

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**NINETEENTH CONGRESS
First Regular Session**

House Bill No. 7901



Introduced by Hon. Dan S. Fernandez

EXPLANATORY NOTE

The Province of Laguna is one of the local government units in the country which perennially suffers from the onslaught of floods. Inundations triggered by typhoons Paeng, Milenyo, Ondoy, Yolanda and Odette have wrought untold destruction to property and misery among its people, not to mention countless loss of lives.

The cities of Santa Rosa, Binan and San Pedro, especially those areas along the shoreline or by the lakeside, have sustained heavy losses due to recent typhoons. Thick mud, accumulated garbage and other flotsam have flowed unmitigatingly from the upper portions of the province down to the lake. Up to the time of the filing of this bill, more than 2-3 months since the last typhoon, some areas are still flooded, with residents still living in temporary quarters or evacuation centers. Local government officials are left with no choice but to continue relief operations since it will still take at least a few months before the conditions normalize.

There are shallow rivers and other water systems in the province which now require immediate dredging, while impounding of rainfall from upstream areas is also necessary to prevent sudden cascading of flood waters to communities downstream. There is also the issue of "overdevelopment" – with subdivision development not being monitored or counterchecked by the appropriate authorities. These sites sometimes impede the natural flow of floodwater, hence, exacerbate the effects of these calamities.

According to the Laguna Lake Development Authority (LLDA), the Laguna Lake has a depth of 2.5 meters and a shoreline of 220 kilometers, where almost 300,000 families live and rely on that body of water for their means of livelihood. This area, extending from San Pedro up to Mabita, including Taguig and Rizal, are now polluted and have been neglected, necessitating immediate rehabilitation.

Assessment of the tributaries surrounding the lake show that most are silted, hence, the need to identify immediate solutions, such as dredging and/or an impounding system. It must be noted however that the Laguna de Bay itself, once properly dredged and rehabilitated, could be tapped not only as floodwater reservoir or water basin, but is also vital for other purposes such as, source of potable water supply, for fisheries, transport route, power generation, recreation, and irrigation as well.

It is already known that the Philippines lies within the Pacific Typhoon Belt, and it is already foreseeable that our country is visited by at least 20 typhoons a year. Hence, we cannot excuse the vicious cycle of damages incurred on the ground that these calamities are “acts of God” which cannot be prevented. Neither should we hide responsibility for these disasters on the simple expedient that anyway, Filipinos are a resilient people. This pontification about resiliency is sometimes used to shroud incompetence or as an excuse to escape inaction or lack of preparation. We need pro-active, and not merely reactive, interventions against these recurring calamities. Multi-sectoral agreements and projects that will prevent future damages could also be exploited. In sum, we need long-term and permanent solutions to this problem and not mere patchwork.

In view of all the foregoing, the approval of this bill, at the earliest possible time, is earnestly recommended.

A handwritten signature in black ink, appearing to read 'Dan S. Fernandez', with a stylized, flowing script.

DAN S. FERNANDEZ

Lone District of Santa Rosa City

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AN ACT
ESTABLISHING A COMPREHENSIVE AND INTEGRATED FLOOD PREVENTION,
CONTROL, DEFENSE AND MANAGEMENT SYSTEM FOR THE PROVINCE OF
LAGUNA AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Title.* - This Act shall be known as the "*Comprehensive and Integrated Laguna Flood Prevention, Control, Defense and Management System*"

SEC. 2. *Declaration of Policy and Objective.* - It shall be the policy of the State to:

- (a) Protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;
- (b) Protect and promote the right to health of the people and instill health consciousness among our people to effectively carry out the programs and projects of the government essential for the growth and health of the nation, especially in times where the country experiences natural or manmade disasters, calamities, risks and security threats;
- (c) Adopt disaster risk reduction and management approach that is holistic, comprehensive, integrated and proactive in lessening the socioeconomic and environmental impacts of disasters including climate changes, and promote the involvement and participation of all sections and all stakeholders concerned, at all levels, especially the local community;
- (d) Recognize and strengthen the capacities of local government units (LGUs) and communities in mitigating and preparing for, responding to, and recovering from the impact of disasters;
- (e) Institutionalize the policies, structures, coordination mechanisms and programs with continuing budget appropriation on disaster risk reduction from national down to local levels towards building a disaster-resilient nation and communities;

Towards this end, this Act aims to establishing a comprehensive and integrated flood prevention, control, defense and management system in the Province of Laguna to mitigate flooding caused by climate change and other factors.

