



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



EIGHTEENTH CONGRESS
First Regular Session

H. B. No. 4098

Introduced by Representative TEODORICO "NONONG" T. HARESCO, JR.

AN ACT
CREATING THE DEPARTMENT OF WATER RESOURCES,
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

A 2015 World Resources Institute study warned that the Philippines will likely experience a "severe water shortage" in the year 2040. This is not surprising given the fact that in the World Bank's 2003 Philippine Environment Monitor, it was already reported that as of year 2000, the Philippines already ranked 2nd to the lowest in terms on annual renewable water resources per capita compared to other Southeast Asian countries.

Climate change hazards (rainfall variability, increasing temperatures, rising sea level and more extreme weather), which pose major risks to water resources and a growing population, will further aggravate this situation. The downscaled climate projections of the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) have shown that the country's water resources will be one of the most adversely affected by climate hazards. This highlights the urgent need to properly plan for and manage our finite water resources in order to meet the increasing demand of a growing population, continuing economic development amidst many competing users.

The outcome document of the Rio+20 Earth Summit, entitled "The Future that We Want," emphasized just how important water is by stating that "[w]ater is at the Core of Sustainable Development." It is acknowledged that there can be no development without water; and there can be no life without water. To put it more succinctly, Water is Life!

Access to safe and potable drinking water as a basic right was recognized by the United Nations as one of its Millennium Development Goals (MDGs) in July 28, 2010.

122 countries formally acknowledged this “right to water” in a UN General Assembly. Barely two months later, the ITN Human Rights Council adopted a binding resolution recognizing that the human right to water and sanitation is part of the right to adequate standard of living.

Yet, in the Philippines, as of 2015, more than 12 million people still get water from unsafe sources. More than four million people do not have access to sanitary toilets and, thus, defecate openly. An additional two million Filipinos are limited to unimproved sanitation facilities.

As pointed out by the Philippine Water Supply and Sanitation Master Plan (PWSSMP), it is imperative that these present problems are addressed considering the adverse impacts that unsafe water supply and polluted waters have on people’s health and the economy.

Based on the 5-year data from the National Epidemiology Center of the Department of Health, 31% of illnesses was water related¹. It has been estimated that the economic impacts of poor sanitation to be in the order of US\$1.4 billion, equivalent to about 1.5% of GDP in 2005 with health impacts accounting for 72% at US\$1B. Episodes of red tides and fish kills in different parts of the country highlight the extent of the losses of livelihood of our fisherfolks from polluted waters. And the recent closure of Boracay due to severely polluted waters, mainly coming from sewage, also highlights the adverse impacts of dirty waters on the tourism industry, which is a major contributor to economic growth.

Unfortunately, the management of the country’s water resources remains fragmented and uncoordinated, with over 30 government units and agencies at national and local levels implementing separate and disharmonized policies, plans and programs to develop and operate water facilities and infrastructure for various uses, regulate water use and set tariffs, and monitor water-related parameters. This continued overlapping and fragmented management and regulation of water resources and services hinder the enactment and implementation of a comprehensive, integrated and workable long-term solution to address keener competition, imbalance resource utilization and conflict of interests among water users, especially in areas already identified as water-stressed. Such situation puts at risk the attainment one of the United Nation’s Sustainable Development Goals, which is universal access to safe water supply and improved sanitation of the Filipino people by 2030.

There is an urgent need for an integrated and coordinated planning, with implementation of programs and projects that promote synchronized, sustainable and science-based management of the country’s water resources that would address the imbalance in water resource utilization, reduced water availability, declining water quality, recurrent flooding, and other water-related issues in many parts of the country. This endeavor cannot be achieved without addressing the fundamental governance and institutional issues of the water sector.

Consistent with the various studies, plans, and initiatives conducted in the past two (2) decades which have supported the need for the establishment of a strong apex body for the water resources sector, the Philippine Development Plan (2017-2022) identified as a primary strategy for the water supply, sewerage and sanitation sub-sector the creation of an apex body for water resources management and the

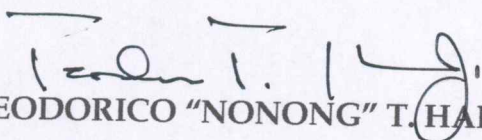
¹ Excluding Timor Leste and Brunei who were not included in the study.

formulation of masterplans to address the fragmented structure and that foster coordinated efforts across the country. This actually holds true for the entire water sector.

An apex body for the water sector is critically needed in order to have a single entity that will be in charge of the overall planning, programming, policy formulation, and management for the sector. It will serve as the sector's champion and ensure that subsector policies and plans are aligned with the overall Sector Master Plan. It will coordinate, monitor and evaluate sector performance and take appropriate action as needed. It will conduct extensive and regular hydrological studies/analyses which are very vital for water planning and allocation purposes.

It is thus proposed that a Department of Water Resources be created to ensure that Filipinos benefit from this fundamental human right and that this finite resource be manageably sustained.

The immediate passage of this bill is earnestly sought.


TEODORICO "NONONG" T. HARESCO, JR.

Introduced by Representative TEODORICO “NONONG” T. HARESCO, JR.

AN ACT
CREATING THE DEPARTMENT OF WATER RESOURCES,
AND FOR OTHER PURPOSES

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

CHAPTER I. GENERAL PROVISIONS

SECTION 1. *Short Title.* - This Act shall be known as the “*Department of Water Resources Act of 2019.*”

SEC. 2. *Declaration of National Policy.* - It is hereby declared the policy of the State to ensure the provision of safe, adequate, affordable and sustainable water supply and improved sanitation services, while maintaining the protection, preservation and revival of the quality of the country’s water resources and ecological balance.

SEC. 3. *Definition of Terms.* - For purposes of this Act, the following terms are hereby defined:

- a) *Department* refers to the Department of Water Resources.
- b) *Flood Control* refers to methods, acts and protocols to be observed in order to prevent and reduce the detrimental and catastrophic effects of flood waters which include sediment-laden or turbid flows, hyper-concentrated flows or debris flows.
- c) *Flood Risk Management* or *FRM* refers to such acts of defining and determining the appropriate methods, acts and protocols aimed at preventing and reducing the risk of incurring loss of both life and property due to flood waters. Flood risk management consists of a cycle of prevention, mitigation, adaptation, preparedness and early warning, and finally, response and recovery. The elements of FRM include: integrating land-use planning, coastal zone management into water management; adopting a holistic approach so that FRM is part of wider risk or multi-hazard management (earthquake, landslides, storm surge, etc.); managing risk and uncertainty as a whole so it is not only hydrological uncertainties but also social, economic and political uncertainties in view of the human behavior and cultural dimensions of FRM.

- 1 d) ***Gender Equality*** refers to the principle asserting the equality of men and women
2 and their right to enjoy equal conditions realizing their full human potentials to
3 contribute to and benefit from the results of development, and with the State
4 recognizing that all human beings are free and equal in dignity and rights.
5
- 6 e) ***Infrastructure and Public Works*** as used in this Act should be read to apply only
7 to wholly or primarily water-related projects, and shall not be read to incorporate
8 projects which would not otherwise fall within the purview of the objectives,
9 power and duties of the Department.
10
- 11 f) ***Integrated Water Resource Management*** or ***IWRM*** refers to the systematic,
12 collaborative and multi-stakeholder process, which promotes the coordinated
13 development and management of water, land and related resources within
14 geophysical boundaries in order to maximize the resultant economic and social
15 welfare in an equitable manner and without compromising the sustainability of
16 vital ecosystems.
17
- 18 g) ***Levels of Water Supply Service*** shall mean as follows:
19
- 20 1. ***Level I (Point Source)*** - a protected well or a developed spring with an outlet
21 but without any distribution system, generally adaptable for rural and
22 upland areas where the houses are thinly scattered. A Level 1 Water Supply
23 Service usually serves an average of fifteen (15) households.
24
- 25 2. ***Level II (Communal Faucet System or Stand Posts)*** - a system composed of a
26 water source, a reservoir, a piped distribution network, and communal
27 faucets. Usually, one (1) Communal Faucet System serves four (4) to six (6)
28 households. It is generally suitable for rural and urban fringe areas where
29 houses are clustered densely to justify a simple piped system.
30
- 31 3. ***Level III (Waterworks System or Individual House Connections)*** - a system
32 with a water source, a reservoir, a piped distribution network and household
33 taps. This is generally suited for densely populated urban areas.
34
- 35 h) ***Local Government Unit*** or ***LGU*** refers to the territorial and political subdivisions
36 of the Philippines as defined under the 1987 Constitution of the Philippines,
37 which includes provinces, cities, municipalities and barangays.
38
- 39 i) ***National Disaster Risk Reduction Management Council*** or ***NDRRMC*** refers to
40 the body that provides for the development of policies and plans and the
41 implementation of actions and measures pertaining to all aspects of disaster risk
42 reduction and management, including good governance, risk assessment and
43 early warning, knowledge building and awareness raising, reducing underlying
44 risk factors, and preparedness for effective response and early recovery.
45
- 46 j) ***Philippine Development Plan*** or ***PDP*** refers to the country's medium-term
47 development plan from 2017 up to 2022, in the improvement of Philippine
48 infrastructure, increasing energy access, lowering costs for citizens, keeping up
49 with economic growth, and staying within the bounds of global agreements for
50 climate change and sustainable growth.
51
- 52 k) ***River Basin Organization*** or ***RBO*** refers to multi-stakeholder or to organizations
53 which plan, coordinate and monitor activities within a river basin cluster.

- 1
2 l) **Sanitation** refers to sewage, sanitation and septage management.
3
4 m) **Sediment Management** refers to control of sediment erosion and deposition in
5 rivers, reservoirs and coastal zones through non-structural and structural
6 measures and control works.
7
8 n) **Sustainable Development Goals** or **SDG** refers to the shared blueprint adopted
9 by the United Nations Members in 2015 for peace and prosperity for people and
10 the planet, now and into the future, for ending poverty and other deprivations,
11 improvement of health and education, reduction of inequality, and spurring of
12 economic growth, while tackling climate change and working to preserve the
13 planet's oceans and forests.
14
15 o) **Septage** refers to sludge produced on individual onsite wastewater disposal
16 systems, principally septic tanks and cesspools.
17
18 p) **Sewage** refers to water-carried waste in solution or suspension including sanitary
19 waste (waste products of normal living), commercial waste, industrial waste,
20 agricultural waste and surface run-off conveyed by a sewerage system for
21 treatment or disposal. For the purpose of this Act, the definition of septage shall
22 be included in the use of sewage.
23
24 q) **Sewerage** refers to any system or network of sanitary pipelines, ditches, channels
25 or conduits including pumping stations, lift stations and force mains, service
26 connections including other constructions, devices or appliances appurtenant
27 thereof, which includes the collection, sanitary piping transport, pumping and
28 treatment of water-borne human or animal waste removed from residences,
29 buildings, institutions and industrial and commercial establishments to point of
30 sewage treatment plant disposal.
31
32 r) **Sewers** refer to pipes or such other works or structures which are built and
33 constructed to treat, carry, transport and dispose sewage.
34
35 s) **Social Inclusion** refers to the process of improving the terms for disadvantaged
36 individuals and groups to take part in society.
37
38 t) **Tariffs** refer to such amounts which may be charged by licensees of water supply
39 and/or sanitation services for their services based on principles, standards and
40 guidelines established by the Department.
41
42 u) **Water Demand Management** or **WDM** refers to any method, whether technical,
43 economic, administrative, financial, or social, that will accomplish one or more of
44 the following things: (1) reduce the quantity or quality of water required to
45 accomplish a specific task; (2) adjust the nature of the task or the way it is
46 undertaken so that it can be accomplished with less water or with lower quality
47 water; (3) reduce the loss in quantity or quality of water as it flows from source
48 through use to disposal; (4) shift the timing of use from peak to off-peak periods;
49 and (5) increase the ability of the water system to continue to serve society
50 during times when water is in short supply.
51

- v) *Water Resources Regional Offices* or *WRROs* refer to the Field Office of the Department which are to be established in accordance with the identified water resources regions in the country.
- w) *Water Service Providers* or *WSPs* refer to the water districts, any LGU-run water utility, Barangay Waterworks and Sanitation Associations, Rural Waterworks and Sanitation Associations, Water Cooperatives and private water service providers who provide water supply services to any given area.
- x) *Water Supply Service* refers to any activity comprising Levels I, II and III Water Supply, including bulk suppliers, suppliers to subdivisions and other water service providers.

CHAPTER II. ORGANIZATION

SEC. 4. *The Department of Water Resources.* – There is hereby created and established the Department of Water Resources, hereinafter referred to as the “Department,” which shall be organized within one hundred eighty (180) days after the effectivity of this Act. The Department shall have the organizational structure, powers and functions needed to perform its mandate as provided in this Chapter.

SEC. 5. *Mandate of the Department.* – The Department shall be the primary agency responsible for the comprehensive and integrated water resources development and management for the Philippines. It shall exercise such powers and functions needed to review, revise, harmonize, and integrate policies and regulations for the conservation of water resources and the effective management of water supply, sanitation, irrigation, hydropower, flood control, stormwater or urban drainage. The Department shall be guided by the Integrated Water Resources Management (IWRM) Framework, take climate risks into account, and ensure sustainability of natural ecosystem functions and services. In managing the country’s water resources, the Department shall aim to improve water conservation and increase system efficiencies, and optimize the use of all freshwater in the country, including groundwater, surface water, rainwater, run-offs, floods, stormwater and urban drainage, and treated wastewater to meet the country’s diverse needs.

