

might become far more extensive in the future for the rapid urbanization, industrial growths and population expansion.

Mangrove swamps declared by the Bureau of Forest Development, thru the Land Classification Committee, as available for fishpond purposes are released to the Bureau of Fisheries and Aquatic Resources for administrative disposition for lease to qualified and interested applicants for a period of 25 years, renewable for another 25 years. Under the concept of managed disposition, the lessee thereof is further required to submit a semi-annual report of his development, operation and production under oath.

Under Section 24 of Presidential Decree No. 704, the lessee/permittee is given a period of five years to fully develop the area in commercial scale, the period to begin from the execution of the lease contract, otherwise, the unimproved portion thereof shall be segregated and declared open and vacant to other qualified and interested applicants. Should the lessee fail to develop or abandon the area covered by the lease, the lease agreement shall be cancelled and the area declared vacant to other qualified and interested applicants or reverted to the public domain. This concept assures the development of the area in a given period of time and at the same time a management tool to check against the practice of speculation.

STATUTORY PROVISIONS AND INSTITUTIONAL CONSTRAINTS ON THE CONSERVATION AND UTILIZATION OF MANGROVES

Some specific provisions on the conservation of mangroves are found in Presidential Decree No. 705, otherwise known as the Forestry Reform Code of the Philippines. Under Section 3 of the above decree, mangrove is a term applied to the type of forest occurring on tidal flats along the sea coast, extending along streams where the water is brackish. This definition provides the aquatic environment where mangroves are known to grow and converted into fishponds for the culture of fish. To the aquaculturists, however, ecological consideration, layout and soil composition are some of the basic requirements in the development and design of the project to obtain optimum productivity of the area and its rational use.

In the development of fishponds from swamplands, the law provides a strip of at least 40 meters wide along shorelines facing rivers, lakes and other bodies of water, and a belt or strip of not less than 100 meters facing bays or the sea be excluded from fishpond development to protect the shoreline from destructive forces of the sea, strong winds and typhoons. These strips of mangrove forests bordering numerous islands cannot be alienated or cleared for fishpond operation as long as they are not declared alienable and disposable lands of the public domain. This is one of the reasons why titling of fishponds had been stopped to avoid circumvention of the legal prohibition against alienation of foreshore lands.

Under Presidential Decree No. 950, every holder of a lease agreement is under obligation to plant trees extending at least twenty (20) meters from each edge of the bank of the river or creek. Under the said decree, any person who cuts, destroys or injures naturally growing trees or planted trees of any kind on banks of rivers or creeks without any authority from the government agency concerned is liable to a fine and/or imprisonment at the discretion of the court.

The increasing utilization of mangroves has spawned two conflicting interests in the exploitation and development of the same. The advantages and disadvantages of silviculture and aquaculture on the multiple uses of mangroves should be studied in the light of the policy on economic development. The recommendation of the Philippine delegation to the Indo-Pacific Fisheries Council conference held at Wellington, New Zealand in 1977 on the alternative uses of mangrove is of imperative value to the Workshop.

LEGAL STRUCTURES

The present Bureau of Fisheries and Aquatic Resources (BFAR) started in 1907 as a mere Division of Fisheries in the defunct Bureau of Science. The significance of the Division's delicate functions were brought to the fore and given substance by the passage of Fisheries Act No. 4003 in 1932 which compiled all laws and regulations relative to fisheries. From then on, the Division had undergone various transformation and developmental reorganizations. It was known once as the Fish and Game Administration under the Department of Agri-

culture and Commerce in 1933; Philippine Fisheries Commission under the Department of Agriculture and Natural Resources by virtue of Act No. 3512 in 1963; Bureau of Fisheries upon reorganization of the executive branch of the government in 1972; and finally as Bureau of Fisheries and Aquatic Resources (BFAR) under the Department of Natural Resources (DNR), now Ministry of Natural Resources (MNR) by virtue of Presidential Decree No. 461 signed on May 17, 1974.

NOTICE

Please note the new ISSN of the Philippine Journal of Fisheries. For the last two issues, we have used the ISSN assigned by the National Centre for the International Serials Data System (ISDS) in the Philippines for another publication of the Bureau — the Fisheries Newsletter. We hasten to make the necessary correction. We regret the inconvenience and the error.

The EDITORS