

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )



23 AUG -7 P6:18

**SENATE**  
**S. No. 2393**

RECEIVED BY: 

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Introduced by: Senator Raffy T. Tulfo

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**AN ACT**  
**MANDATING A MASTERPLAN FOR FLOOD MANAGEMENT, INCREASING**  
**PENALTIES FOR VIOLATIONS OF ENVIRONMENTAL LAWS,**  
**APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Situated in the Pacific Ring of Fire and along the typhoon belt, the Philippines is highly susceptible to typhoons and heavy rainfall. Its geographical location exposes it to the direct impact of typhoons, resulting in massive rainfall and flash floods. Moreover, deforestation, urbanization, and improper land use exacerbate this vulnerability by disrupting natural water retention systems. A flood management plan would help mitigate the adverse effects of these geographical vulnerabilities.

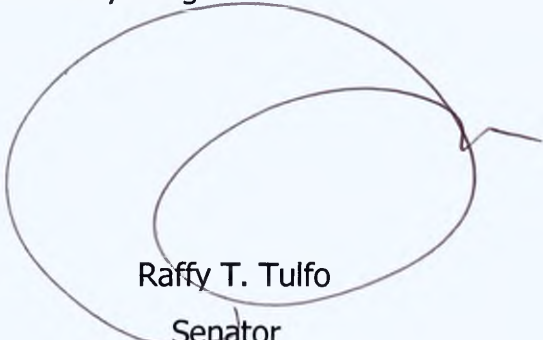
Floods in the Philippines have led to the loss of thousands of lives and widespread displacement of communities. Floodwaters not only cause immediate casualties but also damage vital infrastructure, agriculture, and industries. Disruptions to livelihoods can further exacerbate poverty and hinder economic growth. Typhoons can occur within close proximity to one another. A notable example happened in November 2020, when Typhoon Rolly was eventually joined by Typhoon Quinta and inevitably caused great devastation in the Bicol region; with Signal No. 5 also being raised in the provinces of Albay and Camarines Sur.

Floods take a significant toll on the Philippine economy. The destruction of critical infrastructure, such as roads, bridges, and public utilities, hampers the

movement of goods and services, affecting trade and commerce. Agricultural losses due to inundation and soil erosion hinder food production and security. The cost of recovery and reconstruction after each flood event places a heavy burden on the government's finances. A well-structured flood management plan would aid in reducing economic losses and ensuring a more sustainable path to development.

With this being said, the proposed measure aims to institutionalize an adequate flood management Masterplan and an Inter-Agency Task Force for Flood Management in order to protect human lives and their livelihoods and shield the economy, and the environment from catastrophic impacts of floods. Moreover, this Act aims to upgrade the salaries of Forest Rangers and create an Oversight Committee in order to help

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



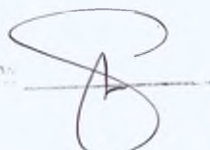
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*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

1 Section 1. *Short Title.* – This Act shall be known as the "Flood Management Act  
2 of 2023."

3 Sec. 2. *Declaration of Policy.* – It is hereby a declared policy of the State to  
4 uphold 4 the constitutional rights of people to life and property by identifying and  
5 addressing the s main causes of vulnerabilities to disasters and reinforcing the  
6 institutional capacity of the country to withstand calamities. Furthermore, it is the  
7 policy of the State to provide necessary public goods, like flood control infrastructure,  
8 to curb the water-related risks that come from natural disasters.

9 Sec. 3. *Establishment of a National Flood Management Masterplan.* – There is  
10 hereby established a National Flood Management Masterplan. Within two (2) months  
11 from the effectivity of this Act, the Infrastructure Committee of the National Economic  
12 and Development Authority (NEDA) Board is hereby directed to review and assess  
13 the current Flood Management Masterplan for Metro Manila and Surrounding Areas  
14 (the "Masterplan") approved by the NEDA board in 2012 and identify targets and  
15 reforms, as needed, for the purpose of ensuring its expedient and efficient  
16 implementation.