SEC. 6. *Objectives of the Department.* – Consistent with its mandate, the Department shall have the following objectives:

- a) To prioritize and seek the immediate attainment of universal access to safe, adequate, affordable, and sustainable water supply and improved sanitation services for all Filipinos, in a manner consistent with the protection, preservation and revival of the quality of the country’s water resources, and to adopt all needed measures to advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;
- b) To strengthen, coordinate, and integrate water resources management planning and policy-making, to ensure sustainable, fair, and efficient use and allocation of water resources among competing uses and users, including, but not limited to, domestic and municipal use, agriculture (irrigation, farming & fisheries), power generation, commercial, and industrial use;

- c) To ensure that integrated water resources management is strongly coordinated with land use or land cover, coastal zone and multi-hazard planning and management;
- d) To ensure and oversee the implementation of the Water Code of the Philippines;
- e) To promote State participation in information-sharing and education on the best practices in the international movement to achieve universal access to safe water and improved sanitation and integration in the development of water, energy, food security and environment planning and policy-making;
- f) To ensure that gender equality, social inclusion, climate resiliency and disaster risk reduction are integrated into any water resources management planning, policy-making, and the design and construction of any water infrastructure;
- g) To strengthen and coordinate policy-making and planning for flood management, integrated with stormwater or urban drainage and appropriate retention or retarding basins in order to plan against, prevent, and minimize the detrimental and catastrophic effects of flooding to the country;
- h) To encourage and enable private sector participation in the continued growth and development of the water sector;
- i) To promote and adopt water demand management as a national policy to ensure that water is optimized, with water efficiency and conservation becoming a way of life, for recycling and reuse of water and treated wastewater to be widely practiced, for the proper pricing of water resources to encourage efficient use and its conservation, and that rainwater, flood waters, and run-offs are captured or harvested, stored and treated for future use;
- j) To ensure that the planning and design of water infrastructure considers the highest efficiency and most appropriate quality, in accordance with national development objectives; and
- k) To ensure the effective implementation of all the provisions of Republic Act Number 9275, otherwise known as the Clean Water Act of the Philippines.

SEC. 7. Powers and Duties of the Department. - The Department shall have the following powers and duties:

I. Policy-making and Planning:

- a) Ensure that Integrated Water Resources Management is adopted as the strategic framework for water management policy-making and planning in the country, and coordinate the implementation, promotion, revision and enhancement of IWRM plans and programs;
- b) Provide policy direction, strategies, and targets in coordination with other relevant entities to meet the goals and objectives for water supply and sanitation, water quality, irrigation, hydropower, flood control, stormwater, and urban drainage. Such policies shall, among other things, integrate the issues of water and sanitation, food security, energy, environment and flood control;

- c) Formulate and develop policies to promote universal access to safe, adequate, affordable, and sustainable water supply, and improved sanitation services for all Filipinos;
- d) Formulate and promulgate rules and regulations for the development, and optimum utilization of water resources and its administration and management, including coherent water protocols and operation rules of all existing and future water infrastructure; and the imposition on fees or charges as may be deemed necessary by the Department for water resources development;
- e) Develop, in consultation with other agencies and stakeholders, the National Water Resources Management Master Plan following the IWRM framework and building on the 1998 Master Plan Study on Water Resources Management, the Philippine Water Supply and Sanitation Master Plan, and existing plans of other agencies;
- f) Conduct continuing hydrologic surveys and studies of the country's renewable water supply, establish, operate and maintain observation station networks, with a view towards formulating long-term policies to balance the sustainability and optimal multiple use of water resources, defining the hydrologic boundaries of basins of the existing water supply sources, and developing or updating and implementing countrywide comprehensive basin-wide master plans;
- g) Establish, operate, and maintain a centralized water resources data center necessary for the scientific survey and appraisal of surface and ground water potentials of the country, and determine the annual renewable water available per water resources region;
- h) Assist and provide the National Economic and Development Authority (NEDA) Secretariat with required data and input from and for the water sector in the formulation of the country's short-term and long-term strategic development plans and actions, and recommend the adoption of general policies and guidelines for water resources development to the NEDA Secretariat;
- i) Review and approve water resources development plans and programs of any agency within the context of the National Water Resource Management Master Plan and overall national plans and program;
- j) Regularly review regulations prescribed by any government agency pertaining to water use, exploitation, development, conservation or protection of waters, water resources, and watershed or basin areas;
- k) Develop and implement, in coordination with other relevant agencies, effective codes, standards, benchmarks, and reasonable guidelines to ensure the safety of all public and private water structures in the country, and assure efficiency and proper quality in the construction of water, sanitation, irrigation, hydropower, flood control and drainage infrastructure;
- l) Review existing guidelines appropriate for Private Sector Participation in the water sector, and make needed recommendations to the Public-Private Partnership (PPP) Center, NEDA and other concerned agencies to promote and enable more PPPs in the sector;

- 1 m) Effect inter-sectoral, inter-agency, and inter-departmental coordination on all
2 aspects of data gathering for water resources development planning, and compel
3 submissions of statistics and data on water management, with the aim of
4 operationalizing the integrated approach to water resources management;
5
6 n) Issue and promulgate rules, regulations, and guidelines as may be necessary to
7 implement and enforce its powers and functions under this Act;
8

9 **II. Resource Regulation:**

- 10
11 a) Manage, protect, and preserve the country's water resources to ensure the
12 optimal use thereof for domestic water supply, sanitation, irrigation,
13 hydropower, navigation, flood control, and recreation, including the
14 enhancement and maintenance of water quality, conservation of watershed,
15 control of water pollution and environmental restoration, without compromising
16 the natural ecosystem functions and services;
17
18 b) Regulate and control the utilization, abstraction, diversion and development of
19 water resources, taking in consideration its equitable distribution among
20 competing demands and determine the standards of beneficial and priority uses
21 of water in times of crisis and national emergencies;
22
23 c) Determine, adjudicate, and grant water rights, amending for this purpose Act
24 No. 2152 and other laws relating to the appropriation and utilization of surface
25 and groundwater;
26
27 d) Formulate and enforce rules and regulations for the development and optimum
28 use of water resources and its administration and management, and implement
29 rules and guidelines for the enforcement of water-related laws, including
30 coherent water protocols, operational rules of all existing and future water
31 infrastructure, and appropriate sanctions to be imposed for non-compliance;
32

33 **III. Administration and Management:**

- 34
35 a) Develop guidelines, including rules of partnership, among the Department, Field
36 Offices of national government agencies, LGUs, and other stakeholders, and
37 facilitate the establishment of multi-stakeholder River Basin Organizations
38 (RBOs) per river basin, and strengthen and support existing RBOs and monitor
39 their activities;
40
41 b) Develop materials for capacity building and training on RBO development, and
42 conduct training and workshops for prospective river basins;
43
44 c) Authorize its representatives or any deputized agent to enter any property of
45 public dominion or any private land, building or enclave, whether inhabited or
46 not, for the purpose of conducting hydrologic surveys and investigations,
47 including assessing and evaluating the conditions of water facilities installed,
48 and in determining compliance with water laws and standards;
49
50 d) Provide technical assistance to water users, including, but not limited to, farmers,
51 communities, LGUs and other Water Service Providers (WSP) whether directly
52 or in coordination with other agencies on all aspects of integrated water
53 resources management;

- e) Respond to consumer complaints, and ensure the adequate promotion of consumer interests;
- f) Deputize agents, whether from the public or private sector, to assist in the performance of any of the powers and functions of the Department;
- g) Appoint, hire and maintain adequate staff and personnel, advisers and/or consultants with suitable qualifications and experience, as necessary;

IV. Coordination:

- a) Coordinate and integrate, on a sound and logical basis, water resources development activities of the country within the context of national plans and policies for social and economic development;
- b) Coordinate with other government agencies, universities and private professional groups for all aspects of data gathering, the conduct of special studies and research on all related aspects of water resources management and development such as climate change, environmental quality, desalination, and the development of operating strategies, procedures, and protocols with accompanying computerized decision tools for major water facilities;
- c) Coordinate with the concerned and relevant agencies engaged in flood control, flood risk management, and drought risk management;
- d) Proactively coordinate with LGUs to ensure the integration of water resources development plans into their comprehensive land use plans (CLUPs), Comprehensive Development Plans (CDPs) or Provincial Physical Framework and Development Plan (PPFDP).

