Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 2713

Introduced by REPRESENTATIVE ARTHUR C. YAP

EXPLANATORY NOTE

Out of an estimated irrigable area of 3.12 million hectares nationwide, 1.51 million hectares or 48.3% remain to be irrigated.

Concededly, irrigation development requires considerable investment. But the need for it is beyond argument. This is especially with small-scale irrigation systems that will serve the needs of a majority of our poor farmers and micro to small agricultural enterprises.

Since the year 2010, the implementation of irrigation projects is one of the major interventions being pursued by the Department of Agriculture in coordination with the National Irrigation Administration, through its Banner Program (Rice, Corn and High Value Crops). The DA - Bureau of Water and Soils Management (BWSM) has been the focal agency for the project MFO 3 (Irrigation Network Services for small-scale irrigation systems). These small-scale irrigation systems include rainwater and runoff harvesting facilities such as small water impounding projects (SWIP) and small farm reservoir (SFR). Also included are Spring Development (SD), and Pump Irrigation Systems (e.g. Shallow Tubewells, Pump Irrigation System for Open Source, Solar pumps, wind pumps and hydraulic ram pumps).

The BSWM has adopted a master plan anchored on the principle of sustainable development of water resources and adheres to integrated water resources management framework. It is a holistic and systematic approach that recognizes that infrastructure development alone is not a guarantee for productivity and sustainability. It should be combined with watershed development and management, research and development and more importantly, the provision of necessary extension services to the farmer-beneficiaries to ensure the functionality of their systems.

This BSWM program is, however, prone to abandonment, primarily due to the lack of sourcing and continuing funding.

This bill seeks to institutionalize the program and mandate the DA-BSWM to undertake a ten-year program for the construction of small-scale irrigation system projects. This shall not be confined not just in rural, but even in urban areas, where such a project is feasible.

The DA-BSWM shall serve as the technical and administrative secretariat of the program. It shall do research, development and extension on appropriate and cost-efficient systems for collection, storage and utilization of rainwater.

In consultation with relevant stakeholders, the agency shall formulate and implement a comprehensive national rainwater harvesting program for research, development and extension of appropriate technologies on rainwater harvesting and small-scale irrigation structures. It shall embark on capacity building of farmers and city and local government engineers on community-based and cost-efficient rainwater harvesting and small-scale irrigation systems and structures.

Incentives for local stakeholders shall be designed and formulated. There will be development water conservation techniques by optimizing the use of excess water during the rainy season for future needs, provide environmental benefits such as flood control, soil conservation and groundwater recharge, reduce dependence on water supplied by commercial service providers. This would serve as a good measure to adapt to the adverse effects of climate change.

After the foregoing, the DA-BWSM shall thereafter prepare a comprehensive 5-year work program with annual targets for the irrigation development of new small-scale irrigation system projects.

The DA-BWSM shall spearhead the construction and guarantee that all small-scale irrigation system programs. The projects to be undertaken herein shall be completed and made fully operational or implementable within the duration of the ten (10) - year program.

It will be with provision for sustainability of operation and maintenance of said systems after the program completion, including institutionalization of a comprehensive package of infrastructure and social support services. This will be integrated into the regular annual programs and budgets of the DA-BWSM and other implementing agencies and instrumentalities, as well as the local government units (LGUs), to ensure a sustained increased food productivity as strategy to attain genuine rural development and promote water conservation.

Under this measure, it is envisioned that there will be an increase in agricultural production. This is through the provision of innovative, inexpensive and accessible small-scale irrigation infrastructure facilities, rainwater and runoff harvesting facilities. There will be rural development through increased agricultural production and sustained productivity. And, there will be sustainable development of water resources and an integrated water resources management that will even mitigate the harsh effects of climate change.

For the foregoing reasons, the immediate consideration and approval of this bill, filed as House Bill No. 6042 by the undersigned in the Sixteenth Congress, is earnestly requested.

ARTHUR C. YAP
Representative

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Introduced by REPRESENTATIVE ARTHUR C. YAP

AN ACT
TO INCREASE AGRICULTURAL PRODUCTION, PROMOTE RURAL DEVELOPMENT AND DEVELOP WATER CONSERVATION TECHNIQUES BY PROVIDING FOR A TEN-YEAR SMALL-SCALE IRRIGATION SYSTEM PROGRAM, AND FOR OTHER PURPOSES

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

SECTION 1. ***Title.*** - This Act shall be known as the *"Small-Scale Irrigation System Act of 2016."*

SECTION 2. ***Declaration of Policy.*** - It is hereby declared the national policy to:

1. Increase agricultural production through the provision of innovative, inexpensive and accessible irrigation small scale infrastructure facilities, rainwater and runoff harvesting facilities such as small water impounding projects, small farm reservoirs, small diversion dams, spring development, shallow tube wells, and pump irrigation systems from open sources;

2. Promote comprehensive rural development through increased agricultural production and sustained productivity as key strategies to raise the quality of rural life and national development; and,
3. Advance the principle of sustainable development of water resources and an integrated water resources management framework with a a holistic and systematic approach that recognizes that infrastructure development alone is not a guarantee for productivity and sustainability but should be combined with watershed development and management, research and development and more importantly, the provision of necessary extension services to the farmer-beneficiaries to ensure the functionality of their systems.

