

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. **4079**



Introduced by Rep. Christopher P. De Venecia

EXPLANATORY NOTE

In the middle of 2018, Pangasinan was hit by the accompanying strong winds and torrential rains of the southwest monsoon, Typhoon Inday, Typhoon Josie, and Typhoon Ompong. In the Fourth District of Pangasinan alone, the heavy and continuous downpour inundated Dagupan City, and the Municipalities of San Fabian, Manaoag, San Jacinto, and Mangaldan. In the More than 200,000 individuals have been affected by the heavy flooding, thus endangering their lives, homes, and sources of livelihood.¹ One of the primary reasons for the perennial flooding in the province is the overflowing of Marusay River, located in the Municipality of Calasiao, which in turn is a result of the spillage in the Sinocalan River.

Throughout history, civilizations have flourished in areas adjacent to rivers and streams. Rivers provide transportation, livelihood and means to irrigate surrounding agricultural areas. In Pangasinan, the thriving billion-peso bangus industry would not have come into fruition had it not been for the rivers surrounding the province. However, periodic floods occur in rivers, surrounding the region known as a flood plain. This is due to the lack of flood control system and the absence or insufficiency of flood infrastructure.

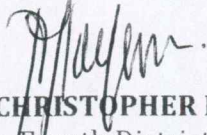
Coordination of all the districts in Pangasinan is essential for developing an encompassing and effective flood mitigation mechanism because of the interconnectedness of its river systems. Consequential to the inadvertence of such efforts leads to flooding of the neighboring districts including the 4th district of Pangasinan, due to it being a catch basin, and ultimately, resulting to the flooding of a larger area across the whole province.

Hence, it is a necessity that an office be created addressing the issue of flooding that shall promulgate the coordination of the whole province's flood mitigation efforts. This proposed office shall be under the control and supervision of the Secretary of the

¹ Based on information provided by the LGUs, CSWDO, MSWDOs, and LDRRMC in the 4th District of Pangasinan

Department of Public Works and Highways, but shall be independent from the office of the Regional Director of Region I.

The Pangasinan River Control System shall identify causes of flooding and will coordinate with various agencies to mitigate the after effects of flooding. Identification of the causes and inter-agency coordination are crucial in stemming the negative consequences of flooding. Thus, it is earnestly sought that this proposed office be given life.


REP. CHRISTOPHER DE VENECIA
Fourth District, Pangasinan

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 4079

Introduced by Rep. Christopher P. De Venecia

**AN ACT PROVIDING FOR THE CREATION OF THE PANGASINAN RIVER CONTROL
SYSTEM COVERING THE PROVINCE OF PANGASINAN, AND APPROPRIATING FUNDS
THEREFOR**

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

SECTION 1. *Short Title.* – This act shall be known as the “Pangasinan River Control System Act”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to protect and advance the rights of people to a balanced and healthful ecology. Towards this end, the State shall focus its resources and capability to implement and manage measures that will help mitigate the deleterious effect of flooding in the areas traversed by the Sinocalan, Marusay, Bued, Cayanga, and Aloragat Rivers.

SEC. 3. *Composition of the Pangasinan River Control Commission.* –The Pangasinan River Control System Commission shall be headed by a Project Manager to be appointed by the Secretary of the Department of Public Works and Highways. The project manager shall be assisted by an assistant with the rank, qualifications and salary of a Project Manager II, to be appointed likewise by the Secretary of the Department of Public Works and Highways. The Project Manager shall likewise be assisted by such technical, financial and administrative personnel which shall be provided in the Project Management Office staffing pattern or plantilla as may be recommended by the Project Manager and approved by the appropriate agencies of the national government.

SEC. 4. *Supervision of the Project Management Office.* – The Secretary of the Department of Public Works and Highways shall exercise supervision and control over the Project Management Office. As such, the funds of the Project Management Office shall be automatically included in the annual budget of the Department of Public Works and Highways and shall be released directly thereto by the concerned offices of the national government.

SEC. 5. *Jurisdiction of the Project Management Office.* – The Project Management Office shall exercise original jurisdiction on matters concerning nationally funded major flood control projects in all the districts of Pangasinan.

SEC. 6. *Powers and Functions of the Project Management Office.* – The Project Management Office shall exercise original jurisdiction to identify nationally funded major flood control projects in its areas of jurisdiction including any and all activities related thereto such as, but not limited to, pre-feasibility studies, feasibility studies, pre-detailed engineering, detailed engineering, construction, repair, rehabilitation and maintenance of existing flood control facilities which are already existing but are presently under the jurisdiction of the Department of Public Works and Highways. The Project Management Office shall also exercise the powers and functions to implement all major flood control projects within the Province of Pangasinan.

The Project Management Office shall formulate a flood control masterplan which will include long-term and short term plans in developing an extensive infrastructure system to address the flooding in the province.

SEC. 7. *Procurement under the Project Management Office.* – The Project Management Office shall also have the power to create its own Bids and Awards Committee for the purpose of undertaking the procurement activities for its contract whether for infrastructure projects, consultancy or goods.

SEC. 8. *Transfer of Personnel of the Regional and District Offices of DPWH to the Project Management Office.* – Within sixty (60) days upon effectivity of this Act, to avoid redundancy and/or duplication of functions to implement all personnel of the Regional and District Offices of the Department of Public Works and Highways assigned to their major flood control projects shall be transferred to and absorbed by the Project Management office without loss of rights to seniority, security of tenure, diminution in rank and salaries and other monetary benefits which they are presently receiving on account of the positions they are presently holding.

SEC. 9. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the Project Manager shall create a Technical Working Group to promulgate the necessary rules and regulations for the implementation of this Act and submitted to the Secretary of the Department of Public Works and Highways or as may be required by law to other agencies of the national government for review and approval.

SEC. 10. *Appropriations.* Funds necessary for the provisions of this Act shall be taken from the funds allotted to the Regional and District Offices in Pangasinan of the Department of Public Works and Highways for the implementation of nationally funded flood control projects in their areas of jurisdiction including but not limited to, pre-feasibility studies, feasibility studies, detailed engineering, construction, rehabilitation, improvement, and or maintenance thereof.

The Secretary of the Department of Public Works and Highways or as may be appropriate and necessary, other officials of the concerned national government agencies are hereby directed to effect the transfer of the funds within sixty (60) days to the Project Management Office once this becomes operational. Exempted from this provision are construction, rehabilitation, improvement and or maintenance of flood control projects which are already on-going or are already bid out including those that are presently undergoing procurement process.

SEC. 11. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

SEC. 12. *Repealing Clause.* - All laws, decrees, orders, and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 13. *Effectivity.* - This Act shall take effect fifteen (15) days after its complete publication in in a newspaper of general circulation.

Approved,