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REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

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P.S. Resolution No. 1405

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Introduced by Senator FRANCIS G. ESCUDERO

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON CLIMATE CHANGE TO LOOK INTO THE ALLEGED IMPROPER RELEASES OF WATER FROM DAMS WHICH HAVE CAUSED GREATER FLOODING IN AREAS AFFECTED BY TYPHOONS "PEPENG" AND "ONDOY" WITH THE END IN VIEW OF ENACTING LEGISLATIVE MEASURES TO ADDRESS THE SAME

WHEREAS, water releases from dams undeniably increase the level of water, especially in areas traversed by rivers or other bodies of water through which such releases flow.

WHEREAS, when typhoon "Pepeng" hit thrice the area of Luzon, dams in the area, namely, San Roque in Pangasinan, Angat in Bulacan, Pantabangan in Nueva Ecija, and Binga and Ambuklao in Benguet, released water, which according to some reports were either "too sudden" or "in huge amounts", or both.

WHEREAS, San Roque Dam for instance released last Thursday, 08 October 2009, 2,500 cubic meters per second (cms) and, later in the night, approximately 5,072 cms, of water, submerging thirty towns in the eastern and central part of Pangasinan and leading thousands of people, including children and the elderly, to spend the night on rooftops.

WHEREAS, such releases from San Roque dam likewise included in the process water releases from Binga and Ambuklao dams at an estimate of 1,200 cms the following day or on 09 October 2009; the latter dams are known to release water to San Roque dam as a matter of procedure.

WHEREAS, it is imperative that water releases from dams be looked into by reviewing the current policies that govern such releases if there is any, especially in the light of the prevailing capacity of dikes which can only sustain 4,000 cms.

WHEREAS, it is likewise necessary to ascertain what really transpired in those water releases from San Roque Dam, as well as any other dams for that matter, considering that water releases are not simple decisions to make especially if it can cause damage to life and property.

WHEREAS, liability for damages may likewise attach to persons or entities responsible for water releases if done either through fault or negligence,¹ may such dams are government owned and/or controlled facilities or such persons be government personnel.

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, That the Senate Committee on Climate Change look into the alleged improper releases of water from dams which have caused greater flooding in areas affected by typhoons "Pepeng" and "Ondoy" with the end in view of enacting legislative measures to address the same such as the establishment of protocols for water releases from dams in the country.

Adopted,



FRANCIS G. ESCUDERO

¹ Article 2176, Civil Code