

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1559

Introduced by Representative **HON. RAYMOND DEMOCRITO C. MENDOZA**
TUCP Party-List

EXPLANATORY NOTE

The Philippines is among the largest archipelagic states, composed of 7,100 islands (300,000 sq. km. land area and some 36,000 km. of coastline) and covering an exclusive economic zone of about 2.2 million square kilometers. About half of the 87 million Filipinos live in coastal areas. The annual benefit derived from coastal ecosystems is estimated at P180 billion. Some experts estimate that the contribution of coastal areas to annual GDP can even be as high as 60 percent. In 2006, GDP was at P5.4 trillion. Yet a survey in 1996 showed that 80% of the coastal households lived below the poverty threshold (WB 2005, DENR/UNDP/MERF 2004).

The fisheries sector is most significant if only for the number of people dependent on it. In 1996, there were about a million fisherfolk, 68% of whom were municipal or small-scale fisherfolk. Fisheries contribute about 2-4% of GDP. Maritime transport is another significant sector. The Philippines has more than 1,250 ports and more than 30,000 ships plying the domestic routes. Marine transport contributes significantly to the growth of the transportation sector, which as a whole contributed about 7% to GDP. Coastal tourism is a major growth area, with 18 of the top 25 tourist attractions of the country located in coastal areas. Mining in coastal areas is also expanding, mostly in oil and gas. Lastly, major industrial areas are located in the coastal zone, where water is used for industrial processes or for transport of raw materials and products.

Despite the significant contribution of the coastal and marine area to GDP, development planning in the Philippines is still described as largely land-focused. The extent of the marine territory of the country is seven times the land area, yet there is no comprehensive plan to sustainably exploit the vast marine wealth. Ironically, land-based economic activities have largely contributed to the devastation of coastal and marine areas.

Due to the complexity of environmental issues and the variety of sectors benefiting from the coastal and marine resources, there is a need to adopt an innovative approach that will address environmental as well as socioeconomic issues in a comprehensive and integrated manner in order to promote optimum resource mobilization and sustainable coastal and marine development. Integrated coastal management is a dynamic process of planning and management involving stakeholders, and requiring the analysis of the environmental and socioeconomic implications of development, the ecosystem processes, and the interrelationships among land-based and marine-related activities across jurisdictions. Integrated coastal management is recognized as an effective approach to sustainable coastal and marine development with demonstrated benefits in enhancing economic growth, ecosystem protection, promotion of social equity, and the quality of life of the people.

The Philippines is a Party to many international agreements on seas and oceans, principally, the Convention on the Law of the Sea, Convention on Biological Diversity, and Convention on the Prevention of Pollution from Ships, as well as non-binding instruments such as the Rio Declaration and Agenda 21 which promote integrated and sustainable coastal management. One of the UN Millennium Development Goals (MDGs) is to ensure environmental sustainability by integrating the principles of sustainable development into country policies and programs and reversing the loss of environmental resources. The Plan of Implementation of the World Summit on Sustainable Development promotes integrated, multidisciplinary and multi-sectoral coastal and ocean management at the national level. The Philippines is also committed to implement the Sustainable Development Strategy for the Seas of East Asia, which requires concerted efforts towards integrated coastal and ocean management.

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



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AN ACT ADOPTING INTEGRATED COASTAL MANAGEMENT AS A NATIONAL STRATEGY TO ENSURE THE SUSTAINABLE DEVELOPMENT OF THE COUNTRY'S COASTAL AND MARINE ENVIRONMENT RESOURCES AND ESTABLISHING SUPPORTING MECHANISMS FOR ITS IMPLEMENTATION

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

SECTION 1. *Short Title.* This law shall be known as "Integrated Coastal Management Act of 2010."

SECTION 2. *Policy Statement.* It shall be the policy of the State to insure optimum resource utilization and sustainable coastal and marine development. Towards this end, it shall adopt Integrated Coastal Management, hereinafter referred to as ICM, and related approaches such as coastal resource management or coastal zone management as the national management policy framework to promote the sustainable development of the country's coastal and marine environment and resources in order to achieve food security, sustainable livelihood, poverty alleviation and reduction of vulnerability to natural hazards, while preserving ecological integrity.

