



Republic of the Philippines
Department of Environment and Natural Resources
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05 February 2021

MEMORANDUM

TO : All Bureau Directors

The Executive Directors
National Water Resources Board
River Basin Control Office
Legal Affairs Service
Policy and Planning Service

FROM : The Assistant Secretary
Field Operations-Mindanao and Legislative Affairs

SUBJECT : **REQUEST FOR COMMENTS AND RECOMMENDATIONS ON
RAINWATER HARVESTING FACILITY BILLS**

This pertains to an email dated 29 January 2021, received by this Office on 01 February 2021, from Rep Eleandro Jesus F. Madrona, Chairman, Committee on Public Works and Highways, House of Representatives, requesting comments/recommendations on the following Rainwater Harvesting Facility Bills, to wit:

1. House Bill No. 1697, entitled, "An Act Requiring New Commercial, Institutional, and Residential Infrastructure in Metro Manila and Major Cities in the Philippines to Install Rainwater Retention Facilities, and Imposing Penal Provisions in Case of Violations" by Rep Villafuerte, Jr.;
2. House Bill No. 2381, entitled, "An Act Institutionalizing a Rainwater Harvesting System in the City of San Jose Del Monte, Bulacan and Appropriating Funds Therefor" by Rep Robes;
3. House Bill No. 3327, entitled, "An Act to Require All Government Building Construction to Have Rain Harvesting Facility and for Other Purposes" by Rep. Tambunting;
4. House Bill No. 3558, entitled, "An Act Granting Incentives for Commercial and Industrial Establishments, and Developers who will Incorporate Rainwater Harvesting Technology in their Businesses and for Other Purposes" by Reps Pancho and Salceda;
5. House Bill No. 4445, entitled, "An Act Creating the National Rainwater Harvesting Board under the Office of the President for the Purpose of Promotion, Development, and Utilization of Rainwater Harvesting Technology as a Measure to Mitigate the Effects Brought about by Climate Change and Extreme Weather Phenomena like Super Typhoons and the El Nino that are the Causes of Downstream Flooding, Sever Drought and Other Problems of Fresh Water, and for Other Purposes" by Rep Savellano;
6. House Bill No/ 4818, entitled, "An Act Requiring New Subdivisions, Condominium Communities, Malls, Government Institutions, Central Business Districts and Information Technology Parks in the Philippines to Construct Rainwater Harvesting Facility and for Other Purposes" by Rep Momo;

7. House Bill No. 5461, entitled, "An Act Institutionalizing a Rainwater Harvesting System for the Whole Philippines" by Rep Savellano;
8. House Bill No. 6741, entitled, "An Act Mandating the Establishment and Maintenance of a Rainwater Harvesting Facility in all New Institutional, Commercial and Residential Development Projects in Metro Manila" by Rep Cabochan III; and
9. House Bill No. 6777, entitled, "An Act Mandating the Establishment and Maintenance of a Rainwater Harvesting Facility in all New Institutional, Commercial and Residential Development Projects Nationwide" by Rep Barba.

Kindly submit comments and/or position paper in hard and soft at the Legislative Liaison Office at telephone number 8920-1761 and e-mail address denrlegislative@yahoo.com for consolidation.

Thank you and your preferential attention on the subject matter is hereby enjoined.


JOAN A. LAGUNDA, D.M., D.P.A.



Request for comments and recommendations on Rainwater harvesting Facility Bills

From: legis lative (denrlegislative@yahoo.com)

To: od@emb.gov.ph; oad.emb@gmail.com; fatima_millan@emb.gov.ph; fatimaestay@gmail.com; director@bmb.gov.ph; adirector@bmb.gov.ph; t_tenazas@yahoo.com; fmb@denr.gov.ph; denrlmb@yahoo.com; lmb.oad@yahoo.com; lmblegaldivision@gmail.com; central@mgb.gov.ph; mgb.lsd@gmail.com; odir.erdb@gmail.com; erdb.legal.office@gmail.com; nwrphil@gmail.com; sevillo.davidjr@nwr.gov.ph; rbco@denr.gov.ph; las.denr@gmail.com; odpps@yahoo.com

Date: Monday, February 8, 2021, 08:48 AM GMT+8

Dear Sir/Mam,

Good Day!

Please find attached document for your appropriate action. Kindly acknowledge receipt of the email. Thank you.

Department of Environment and Natural Resources Legislative Liaison Office

Visayas Avenue, Diliman, 1100 Quezon City, Philippines

denr.gov.ph

Tel: 9201761



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COMMITTEE ON PUBLIC WORKS & HIGHWAYS

3rd Floor, Ramon V. Mitra Building, CTSS-I, Committee Affairs Department, House of Representatives, Batasan Hills, Quezon City, Philippines 1126. Telefax: 9310200, Trunk Line: 9315001 local 7135

January 29, 2021

HON. ROY A. CIMATU

Secretary

Department of Environment and Natural Resources (DENR)
Visayas Avenue, Diliman, Quezon City

Dear Secretary Cimat,

The Committee on Public Works and Highways would like to request for your comments and recommendations on the following measures re: Bills on Rainwater Harvesting System/Facility:

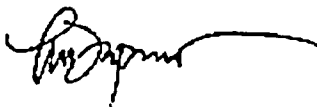
- 1.) **HB No. 1697**- An Act Requiring New Commercial, institutional, and Residential Infrastructure Projects in Metro Manila and Major Cities in the Philippines to Install Rainwater Retention Facilities, and Imposing Penal Provisions in Case of Violations by **Rep. Luis Raymund "LRay" F. Villafuerte Jr.**
- 2.) **HB No. 2381** - An Act Institutionalizing a Rainwater Harvesting System in the City of San Jose Del Monte, Bulacan and Appropriating Funds Therefor by **Rep. Florida "Rida" P. Robes**
- 3.) **HB No. 3327** - An Act to Require all Government Building Construction to Have Rain Harvesting Facility and for Other Purposes by **Rep. Joy Myra S. Tambunting**
- 4.) **HB No. 3558**- An Act Granting Incentives for Commercial and Industrial Establishments, and Developers who will Incorporate Rainwater Harvesting Technology in their Businesses and for Other Purposes Therefor by **Reps. Gavini "Apol" C. Pancho and Joey Sarte Salceda**
- 5.) **HB No. 4445**-An Act Creating the National Rainwater Harvesting Board Under the Office of the President for the Purpose of Promotion, Development, And Utilization of Rainwater Harvesting Technology as a Measure to Mitigate The Effects Brought about by Climate Change and Extreme Weather Phenomena Like Super Typhoons and the El Niño that are the Causes of Downstream Flooding, Severe Drought and Other Problems of Fresh Water, and for other Purposes by **Rep. Deogracias Victor "DV" B. Savellano**
- 6.) **HB No. 4818**- An Act Requiring All New Subdivisions, Condominium Communities, Malls, Government Institutions, Central Business Districts and Information Technology Parks in the Philippines to Construct Rain Harvesting Facility and for Other Purposes by **Rep. Romeo S. Momo**

- 7.) **HB No. 5461**- An Act Institutionalizing a Rainwater Harvesting System for the Whole Philippines by **Rep. Deogracias Victor "DV B. Savellano**
- 8.) **HB No. 6741**- An Act Mandating the Establishment and Maintenance of a Rainwater Harvesting Facility in all New Institutional, Commercial and Residential Development Projects in Metro Manila by **Rep. Manuel D. Cabochan III**
- 9.) **HB No. 6777**- An Act Mandating the Establishment and Maintenance of a Rainwater Harvesting Facility in All New Institutional, Commercial and Residential Development Projects Nationwide by **Rep. Angelo Marcos Barba**

You may download the above measures at <http://www.congress.gov.ph/>. We would highly appreciate your response on the matter as we will include said comments in the deliberation for the approval of the bills.