SECTION 3. ***Objectives and Mandate.*** - The Department of Agriculture (DA) - Bureau of Soils and Water Management (BSWM) shall undertake a ten-year program for the construction of small-scale irrigation system projects, not just in rural, but even in urban areas, where such a project is feasible. The DA-BSWM shall:

- serve as the technical and administrative secretariat of the program;
- undertake research, development and extension on appropriate and cost-efficient systems for collection, storage and utilization of rainwater. In consultation with relevant stakeholders;
- formulate and implement a comprehensive national rainwater harvesting program for research, development and extension of

appropriate technologies on rainwater harvesting and small-scale irrigation structures;

- embark on capacity building of farmers and city and local government engineers on community-based and cost-efficient rainwater harvesting and small-scale irrigation systems and structures;
- design and formulate incentives for local stakeholders and monitor and evaluate this program;
- develop water conservation techniques by optimizing the use of excess water during the rainy season for future needs, provide environmental benefits such as flood control, soil conservation and groundwater recharge, reduce dependence on water supplied by commercial service providers and serve as a good measure to adapt to the adverse effects of climate change; and,
- prepare a comprehensive 5-year work program with annual targets for the irrigation development of new small-scale irrigation system projects.

The DA-BWSM shall spearhead the construction and guarantee that all small-scale irrigation system programs and projects to be undertaken herein shall be completed and made fully operational or implementable within the duration of the ten (10) - year program. This is with provision for sustainability of operation and maintenance of said systems after the program completion, including institutionalization of a comprehensive package of infrastructure and social support services to be integrated into the regular annual programs and budgets of the DA-BWSM and other

implementing agencies and instrumentalities, as well as the local government units (LGUs), to ensure a sustained increased food productivity as strategy to attain genuine rural development and promote water conservation.

Section 4. ***Small Scale Irrigation System Projects.*** **-** Small scale irrigation system projects, to be built and constructed pursuant to this Act, shall include the following:

1. **Pump irrigation System from Open Sources (PISOS)** - a pump used to lift water from river, stream or marsh to the main canal for the distribution of service area.
2. **Rainwater harvesting system** - composed of three subsystems: collection, storage and distribution which aim to store water in containers above or below ground and for groundwater recharge.
3. **Small Diversion Dam (SDD)** – a concrete or rock fill structure constructed across a channel or river with continuous flow to raise the water level allows diversion of water by gravity from the source to the point of use.
4. **Shallow Tube Well** – is a tube or pipe vertically set into the ground, usually at depths of between twenty (20) to sixty (60) feet, for the purpose of suction lifting of water from shallow aquifers. It consists of one or more fully developed shallow tube well equipped with appropriate pumping units that can serve a contiguous area owned by an individual.
5. **Small Water Impounding Projects (SWIPs)** - a structure constructed across a narrow diversion or valley to hold back water

and develop a reservoir that will store rainfall and runoff during the rainy season for immediate or future use.

6. **Small Farm Reservoir (SFR)** – a small water impounding dam structure to collect rainfall and run-off designed for use in a single farm and typically has an area of about three hundred (300) to two thousand square meters (2,000 sq. m.), with an embankment height above ground level of less than four meters (4.0m). It can easily be constructed manual digging or through a bulldozer. Irrigation is done with the use of a PVC siphon pipes or pumps.

SECTION 5. ***Accelerated Irrigation Development.*** - The DA-BWSM shall observe the following priorities and guidelines in the identification, planning, construction, and management of small-scale irrigation system projects:

- Conduct an inventory of the existing small scale irrigation systems to avoid project duplication or overlapping and minimize unnecessary pre-construction expenses, including their efficiency status update, impact analysis, and the actual total potential areas for irrigation to be completed not beyond six (6) months from the effectivity of this Act;
- List priority proposed sites for small scale irrigation systems projects and programs per province per region to support the objectives of the Food Staples Sufficiency Program (FSSP) under the DA
- Implement a program for a rainwater-sensitive design for the roof of all buildings. All medium to large scale commercial and industrial establishments such as but not limited to shopping malls,

supermarkets, and hotels, shall have rainwater storage facilities commensurate with the size of roof area. Residential areas, which exceed an area of 300 square meters, shall create rainwater harvesting facility and compulsorily adopt good rainwater harvesting practices. In rural areas, all barangays shall construct rainwater harvesting facilities;