1 The Committee is likewise directed to expand the Masterplan to cover other  
2 areas of Luzon, Visayas, and Mindanao.

3 *Sec. 4. Inter-Agency Task Force for Flood Management.* – There is hereby  
4 created an Inter-Agency Task Force for Flood Management (the "Task Force") which  
5 shall ensure and oversee the implementation of the adopted Masterplan and  
6 coordinate the programs and activities of its member agencies.

7 The Task Force shall be headed by the NEDA Director General as Chairperson,  
8 with the Secretary of Public Works and Highways, Secretary of Environmental and  
9 Natural Resources, Chairperson of the National Commission in Indigenous Peoples,  
10 Director of the University of the Philippines Diliman-National Institute for Geological  
11 Sciences, Administrator of the Philippine Atmospheric, Geophysical and Astronomical  
12 Services Administration (PAGASA), and the chief executives of concerned LGUs as  
13 members.

14 The Task Force is hereby directed to coordinate with national government  
15 agencies and local government units for the efficient implementation of the  
16 Masterplan. It shall also submit an annual report to the Oversight Committee  
17 referred to in Section 11 hereof regarding the status of the structural and non-  
18 structural interventions in the Masterplan.

19 *Sec. 5. Duties and Functions of the DPWH.* – The Department of Public Works  
20 and Highways (DPWH) is hereby designated as the lead implementing agency of the  
21 Masterplan. As such, it shall:

22 (a) Implement the Masterplan immediately after the NEDA Board  
23 Infrastructure Committee has established the same;

24 (b) Propose a budget for the implementation of the Masterplan, in  
25 coordination with the Task Force;

26 (c) Submit a quarterly report to the Task Force regarding the progress of  
27 the implementation of the Masterplan; and

28 (d) Coordinate and consult with concerned agencies, including but not  
29 limited to the Department of Environment and Natural Resources  
30 (DENR) and PAGASA regarding complementary activities within the

1 purview and the technical expertise of the said agencies which are  
2 necessary for the effective implementation of the Masterplan.

3 *Sec. 6. Panel of Experts.* – The Task Force shall engage a panel of international  
4 and local experts for technical support and to ensure that projects implemented  
5 under the Masterplan adhere to international quality standards.

6 *Sec. 7. The Increased Penalty for Illegal Quarrying.* – Section 108 of Republic  
7 Act No. 7942 is hereby amended to read as follows:

8 "SECTION 108. VIOLATION OF THE TERMS AND CONDITIONS OF THE  
9 ENVIRONMENTAL COMPLIANCE CERTIFICATE. – Any person who willfully  
10 violates or grossly neglects to abide by the terms and conditions of the  
11 environmental damage through pollution OR QUARRYING shall suffer the  
12 penalty of ~~[imprisonment of six (6) months to six (6) years]~~ **FOR A**  
13 **MINIMUM OF SIX (6) YEARS TO A MAXIMUM OF TWELVE (12) YEARS**  
14 **or AND A FINE OF** ~~[Fifty thousand pesos (P50,000.00) to Two hundred~~  
15 ~~thousand pesos (P200,000.00), or both,]~~ **FIVE HUNDRED THOUSAND**  
16 **PESOS (P500,000.00) TO FIVE MILLION PESOS (P5,000,000.00)**, at  
17 the discretion of the court."