Very truly yours,

FOR CHAIRMAN ELEANDRO JESUS F. MADRONA:



AILEEN UY DAPURAN
Committee Secretary

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1697



Introduced by **HONORABLE LUIS RAYMUND F. VILLAFUERTE, JR.**

EXPLANATORY NOTE

Metro Manila is annually drenched with some 20,000 millimeters rainwater. A significant part of the National Capital Region (NCR) and other major cities are unable to absorb the rainwater they receive. Instead of undergoing the earth's natural process of recycling rainwater through its aquifers, the rainwater proceeds to the sewers - polluting the surrounding bodies of water and flooding roads. It is lamentable that despite the incessant flooding of major thoroughfares resulting in heavy traffic, the State has failed to come up with measures to address the situation.

The bill hereby requires the installation of rainwater retention facilities in all new commercial, institutional, and residential infrastructure projects in Metro Manila and other major cities with the primary goal of preserving, restoring, or mimicking the natural hydrology of the soil. These rainwater retention facilities shall capture the rainwater, purify the same, and store it for non-potable uses thereby effectively reducing the amount of rainwater that submerges Metro Manila roads during the rainy season, as well as feed the demand for water in the cities.

Places like Cebu, Baguio, and Nueva Ecija have already adapted measures to utilize rainwater for non-potable uses. Internationally, the state of California passed its own Rainwater Capture Act back in 2012 to address the widespread drought that its residents suffer during the dry season. In Australia, most buildings use captured rainwater for fountains, and in flush toilets.

Rainwater is a free, abundant, and regular natural resource that the Philippines is fortunate to receive year in and out. It is high time that we make of it for the general advantage of our people. In consideration of the foregoing premises, the swift passage of this bill is sought.


LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1697

Introduced by HONORABLE LUIS RAYMUND F. VILLAFUERTE, JR.

AN ACT
REQUIRING NEW COMMERCIAL, INSTITUTIONAL, AND RESIDENTIAL
INFRASTRUCTURE PROJECTS IN METRO MANILA AND MAJOR CITIES IN
THE PHILIPPINES TO INSTALL RAINWATER RETENTION FACILITIES, AND
IMPOSING PENAL PROVISIONS IN CASE OF VIOLATIONS

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

SECTION 1. *Short Title.* – This Act shall be known as the "Rainwater Harvesting Facility Act."

SECTION. 2. *Declaration of Policy.* – It is the declared policy of the State to promote the health and welfare of its citizens, and exercise sufficient powers to preserve the natural ecology within its territory.

The State recognizes the urgent need to address the adverse effects of dramatic climate change, including typhoons of unprecedented strength, speed, and consequent damage. Flooding has become a regular occurrence in the busy roads of Metro Manila

SECTION. 3. *Definition of Terms.* – As used in this Act, the following terms shall be defined as:

- a) *Department* refers to the Department of Public Works and Highways (DPWH);
- b) *Green infrastructure* means any storm water management technique or practice employed with the primary goal of preserving, restoring, or mimicking natural hydrology;

- c) *Rainwater* means precipitation on any public or private parcel that has not entered an offsite storm drain system or channel, a flood control channel, or any other stream channel, and has not previously been put to beneficial use;
- d) *Rainwater harvesting facility* refers to a flood control structure such as a vertical detention tank, horizontal water tank, open retarding basin, and multi-use water catchment area, or an on-site regulation pond used to capture, retain, and store rainwater flowing off a building, parking lot, or any other manmade, impervious surface consequently preventing or delaying the release of rainwater into the public drainage system; and
- e) *Return period* refers to the average length of time in years for a rain-related natural disaster of given magnitude be equaled or exceeded by the length of time that a rainwater-related disaster may probably recur.

SECTION. 4. *Rainwater Harvesting Facility Requirement.* – An owner or developer of a new commercial, institutional and residential development project in Metro Manila and other major cities, with an area of at least one thousand five hundred (1,500) square meters and requiring the issuance of building permit shall reserve, develop, and maintain at least three (3%) of the total area, exclusive roads, service streets and alleys, as a rainwater harvesting facility.

The owner or developer of an on-going commercial, institutional, and residential development project in Metro Manila and other major cities that has no existing provision for a rainwater facility shall build the facility within a period of three (3) years from the effectivity of this Act, or suffer the penalty imposed in Section 8 hereof.

To conserve potable water, rainwater collected by a harvesting facility may be used for non-potable and suitable purposes, such as gardening and air-cooling processes.

It is the intent of the Legislature that the use of rainwater for non-potable uses should not be constrained by standards for drinking water or recycled water but shall fully comply with water quality requirements.

SECTION. 5. *Design Approval.* – The provision for a rainwater harvesting facility shall be required by the Housing and Land Use Regulatory Board (HLURB) and local government units (LGUs) to be incorporated in the design of all new commercial, institutional, and residential development projects in Metro Manila and other major cities, and no project design shall be approved for construction unless it includes such facility. The HLURB and the LGUs shall ensure that these facilities are built during the construction phase of the projects.

SECTION. 6. *Design Requirements.* – The rainwater harvesting facility must be designed to cope with a pre-determined flood and rain return period and must have a storage capacity prescribed by the Department of Public Works and Highways (DPWH). The design of the rainwater harvesting facility include the following:

- a) Size, shape and physical characteristics of available space;
- b) Construction plans with specified material type including lining and coating requirements;
- c) Detailed drawing on how the installation will drain into an outfall structure as a drywell or a percolation chamber, storm drain system, drainage channel, or natural wash; and
- d) Mechanism to exclude mosquitoes and not permit mosquito production.

SECTION. 7. *Building Permits.* – If the design of a new commercial, institutional, and residential project in Metro Manila and other major cities with an area of at least one thousand five hundred (1,500) square meters does not provide for a rainwater harvesting facility, the LGU concerned shall deny the request for issuance of a building permit for such project.

SECTION. 8. *Reportorial Requirements.* – The DPWH shall require the owner or developer of all of all new commercials, institutional, and residential development projects covered under this Act to submit a compliance report within 12 months from the date of the completion of the project.

The DPWH shall henceforth require the building owners to submit an annual report of the performance of such rainwater retention facility which may include, but is not limited to information on the total volume of retained rainwater and its utilization.

SECTION. 9. *Penalties.* – The owner or developer of all new commercial, institutional, and residential development projects in Metro Manila and other major cities who fails to construct a rainwater harvesting facility in violation of Section 4 of this Act shall suffer the penalty of a fine of not less than Five hundred thousand pesos (P 50,000.00), but not more than Two million pesos (2,000,000.00) for every year of non-compliance.

In the case of a partnership, association, corporation or any juridical person, the fine shall be imposed upon the president, treasurer, or any officer or person responsible for the violation.

If the offender is a foreigner, the foreigner shall be deported immediately without further proceedings after payment of fine.

The head of the government institution who violates Section 4 of this Act, or government officials, employees, and agents who issue licenses or permits in violation

of Section 8 of this Act, shall suffer the penalty of suspension of not less than ten (10) days, but not more than one hundred eighty (180) days after due notice and hearing in an appropriate administrative proceeding.

SECTION. 10. *Implementing Rules and Regulations (IRR).* – Within sixty (60) days from the effectivity of this Act, the Secretary shall, in coordination with the Secretary of the Department of Interior and Local Government (DILG), the Chief Executive Officer (CEO) of the Housing and Land Use Regulatory Board (HLURB), and the Administrator of the Philippines Atmospheric, Geophysical and Astronomical Services Administration (PAGASA), promulgate the rules and regulations for the effective implementation of this Act. The implementing rules and regulations shall include the standards and guidelines for the design, construction, installation, materials, site selection and planning, site-specific considerations, and maintenance of the rainwater harvesting facility.