- Optimize productivity in upland areas of the country by carrying out small-scale irrigation projects with the management thereof turned over to the farmer beneficiaries thru their Irrigators' Associations (IAs) or Farmers Cooperatives upon project completion and after undertaking institutional development training; *Provided*, that amortization of the direct cost of these projects shall follow the existing policies on cost recovery mechanisms for communal irrigation systems;
- Draw up a work program that is realistic, achievable and annually target-specific to agricultural yield in the identified areas within the ten year period. The type of project and development scheme shall be determined based on technical feasibility studies to be conducted by DA-BWSM;
- To realize the full benefits of sustained increased productivity from these small scale irrigation system projects, other agricultural support services shall be provided and institutionalized within the third year of operation under this Act. DA-BSWM shall assist the lAs and facilitate coordination with the DA, the National Irrigation Administration (NIA) and such other agencies and the LGUs in the provision of other

agricultural support inputs and infrastructures such as, but not limited to, access to agricultural credit, high-quality seeds, technical assistance on pest management and fertilizer use, post-harvest facilities, and marketing. Funds for these shall be included in the estimates of project costs.

SECTION 6. ***Irrigators Associations*** - The DA – BSWM, in coordination with NIA, shall continue to organize, develop and strengthen farmer-beneficiaries under this Act into self-sustaining Irrigators' Associations or farmer cooperatives.

SECTION 7. ***Irrigation of Other Crops*** - Irrigation projects under this Act are not limited to rice/palay production in order to maximize use of irrigated lands.

SECTION 8. ***Special Accelerated Irrigation Fund.*** - The sum of One Billion Pesos (P 1,000,000,000.00) shall be appropriated for the initial implementation of this Act, which shall be incorporated in the Annual Budget of the DA-BSWM. Thereafter, a Special Irrigation Fund shall be established by the Department of Budget and Management (DBM) in the Annual General Appropriations Act for the continuous implementation of this Act in the Annual Budget of the DA-BSWM until its tenth (10^{th}) year completion date, with provision for accelerated release in the first three (3) years to meet intensive small scale irrigation system program costs.

SECTION 9. ***Contracts.*** - The DA-BSWM shall comply with the bidding regulations under Republic Act No. 9184, as amended, which allows community participation for small-scale irrigation system projects to

promote IA capability building. However, pursuant to the declared policy and in the interest of the public, and to facilitate procurement of smaller contracts, DA-BSWM may enter into contracts using the Simplified Bidding procedures, as provided under AFMA, for the 10-year period of implementation of this Act.

SECTION 10. ***List of Priority Projects.*** - The NIA shall annex a list of priority projects proposed to be funded under this Act; *Provided,* that upon completion of the inventory of existing irrigation systems and the identification/listing of potential small scale irrigation system projects, the revised list of projects to be funded shall be finalized and approved.

SECTION 11. ***Exemption from Election Ban.*** - The implementation of the small scale irrigation system development program which involves the emergency construction, rehabilitation, repair and installation of irrigation facilities, including infrastructure complementary support services, shall be exempt from the scope of the election ban on public works.

SECTION 12. ***Complementary Irrigation Component Projects.*** - Whenever practicable, projects qualified under this Act shall include other irrigation-related components such as, but not limited to, the following complementary development purposes:

a) watershed management and reforestation;

b) climate change vulnerability/flood prevention/erosion control;

c) fish culture;

d) power generation; and

e) tourism development.

SECTION 13. ***Oversight Committee.*** - A joint Oversight Committee composed of five (5) members each in the House of Representatives and Senate, respectively, preferably coming from the Committees on Rural Development and Agriculture shall be created to monitor the strict implementation of this Act and the exercise of the authority granted hereunder.

SECTION 14. ***Implementing Rules and Regulations (IRR)*** - Within 60 days upon effectivity of this Act, the DA-BSWM, through the Secretary of the DA, shall initiate the convening of a Technical Working Group to promulgate the IRR of this Act with relevant stakeholders.

SECTION 15. ***Separability Clause.*** - If any of the provisions of this Act is declared invalid or unconstitutional, the remaining parts or provisions hereof not affected thereby shall remain in full force and effect.

SECTION 16. ***Repealing Clause.*** - All laws, decrees, executive orders, proclamations, rules and regulations, and issuances, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly

SECTION 17. ***Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved.