13TH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session



HOUSE OF REPRESENTATIVES

House Bill No. 1117

INTRODUCED BY HON. CYNTHIA A. VILLAR

EXPLANATORY NOTE

Coastal environments encompass different ecosystems such as shore lands, mangroves, seagrass beds and coral reefs. They are among the most productive and biologically diverse landscapes known to man. In an archipelagic country like the Philippines, where over 80% of the major settlements are located within ten or twenty kilometers from the shorelines, coastal environments are critical and often dominant ecological presuppositions of economic, social and cultural life. Thus, the protection and proper management of coastal environments are important concerns of the State and are explicitly mandated by the Constitution.

The adoption of a Coastal Environment Program (CEP) is within the objectives, provisions, scoping and principles of the Philippine Strategy for Sustainable Development (PSSD), the Philippine Medium-Term Development Plan (PMTDP) and of the actions and agreements adopted by the Philippine Council for Sustainable Development (PCSD) related to the pursuit of the objectives of the Agenda 21 of the United Nations Conference on Environment and Sustainable Development (UNCED) and of such other protocols and treaties to which the Philippines has committed to abide.

In view of the above-stated importance of establishing a Coastal Environment Program, early approval of this Act is enjoined.

CYNTHIA A. VILLAR

12TH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

HOUSE OF REPRESENTATIVES

1117

House Bill No. _____

INTRODUCED BY HON. CYNTHIA A . VILLAR

AN ACT ESTABLISHING THE COASTAL ENVIRONMENT PROGRAM, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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 Coastal Environment Program (CEP) Act of 2004.

SEC. 2. *Declaration of Policy.* – The State shall promote partnerships among all sectors of Philippine society to protect, conserve and manage, on a sustainable basis, coastal environments throughout the territorial jurisdiction of the country.

The integrity of coastal ecosystems and their productivity and bio-diversity shall be maximized subject to some areas being designated for protection (exclusion of human exploitation) and others for sustainable use.

Equitability of access to and utilization of resources and substantive involvement of local communities and stakeholders shall be the basic concerns of the Program.

SEC. 3. *Lead Agency.* – The Department of Environment and Natural Resources (DENR) shall be the lead agency in the implementation of this Act. It shall consult and coordinate with the Bureau of Fisheries and Aquatic Resources of the Department of Agriculture, other concerned agencies such as Philippine Council for Agriculture, Forestry and Natural Resources, Research and Development (PCARRD), International Center for Living Aquatic Resources Management (ICLARM), and the University of the Philippines Marine Institute, and the local governments, whenever applicable: *Provided,* That in the Province of Palawan, the

Palawan Council for Sustainable Development shall implement the provisions of this Act pursuant to Republic Act No. 7611 or the Strategic Environmental Plan for Palawan;

SEC. 4. *Definition of Terms.* – For purposes of this Act, the following terms shall mean:

(1) Coastal environments. - Those areas where, at any given time, socioeconomic interactions among and between humans, land-based and sea-based natural resources occur, extending not more than one (1) linear kilometer from the highest tide point landward and to one hundred (100) fathom isobath or fifteen (15) linear kilometers (whichever is farther) seaward.

(2) Coastal resources. - All objects and processes of nature which are of value to humans, grouped primarily as follows:

(a) Shorelands. - Strips of land extending one (1) linear kilometer from the highest tide point of the nearest body of water, include the mineral, nutrients and life forms found under, on or above the land;

(b) Coastal forests. - Mangroves and other beach vegetation whose structures and forms are consistent with the definition of forests under Presidential Decree No. 705 and the Forestry Master Plan of the Philippines;

(c) Fishery and wildlife resources. - Vertebrates, invertebrates and floral formations in aquatic ecosystems, inhabiting or deriving sustenance from coastal environments;

(d) Minerals. - Solids and gases (free or dissolved) and other liquids found on or under the seabed.

SEC. 5. *Program Organization.* – The CEP shall be organized into the following components:

(1) Coastal habitats and biodiversity. - This component shall deal mainly with the conservation and management of coastal areas, enhancing the biodiversity of floral and faunal populations. This component shall include the implementation of Republic Act No. 7586 or the National Integrated Protected Areas System Act of 1992, relative to protected areas in coastal environments. It shall also include the rehabilitation of mangroves, seagrasses and coral reefs in designated areas;

(2) Endangered species - This component shall focus on the conservation, protection and propagation of endangered species and on the protection and management of their habitats. Existing projects of the DENR on marine turtles, crocodiles, sea snakes, shore birds, whales, sea cows, porpoises and others shall be included in this component;

(3) Coastal industries and pollution. - This component shall focus on the regulation of industrial activities and water pollution in coastal areas. It shall study the impact of industrial activities and draw down pollution on coastal environments, to identify and recommend development and regulatory options to mitigate negative effects;

(4) Resource inventory and assessment. - This component shall include activities to identify and estimate existing and future stocks of ecologically and economically important coastal species;

(5) Research and special projects. - This component shall include activities related to the development, testing and application of methodologies to understand coastal environments and their associated resource systems. Special projects shall include those, which because of their unique scoping or funding specifications, may not be associated with the other four (4) components of the CEP.

Future activities of the DENR relating to coastal environments shall be assigned to any of the five components above.

SEC. 6. *CEP Implementation.* – All activities included in the CEP shall involve three (3) general phases, as follows:

(1) Information, education and communication (IEC) campaign coupled with community organizing, to achieve higher levels of participation of local communities in the activities;

(2) Introduction of intended interventions of package of developmental activities for eventual adoption by partner communities and sectors; and

(3) Monitoring and evaluation of the activity to seek options and opportunities for follow-up and institutionalization.

Each phase may overlap, to the extent deemed needed by the implementers, to ensure success of the activity.

SEC. 7. *Local Government and Community Participation.* – CEP activities shall, to all extent possible, involve local communities and sectoral organizations (POs, NGOs and LGUs) in planning, implementing, monitoring and evaluating the activity. Leadership in the CEP activities shall be reposed on, or at least shared by the DENR with the local leaders and community members.

SEC. 8. *Trainings.* – The DENR shall give priority to the training of Department personnel and community leaders in the technical aspects of resource inventory and assessment as well as proper monitoring and evaluation of activities, to develop local expertise and to establish a reliable and uniform data base.

SEC. 9. *Program Management.* – Overall direction and management of the CEP shall be reposed on the DENR Secretary. However, said direction and management affecting the Province of Palawan shall be exercised by the Palawan Council for Sustainable Development pursuant to Republic Act No. 7611 or the Strategic Environmental Plan for Palawan. There is hereby created a committee to be known as the National Coastal Environment Program Steering Committee (NCEPSC) which shall assist the DENR Secretary in formulating the policies and implementing guidelines of the CEP. The NCEPSC shall be composed of the following:

(a) Secretary of Environment and Natural Resources, chairman;

(b) Secretary of Agriculture, member;

(c) Director of the Bureau of Fisheries and Aquatic Resources, member;

(d) Secretary of Science and Technology, member;

(e) Secretary of the Interior and Local Government, member;

(f) Director of the Protected Areas and Wildlife Bureau, member;

(g) Two (2) representatives from non-government organizations (NGOs) concerned with coastal environment protection and conservation, members; and

(h) Two (2) representatives of national organizations or federations of fisherfolk organizations to be appointed by the President for a term of three (3) years, members

The Secretary shall designate a National Coastal Environment Program Coordinator who shall assist in the implementation of the Program nationwide. The NCC shall direct the administrative and technical staff as may be formed by the Secretary, which shall serve as the coordinating body for all CEP activities.

Regional Executive Directors may designate any officer or either Regional Technical Director (RTD), Provincial Environment and Natural Resources Officer (PENRO) or equivalent level to be the Regional CEP Coordinator (RCC), subject to the approval by the Secretary.

SEC. 10. *Appropriations.* – The sum necessary to effectively carry out the provisions of this Act during the first year of implementation shall be sourced from the appropriations for the coastal environment program of the Department of Environment and Natural Resources under the current General Appropriations Act. Thereafter, such amount as may be necessary for its continued implementation which should not be less than the amount of prior years' appropriations, shall be submitted by the Department of Environment and Natural Resources to be included in the annual General Appropriations Act.

The Department of Environment and Natural Resources may receive grants, subsidies, donations or contributions, bequests or gifts, in cash or in kind from corporations, trusts, foundations, associations and other sources from any private or government office, agency or corporation in the Philippines or abroad. The cash receipts and sale of donated commodities shall be deemed automatically appropriated for purposes specified by the donor.

SEC. 11 *Repealing Clause.* – All laws and regulations inconsistent with this Act are hereby repealed.

SEC. 12. *Effectivity.* – This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,