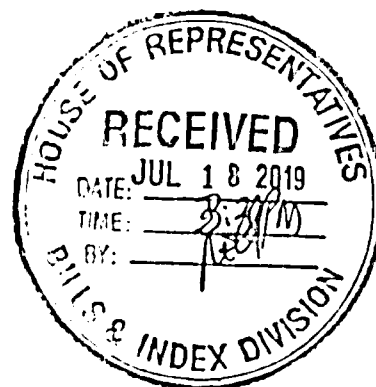
SECTION. 11. *Separability Clause.* – If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SECTION. 12. *Repealing Clause.* – All other laws, ordinances, rules, regulations, issuances or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SECTION. 13. *Effectivity Clause.* – This Act shall take effect fifteen (15) days following its publication in at least (2) newspapers of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
2381

Introduced by Honorable Florida P. Robes

EXPLANATORY NOTE

Rainwater is one of the oldest sources of water which not only plants and animals can use to provide the needed water supply, but also for humanity's survival. The Philippines, being a tropical country, has an abundant rainwater supply. Rainwater harvesting can be traced back to the 9th and 10th century.

Filipino homes have rainwater gutters and pipes where rainwater flows and eventually stored in water buckets or pails. The water harvested can be used during drought. This system can help mitigate flooding of low-lying areas and reduced demand on wells which may enable groundwater levels to be sustained. Moreover, rainwater is substantially free of salinity and other salts hence, it is safe. However due to the changing of times, people are afraid of storing rainwater due to possible contamination caused by too much pollution in our midst.

In order to assure the safety of its use, a proper technology of rainwater harvesting must be instituted. Its approval will be beneficial to the constituency of the city of San Jose Del Monte. It will supplement the water supply and will serve as a contingency during water shortage or interruptions.

I would look forward to the immediate approval of this proposal.


FLORIDA P. ROBES

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS

HOUSE BILL NO. 2381

Introduced by Honorable Florida P. Robes

AN ACT
INSTITUTIONALIZING A RAINWATER HARVESTING SYSTEM IN THE CITY OF
SAN JOSE DEL MONTE, BULACAN AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Short Title.** This Act shall be known as the "San Jose Del Monte Rainwater
2 Harvesting System Act."

3 **SEC. 2. Declaration of Policy.** The State recognizes the importance of preserving its
4 natural resources such as rainwater. The State shall therefore maximize its use by providing a
5 mechanism that will promote, regulate and sustain its utilization to supplement the dwindling water
6 supply and control flooding. Pursuant thereto, the State and its instrumentalities shall adapt and
7 implement programs that will promote the sustainability and maximization of rainwater.

8 **SEC. 3. Definition of Terms.** As used in this Act:

- 9 a) Rainwater – refers to liquid water in the form of droplets that have condensed from
10 atmospheric water vapor and then precipitated to become heavy enough to fall under
11 gravity.
12
- 13 b) Rainwater catchment – refers to an area or water storage tanks where rainwater is
14 collected.
15
- 16 c) Rainwater harvesting – refers to the accumulation and deposition of rainwater for reuse
17 on-site during water restrictions and shortages or to supplement the main supply.

1 d) Rainwater harvesting system (RHS) – refers to the process of collecting rainwater which
2 can be used for potable consumption if filtered and disinfected, and non-potable
3 consumption if used untreated, through a technology that uses materials and water
4 storage tanks that are not susceptible to contaminants and that will not leach toxins into
5 the water under either normal or acid rain conditions. RHS provides a simple and cost-
6 effective means to preserve water, reduce flooding, provide water buffer and recharge
7 aquifers.

8 **SEC. 4. Utilization of Rainwater Harvesting System.** A rainwater harvesting system
9 (RHS) shall be constructed in all government and public establishments in the City of San Jose Del
10 Monte, Bulacan for rainwater collection to ensure continuous water supply even during times of
11 drought or water shortages.

12 Rainwater catchment or storage tanks shall be installed and constructed in all government
13 and public establishments in the City of San Jose Del Monte, Bulacan through a technology that uses
14 materials that will not leach toxins into the water under either normal or acid rain conditions and
15 water storage tanks that are not susceptible to contaminants.

16 The local government unit shall also utilize the facilities that have been provided and
17 constructed by the Department of Public Works and Highways pursuant to its mandate under RA
18 6716, entitled, An Act Providing for the Construction of Water Wells, Rainwater Collectors,
19 Development of Springs and Rehabilitation of Existing Water Wells in all Barangays in the
20 Philippines, and its recommended prototype designs for rainwater catchments.

21 **SEC. 5. Rainwater Treatment** – To ensure the quality of rainwater for drinking purposes,
22 a rainwater treatment device shall be installed in each barangay for filtration and purification processes.

23 The DPWH, through its attached agencies, shall provide a rainwater treatment facility in each
24 barangay.

25 **SEC. 6. Operation and Maintenance.** Notwithstanding the provisions of Sec. 3 of RA
26 6716, the operation and maintenance of the RHS shall be vested upon the barangay government,
27 headed by its Chairperson, to regulate the proper distribution and utilization of water and to ensure
28 the regular cleaning and inspection of the gutters and down-pipes and removal of dirt, leaves, and
29 other accumulated materials. It shall implement additional care mechanisms to avoid damage to
30 equipment and facilities, and possible contamination by people and animals to the water reservoir.
31 It shall integrate the concept of climate change in the various phases of policy formulation.

32 **SEC. 7. Monitoring and Evaluation.** The Department of Interior and Local Government
33 (DILG) shall conduct regular monitoring and evaluation on the RHS to determine the safety of water
34 for domestic use.

35 **SEC. 8. Appropriations.** The amount necessary to carry out the provisions of this Act
36 shall be included in the budget of the concerned departments and agencies. For the concerned local
37 government units, the amount shall be taken from their internal revenue allotment.

1 **SEC. 9. Implementing Rules and Regulations.** Within sixty (60) days of the
2 effectivity of this Act, the DILG, in consultation with the local chief executive and a representative
3 of the barangay council, shall formulate the guidelines to fully implement the provisions of this Act.

4 **SEC. 10. Separability Clause.** If any provision of this Act is held invalid or
5 unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

6 **SEC. 11. Repealing Clause.** All laws, decrees, executive orders, rules, and regulations
7 contrary or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

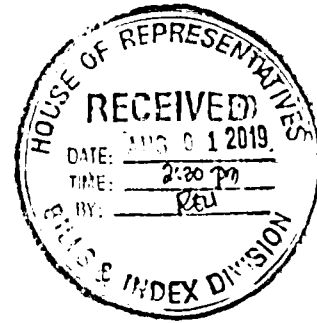
8 **SEC. 12. Effectivity.** This Act shall take effect fifteen (15) days after its publication in
9 the Official Gazette or in two (2) newspapers of general circulation.

10 *Approved.*

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3327



Introduced by **HON. JOY MYRA S. TAMBUNTING**

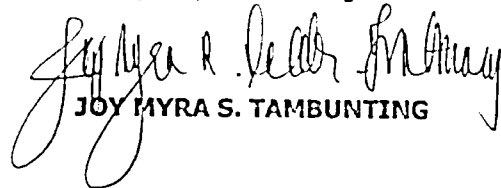
EXPLANATORY NOTE

Water is one of the basic elements for survival. We use it for various purposes such as drinking, cleaning, taking a bath, washing clothes and a lot of other things. It is a very valuable resource which we have taken for granted over the years.

The advent of climate change has certainly affected the weather patterns not only in the Philippines but around the world. Polar ice caps are melting, heat indices have significantly increased and countries experience extreme weather conditions – from having torrential rains that causes massive flooding, to dry spells that goes on for months on end.

With our continuous growing population, our need for water will also increase. And with this in mind, the undersigned proposes this bill to help conserve water and to equip our buildings with facilities that will enable us to cope with the changing times. Especially the mid-rise housing and relocation projects of the National Housing Authority, having rain harvesting facilities will greatly help lessen the problem of water source at the same time help in conserving the environment.

It is for these reasons that the passage of this bill is being sought by the undersigned.


