

REPUBLIC OF THE PHILIPPINES)
Second Regular Session

8 NOV 13 P2:57

SENATE

S. No. 2879

RECEIVED BY: 


Introduced by Senator Manny Villar

EXPLANATORY NOTE

It is a priority emblazoned by the Constitution to protect the nation's marine wealth in its archipelagic waters so that ultimately, the right to use the same can be enjoyed by Filipino citizens.

The call to protect our rivers comes at an even louder voice today. Recent studies have shown the Marilao River as among the dirtiest in the world today, filled with excess levels of the dangerous heavy metals chromium, cadmium and lead. It has also recorded zero dissolve oxygen levels and high levels of organic pollution. Not to mention the fact that the Pasig River is still visibly among the dirtiest river systems in the country still.

By mandating each city or municipality that has a river system to create a River Development Authority, we can be assured that protection can be given to our river systems and ultimately, to our countrymen, as the protection of the river entails not only the protection of marine wealth and life, but also the protection of a source of livelihood, of food, and even rest and relaxation. Henceforth, the passage of this legislation is earnestly sought.


Manny Villar
Senator

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AN ACT
MANDATING EACH CITY OR MUNICIPALITY TO CREATE A RIVER
DEVELOPMENT AUTHORITY FOR THE PRESERVATION, PROTECTION
AND DEVELOPMENT OF ALL RIVERS, RIVER SYSTEMS, 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 in Congress assembled:

Section 1. 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 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 process 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 governments, 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 implantation of the projects and programs, which shall include, among others, a comparison of the developmental 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 3. The Authority shall have a Board of Directors composed of eleven (11) members as follows:

- a) City or municipal council majority floor leader, as Chairman;
- 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 planning and development officer;
- g) City or municipal planning and development officer;
- h) City or municipal administrator;
- 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 4. 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 Authority and to fix their compensation in accordance with 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 such other functions as may be necessary to carry out the provisions of this Act.

Section 5. The Secretary of the Interior and Local Government 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 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 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 fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.