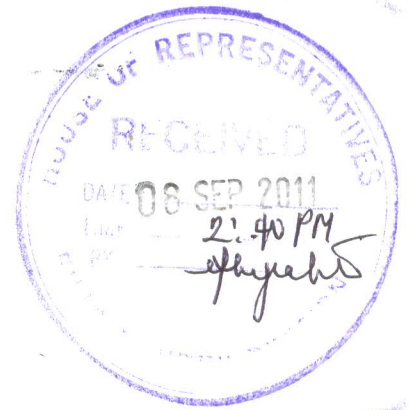


Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila



FIFTEENTH CONGRESS  
Second Regular Session

HOUSE BILL NO. 00 5276

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Introduced by:

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### EXPLANATORY NOTE

Mindanao has four major river systems. These are the Mindanao River (better known as the Rio Grande de Mindanao), Agusan River, Davao River and Cagayan de Oro River. With a drainage area of 23,169 square kms., Rio Grande is easily the biggest river system in Mindanao and, with a length of 373 kms., the second longest in the country. Coming next is the Agusan River, the second biggest river system in the island with a drainage area of 10,921 square kms. and the third longest in the country with a length of 350 kms. Next is the Davao River with a drainage area of 1,700 square kms. and length of 160 kms. and the Cagayan de Oro River with a drainage area of 1,521 square kms and a length of more or less 90 kms.<sup>1</sup>

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<sup>1</sup> Mindanao has scores of rivers but the four river systems mentioned here are the primary. Please note that this bill speaks of river systems which, as defined herein, refer to the totality of natural elements and structures that make up a river system. It covers not only the flowing water but also the headwaters, tributaries, distributaries, estuaries, mouth, drainage areas, deltas, wetlands and watersheds, and the living species that can be found therein. Please see Section 2 of this bill.

Three of these rivers, namely, the Mindanao River, Agusan River and Davao River are highly biologically diverse with their complex network of forest lands and watersheds, aquifers, vegetation and animal species distributed in their variegated topography. They host a combined population of 8 million, almost a third of the total population of Mindanao.

Given their combined drainage areas, population and the natural resources they contain, these four river systems play a very important role in the economic development of Mindanao, particularly in the national thrust that designates the island as the "food basket" of the country.

For centuries, these river systems served their population well as sources of food, household water and livelihood, as structures for natural irrigation, navigation and transportation, and as habitat for human settlement. But at present, though they remain as provident resources for human needs and economic endeavour, establishing contact with them to win life anew every day has become highly risky as these river systems are in various stages of degradation and destruction.

Since the 1960s, with Luzon and Visayas already saturated with investment and development projects, Mindanao has been the destination of choice for the calibrated penetration of foreign and local investments into the country. Especially in the last two decades, investment in Mindanao has accelerated and increased manifold, driven by a new round of liberalization of the national economy under the globalization regime. Some 42 % of the total foreign investments that entered the country in this period flowed into Mindanao. This has triggered waves upon waves of unprecedented massive capital incursions into its forests (logging), agricultural lands (banana, pineapple, palm oil, rubber, and other high value crops expansion), and mineral resources (mining), resulting in dwindling forests, badly damaged watersheds, disrupted aquifers and eroded soil. It is well to note that Mindanao is deforesting at an annual rate of 2.29 % which is significantly higher than the national average. Also, 38 % of its agricultural lands are moderately or severely eroded and, at 40 %, has the highest recorded soil erosion in non-agricultural lands.

On the heels of these massive capital incursions, infrastructure build-up and human settlements have expanded and urbanization spilled into rural areas which added pressure on the island's natural resources and ecological environment, to say nothing of protracted armed conflicts that have rived Mindanao.

All these exacted their toll on the river systems of Mindanao, threatening their natural viability.

With dwindling forests, their drainage areas have become flood basins during rainy seasons, bringing calamities that were previously unheard of in the island such as flash floods in highly populated urban centers like Davao City, Cotabato City and Cagayan de Oro. Watershed destruction, exacerbated by climate change, has caused water level depletion during dry seasons and, together with pollution from human settlements and chemical poisoning from mining, has rendered their waters less safe for human use. Their drainage areas and wetlands are losing their moisture and suffering from soil poisoning brought about by chemical intensive agriculture while their aquifers are withdrawing. Erosion has caused thick siltation that diverts or slows down the course of flux of their waters, making the rivers less navigable. Erosion and export agricultural crops expansion have also caused the lands in their drainage areas to lose

their fertility. Their ecology has been disrupted and as habitat, they have become less hospitable to endangered species and even to human settlements.

Climate change also immensely threatens these rivers. It brings prolonged periods of drought that not only deplete water levels but also kill plants and organisms which purify river water. Torrential rains, which have become more frequent, cause flash floods that damage banks and dams on top of destruction to lives, property and infrastructures that put strains on scarce financial and material resources. It is estimated that in the last ten years alone, these calamities have inflicted damages to the tune of P140 billion. With changing geo-atmospheric patterns, the risks and danger they pose have become unpredictable.

The deterioration of these river systems also puts to risk the water resources of the island. As marked by soil erosion and poisoning as well as water level withdrawal, their deterioration affects agriculture productivity which, in strategic terms, will have dire consequences on government programs to transform the island into the “food basket” of the country in order to attain national food security.

While this portentous process of degradation and destruction is happening, it is sad to note that government response is highly inadequate if not misguided. Government intervenes only when one calamity after another had already done their damage and the intervention is often one of patchwork. To date, there is no national government body that plans the integrated development of these rivers or even manages their abundant but threatened resources.

This has created a vacuum that, in the absence of any expressed provision of law, has been rather filled by local government units which, lacking the resources and capability for such gigantic task, have largely approached the problem with makeshift task forces or localized management authority. This is especially true of river systems such as the Rio Grande and Agusan River which flow over two or more provinces. The result is fragmented policy-making that also fragments the available resources for developing these river systems and often leads to plans and projects wanting in harmony, synergy and sustainability.

Realizing those threats to Mindanao’s major river systems and considering the natural resources they contain, it is the thrust of this bill to put an end to stop gap measures to the risks and dangers that degradation and destruction pose as well as to maximize the economic potentials of these river systems so that their significant role in the economic development of the island can be put into full play.

Firstly, this bill proceeds from the view that the rehabilitation, conservation and development of these river systems are too huge a task to be left to LGUs. Given the possible funding requirements, such a task should be the primary concern of the central government and be made part of its national policy which should be implemented on the basis of shared responsibility between the central government and the LGUs.

Secondly, it departs from the paradigm of fragmented and “after-the-damage-has-been-done” solutions to the degradation and destruction of these rivers. It seeks to implement a time-bound, anticipatorily pro-active, integrated, sustainable, socially equitable and community-based “reef-to-ridge” rehabilitation, conservation and development approach to Mindanao’s major river systems. Anticipatorily pro-active must