JOY MYRA S. TAMBUNTING

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3327

Introduced by **HON. JOY MYRA S. TAMBUNTING**

**AN ACT
TO REQUIRE ALL GOVERNMENT BUILDING CONSTRUCTION TO HAVE RAIN
HARVESTING FACILITY AND FOR OTHER PURPOSES**

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

SECTION 1. *Title.* – This Act shall be known as the Rain Harvesting Facility for Government Building Act of 2019.

SECTION 2. *Policy Statement.* – It is the policy of the State to provide adequate supply of clean and unpolluted water for domestic purposes and for sanitation to reduce health risks. Pursuant thereto the State shall take necessary measures to capture rain-water and stave off water crisis.

SECTION 3. *Rain-water harvesting facility in all government and government constructed buildings.* – It is hereby prescribed that all new government buildings shall incorporate in their design rain-water harvesting facility and facility for storage. It is also prescribed that such rain-water harvesting and storage facilities shall be constructed in all old government buildings.

SECTION 4. *Approval of designs of public buildings.* – The department of Public Works and Highways shall not approve designs of Public buildings that do not contain rain-harvesting and storage facilities. The Department shall also ensure that these are included in the actual construction of buildings.

SECTION 5. *Issuance of building permit.* – Local Government Units shall not issue building permits to government building construction projects that do not incorporate rain-water harvesting and storage facilities.

SECTION 6. Penalties. – Approval of building designs without incorporating the design for rain-water harvesting and storage facilities shall incur penalty of a fine of Two Hundred Thousand Pesos (Php200,000.00) or imprisonment of 6 month or both as the Court so decides. Likewise the non-construction of rain-harvesting and storage facilities that are actually incorporated in the design of the building shall incur the same penalty as the above.

The issuance of a building permit for the construction of government buildings without the incorporation of rain-harvesting and storage facilities shall incur the penalty, to the signatory of the permit, of Two Hundred Thousand Pesos (Php200,000.00) or imprisonment of 6 months or both as the Court so decides.

SECTION 7. Implementing Rules and Regulations. – The DPWH in consultation with Local Government Units shall issue within 90 days from the date approval of this Act, the implementing rules and regulations for this Act.

SECTION 8. Separability Clause. – Any portion or provision of this Act which may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof.

SECTION 9. Repealing Clause. – All other laws, ordinances, rules, regulations, and other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

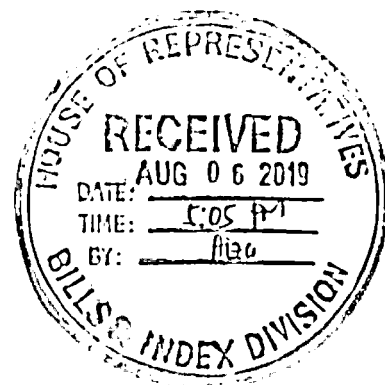
SECTION 10. Effectivity Clause. – This Act shall take effect immediately after its publication in two (2) newspapers of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3558



Introduced by
REPRESENTATIVES GAVINI "APOL" C. PANCHO,
JOEY S. SALCEDA and FERDINAND MARTIN G. ROMUALDEZ

EXPLANATORY NOTE

Rainwater Harvesting (RWH) technology presents a significant solution to water shortages and ground water depletion during the dry season, as well as in mitigating the effects of excessive rains during the wet season.

RWH refers to methods employed to collect rainwater through catchment systems, and then divert them through gutters to a storage tank to provide water for specific applications. At present, harvested rainwater is used mainly to supply the demand for non-potable water but through adequate research on existing treatment techniques, it is possible for rainwater harvesting technology to supplement public need for potable applications. Potable applications include drinking, cooking, bathing, and dishwashing. Non-potable applications include toilet flushing, fire suppression, household cleaning, gardening, laundry washing, pool/pond filling, and vehicle washing.

In comparison with the current public water system, RWH allows water to be supplied at the point of consumption thus, owners are in full control of the technology. Moreover, of all the sources of water, rainwater is among the cleanest. Its quality only diminishes depending on the quality of the atmosphere, the catchment and conveyance systems, and storage tank. RWH technology therefore breaks the consumer's reliance on a water supplier, and additionally, can also significantly reduce storm drainage load and excessive flooding.

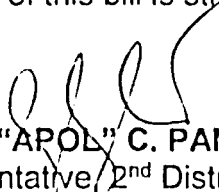
In terms of environmental impacts, as compared to other sources, rainwater harvesting technology pose lesser or no damage at all for the environment since existing structures such as domestic houses will only be retrofitted. Its only disadvantage relies mainly on the randomness of the rainfall pattern thus the demand of the user will not always be met.

However, RWH technology is not that popular in Philippine context. To be able to promote the technology, we need to identify and supply the users with the advantages of the system over the current "lined system" of water distribution like the ease in terms of installation, operation, and maintenance with readily available construction materials.

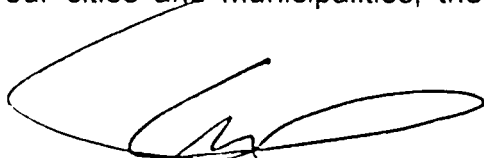
Moreover, since commercial and industrial establishments pose as the primary consumers of water derived from our natural water systems, they need to be encouraged to install rainwater catchment facilities to reduce water extraction and save the remaining ground water for the next generation.

In this direction, this Bill seeks to provide an incentive scheme to encourage building owners and developers to embrace RWH technology in their businesses. Primary to this incentive scheme will be the provision of tax incentives in the form of appropriate tax deductions, tax credits and tax reductions.

With urgency to encourage a collective action to preserve our natural environment and support sustainable development in our cities and municipalities, the immediate approval of this bill is strongly requested.



GAVINI "APOL" C. PANCHO
Representative, 2nd District of Bulacan



JOEY S. SALCEDA
Representative, 2nd District of Albay

FERDINAND MARTIN G. ROMUALDEZ
Representative, 1st District of Leyte

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3558

Introduced by
REPRESENTATIVES GAVINI "APOL" C. PANCHO,
JOEY S. SALCEDA and FERDINAND MARTIN G. ROMUALDEZ

AN ACT GRANTING INCENTIVES FOR COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS, AND DEVELOPERS WHO WILL INCORPORATE RAINWATER HARVESTING TECHNOLOGY IN THEIR BUSINESSES, AND FOR OTHER PURPOSES THEREOF

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

SECTION 1. Short Title. — *This Act shall be known as "Rainwater Harvesting Incentive Act of 2019".*

SECTION 2. Declaration of Policy.

(a) It is hereby declared the policy of the State to protect and promote the rights of the people to health, a balanced and healthful ecology and instill health consciousness among them.

(b) The State shall pursue a policy of sustainable development, balancing progress, the protection of the environment, and the health and welfare of its people.

(c) The State shall promote a comprehensive system of environmental planning which seeks to conserve, rehabilitative and develop the physical environment and natural resources of the nation that translates into physical and spatial considerations policies on land capability, urbanization, agricultural development and natural resources development.

(d) Further it is hereby declared to be the policy of the State to safeguard life, health, property, and public welfare, consistent with the principles of environmental management and control.

(d) Towards this end, the State shall approve the granting of tax and other appropriate incentives to commercial and industrial establishments, and developers who will incorporate Rainwater harvesting Technologies in their respective businesses.

SECTION 4. Scope *This Act shall apply to commercial and industrial establishments, and private developers governed under Philippine laws.*

SECTION 5. Incentive Mechanisms. *Incentives present a creative tool local governments can use to encourage the use of RWH technology and practices among*

commercial and industrial establishments within their purview. These incentives can be applied to both new developments and existing developments. For new development projects, incentives can be incorporated into the development processes, such as building and other related permits and other development codes and requirements, to creatively encourage the use of RWH technology and concepts. In already developed areas, incentives can be designed to encourage private property owners to retrofit their properties to include RWH infrastructure designs and practices.

(a) *Development Incentives:* Offered to developers during the process of applying for development permits. Development incentives apply to private developers that take initiative by using more sustainable site design and green building practices. These incentives are typically provided within the framework of existing land use or development regulations and often remove or decrease fees, requirements, or steps in the permit process.