SEC. 3. *Flood Control, Prevention, Management and Defense System.* - The Department of Public Works and Highways (DPWH), in coordination and consultation with the Department of Environment and Natural Resources (DENR), Department of Local and Interior Government (DILG), National

Disaster Risk Reduction and Management Council (NDRRMC), the Laguna Lake Development Authority (LLDA), local government units within the Province of Laguna, and accredited civil society groups and indigenous peoples groups and/or communities representing residents of the Province of Laguna, shall conduct scientific and engineering studies about the flooding situation in the province.

On the basis of its technical and engineering studies, the DPWH shall undertake the construction of a flood prevention, control, defense and management system in the Province of Laguna, which shall include but not necessarily limited to the following:

- (a) the cleaning, dredging, clearing and rehabilitation of the Laguna de Bay and other heavily silted bodies of water in the province, including the removal of illegal structures;
- (b) the construction of rainwater impounding facilities in appropriate places;
- (c) the rehabilitation of other flood-prone land and water features of the province; and
- (d) the setting-up of state-of-the-art flood prevention, control, defense and management systems

SEC. 4. *Operating and Guiding Principles* - In establishing the Laguna flood prevention, control, defense and management system, the DPWH, in coordination and consultation with the aforementioned government agencies, local government units and civil society and indigenous peoples group, shall adhere to the following principles of safety, resilience and sustainability.

As far as practicable, the Laguna flood prevention, control, defense and management system shall secure the residents of Laguna from floods while -

- (i) ensuring the residents' access to adequate, affordable and safe housing and resettlement;
- (ii) providing residents access to safe, affordable, accessible, ecofriendly and sustainable transport systems and improving road safety;
- (iii) enhancing inclusive, ecofriendly and sustainable urbanization;
- (iv) protecting and safeguarding the cultural and natural heritage of the province in a manner consistent with Republic Act No. 10066 ("National Cultural Heritage Act of 2009");
- (v) significantly reducing the number of deaths and the number of people affected by floods and water-related disasters;
- (vi) substantially decreasing the direct economic losses caused by flood and water-related disasters, with a focus on protecting the poor and people in vulnerable situations;
- (vii) supporting positive economic, social and environmental links between urban, peri-urban and rural areas by strengthening national and regional development planning;
- (viii) supporting local government units and indigenous communities within the Province of Laguna, through financial and technical assistance, in building sustainable, ecofriendly and resilient flood prevention, control and defense infrastructures; and
- (ix) Respecting the rights of the indigenous peoples communities to their ancestral domains/lands, to free and prior consent, to indigenous knowledge systems and political structures, and such other rights as provided under Republic Act No. 8371 ("Indigenous Peoples' Rights Act of 1997") where infrastructure projects of the DPWH undertaken to give effect to this shall directly or indirectly affect or involve areas inhabited by indigenous peoples/communities.

SEC. 5. *Funding*. - The amount needed for the implementation of the construction of the Laguna

flood prevention, control, defense and management system shall be included in the appropriations of the DPWH under the General Appropriations Act. Such funds may be augmented through loans, in accordance with the provisions of the law on government borrowing from financial institutions.

This project may also be funded through a Public-Private Partnership in accordance with laws, rules and regulations governing such partnerships.

SEC. 6. *Submission of Reports.* - Within ninety (90) days after the approval of this Act, and at the end of every calendar quarter thereafter, the Secretary of Public Works and Highways shall submit progress reports to each House of Congress on the implementation of this Act.

SEC. 7. *Separability Clause.* - If any provision of this Act is declared invalid, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC. 8. *Repealing Clause.* - All laws, presidential decrees, executive orders and their implementing rules, inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 9. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in one (1) national newspapers of general circulation.

Approved,