V. General Provisions:

- a) Exercise such other powers and functions necessary or incidental to the effective administration and management of the country's water resources; and,
- b) Carry out such other functions as the President may from time to time assign to the Department consistent with the aims and provisions of this Act.

SEC. 8. Secretary of the Department of Water Resources. - The authority and responsibility for the exercise of the mandate of the Department and for the discharge of its powers and functions shall be vested in the Secretary of the Department of Water Resources, hereinafter referred to as the Secretary, who shall:

- a) Advise the President on the promulgation of executive or administrative orders, regulations, proclamations and other issuances relative to matters under the jurisdiction of the Department;
- b) Establish the policies and standards for the efficient and effective operation of the Department in accordance with the programs of the government;
- c) Promulgate rules and regulations necessary to carry out the Department's mandate, functions, objectives, policies, plans, programs and projects;

- d) Exercise control and supervision, including disciplinary powers over officers and employees of the Department and over all attached agencies, bureaus, offices, and corporate bodies in accordance with the law, including their investigation and the designation of a committee or officer to conduct such investigation;
- e) Represent the Department in the execution of contracts, awards, and the like;
- f) As deemed appropriate by the Secretary, delegate authority for the performance of any power or function, as defined herein to any official and employee who are under his direction and supervision in accordance with the law;
- g) Formulate such rules and regulations and exercise such other powers as may be required to implement the objectives of this Act; and
- h) Perform such other duties and responsibilities as may be provided by law or assigned by the President.

No person shall be appointed Secretary unless he or she is a citizen and resident of the Philippines, of good moral character, of proven integrity, competence, possesses extensive knowledge of public administration, and has a minimum of ten (10) year-experience in the administration of water, sanitation, irrigation, flood control and drainage programs, preferably in a public agency.

SEC. 9. Office of the Secretary. - The Office of the Secretary shall be composed of the Secretary and his immediate staff as determined by him.

SEC. 10. Undersecretaries. - The Secretary shall be assisted by not more than five (5) Undersecretaries, who shall be appointed by the President, upon the recommendation of the Secretary. They shall have the powers and functions as provided for in Chapter 2, Book IV of the Administrative Code of 1987. The Secretary is hereby authorized to delineate and assign the respective functional areas of responsibility or responsibilities of the Undersecretaries: *Provided, That*, such responsibility shall be with respect to the mandate and objectives of the Department; *Provided, further, That*, no Undersecretary shall be assigned primarily administrative responsibilities. Within his functional area of responsibility, an Undersecretary shall have the following functions:

- a) Advise and assist the Secretary in the formulation and implementation of Department policies, plans, programs and projects;
- b) Supervise all the operational activities of the assigned units for which the Undersecretary is responsible to the Secretary; and
- c) Perform such other duties and responsibilities as may be assigned or delegated by the Secretary to promote efficiency and effectiveness in the delivery of public services or as may be required by law.

One (1) of the Undersecretaries shall be the Undersecretary for Planning and Policy, who should be a Career Officer, and shall have primary responsibility, in coordination with the Planning and Policy Service, for advancing efforts in the pursuit of the ultimate goal of universal access to water supply and sanitation systems and sustainable management of water resources. The Undersecretary for Planning and Policy shall also have the primary responsibility for knowledge sharing and advancement of efforts around the integration of water, energy, environment and food security.

No person shall be appointed Undersecretary unless he or she is a citizen and resident of the Philippines, of good moral character, of proven integrity, competence, possesses a working knowledge of public administration, and has a minimum experience of seven (7)-years in the administration of water, sanitation, irrigation, flood control and stormwater drainage, preferably in a public agency or with legal, financial or financial knowledge of such programs; *Provided*, That only five (5) years of experience shall be required for the Undersecretary to be assigned for support services.

SEC. 11. Assistant Secretaries. - The Secretary shall be assisted by not more than six (6) Assistant Secretaries appointed by the President of the Philippines upon the recommendation of the Secretary: One to be responsible for Planning and Policy Service; One for Decision Support System Service; One for the Regulatory Service; One for the Comptrollership and Financial Management Service; One for the Legal and Legislative Service; and One for the Administrative and Human Resources Management Service.

No person shall be appointed Assistant Secretary unless he or she is a citizen and resident of the Philippines, of good moral character, of proven integrity, competence, possesses a working knowledge of public administration, and has a minimum of five (5)-year experience in the administration of water, sanitation, irrigation, flood control and stormwater drainage or other water resources management programs.

SEC. 12. Organizational Structure. - The Department shall be composed of the following organizational units:

- a) *Department Proper* consisting of the Office of the Secretary, the Offices of the Undersecretaries and Assistant Secretaries, the Internal Audit Office, the Public Affairs Office, the Pollution Adjudication Board, the Planning and Policy Service, Decision Support System Service, Administrative and Human Resources Service, Legal and Legislative Service, Comptrollership and Financial Management Service, and Resource Regulation Service.
- b) *The Attached Agencies*, namely:
 - i. The **Local Water Utilities Administration** or LWUA, whose mandate, powers and functions are defined in Presidential Decree No. 198, as amended, and which will be transferred from the Department of Public Works and Highways (DPWH) and to become an attached body to the Department. It shall continue to be primarily a specialized lending institution for the promotion, development and financing of local water utilities. In the implementation of its functions, the Administration shall (a) prescribe minimum standards and regulations in order to assure acceptable standards of construction materials and supplies, maintenance, operation, personnel training, accounting and fiscal practices for local water utilities; (b) furnish technical assistance and personnel training programs for local water utilities; (c) monitor and evaluate local water standards; and (d) effect system integration, joint investment and operation, district annexation, and de-annexation, whenever economically warranted.
 - ii. The **Metropolitan Waterworks and Sewerage System** or MWSS, whose mandates, powers and functions are defined by Republic Act No. 6324, as amended, and which will be transferred from the DPWH and to become an

1 attached body to the Department. It will continue to facilitate the exercise by
2 the concessionaires of its agency powers, carry out accounting and
3 notification functions, monitor, report, and administer loans and perform
4 related functions in connections with existing projects, manage and dispose
5 its retained assets and manage and operate the Umiray-Angat Transbasin
6 Project.