(b) *Tax incentives.* Offered to the commercial and industrial sector in exchange for specific actions or investments supporting RWH technology and practices. Tax incentives which can be granted include Tax Deductions, Tax Credits, and Tax Reductions as may be provided by the Implementing Rules and Regulations of this Act.

SECTION 6. Implementation. – the Bureau of Internal Revenue and Local Government Units (LGUs) shall have the primary responsibility in the effort of implementing the provisions of this Act and its IRR. Respective LGUs shall also develop a strategic communications plan to duly advocate the use of RWH and communicate the incentive scheme under this Act to their respective constituencies.

SECTION 7. Appropriations. The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriation of the concerned government agencies. Thereafter, such sums as may be necessary for the operation and maintenance of this Act shall be included in the General Appropriations Act.

SECTION 8. Implementing Rules and Regulations. Within ninety (90) days after the effectivity of this Act, the Department of Interior and Local Government (DILG), together with the Department of Environment and Natural Resources (DENR), the Bureau of Internal Revenue (BIR), in consultation with the Department of Public Works and Highways and the Joint Building and Environmental Planning Research and Standards Commission, shall promulgate the implementing rules and regulations governing this Act.

SECTION 9. Separability Clause. If for any reason, any provision of part hereof is declared invalid, the other provisions not affected thereby shall remain in full force and effect.

SECTION 10. Repealing Clause. – Any provision of the law, presidential decree, executive orders, rules and regulations contrary to the provision of this Act is hereby repealed, amended or modified accordingly.

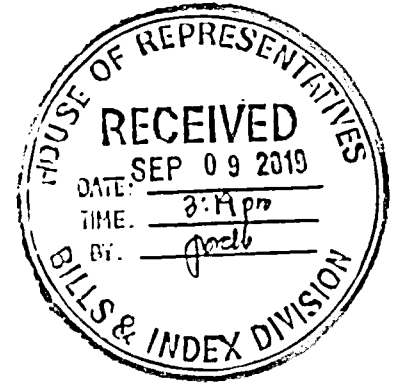
SECTION 11. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 4445



Introduced by the Honorable Deogracias Victor 'DV' B. Savellano

EXPLANATORY NOTE

The recent catastrophic events caused by typhoons that brought misery and hardships to our people make it imperative to review and study existing laws, policies and programs governing the acts of offices and agencies tasked in the implementation of policies and programs governing water resources.

With a rapidly growing population whose requirement for water is growing just as fast, there is a need to rationalize the exploitation of this valuable resource. There are mature technologies that were not available in the past which when harnessed now could help in the protection, conservation and judicious use of water.

Rainwater is one water resource that has been least considered as a major solution to our problems on potable water. It was ignored in the past largely due to the absence of information and priorities of past administrations. The huge volume of rainwater that falls on the earth's surface annually are largely unutilized ending up as run-offs in canals and rivers aggravating downstream flooding and claiming countless of lives, destroying properties and ruining livelihood in the process.

However, with billions of pesos in damages caused by torrential rains and flash floods, it is important that has a new strategy be installed and the agencies tasked to implement it could, correspondingly respond with equipped efficiency. To harvest, store and utilize rainwater, it is important that a government body dedicated to the science of rainwater harvesting is hereby recommended thus this bill's objective is the creation of the National Rainwater Harvesting Board. It is not only timely, but truly a judicious move towards the protection of the general welfare

In view of the foregoing, the passage of this bill is earnestly sought.

Deogracias Victor 'DV' B. Savellano
Representative 1ST District, Ilocos Sur



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 4445

Introduced by the Honorable Deogracias Victor "DV" B. Savellano

AN ACT

CREATING THE NATIONAL RAINWATER HARVESTING BOARD UNDER THE OFFICE OF THE PRESIDENT FOR THE PURPOSE OF PROMOTION, DEVELOPMENT AND UTILIZATION OF RAINWATER HARVESTING TECHNOLOGY AS A MEASURE TO MITIGATE THE EFFECTS BROUGHT ABOUT BY CLIMATE CHANGE AND EXTREME WEATHER PHENOMENA LIKE SUPER TYPHOONS AND THE *EL NINO* THAT ARE THE CAUSES OF DOWNSTREAM FLOODING, SEVERE DROUGHT AND OTHER PROBLEMS ON FRESH WATER, AND FOR OTHER PURPOSES.

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

SECTION 1. *Creation of a Rainwater Harvesting Board* – The National Rainwater Harvesting Board is hereby created under the Office of the President which shall be composed of representatives from the Department of Environment and Natural Resources, the Department of Agriculture, the Department of Science and Technology, the Department of Public Works and Highways, the Department of the Interior and Local Governments and other agencies including representatives from local government units (LGUs), non-government organizations (NGOs), people's organizations (POs) and other stake holders in support to the government's water conservation measures;

SECTION 2. *Powers of the National Rainwater Harvesting Board* – The National Rainwater Harvesting Board shall formulate its own rules and regulations for the successful and proper implementation of this order subject to the observation of existing laws;

SECTION 3. *Supervision and Support*. – The Secretary of the Department of Environment and Natural Resources shall act as chair and shall exercise operational supervision and control over the National Rainwater Harvesting Board (NHRB) through a Secretariat headed by an Executive Director appointed by the President, with the Bureau of Soils and Water Management (BSWM) and the National Irrigation Administration (NIA) of the Department of Agriculture and the PAGASA under the Department of Science and Technology providing technical support.

SECTION 4. *Funding*. – Funds for the operation of the National Rainwater Harvesting Board (NHRB) Secretariat shall be sourced from the Office of the President and from the mother agencies comprising the board and from gross receipts generated through its operation.

SECTION 5. *Repeal* – All laws, orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this law are hereby repealed or modified accordingly.

SECTION 6. *Effectivity*. – This Executive Order shall take effect immediately upon approval.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4818



Introduced by Rep. Romeo S. Momo, Sr.
CWS Partylist

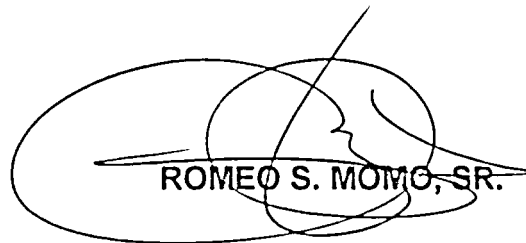
EXPLANATORY NOTE

The serious impact of Climate Change is imminent and dangerous, including, but not limited to super-typhoons and severe flooding together with other rain-related disasters. This is further aggravated by the country's natural vulnerability to disasters.

It is a State policy to provide protection for the safety of life and limb of the Filipino people against natural and man-made calamities.

Thus, it is the intent of this measure to require all new subdivisions, condominium communities, malls, government institutions, central business districts, information technology parks, and other vital public establishments to construct rain harvesting facility to pre-empt floods caused by incessant and continuous heavy rains and storms on one hand, and to provide adequate source of household water on the other. With similar intent, spirit and purpose to the existing proposed measures, albeit limited to some areas only, this proposed measure intends to cover the entire Philippines so as to achieve maximum nationwide awareness and benefit.

The immediate passage of this bill is therefore most earnestly sought.


ROMEO S. MOMO, SR.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4818

Introduced by Rep. Romeo S. Momo, Sr.
CWS Partylist

AN ACT

REQUIRING ALL NEW SUBDIVISIONS, CONDOMINIUM COMMUNITIES, MALLS, GOVERNMENT INSTITUTIONS, CENTRAL BUSINESS DISTRICTS AND INFORMATION TECHNOLOGY PARKS IN THE PHILIPPINES TO CONSTRUCT RAIN HARVESTING FACILITY AND FOR OTHER PURPOSES

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

SECTION 1. Title. This Act shall be known as the 'Rain Water Harvesting Facility Act.'

