

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress

First Regular Session

HOUSE BILL NO. 153



Introduced by Honorable Constantino G. Jaraula

EXPLANATORY NOTE

This Bill was filed with the 11th Congress as House Bill No. 3477 and with the 12th Congress with House Bill No. 1188, with the following Explanatory Note:

"This bill seeks to mandate each city and municipality to create a River Development Authority with the function of preserving, protecting and developing all the rivers, river systems, and all natural waterways within its respective jurisdiction.

"The Philippines is recorded to have 421 principal rivers and 384 river systems from the northernmost Province of Batanes to the southernmost Province of Tawi-Tawi. A great number of them are gradually vanishing, many are dying, while others are suffering from physical, biological or chemical damage, some have simply died or vanished. All these can be attributed to pollution, indifference and apathy to the environment, ignorance, or simply human greed.

"The damage wrought on a river and its consequent death is not only a threat to public health, it is a vivid and compelling symbol of a crumbling social order, a symptom of a society under severe environmental and ecological stress. The blackness of its waters mourns to death a community's civic responsibility. Its putrid stench is the smell of our collective guilt- especially the guilt of those who primarily contributed to the violation of its purity.

"For the record, most of the rivers suffering from physical, biological or chemical degradation are located in the National Capital Region. In the Pasig River alone, it is estimated that at least a total of 11 million gallons of industrial wastes are discharged into the river per year. Rivers at the outskirts of Metro Manila and a great number in the nearby provinces and suburban areas are also suffering from the same damage while others, including those in the far-flung areas are heavily silted, caused by hastened erosion in the highland and burning by kaingeros. In sum, our river, river systems, and natural waterways are threatened by extinction and degradation.

"While a number of laws for the preservation and development of rivers have been enacted, effective enforcement by local government units is weak due to the absence of a local agency with which coordination can be made. What must be created is an efficient institutional machinery in each local government unit not only to implement such laws, but also to promote development of rivers, river systems, and natural waterways."

The Bill has not been enacted into law even as it secured favorable Committee approval. The necessity of its passage by the 13th Congress is clear.



CONSTANTINO G. JARAULA

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AN ACT

MANDATING EACH CITY AND MUNICIPALITY TO CREATE A RIVER DEVELOPMENT AUTHORITY FOR THE PRESERVATION, PROTECTION, AND DEVELOPMENT OF ALL RIVERS, RIVERSYSTEMS, AND NATURAL WATERWAYS WITHIN ITS RESPECTIVE JURISDICTION, DEFINING ITS POWERS AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR.

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Each city and municipality is hereby mandated to create a River Development Authority, hereinafter referred to as the Authority, for the preservation, protection, and development of all rivers, river systems, and all natural waterways within its respective jurisdiction.

SECTION 2. The authority shall execute the powers and functions herein vested and conferred upon it in such manner as will, in its judgment, aid to the fullest possible extent in carrying out the purposes set forth in this Act. It shall have the following functions:

- a) To prepare a master plan to preserve, protect, develop and exploit all rivers, river systems, and natural waterways;
- b) To conduct engineering surveys of rivers, river systems and natural waterways, monitoring water quality, pinpointing pollution sources, and identifying the rivers that need to be developed for exploitation, and to be rehabilitated;
- c) To initiate and facilitate planning, implementation, monitoring and evaluation of pertinent projects with positive impact on environment and development, including dredging and deepening of river channels and improvement of river alignments;
- d) To prioritize rivers positively identified for development and rehabilitation, and on the basis thereof, prepare a river-specific plan of operation for the development and rehabilitation and the general improvement of environmentally degraded rivers;

- e) To initiate funding arrangements with local and foreign donors, including fund-raising, to finance priority development projects and provide direct funding of minor initiatives expected to create a positive impact on the environment in the projected area;
- f) To develop information materials to ensure a high degree of environmental awareness in government agencies, organization and the general public;
- g) To make recommendations to the proper agencies offering financial support, technical and physical assistance about the level of priority to be accorded river systems development and rehabilitation projects;
- h) To coordinate and integrate such projects or operations of local governments, government agencies, public corporations and, where clearly necessary and feasible, those of private entities, as will bear directly upon the plans and activities of the Authority so as to make possible the accelerated and intensive development and rehabilitation of the rivers, river systems and natural waterways in the country within the context of the Master Plan and to set up a compact and well-trained staff for effective liaison and consultation or joint planning and implementation with such government and private entities;
- i) To make a report annually to the Department of the Interior and Local Governments (DILG) Secretary of its activities including those done in collaboration with the various government and private entities engaged in the implementation of the projects and programs. The report shall include, among other items, a comparison of the developmental and rehabilitation targets set for the year ending and the extent to which actual accomplishments measure up to such targets, and the appropriate administrative and legislative recommendations.

SECTION 3. (A) The Authority shall have a Board of Directors, composed of eleven (11) members as follows:

- 1) City/ Municipal Council Chairman of the Committee on Environment and/or Ecology
- 2) City/Municipal Council Minority Floor Leader
- 3) Chairman of the City/Municipal Council Committee on Engineering
- 4) Chairman of the City/Municipal Council Committee on Appropriations
- 5) City/Municipal Engineer
- 6) City/Municipal Planning and Development Officer
- 7) City/Municipal Administrator
- 8) DENR representative
- 9) Three (3) members representing the private sector to be appointed by the City/Municipal Mayor, on voluntary basis.

(B) The Chairman and Vice-Chairman shall be designated by the City/Municipal Mayor.

(C) No member of the Board shall be financially interested, directly or indirectly, in any contract entered into by the Authority or in any special privilege granted by the Authority during his/her term. A violation hereof shall subject the guilty party to removal from the Authority and/or such disciplinary action as the City/Municipal Council deems fit.

SECTION 4. The Board shall have the following powers and functions:

- a) To formulate, prescribe, amend, and repeal the rules and regulations to govern the conduct of operations of the Authority;**
- b) To appoint the necessary staff of the Authority and to fix their compensation in accordance with the existing laws;**
- c) To suspend, remove or otherwise discipline for just cause any staff member appointed by the Board;**
- d) To recommend the annual and/or supplemental budgets of the Authority;**
- e) To render annual reports to the DILG Secretary and to the City/Municipal Mayor, and such special reports as may be requested, and**
- f) To do such other acts and perform such other functions as may be necessary to carry out the provisions of this Act.**

SECTION 5. The Department of the Interior and Local Governments shall issue the necessary rules and regulations for the effective implementation of this Act.

SECTION 6. The amount necessary for the implementation of this Act shall be borne by the respective local government units and carried in their budgets.

SECTION 7. All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 8. This Act shall take effect upon its approval.

Approved,