7
8 iii. The **National Irrigation Administration** or **NIA**, whose mandate, power and
9 functions are stated in Republic Act No. 3601, as amended, and Presidential
10 Decree No. 552, as amended, and which will be transferred from the Office of
11 the President and to become an attached body to the Department. It will:

- 12
- 13 1. Plan, design, construct, and/or improve all types of irrigation projects and
14 appurtenant structures;
- 15 2. Operate, maintain, and administer all national irrigation systems (NIS);
- 16 3. Supervise the operation, maintenance, and repair, or otherwise,
17 administer temporarily all communal and pump irrigation systems
18 constructed, improved, and/or repaired wholly or partially with
19 government funds;
- 20 4. Delegate the partial or full management of NIS to duly organized water
21 cooperatives or associations;
- 22 5. Construct multiple-purpose water resources projects designed primarily
23 for irrigation, and secondarily for hydraulic power development and/or
24 other uses, such as flood control, drainage, land reclamation, domestic
25 water supply, roads and highway construction, and reforestation, among
26 others: *Provided*, That the plans, designs, and the construction thereof,
27 shall be undertaken in coordination with the concerned agencies;
- 28 6. Charge and collect from the beneficiaries of the water from all irrigation
29 systems constructed by or under its administration, such fees or
30 administration charges as may be necessary to cover the cost of operation,
31 maintenance, and insurance, and recover the costs of construction within a
32 reasonable period of time to the extent consistent with government policy;
33 and
- 34 7. Recover funds or portions thereof expended for the construction and/or
35 rehabilitation of communal irrigation systems (CIS), which shall accrue to
36 a special fund for irrigation development.
- 37

38 iv. The **Laguna Lake Development Authority** or **LLDA**, whose mandate,
39 powers and functions are laid out in Republic Act No. 4850, as amended,
40 which will be transferred from the Department of Environment and Natural
41 Resources (DENR) and to become an attached body to the Department. It will
42 continue to serve as the Laguna Lake management and development
43 authority similar to a multi-stakeholder river basin organization, and will
44 ensure the implementation of the Laguna Lake Master Plan, which will be
45 updated by the Department to ensure alignment with the National Master
46 Plan for Water Management. Its regulatory powers will however be taken
47 over by the Department.

48
49 v. The **Pasig River Rehabilitation Commission** or **PRRC**, which was created by
50 Executive Order No. 54, Series of 1999, as amended, which will be transferred
51 from the Office of the President and to become an attached body to the
52 Department. It will update the existing master plan to ensure consistency
53 with the National Water Resources Management Master Plan, regulate

1 easement, integrate and coordinate development programs, abate industrial
2 wastewater and sewerage dumping and enforce environmental laws, relocate
3 formal and informal settlers, undertake civil works such as dredging, clearing
4 of structures, cleaning of the river and its tributaries or esteros, prepare
5 regular status report to the President, coordinate with other national and local
6 government agencies or units, and formulate its own implementing rules and
7 regulations.

8
9 vi. Any other agency exercising water resources management, conservation and
10 protection functions which the President may order to be transferred to the
11 Department; and

12
13 vii. Water Resources Regional Offices, based on the water resources regions of
14 the country, as deemed appropriate and necessary by the Secretary.

15
16 **SEC. 13. *Offices, functions and personnel to be completely subsumed by the***
17 ***Department.*** – The following offices with their powers, functions, personnel, applicable
18 funds and appropriations, records, equipment and property are to be subsumed by the
19 Department:

20
21 a) The National Water Resources Board with all its divisions and sections, whose
22 mandate, powers, and functions are found in Presidential Decree No. 424, as
23 amended;

24
25 b) The River Basin Control Office of the DENR whose mandate, powers and
26 functions are found in Executive Order No. 510 and Executive Order No. 816, as
27 amended;

28
29 c) The Manila Bay Coordinating Office of the DENR which was created by virtue of
30 DENR Special Order 2011-01 to coordinate the efforts of the fourteen (14)
31 national agencies covered by the Mandamus Order of the Supreme Court to
32 rehabilitate Manila Bay;

33
34 d) The flood management planning and sediment management function of the
35 Flood Control Management Cluster of the DPWH; and

36
37 e) The Water Quality Management Section of the Environmental Management
38 Bureau of the DENR.

39
40 **SEC. 14. *Functions to be transferred to the Department.*** –

41
42 a) The function of the Mines and Geosciences Bureau of the DENR to conduct
43 hydrological surveys;

44
45 b) The monitoring of stream flow and other water data collection function of the
46 Bureau of Design of the DPWH.

47
48 **SEC. 15. *Planning and Policy Service.*** – The Planning and Policy Service is hereby
49 created to provide the Department with the capability to undertake water infrastructure
50 development planning and programming. For this purpose, it shall have the following
51 functions:

52
53 a) Advise the Secretary on all matters relating to water resources planning;

- b) Assist the Undersecretary for Planning and Policy on all matters related to the specific functions of the position;
- c) Formulate strategies and priorities for water resources management and development consistent with national development objectives, and initiate or undertake relevant surveys for development planning;
- d) Develop and regularly update a comprehensive and integrated National Water Resources Management Master Plan, and ensure its integration into existing land use plans;
- e) Coordinate river-basin planning following the integrated water resources management framework and the river-basin approach;
- f) Formulate or update existing River Basin Master Plans or other comprehensive plans which include all aspects of water management and development, such as water supply and sanitation, irrigation, flood control and stormwater or urban drainage, drought risk management, water resource development systems, and other public water works projects, including phasing of implementation;
- g) Based on the river basin master plan, identify priority packages for water infrastructure development per river basin, including water supply, sanitation, irrigation, flood control and stormwater or urban drainage, drought risk management, water resource development systems and other public works projects, package project proposals for funding and prioritize project implementation and the allocation of funds and other resources, and undertake, supervise, and/or evaluate the conduct of feasibility studies and project preparation thereof;
- h) Evaluate and appraise all regional and inter-regional infrastructure water development plans and programs as to their feasibility and consistency with approved strategies and long and medium-term plans;
- i) Initiate regular Department-wide planning exercises and act as the Secretariat thereof;
- j) Gather, analyze, and organize needed statistical data and information;
- k) Provide technical assistance related to its functions to the other Services, Bureaus and the Regional Offices as needed;
- l) Conduct of hydrologic and hydraulic surveys and assessments of surface waters;
- m) Develop general criteria and standards on project investigation, formulation, planning;
- n) Develop guidelines and standards on social inclusion in water resources management and ensure policies, programs, and plans are compliant with the gender and development framework of the government;
- o) Closely coordinate with the Philippine Atmospheric, Geophysical and Astronomical Services Administration or PAGASA for rainfall and other climate

1 data, which should be considered in the planning for water resources
2 development and management and for various water infrastructure; and
3

- 4 p) Perform such other related duties and responsibilities as may be assigned or
5 delegated by the Secretary or as may be required by law.
6