SEC. 2. Declaration of Policy. It is the policy of the State to protect lives and property in the event of floods. Pursuant thereto the State shall take necessary measures to capture rain-water to control flooding and provide safe and adequate supply of clean and unpolluted water for domestic purposes and for sanitation.

SEC. 3. Definition of Terms.

As used in this Act:

a. *Rainwater harvesting facility* refers to a flood control structure such as a vertical detention tank, horizontal water tank, open retarding basin, and multi-use water catchment area, or an on-site regulation pond used to prevent or delay the release of rainwater in to the public system; and

b. *Return period* refers to the average length of the time in years for a rain-related natural disaster of given magnitude to be equaled or exceeded by the length of time a rainwater-related disaster may probably recur.

SEC. 4. Rain-water Harvesting Facility Requirement. It is hereby prescribed that all new Subdivisions, Condominium Communities, Malls, Government Institutions, Central Business Districts and Information Technology Parks in the Philippines shall incorporate in their design rain-water harvesting facility and facility for storage for flood mitigation and supply of clean water.

SEC. 5. Design Requirements. The rainwater harvesting facility must be designed to cope with a pre-determined flood and rain return period and must have a storage capacity prescribed by the Department of Public Works and Highways (DPWH). The design of the rainwater harvesting facility shall include the following:

- a. Size, shape, and physical characteristic of available space;
- b. Construction plans with specified material type including lining and coating requirements; and
- c. Detailed drawing on how the installation will drain into an outfall structure such as drywell or percolation chamber, storm drain system, drainage channel, or natural wash.

SEC. 6. Issuance of Building Permits. Local Government Units shall not issue building permits pursuant to PD 1096 or the National Building Code of the Philippines of the Philippines to construction projects that do not incorporate rain-water harvesting and storage facilities in accordance with this Act.

SEC. 7. Penalties. Approval of designs without incorporating the rain-water harvesting and storage facilities shall incur penalty of a fine of Five Hundred Thousand Pesos (P500,000.00) or imprisonment of 6 months or both depending upon the discretion of the court. Likewise the non-construction of rain-harvesting and storage facilities that are actually incorporated in the design of the building shall incur the same penalty as the above.

The issuance of a building permit and/or occupancy permit for the construction without the incorporation of rain-harvesting and storage facilities shall incur the penalty, to the signatory of the permit, of Five Hundred Thousand Pesos (P500,000) or imprisonment of 6 months depending upon the discretion of the Court.

SEC. 8. Implementing Rules and Regulations. The Department of Public Works and Highways, the Housing Land Use Regulatory Board and the Department of Environment and Natural Resources in consultation with Local Government Units shall issue within 90 days from the date of approval of this Act, the implementing rules and regulations for this Act.

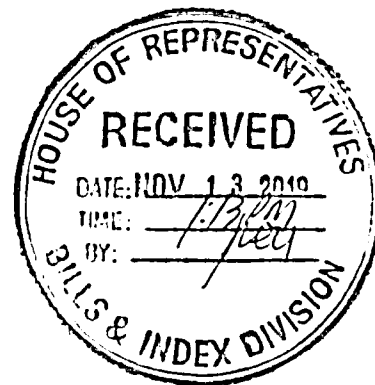
SEC. 9. Separability Clause. Any portion or provision of this Act which may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof.

SEC. 10. Repealing Clause. All other laws, ordinances, rules, regulations, and other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SEC. 11. Effectivity. This Act shall take effect 15 days after its publication in two (2) Newspapers of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

5461
HOUSE BILL No. _____

Introduced by the Honorable Deogracias Victor 'DV' B. Savellano

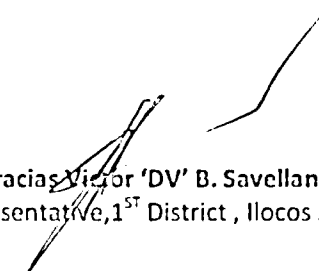
EXPLANATORY NOTE

Rainwater is one of the oldest sources of water for plants, animals and man. Rainwater harvesting can be traced back to the days of Ancient Rome. With a rapidly growing population whose requirement for water is growing just as fast, there is a need to rationalize the exploitation of this valuable resource. There are mature technologies that were not available in the past which when harnessed now could help in the protection, conservation and judicious use of water.

Rainwater is one water resource that has been least considered as a major solution to our problems on potable water. It was ignored in the past largely due to the absence of information and priorities of past administrations. The huge volume of rainwater that falls on the earth's surface annually are largely wasted ending up as run-offs in canals and rivers aggravating downstream flooding and claiming countless of lives, destroying properties and ruining livelihood in the process.

However, with billions of pesos in damages caused by torrential rains and flash floods, it is important to ensure the safe use of rainwater harvesting through proper technology and such a system should be instituted in the whole country, all over the Philippines. This would definitely supplement the water supply and will serve as a contingency during water shortages or interruptions.

In view of the foregoing, the passage of this bill is earnestly sought.


Deogracias Victor 'DV' B. Savellano
Representative, 1ST District, Ilocos Sur

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 5461

Introduced by the Honorable Deogracias Victor "DV" B. Savellano

AN ACT

INSTITUTIONALIZING A RAINWATER HARVESTING SYSTEM FOR THE WHOLE PHILIPPINES

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

SECTION 1. Declaration of Policy - The State recognizes the importance of preserving its natural resources such as rainwater. The State shall therefore maximize its use by providing a mechanism that will promote, regulate and sustain its utilization to supplement the dwindling water supply and control flooding. Pursuant thereto, the State and its instrumentalities shall adapt and implement programs that will promote the sustainability and maximization of rainwater.

SECTION 2. Definition of Terms - As used in this Act:

- a) Rainwater – refers to liquid water in the form of droplets that have condensed from atmospheric water vapor and then precipitated to become heavy enough to fall under gravity.
- b) Rainwater catchment – refers to an area or water shortage tanks where rainwater is collected.
- c) Rainwater harvesting – refers to the accumulation and deposition of rainwater for reuse on-site during water restrictions and shortages or to supplement the main supply.
- d) Rainwater harvesting system (RHS) – refers to the process of collecting rainwater which can be used for potable consumption if filtered and disinfected, and non-potable consumption if used untreated, through a technology that uses materials and water shortage tanks that are not susceptible to contaminants and that will not leach toxins into the water under either normal or acid rain conditions. RHS provides a simple and cost-effective means to preserve water, reduce flooding, provide water buffer and recharge aquifers.

SECTION 3. Utilization of Rainwater Harvesting. – A rainwater harvesting system (RHS) shall be constructed in all government and public establishments all over the Philippines, for rainwater collection to ensure continuous water supply even during times of drought or water shortages.

Rainwater catchment or storage tanks shall be installed and constructed in all government and public establishments all over the Philippines through a technology that uses materials that will not leach toxins into the water under either normal or acid rain conditions and water storage tanks that are not susceptible to contaminants.

The local government unit shall also utilize the facilities that have been provided and constructed by the Department of Public Works and Highways pursuant to its mandate under RA 6716, entitled, An Act Providing for the Construction of Water Wells, Rainwater Collectors, Development of Springs and Rehabilitation of Existing Water Wells in all Barangays in the Philippines, and its recommended prototype designs for rainwater catchments.

SECTION 4. *Rainwater Treatment* – To ensure the quality of rainwater for drinking purposes, a rainwater treatment device shall be installed in each barangay for filtration and purification processes.

The DPWH, through its attached agencies, shall provide a rainwater treatment facility in each barangay.

SECTION 5. *Operation and Maintenance*. – Notwithstanding the provisions of Sec.3 of RA 6716, the operation and maintenance of the RHS shall be vested upon the barangay government, headed by its Chairperson, to regulate the proper distribution and utilization of water and to ensure the regular cleaning and inspection of the gutters and down-pipes and removal of dirt, leaves, and other accumulated materials. It shall implement additional care mechanisms to avoid damage to equipment and facilities, and possible contamination by people and animals to the water reservoir. It shall integrate the concept of climate change in the various phases of policy formulation.