Section 3. *Scope and Coverage.* ICM shall be implemented in all coastal and marine areas, addressing inter-linkages among associated watersheds, estuaries and wetlands, and coastal seas, by all relevant national and local agencies.

Section 4. *Development of a National ICM Program.* A National ICM Program shall be developed by the DENR, in consultation with other concerned agencies, sectors, stakeholders, within one year from the effectivity of this Act to provide direction, support and guidance to the local government units (LGUs) and stakeholders in the development and implementation of their local ICM programs. The National ICM Program shall include principles, strategies, and action plans identified after balancing national development priorities with local concerns, define national ICM targets and develop a national ICM coordinating mechanism.

Section 5. *Implementation of ICM Programs.* The implementation of ICM programs shall take into account the following elements:

- 1) an interagency, multisectoral mechanism to coordinate the efforts of different agencies, sectors and administrative levels;

- 2) coastal strategies and action plans that provide a long-term vision and strategy for sustainable development of the coastal area, and a fixed term program of actions for addressing priority issues and concerns;
- 3) public awareness programs to increase level of understanding of, and appreciation for, the coastal and marine resources of the area, and to promote a shared responsibility among stakeholders in the planning and implementation of the ICM program;
- 4) mainstreaming ICM programs into the national and local governments' planning and socio-economic development programs and allocating adequate financial and human resources for implementation;
- 5) capacity building programs to enhance required human resource skills, scientific input to policy and planning processes, and enforcement mechanisms to ensure compliance with adopted rules and regulations;
- 6) integrated environmental monitoring for the purpose of measuring the status, progress and impacts of management programs against sustainable development indicators, as may be established, and for use in decision-making, public awareness and performance evaluation; and
- 7) investment opportunities and sustainable financing mechanisms for environmental protection and improvement and resource conservation.

ICM programs shall promote the application of best practices, such as, but not limited to:

- 1) coastal and marine use zonation as a management tool;
- 2) sustainable fisheries and conservation of living resources;
- 3) Protection and rehabilitation of coral reefs, mangroves, seagrass, estuaries and other habitats, particularly through implementation of marine protected areas, nature reserves and sanctuaries;
- 4) Development of upland, watershed, catchment areas and basin wide management approaches;
- 5) Integrated waste management, including sewage, and solid, hazardous, toxic and other wastes by major sources;
- 6) Integrated management of port safety, health, security and environmental protection; and
- 7) Involvement of the private sector/business sector as a partner in ICM.

Section 6. National Government Responsibilities. All concerned national agencies shall support the implementation of the ICM program and promote best practices, some of which are indicated in Section 5, that fall within their respective mandates. Specifically, the Department of Agriculture, Department of Interior and Local Government, Department of Transportation and Communications, Department of Finance, Department of Tourism, Department of Health, Department of Education, Department of Foreign Affairs, Department of Science and Technology, Department of Energy, Department of National Defense, National Economic and Development Authority, Department of Social Welfare and Development, Department of Labor and Employment, and the Department of Justice shall identify, prepare, and provide policy guidance, and technical and resource assistance to DENR and LGUs in the implementation of the National and Local ICM Programs and enforcement of relevant coastal and marine policies and regulations. These agencies shall directly consult with relevant LGUs in the development and implementation of national plans and projects affecting coastal and marine areas in their respective localities.

Section 7. LGU Responsibilities for ICM. Consistent with the provisions of the Local Government Code (Republic Act 7160) and the national sustainable development policies and strategies, LGUs shall act as the frontline agencies in the formulation, planning and implementation of ICM programs in their respective coastal and marine areas. The ICM programs of the LGU shall be in line with the National ICM Program and prepared in consultation with the relevant stakeholders. LGUs shall update their respective ICM programs to

reflect changing social, economic and environmental conditions and emerging issues. LGUs shall furnish the DENR, within one month from adoption, with copies of their ICM programs and all its subsequent amendments, modifications and revisions. LGUs shall mobilize and allocate necessary personnel, resources and logistics to effectively implement their respective ICM programs.