7 **SEC. 16. *Decision Support System Service.*** – The Decision Support System Service is
8 hereby created to provide the Department with water resource management tools and
9 computerized decision support system that incorporates data management system such
10 as acquisition and database, and model base including physical, design, planning and
11 decision models. Additionally, the services include those related to networking, data
12 management, and information and knowledge or learning management systems for
13 administrative and non-technical support for the Department. The Service is also
14 responsible for providing the Secretary timely reports on the status of various
15 Department projects and activities. For this purpose, the Service shall have the
16 following functions:
17

- 18 a) Provide the Secretary needed and relevant data and processed information to aid
19 in policy and management decisions under the mandate of the Department;
20
21 b) Publish available real-time raw water data as well as verified or validated water
22 data in print and/or electronic form, presented with tabular and graphical
23 displays as time series and/or spatial data;
24
25 c) Conduct standard data analysis, such as basic statistical analysis, trend analysis,
26 analysis of runs, or cluster analysis, among others, and publish the same in print
27 and/or electronic form;
28
29 d) Develop and continuously update water resource management, and develop and
30 institutionalize a computerized decision support system, which is composed of,
31 but not limited to, a measurement or data acquisition system, information or
32 database management system, analytical and numerical models for design or
33 planning and decision or evaluation purposes, and a user-friendly interface,
34 which includes graphical interface or visualization tools;
35
36 e) The specific models to be developed and maintained should include, but not
37 limited to, the following: Long-term climatologic and weather forecasting model;
38 watershed models and river-floodplain models; groundwater models that are
39 coupled to surface water models; flood forecasting model for major rivers;
40 optimization-simulation and/or management models for watershed
41 conservation, conjunctive surface and groundwater use, irrigation scheduling,
42 normal and emergency operations of multipurpose reservoirs; and water quality
43 and ecological models;
44
45 f) Develop and manage the management information system and knowledge
46 systems of the Department, including the retrieval and processing of monitoring
47 information on all projects and activities of concern to the Secretary and the web
48 portal, and conduct systems and process engineering, software development,
49 software configuration management; develop and manage the Department's
50 corporate database, unified database for water industry, data warehouse, other
51 water information resources, library services and document management and
52 archiving services; develop and manage the Department's Information and
53 Communication Technology (ICT) infrastructure and provide related-

1 services to the Department including computer networking, voice
2 communications services and data exchange, manage the literacy and training
3 services of the Department on various Information and Communication
4 Technology and Knowledge Management tools and applications; and
5

- 6 g) Perform such other related duties and responsibilities as may be assigned or
7 delegated by the Secretary or as may be required by law.
8

9 **SECT. 17. *Administrative and Human Resource Service.*** - The Administrative and
10 Human Resource Service is hereby created to provide the Department with services
11 relating to human resources development, personnel, records, facilities maintenance,
12 medical and dental, security and property and procurement services. For such
13 purposes, it shall have the following functions:
14

- 15 a) Advise the Secretary on all matters relating to internal administration and
16 human resources management;
17
18 b) Prepare and implement an integrated personnel development plan that shall
19 include provisions for merit promotions, performance evaluation, job rotation,
20 suggestions and incentive awards systems, and health and welfare services;
21
22 c) Provide services related to human resources training, education and
23 development including manpower, career planning and forecasting, and
24 development of indigenous training materials;
25
26 d) Develop, establish and maintain an efficient and cost-effective property
27 procurement system and facilities, and coordinate or otherwise interface with
28 relevant agencies, whether government or private, for the purpose of developing
29 or upgrading the system;
30
31 e) Secure and maintain necessary Department facilities, and develop, establish, and
32 maintain an efficient and effective security system covering personnel, physical
33 installations, equipment, documents and materials including the conduct of
34 security investigations, among others;
35
36 f) Coordinate with the appropriate government agencies for a more efficient
37 conduct of administrative processes;
38
39 g) Develop, establish and maintain an efficient records system;
40
41 h) Provide assistance in its area of specialization to the Department Proper, Bureaus
42 and Regional and District Offices and, when requested, to the attached
43 government agencies, bodies, and corporations; and
44
45 i) Perform such other related duties and responsibilities as may be assigned or
46 delegated by the Secretary or as may be required by law.
47

48 **SEC. 18. *Legal and Legislative Service.*** - The Legal and Legislative Service is hereby
49 created to provide the Department with services on such legal affairs as contract letting
50 and litigation, legal and legislative research, complaints and investigation, legal
51 counselling and other matters of law. For such purposes, it shall have the following
52 functions:
53

- a) Advise the Secretary on all matters relating to legal and legislative affairs;
- b) Prepare Department contracts and legal instruments, review and interpret all contracts and agreements entered into by the Department, and evaluate all legal proposals;
- c) Conduct administrative investigation as well as the review of administrative charges against officers and employees of the Department;
- d) Exercise functional jurisdiction over the legal staffs of Regional Offices;
- e) Provide legal assistance to the Department Proper, the Bureaus and Regional Offices and, when requested, to the attached government agencies, bodies, and corporations;
- f) Develop and prepare the Department's Legislative Agenda, recommend presidential certification of the urgency of priority water bills, and other water-related legislations;
- g) Coordinate and maintain linkages among the various offices, bureaus, regional offices and attached agencies to the Department along with other government agencies on policy matters affecting the Department's mandate in relation to legislation;
- h) Maintain effective liaison with the Congress and the Senate regarding legislative inquiries and enactment of water bills or other laws that will affect water into law;
- i) Monitor the progress of the Department's priority or certified bills to ensure its successful passage into laws; and
- j) Perform such other related duties and responsibilities as may be assigned or delegated by the Secretary or as may be required by law.

SEC. 19. *Comptrollership and Financial Management Service.* – The Comptrollership and Financial Management Service is hereby created to provide the Department with coordinated services relating to financial systems and procedures, budget, cash, accounting and all financial housekeeping matters. For such purposes, it shall have the following functions:

- a) Advise the Secretary on all matters relating to the accounting of government expenditures and receipts, budgeting and cash management, project finances, and financial systems and procedures;
- b) Prepare budget proposals and pursue formal budget authorizations, undertake budget execution, and prepare and submit all appropriate reports to the proper offices;
- c) Develop and maintain accounting, financial and assets management systems, procedures and practices in the Department Proper, Bureaus and Regional Offices;

- d) Review and appraise systems and procedures, organizational structure, assets management practices, accounting, and other records, reports, and performance standards, such as budgets and standard costs of the Department, Bureaus, and Regional Offices;
- j) Provide assistance in its area of specialization to any unit of the Department and, when requested, to the attached government agencies, bodies, and corporations; and
- e) Perform such other related duties and responsibilities as may be assigned or delegated by the Secretary or as may be required by law.

