development/Vicinity Map/Location Plan with scale
- ◆ Brief Project Description/Profile with project development scheme
- ◆ Hydropower Service Contract and/or Certificate of Registration and Endorsement of the Project from DOE
- ◆ Environmental Compliance Certificate from DENR
- ◆ Free and Prior Informed Consent or Certificate of Non-Overlap from NCIP
- ◆ Ecological Study and Sustainability Plan
- ◆ Such other documents as may be required by the Board

Water Permit Application Flow Chart



Conditional Water Permit (CWP)

- ◆ The Conditional Water Permit shall be valid for a period of two (2) years upon approval of the Board and may be extended for one year upon request of the permittee stating the reasons for extension
- ◆ The CWP shall be revoked automatically upon the expiration of the Renewable Energy (RE) Contract with DOE
 - Water Permit shall be issued after compliance on the conditions stipulated in the permit
- ◆ The grantee shall pay the appropriate Annual Water Charges during the validity of the CWP.

NWRB POLICIES RELATED TO HYDROPOWER

💧 Policy on Minimum Streamflow

A policy requiring environmental flow for surface water accounting to 10% of the river's 80% dependable flow or minimum historical flow whichever is higher

💧 Policy on Granting of Water Rights Over Surface Water For Hydropower Projects

A policy requiring additional requirement for Hydropower projects such as the submission of Environmental/Ecological Study and Sustainability Plan as outlined in the existing policy of NWRB

Thank You !