SECTION 6. *Monitoring and Evaluation*. - The Department of Interior and Local Government (DILG) shall conduct regular monitoring and evaluation on the RHS to determine the safety of water for domestic use.

SECTION 7. *Appropriations* – The amount necessary to carry out the provisions of this Act shall be included in the budget of the concerned departments and agencies. For the concerned local government units, the amount shall be taken from the internal revenue allotment.

SECTION 8. *Implementing Rules and Regulations*– Within sixty (60) days of the effectivity of this Act, the DILG, in consultation with the local chief executive and representative of the barangay council, shall formulate the guidelines to fully implement the provisions of this Act .

SECTION 9. *Separability Clause* - If any provision of this Act is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 10. *Repealing Clause* – All laws, decrees, executive orders, rules and regulations contrary or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

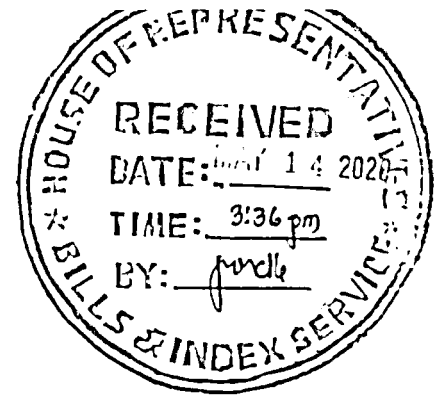
SECTION 11. *Effectivity* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6741



Introduced by MAGDALO Party-List Representative
HON. MANUEL DG. CABOCHAN III

EXPLANATORY NOTE

The establishment of rainwater harvesting facilities provides a solution to minimize the impact of flooding caused by heavy rainfall. The wells and collectors could harvest and store rainwater to prevent its direct discharge to sewers and drainages. This could aid in lessening the chances of flooding in the low-lying areas of Metro Manila. Further, the stored rainwater can be utilized for non-drinking purposes. This reduces water utility bills and lessens the demand on potable ground water.

This bill seeks to mandate newly-established commercial and residential institutions to provide and maintain rainwater harvesting facilities as part of flood mitigation measures in Metro Manila. This proposed legislation encourages the participation of the private sector to implement cohesive measures to lessen and control the incidences of flooding in the cities.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to be "MDC", written over a circular stamp.

MANUEL DG. CABOCHAN III
Representative
Magdalo Para Sa Pilipino Party-List

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6741

Introduced by MAGDALO Party-List Representative
HON. MANUEL DG. CABOCHAN II

AN ACT
MANDATING THE ESTABLISHMENT AND MAINTENANCE OF A RAINWATER
HARVESTING FACILITY IN ALL NEW INSTITUTIONAL, COMMERCIAL AND
RESIDENTIAL DEVELOPMENT PROJECTS IN METRO MANILA

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as “Rainwater Harvesting
2 Facility Act.”
3

4 **SEC. 2. *Declaration of Policy.*** – It is declared a policy of the State to protect and
5 advance the rights of the people to a balanced and healthful ecology in accord with the
6 rhythm and harmony of nature. Pursuant thereto, the State shall mandate the establishment of
7 rainwater harvesting facilities to reduce flooding and relieve the metropolis of the devastating
8 effects of typhoons and other weather disturbances, shall urge the conservation for potable
9 water, and shall engage the active participation of the public and private sector in the flood
10 mitigating efforts and initiatives of the government.
11

12 The State recognizes Metro Manila as one of the densest areas in the country. To
13 mitigate the adverse effects of a continuing growth in population and widening community
14 developments, the State shall ensure that Metro Manila local governments are capacitated to
15 respond to threats wrought by natural calamities and disasters such as massive flooding.
16 Towards this end, the State shall mandate the construction of rainwater harvesting facilities in
17 all new public and private institutional, commercial and residential development projects to
18 design and construct a rainwater harvesting facility to prevent or delay the release of
19 rainwater and runoff water into the public drainage systems, creeks and natural waterways
20 prior to the issuance of building permits.
21

22 **SEC. 3. *Definition of Terms.*** – For the purpose of this Act:
23

- 24 (a) *Rainwater harvesting facility* refers to a flood control structure such as a vertical
25 detention tank, horizontal water tank, open retarding basin and multiuse water
26 catchment area, or an on-site regulation pond used to prevent or delay the release of
27 rainwater into the public drainage system; and
28

1 (b) *Return period* refers to the average length of time in years for a rain-related natural
2 disaster of given magnitude to be equaled or exceeded by the length of time that a
3 rainwater-related disaster may probably recur.
4

5 **SEC. 4. *Rainwater Harvesting Facility Requirement.*** – An owner or developer of a
6 new institutional, commercial and residential development project in Metro Manila, with an
7 area of at least one thousand five hundred (1,500) square meters and requiring the issuance of
8 building permit, shall reserve, develop and maintain at least three percent (3%) of the total
9 area, exclusive of roads, services streets and alleys, as a rainwater harvesting facility.
10

11 The owner or developer of an on-going institutional, commercial and residential
12 development project in Metro Manila that has no existing provision for a rainwater harvesting
13 facility shall build the facility within a period of three (3) years from the effectivity of this
14 Act, or suffer the penalty imposed in Section 8 hereof.
15

16 To conserve potable water, rainwater collected by a harvesting facility may be used
17 for non-potable and suitable purposes, such as gardening and air-cooling processes.
18

19 **SEC. 5. *Design Approval.*** – The provision for a rainwater harvesting facility shall be
20 required by the Housing and Land Use Regulatory Board (HLURB) and local government
21 units (LGUs) to be incorporated in the design of all new institutional, commercial and
22 residential development projects in Metro Manila and no project design shall be approved for
23 construction unless it includes such facility. The HLURB and the LGUs shall ensure that
24 these facilities are built during the construction phase of the projects.
25

26 **SEC. 6. *Design Requirements.*** – The rainwater harvesting facility must be designed
27 to cope with a predetermined flood and rain return period and must have a storage capacity
28 prescribed by the Department of Public Works and Highways (DPWH). The design of the
29 rainwater harvesting facility shall include the following:
30

- 31 (a) Size, shape and physical characteristics of available space;
- 32
- 33 (b) Construction plans with specified material type including lining and coating
34 requirements; and
35
- 36 (c) Detailed drawing on how the installation will drain into an outfall structure such as
37 drywell or percolation chamber, storm drain system, drainage channel or natural
38 wash.
39

40 **SEC. 7. *Building Permits.*** – If the design of a new institutional, commercial and
41 residential development project in Metro Manila with an area of at least one thousand five
42 hundred (1,500) square meters does not provide for a rainwater harvesting facility, the LGU
43 concerned shall deny the request for issuance of a building permit for such project.
44

45 **SEC. 8. *Penalties.*** – The owner or developer of all new institutional, commercial and
46 residential development projects in Metro Manila who fails to construct a rainwater
47 harvesting facility in violation of Section 4 of this Act shall suffer the penalty of a fine of not
48 less than five hundred thousand pesos (P500,000.00), but not more than two million pesos
49 (P2,000,000.00) for every year of noncompliance.
50

1 In the case of partnership, association, corporation or any juridical person, the fine
2 shall be imposed upon the president, treasurer or any other officer or person responsible for
3 the violation.

4
5 If the offender is a foreigner, the foreigner shall be deported immediately without
6 further proceedings after payment of fine.

7
8 The head of the government institution who violates Section 4 of this Act, or
9 government officials, employees and agents who issue licenses or permits in violation of this
10 Act, shall suffer the penalty of suspension of not less than ten (1) days, but not more than one
11 hundred eighty (180) days after due notice and hearing in an appropriate administrative
12 proceeding.

13
14 **SEC. 9. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
15 effectivity of this Act, the Secretary of Public Works and Highways shall, in coordination
16 with the Secretary of the Interior and Local Government, the Chief Executive Officer of the
17 HLURB, and the Administrator of the Philippine Atmospheric, Geophysical and
18 Astronomical Services Administration, promulgate the rules and regulations for the effective
19 implementation of this Act. The implementing rule and regulations shall include the
20 standards and guidelines for the design, construction, installation, materials, site selection and
21 planning, site-specific considerations and maintenance of the rainwater harvesting facility.