SEC. 20. *Resource Regulation Service.* – The Resource Regulatory Service is hereby created to provide the Department with services on resource regulation of all water-related services and activities. For such purposes, it shall have the following functions:

- a) Advise the Secretary on all matters relating to resource regulations;
- b) Determine, grant, and regulate water rights for the appropriate, optimal and sustainable use of surface and ground water;
- c) Determine, evaluate, and grant waterworks and sewerage franchises;
- d) Investigate violations of the water rights and the Water Code and impose the appropriate sanctions in accordance with existing laws, rules and regulations which the Department will promulgate;
- e) Adjudicate water-use conflicts; and
- f) Perform such other related duties and responsibilities as may be assigned or delegated by the Secretary or as may be required by law.

SEC. 21. *Internal Audit Office.* – The Internal Audit Office is hereby created for the purpose of conducting comprehensive audit of various Department activities and will report directly to the Secretary. Specifically, it shall have the following functions:

- a) Advise the Secretary on all matters relating to management control and operations audit;
- b) Conduct management and operations performance audit of Department activities and units, and determine as to the degree of compliance with established objectives, policies, standards, methods and procedures, government regulations and contractual obligations of the Department;
- c) Review and appraise systems and procedures, organizational structure, assets management practices, accounting and other records, and performance standards, such as budgets and standard costs, of the Department Proper, Bureaus and Regional Offices;
- d) Analyze and evaluate management deficiencies, and assist top management to solve problems by recommending realistic courses of action; and

- 1 e) Perform such other related duties and responsibilities as may be assigned or
2 delegated by the Secretary or as may be required by law.
3

4 **SEC. 22. *Public Affairs Office.*** - The Public Affairs Office is hereby created for the
5 purpose of enhancing government relations with all stakeholders including the media.
6 It shall ensure that women, men, older people and people with disabilities will be
7 consulted, organized and can take active part in all aspects of water resources
8 development and management activities. The same Office will also lead the planning
9 and organizing of the special events of the Department. For such purposes, it shall have
10 the following functions:
11

12 **I. Public Awareness:**
13

- 14 a) Advise the Secretary on matters pertaining to public affairs services;
15
16 b) Develop and supervise the implementation of communications programs to have
17 relevant policies, programs and plans of the Department understood by the
18 public;
19
20 c) Produce and supervise the dissemination of communication materials in line
21 with the priorities of the Department and the national government public
22 information programs;
23
24 d) Conduct public opinion and attitude surveys to identify the interests and
25 concerns of key groups served by the Department;
26
27 e) Establish editorial policies on print and broadcast media;
28
29 f) Establish and maintain linkages with the tri-media and presence in social media;
30
31 g) Coordinate the conduct of interviews and news conferences;
32
33 h) Act as spokesperson for the Department;
34
35 i) Coordinate with various Department units, concerned government agencies, tri-
36 media, and other stakeholders on matters related to the above-enumerated
37 functions; and
38
39 j) Coordinate with the appropriate national government agencies tasked with
40 public information affairs;
41

42 **II. Promoting Participation:**
43

- 44 a) Conduct public consultations and discussions;
45
46 b) Develop and disseminate relevant and appropriate materials and programs for
47 public information and education, as well as advocacy campaign; and
48
49 c) Conduct seminars and workshops involving the LGUs and the general public on
50 current water issues and problems;
51

- 1 d) Conduct capability building seminars of various stakeholders to promote
2 meaningful participation in the Department's policy-making, planning,
3 development, and implementation of various programs and projects.
4

5 **III. Special Events**
6

- 7 a) Coordinate the organization and promotion of special events and water exhibits;
8
9 b) Act as the focal point for all water related events; and
10
11 c) Perform such other related duties and responsibilities as may be assigned or
12 delegated by the Secretary or as may be required by law.
13

14 **SEC. 23. *Pollution Adjudication Board.*** - There is hereby created a Pollution
15 Adjudication Board under the Office of the Secretary. The Board shall be composed of
16 the Secretary as Chairman, two (2) Undersecretaries as may be designated by the
17 Secretary, the Director of Water Quality Management Bureau, and three (3) other
18 representatives from other stakeholders to be designated by the Secretary as members.
19 The Board shall assume the powers and functions of the National Pollution Control
20 Commission with respect to the adjudication of water pollution cases under Republic
21 Act No. 3931, as revised by Presidential Decree No. 984, and the Clean Water Act of
22 2004. The Bureau of Water Quality Management shall serve as the Secretariat of the
23 Board. These powers and functions may be delegated to the field officers of the
24 Department in accordance with rules and regulations to be promulgated by the Board.
25

26 **SEC. 24. *Bureaus.*** - Each Bureau shall be headed by a Bureau Director who shall be
27 responsible for efficiently and effectively carrying out the functions of the Bureau
28 concerned. The Bureau Director shall be assisted by one (1) Assistant Director.
29

30 **SEC. 25. *Bureau of Flood Control and Drainage.*** - The Bureau of Flood Control and
31 Drainage is hereby created to plan and design flood control and drainage structures and
32 facilities in accordance with technical standards, guidelines and manuals. For this
33 purpose, it shall have the following duties and responsibilities:
34

- 35 a) Formulate policy, strategies and programs on flood risk management in the
36 context of integrated flood management (IFM) which integrates water, land,
37 coastal zone and multi-hazard management. In integrating land-use planning
38 and water management, the Department should harmonize and synthesize plans
39 to enable the sharing of information between land-use planning and water
40 management authorities. In integrating hazard management, a holistic approach
41 should be adopted so that integrated flood management should be part of a
42 wider risk or multi-hazard management system of fortuitous events or force
43 *majeure*;
44
45 b) Integrate climate change and disaster risk reduction and management in policies
46 and plans;
47
48 c) Prepare master plans of flood management and drainage in river basins, in
49 coordination with the concerned water resources region and river basin
50 organizations;
51
52 d) Prepare master plans of urban drainage in cities and municipalities;
53

- e) Prepare feasibility studies of recommended measures in the master plans;
- f) Plan and design structural measures for flood control and drainage;
- g) Implement and/or collaborate with concerned agencies on the non-structural measures;
- h) Patrol and investigate rivers including the monitoring of stream flows;
- i) Conduct post-disaster investigation and evaluation and damage assessment of flood infrastructures after extreme events;
- j) Conduct research and development on water and sediment-related disasters;
- k) Develop design guidelines, criteria and standards on flood control and drainage structures;
- l) Provide technical assistance to other agencies, LGUs, and other stakeholders;
- m) Advise the Secretary on declaring flood control areas and recommend guidelines for flood plain management plans in these areas; and
- n) Perform such other related duties and responsibilities as may be assigned or delegated by the Secretary or as may be required by law.