18 Section 77 of Presidential Decree No. 705 is hereby amended to read as  
19 follows:

20 "SECTION 77. Cutting, Gathering, and/or collecting Timber, or Other  
21 Forest Products Without License. – Any person who shall cut, gather, collect,  
22 remove timber, or other forest products from any forest land, or timber from  
23 alienable or disposable public land, or from private land, without authority, or  
24 possess timber or other forest products without legal documents as required  
25 under existing forest laws and regulations, shall be punished with the  
26 penalties imposed under Articles 309 and 310 of the Revised Penal Code **AND**  
27 **A FINE OF AT LEAST FIVE HUNDRED THOUSAND PESOS**  
28 **(P500,000.00) BUT NO MORE THAN TWO MILLION PESOS**  
29 **(P2,000,000.00):** Provided, That in the case of partnerships, associations,  
30 or corporations, the officers who ordered the cutting, gathering, collection, or  
31 possession shall be liable, and if such officers are aliens, they shall, in addition

1 to the penalty, be deported without further proceedings on the part of the  
2 ~~Commission on~~ **BUREAU OF** Immigration and Deportation.

3 xxx"

4 *Sec. 8. Exclusive Authority to Issue Permit to Quarry.* – Notwithstanding any  
5 law to the contrary, the DENR is hereby granted the exclusive authority to issue and  
6 revoke permits to extract sand, gravel, and other quarry resources.

7 *Sec. 9. Authority of the President to Suspend the Requirements for National*  
8 *and Local Permits, Licenses, and Certifications, and to Streamline and Expedite the*  
9 *Process for the Issuance thereof* – Notwithstanding any law, decree, order, or  
10 ordinance to the contrary, the President shall have the authority to:

11 (a) Accelerate and streamline regulatory processes and procedures for  
12 applications for permits, licenses, clearance, certifications, or authorizations  
13 for constructing flood management infrastructures, including fixing or  
14 shortening the periods provide under existing laws, regulations, issuances,  
15 and ordinances; and

16 (b) Suspend or waive the requirements in securing such permits, licenses,  
17 clearance, certifications or authorizations.

18 *Sec. 10. Upgrading the Salary of Forest Rangers.* – The entry-level salary of  
19 the forest ranger position shall be at Salary Grade 18 in coordination with the  
20 Department of Budget and Management, the DENR shall create additional positions  
21 where augmentation of its enforcement manpower is necessary.

22 *Sec. 11. Creation of an Oversight Committee.* – For this purpose, Congress  
23 shall establish a Joint Congressional Oversight Committee composed of four (4)  
24 members of each House to be appointed by the Senate President and the House  
25 Speaker, respectively. This Committee shall determine whether such acts, orders,  
26 rules, and regulations are within the restrictions provided herein.

27 *Sec. 12. Appropriations.* – The corresponding amount required for the  
28 construction and maintenance of flood management infrastructure nationwide  
29 pursuant to the Masterplan shall be appropriated on a multi-year basis and included  
30 in the General Appropriations Act each year following the effectivity of this Act.

1           The DPWH may also tap the Official Development Assistance (ODA) of the  
2 Philippines' Donor countries and institutions for concessional loans on a long-term  
3 repayment basis for additional funding as needed to implement the provisions of this  
4 Act.

5           *Sec. 13. Implementing Rules and Regulations.* – The NEDA and DPWH shall,  
6 within sixty (60) days after the effectivity of this Act, formulate the necessary rules  
7 and regulations for its effective implementation.

8           *Sec. 14. Separability Clause.* – If any provisions or part of this Act is held  
9 invalid or unconstitutional, the remainder of the law or the provision not otherwise  
10 affected shall remain valid and subsisting.

11           *Sec. 15. Repealing Clause.* – Section 138 of Republic Act No. 7160, otherwise  
12 known as the "Local Government Code of 1991", is hereby amended insofar as the  
13 provision thereof is inconsistent with this Act.

14           All other laws, decrees, executive orders, letters of instruction, administrative  
15 orders, rules, or regulations contrary to or inconsistent with the provisions of this  
16 Act are hereby repealed, modified, or amended accordingly.

17           *Sec. 16. Effectivity Clause.* — This Act shall take effect fifteen (15) days after  
18 its publication in at least (2) newspapers of general circulation.

*Adopted,*