22
23 **SEC. 10. *Separability Clause.*** – If any provision or part of this Act is declared invalid
24 or unconstitutional, the remaining parts or provisions not affected shall remain in full force
25 and effect.

26
27 **SEC. 11. *Repealing Clause.*** – All laws, executive orders, administrative orders, and
28 rules and regulations inconsistent with this Act are hereby repealed or amended accordingly.

29
30 **SEC. 12. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
31 publication in the Official Gazette or in a newspaper of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6777



Introduced by **Rep. ANGELO MARCOS BARBA**
2nd District, Ilocos Norte

EXPLANATORY NOTE

This bill seeks to mandate the establishment and maintenance of a rainwater harvesting facility in all new institutional, commercial, and residential development projects nationwide to reduce flooding, urge the conservation of potable water, and encourage active participation of the public and private sector in the flood mitigating efforts and initiatives of government.

Rainwater harvesting has many benefits. It is considered an important element to augment water supply in both urban and rural areas, prevent flooding and alleviate the impact of climate change.¹

Rainwater can be used for non-drinking purposes, such as washing clothes, dishes, and vehicles, flushing toilets, and gardening². In addition, rainwater harvesting reduces the demand on ground water, which may cause the collapse of the soil where water used to be³, thereby helping to curb escalating flooding problems, especially in low-lying and flood-prone areas in the country.

Finally, rainwater harvesting proves to be important in addressing climate change. It can reduce demands on public water network and subsidize irrigation at critical stages when deficit between water requirement for agriculture and rainfall occurs.⁴

In view of the foregoing, the immediate passage of this bill is earnestly sought.


ANGELO MARCOS BARBA

¹ Al-Batsh, N., Al-Khatib, I.A., et. Al. (March 21, 2019). Assessment of Rainwater Harvesting Systems in Poor Rural Communities, A Case Study from Yatta Area, Palestine. Retrieved on May 20, 2020 from <https://www.mdpi.com/2073-4441/11/3/585/pdf>

² 5 Advantages of Rainwater Harvesting. Retrieved on May 20, 2020 from <https://www accurateteak.com/rainwater-harvesting/5-advantages-of-rainwater-harvesting/>

³ 5 Advantages of Rainwater Harvesting. Retrieved on May 20, 2020 from <https://www accurateteak.com/rainwater-harvesting/5-advantages-of-rainwater-harvesting/>

⁴ Al-Batsh, N., Al-Khatib, I.A., et. Al. (March 21, 2019). Assessment of Rainwater Harvesting Systems in Poor Rural Communities, A Case Study from Yatta Area, Palestine. Retrieved on May 20, 2020 from <https://www.mdpi.com/2073-4441/11/3/585/pdf>

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6777

Introduced by Rep. ANGELO MARCOS BARBA
2nd District, Ilocos Norte

AN ACT MANDATING THE ESTABLISHMENT AND MAINTENANCE OF A RAINWATER HARVESTING FACILITY IN ALL NEW INSTITUTIONAL, COMMERCIAL, AND RESIDENTIAL DEVELOPMENT PROJECTS NATIONWIDE

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 “Rainwater Harvesting Facility Act”.

SECTION 2. Declaration of Policy. – It is a declared policy of the State to protect and advance the rights of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Pursuant thereto, the State shall mandate the establishment of rainwater harvesting facilities to reduce flooding and devastating effects of typhoons and other weather disturbances. It shall urge the conservation of potable water and shall encourage active participation of the public and private sector in the flood mitigating efforts and initiatives of government.

To this end, the State shall mandate the construction of rainwater harvesting facilities in all new public and private institutional, commercial, and residential development projects nationwide. Owners and developers of these development projects requiring the issuance of building permits are likewise mandated to design and construct a rainwater harvesting facility to prevent or delay the release of rainwater and runoff water into the drainage systems, creeks, and natural waterways.

SECTION 3. Definition of terms. – As used in this Act:

- a. *Rainwater harvesting facility* refers to a flood control structure such as vertical detention tank, horizontal water tank, open retarding basin, and multi-use water catchment area, or an on-site regulation pond used to prevent or delay the release of rainwater into the public drainage system; and
- b. *Return period* refers to the average length of time in years for a rain-related natural disaster of given magnitude to be equaled or

exceeded by the length of time that a rainwater-related disaster may probably recur.

SECTION 4. *Rainwater Harvesting Facility Requirement.* – An owner or developer of a new commercial, institutional, and residential development project, with an area of at least one thousand five hundred (1,500) square meters and requiring the issuance of building permit, shall reserve, develop, and maintain at least three percent (3%) of the total area, exclusive of roads, services, streets and alleys, as rainwater harvesting facility.

The owner or developer of an ongoing commercial, institutional, and residential development project that has no existing provision for rainwater harvesting facility shall build the facility within a period of three (3) years from the effectivity of this Act or suffer the penalty imposed on Section 8 hereof.

To conserve potable water, rainwater collected by a harvesting facility may be used for non-potable and suitable purposes, such as gardening, irrigation, and air-cooling processes.

SECTION 5. *Design Approval.* – The provision for a rainwater harvesting facility shall be required by the Housing and Land Use Regulatory Board (HLURB) and local government units (LGUs) to be incorporated in the design of all new commercial, institutional, and residential development projects nationwide and no project design shall be approved for construction unless it includes such facility. The HLURB and the LGUs shall ensure that these facilities are built during the construction phase of the projects.

SECTION 6. *Design Requirements.* – The rainwater harvesting facility must be designed to cope with a pre-determined flood and rain return period and must have a storage capacity prescribed by the Department of Public Works and Highways (DPWH). The design of the rainwater facility shall include the following:

- a. Size, shape, and physical characteristics of available space;
- b. Construction plans with specified material type including lining and coating requirements; and
- c. Detailed drawing on how the installation will drain into an outfall structure such as drywell or percolation chamber, storm drain system, drainage, channel, or natural wash.

SECTION 7. *Building Permits.* – If the design of a new commercial, institutional, and residential project with an area of at least one thousand five hundred (1,500) square meters does not provide for a rainwater harvesting facility, the LGU concerned shall deny the request for issuance of a building permit for such project.

SECTION 8. *Penalties.* – The owner or developer of all new commercial, institutional, and residential development projects who fails to construct a

rainwater harvesting facility in violation of Section 4 of this Act shall suffer the penalty of a fine of not less than Five hundred thousand pesos (PhP500,000.00), but not more than Two million pesos (PhP2,000,000.00) for every year of non-compliance.

In the case of a partnership, association, corporation, or any juridical person, the fine shall be imposed upon the President, Treasurer, or any other officer or person responsible for the violation.

If the offender is a foreigner, the foreigner shall be deported immediately without further proceedings after payment of fine.

The head of the government institution who violates Section 4 of this Act, or government officials, employees, and agents who issue licenses or permits in violation of this Act shall suffer the penalty of suspension of not less than ten (10) days, but not more than one hundred eighty (180) days after due notice and hearing in an appropriate administrative proceeding.

SECTION 9. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the Secretary of Public Works and Highways shall, in coordination with the Secretary of Interior and Local Government, the Chief Executive Officer of the Housing and Land Use Regulatory Board, and the Administrator of the Philippine Atmospheric, Geophysical and Astronomical Services Administration, promulgate the rules and regulations for the effective implementation of this Act. The implementing rules and regulations shall include the standards and guidelines for the design, construction, installation, materials, site selection and planning, site-specific considerations, and maintenance of the rainwater harvesting facility,

SECTION 10. – *Separability Clause.* – If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in force and effect.

SECTION 11. – *Repealing Clause.* – All other laws, rules and regulations, orders, circulars, and other issuances or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 12. – *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,