

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session
8776
House Bill No. _____



INTRODUCED BY
REP. ALFRED VARGAS

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

EXPLANATORY NOTE

Reforms in water resource management is a fundamental aspect in a country's development. In India, Pandit Nehru, the first prime minister praised the Bhakra Dam and considered it as the symbol of strength. Globally, the attempt to control and manage river basins intensely grew as dams, navigation systems, flood control and irrigation improvement were made. The multiple function of river basin development was recognized. River development is an essential factor to economic development. Agriculture, energy generation, and increased employment opportunities are some of the many examples of its significant results ¹.

However, despite the results that can be achieved with river development, further issues and challenges are faced as ecological preservation and restoration are not considered the majority of the time.

In the Philippines, 180 out of 421 rivers and other bodies of water are immensely polluted and are soon to be considered as biologically dead according to the Department of Environmental and Natural Resources². The Filipino people will suffer the consequences if this catastrophic issue is not addressed. Water scarcity is still present even with the 323 km³ per year of total renewable freshwater supply. In addition, along with the water shortage, sanitation and increased incidences of water-borne diseases are

¹ Fox, C (2009). River Basin Development. Retrieved January 30, 2021, from <https://www.sciencedirect.com/topics/earth-and-planetary-sciences/river-basin-development>

² Many Philippine Rivers Are Dying – OpEd. (2019, May 05). Retrieved January 30, 2021, from <https://landportal.org/node/81429>

growing issues as well. All of which are claimed to be caused by deforestation and water mismanagement. On one hand, deforestation is an alarming concern nationwide, with provinces falling below the ideal forest-settlement ratio to have ecological balance. On the other hand, river developments are ill-maintained due to the lack of protection and rehabilitation³.

Other countries like Kenya, Tanzania, and Nigeria have created River Development Authorities to give focus on maximizing efforts, control, and have better opportunities for an integrated approach to plan. With the existence of River Development Authorities, our long-term goals of sustainable development could be achieved and could provide a more effective and efficient policy-making process as regards river, riversystems, and natural waterways.

This bill seeks to preserve, protect and improve rivers, river systems and natural waterways by creating and institutionalizing a central agency in each local government unit to implement the laws and promote ecological balance. This legislation shall be in line with the priority of the Duterte Administration to create a Department of Water, Irrigation, Sewage, and Sanitation Resource Management.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



ALFRED VARGAS

³ Andrews, G. (2018) Resolving the Water Pollution Crisis in the Philippines: the Implications of Water Pollution on Public Health and the Economy. Pepperdine Policy Review. Retrieved on January 30, 2020 from <https://digitalcommons.pepperdine.edu/cgi/viewcontent.cgi?article=1163&context=ppr>

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

EIGHTEENTH CONGRESS

Second Regular Session

House Bill No. **8776**

**INTRODUCED BY
REP. ALFRED VARGAS**

AN ACT
**MANDATING EACH CITY OR MUNICIPALITY TO CREATE A RIVER
DEVELOPMENT AUTHORITY FOR THE PRESERVATION, PROTECTION
AND DEVELOPMENT OF ALL RIVERS, RIVERSYSTEMS AND NATURAL
WATERWAYS WITHIN ITS 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. Short Title. – This Act shall be known as the “**Local River
Development Authority Act**”.

SECTION 2. Declaration of Policy. - Each city or 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 natural waterways within
its jurisdiction.

SECTION 3. The Local River Development Authority. 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.
The Authority shall have the following functions:

- a) Prepare a master plan to preserve, protect, develop and
exploit all rivers, river systems and natural waterways;
- b) Conduct engineering surveys of rivers, river systems and
natural waterways, assessing and monitoring water
quality, pinpointing pollution sources and identifying the

rivers that need to be developed for exploitation and rehabilitation;

- c) Initiate and facilitate planning, implementation, monitoring and evaluation of pertinent projects with positive impact on environment and development, including dredging, widening and deepening of river channels and improvement of river alignments;
- d) Prioritize rivers positively identified for development and rehabilitation, and on the basis thereof, prepare a river-specific plan of operation for the improvement, development and rehabilitation of environmentally degraded rivers;
- e) Initiate funding arrangements with local and foreign donors, 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) Develop information materials to ensure a high degree of environmental awareness in government agencies, organizations and the general public;
- g) 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) Coordinate and integrate such projects or operations of local 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 an intensive development and rehabilitation of the rivers, river systems and natural waterways in the country within the context of the master plan;
- i) Set up a compact and well-trained staff for effective liaison and consultation or joint planning and implementation with government and private entities;
- j) Make an annual report to the Secretary of the Interior and Local Government of its activities, including those done in collaboration with the various government and private entities engaged in the implementation of the projects and programs. which shall include, among others, a comparison of the development and rehabilitation targets as 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 4. *Board of Directors* - The Authority shall have a Board Directors composed of eleven (11) members as follows:

- a) City or municipal council majority floor leader, as Chairperson;
- b) City or municipal council minority floor leader;
- c) Chairman of the city or municipal council Committee on Public Works;
- d) Chairman of the city or municipal council Committee on Appropriations;
- e) City or municipal engineer;
- f) City or municipal and development officer;
- g) City or municipal administrator;
- h) Representative from the Department of Environment and Natural Resources (DENR); and
- i) Three (3) members representing the private sector to be appointed by the city or municipal mayor.

No member of the Board shall, during his term, be financially interested, directly or indirectly, in any contract entered into by the Authority or in any special privileges granted by the Authority. All contracts entered into in violation of this provision shall be null and void.

SECTION 5. *Role of the Board.* - The Board shall exercise the following powers and functions:

- a) Formulate, prescribe, amend and repeal rules and regulations to govern the conduct of operation of the Authority;
- b) Appoint the necessary staff of the Authority and to fix their compensation in accordance with the existing laws;
- c) Suspend, remove or otherwise discipline for just cause any staff member appointed by the Board;
- d) Recommend the annual and supplemental budgets of the Authority;
- e) Render annual reports to the Secretary of the Interior and Local Government and to the city or municipal mayor and such special reports as may be requested; and

- f) Do such other acts and perform and such other functions as may be necessary to carry out the provisions of this Act.

SECTION 6. *Implementing Rules and Regulations.* – The Secretary of the Interior and Local Government shall issue the necessary rules and regulations for the effective implementation of this Act.

SECTION 7. *Funding.* – The amount necessary for the implementation of this Act shall be charged to the appropriations of the Department of Interior and Local Government. Thereafter, such sum as may be necessary for its continued operation shall be included in the annual General Appropriations Act.

SECTION 8. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

SECTION 9. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,