SEC. 26. Bureau of Water Quality Management. - The Bureau of Water Quality Management is hereby created to supervise and control over all aspects of water quality management to ensure the sustainability of the country's water resources and the protection of the environment, considering proper and integrated treatment of freshwater and wastewater within the whole process. For this purpose, it shall have the following duties and responsibilities:

- a) Establish water quality guidelines for freshwater and coastal or marine waters as basis for classifying water bodies in the country. Specifically, develop water quality indices or composite metrics to measure the quality status and health of natural water bodies in relation to ecological integrity and function.
- b) Establish effluent standards for point sources of pollution;
- c) Establish internationally accepted procedures for sampling and analysis;
- d) Prepare an integrated water quality management framework;
- e) Prepare a ten (10)-year water quality management plans for each water quality management area as part of the River Basin Master Plans and in support of the National Water Resources Management Master Plan;
- f) Classify groundwater sources and prepare a national groundwater vulnerability map;
- g) Classify or reclassify all water bodies according to their beneficial usages using the established water quality guidelines established;

- h) Issue permits, clearances and similar instruments pursuant to the Clean Water Act of 2004;
- i) Collect the wastewater discharge fees for all permittees;
- j) Monitor the compliance of water discharge permittees with the effluent standards;
- k) Regularly monitor the water quality of major water bodies in the country and analyze the data to identify possible sources of pollution;
- l) Issue notices of violations and/or cease and desist orders for those found in violation of the law;
- m) File the needed cases against violators of the law with the Pollution Adjudication Board;
- n) Serve as the Secretariat of the Pollution Adjudication Board; and
- o) Perform such other related duties and responsibilities as may be assigned or delegated by the Secretary or as may be required by law.

SEC. 27. *Water Resources Regional Offices.* – The Water Resources Regional Offices, organized per water resources region, shall be responsible for implementing the mandates, powers and duties of the Department at the field level, except for policymaking which will be vested solely with the Central Office. The master planning for the nearby river basins will likewise be the responsibility of the Central Office. For this purpose, the duties and responsibilities of the Water Resources Regional Offices shall be as follows:

- a) Formulate or update and coordinate the river basin master plans for river basins within its jurisdictions, ensuring consistency with the National Water Resources Management Master Plan;
- b) Advocate and strongly support the creation and functioning of multi-stakeholder River Basin Organizations and serve as its Secretariat;
- c) Undertake and evaluate the planning, design, and work supervision functions of the Department for the water infrastructures within the region;
- d) Ensure the implementation of laws, policies, programs, rules and regulations regarding the abovementioned infrastructure, as well as public and private physical structures;
- e) Provide technical assistance related to the water-related functions of other agencies within the region, especially the local government;
- f) Coordinate with other departments, agencies, institutions and organizations, especially local government units, within the region in the planning and implementation of the river basin master plans;

- 1 g) Conduct continuing consultations with the local communities, take appropriate
2 measures to make the services of the Department responsive to the Central
3 Office, and recommend such appropriate actions as may be necessary; and
4
5 h) Perform such other related duties and responsibilities as may be assigned or
6 delegated by the Secretary or as may be required by law.
7

8 The Department shall retain and have such Project Management Offices as may be
9 required, which shall be under the supervision and control of the appropriate Water
10 Resources Regional Office Director, unless otherwise determined by the Secretary for
11 reasons of supra-regional scope, magnitude and multi-functional coverage.
12

13 **SEC. 28. *Water Resources Regional Director.*** – The Water Resources Regional Offices
14 shall be headed by a Water Resources Regional Director who shall be responsible for
15 efficiently and effectively carrying out the duties and responsibilities of the Office.
16 Towards this end, the Water Resources Regional Director shall, within his/her defined
17 powers, exercise functional and administrative supervision over all units within the
18 region, including the authority to commit their resources and personnel to integrated
19 regional water resources management, water supply and sanitation management, and
20 flood control and flood risk management initiatives. The Water Resources Regional
21 Director shall also perform such other related duties and responsibilities as may be
22 assigned or delegated by the Secretary or as may be required by law.
23

24 The Water Resources Regional Director shall be assisted by two (2) Assistant Water
25 Resources Regional Office Directors who shall exercise supervision respectively over (1)
26 the planning, project design and evaluation function and (2) technical assistance to
27 River Basin Organizations within the water resources region.
28

29 **CHAPTER 3 – TRANSITORY PROVISIONS**

30
31 **SEC. 29. *Interface with Other Agencies.*** –
32

- 33 a) The Department of Health or the DOH shall continue to have primary authority
34 and responsibility for setting and enforcing drinking water quality standards.
35 The Department shall coordinate with the said Department of Health in this
36 regard, and shall ensure consistency of standards and targets which it will set for
37 compliance of permittees with the mandated standards of the latter;
38
39 b) The Department of Environment and Natural Resources shall continue to have
40 primary authority and responsibility for protecting the environment and
41 managing the country's watersheds;
42
43 c) The Department of Energy and the National Power Corporation shall continue to
44 have primary authority and responsibility for setting up and running
45 hydropower plants, ensuring however that any hydropower plant development
46 plans are consistent with the National Water Development and Management
47 Plan;
48
49 d) The Department shall coordinate with the Department of Agriculture to ensure
50 agricultural development that reduces sources of long-term pollution for surface
51 water and groundwater, and agricultural and industrial economic development
52 that employs water efficiency, water recycling or reuse, and the appropriate
53 treatment of wastewater;

- 1
- 2 e) The Department shall coordinate with the National Disaster Risk Reduction
- 3 Management Council to ensure that the latter's plans and designs for flood
- 4 control, flood risk management, and drought risk management are aligned with
- 5 the objectives and plans of the former; and
- 6
- 7 f) The Department shall coordinate with relevant government agencies, including
- 8 Local Government Units, for development projects, and to ensure cross-cutting
- 9 collaboration between and among all water subsectors and facilitate inter-agency
- 10 subsector coordination, strategic development, planning, monitoring and
- 11 provision of technical, institutional and financial capacity building support to
- 12 their different stakeholders at the water subsector level.
- 13

14 **SEC. 30. *Transfer of Rights and Obligations.*** – The Department shall, by virtue of this

15 Act, be surrogated to all the rights and assume all the obligations of the government

16 agencies and units whose powers and functions have been absorbed, transferred, or

17 attached to the Department, in accordance with the rules and regulations of the

18 Commission on Audit. The transfer of powers and functions as herein provided shall

19 take effect within 6 months of the effectivity of this Act. As such, all affected agencies,

20 offices, or units shall continue to function under their present mandates until the

21 transition is fully in effect.

22

23 **SEC. 31. *Funding.*** – The sum of Two Billion Pesos (₱2,000,000,000.00) shall be set aside

24 from the available funds of the National Treasury, and is hereby appropriated and

25 authorized to be released for the organization of the Department and its initial

26 operations. Thereafter, the Department shall submit its annual budget to fully carry out

27 its powers and functions and achieve its objectives to the Office of the President, for

28 approval, which shall not be less than the amount provided for in its initial

29 implementation.

30

31 **SEC. 32. *Repealing Clause.*** – All laws, orders, rules and regulations, or portions thereof,

32 inconsistent with this Act are hereby repealed or modified accordingly.

33

34 **SEC. 33. *Separability Clause.*** – If any provisions of this Act or the application of such

35 provision to any person or circumstances be declared unconstitutional, the remainder of

36 this Act or the application of such provision to other person or circumstances shall not

37 be affected by such declaration.

38

39 **SEC. 34. *Effectivity.*** – This Act shall take effect fifteen (15) days from the date of its

40 publication in the Official Gazette or in two (2) newspapers of general circulation.

41

42 *Approved,*