Barangays shall be directly involved with municipal and city governments shall consider ICM as one of their regular functions. Provincial governments may provide technical assistance, training, enforcement and information management in support to municipal and city ICM. Inter-LGU collaboration shall be maximized in the conduct of activities related to sustaining the country's coastal and marine resources.

Section 8. *Roles of the Civil Society and the Corporate and Private Sectors.* In the development and implementation of the ICM program, the NGOs, civic organizations, academe, people's organizations, the private and corporate sectors and other concerned stakeholder groups shall be engaged in activities such as planning, community organizing, research, technology transfer, information sharing, investment, and training programs.

Section 9. *Supporting Mechanisms and Activities.* The following activities shall be undertaken in support of the implementation of ICM programs :

- 1) ICM Education. The Department of Education shall integrate ICM into the primary and secondary education curricula and/or subjects (i.e. Science, Biology, Sibika, History, among others), including textbooks, primers and other educational materials, basic principles and concepts of conservation, protection and management of country's marine resources;
- 2) ICM Training Program for LGUs, DENR and DILG, through the Local Government Academy and building upon existing ICM expertise and experiences, shall develop and provide ICM training programs to LGUs;
- 3) Environmental and Natural Resource Accounting and Valuation for ICM Planning. NEDA and the National Statistics Coordination Board shall incorporate coastal and marine resource accounting in the national and regional accounts; and
- 4) Coastal and Marine Environmental Information Management System. DENR shall oversee the establishment and maintenance of a coastal and marine environmental information management system and network, in collaboration with other concerned national government agencies, institutions and LGUs.

Section 10. *Monitoring of ICM Progress.* The DENR shall prepare and submit an annual progress report on the National ICM Program to the President; LGUs shall submit annual progress reports on local ICM implementation to the DENR.

Section 11. *Budget Appropriation for ICM.* All relevant national government agencies and LGUs shall allocate adequate funds for the development and implementation of ICM programs from their existing budget. In subsequent budget proposals, the concerned offices and units shall appropriate budget for ICM program development and implementation including continuing ICM training and education.

Section 12. *Other Funding Options.* National government agencies may source local and international grants and donations in support of ICM implementation and in accordance with relevant laws. The Land Bank of the Philippines, Development Bank of the Philippines, People's Credit and Finance Corporation and other relevant financial institutions shall formulate and identify loan and financing mechanisms that will be made available to support local ICM

programs, including alternative livelihood projects for small-scale fishers and cooperatives.

LGUs particularly coastal cities/municipalities, as may be allowed under relevant laws, may raise revenues and secure funds to implement their ICM program through :

- 1) Enactment of Tax Ordinances;
- 2) Allocation of funds from the Internal Revenue Allotment, subject to the approval of their legislative councils;
- 3) Utilization of shares in the development of national wealth;
- 4) Secure loans, grants and donations as may be applicable;
- 5) Privatization of local government-owned enterprises;
- 6) Adopt, as appropriate, user-fee schemes for waste management, exclusive use of coastal water areas for commercial and leisure purposes and other environmental services;
- 7) Public-Private Partnership Schemes under the Build Operate Transfer Law (Republic Act 6957 as amended by Republic Act 7718) and related laws;
- 8) Arrange credit financing schemes; and
- 9) Raise income through Inter-LGU cooperation.

Section 13. Separability Clause. If for any reason, any section or provision of this Act is declared by the Court as unconstitutional or invalid, the other sections or provisions thereof shall not be affected thereby.

Section 14. Repealing Clause. All laws, ordinances, rules and regulations, and other issuances or parts thereof inconsistent with this Act, are hereby repealed or modified accordingly.

Section 15. Effectivity. This Act shall take effect upon its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,