

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 5948



Introduced by **RODEL M. BATOCABE**

EXPLANATORY NOTE

The World Bank reports, citing multiple sources, that the Philippines ranks 8th among countries most exposed to multiple hazards and ranks 13th at high economic risk to natural events. Damages to the agriculture and infrastructure sectors alone reached US\$500 million in the past two decades, equivalent to 0.5 percent of the gross domestic product (GDP). In 2009, the losses caused by the Typhoons Ondoy (Ketsana) and Pepeng (Parma) amounted to some US\$4.4 billion, or 2.7 percent of GDP.

In 2013, super-typhoon Yolanda (Haiyan) hit Eastern Visayas and left thousands of people dead, millions more homeless and without means of livelihood. The areas devastated by Yolanda are still struggling to recover, even as more and stronger typhoons are expected to hit in the years to come.

Much of the losses from typhoons are brought by storm surges and strong winds coming from the open ocean. In the age of global climate change, this has unfortunately become the new normal. The poor coastal communities' natural exposure to storm surges and lack of resources for preparation and recovery make them most vulnerable.

An establishment of greenbelts of mangroves and beach forests along coastlines is a proven green engineering intervention. As the Philippines' 36,000 km coastline is among the longest in the world, coastal greenbelts effectively mitigate the damaging impacts of waves and storm surges. Some of the scientifically proven benefits are:

- Wave height of wind and swell waves can be reduced by 13-66% over 100m of mangroves;
- Storm surge attenuation of 5-50 cm. per kilometer width of mangroves;
- Surface wind waves can be reduced by more than 75% over one kilometer of mangroves;
- 50% reduction in storm surges by a 7-km band of mangroves.

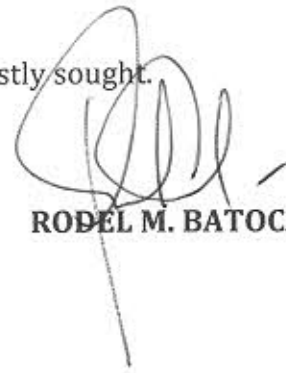
Furthermore, coastal forests can reduce the force, depth and velocity of a tsunami, lessening damage to property and reducing loss of life.

Coastal greenbelts are also cost-effective for disaster preparedness in the long term. The total valuation of mangroves is estimated at US\$14,000-16,000 per hectare, of which about 80% is for coastal protection value. The cost of establishing coastal

greenbelts to protect against storm surge and tsunami would only be a fraction of the damages that could be brought by the yearly battering of typhoons.

Establishing the National Coastal Greenbelt Program shall provide the agency mandates, funding, and general guiding principles for implementing a science-based and cost-effective program. The proposed National Greenbelt Program mandates establishment of 100-meter protection zones, initially for the Eastern Pacific seaboard, where typhoons make landfall. This Program can also reap added benefits. The establishment of science-based coastal greenbelts is expected to protect biodiversity, improve fisheries productivity, and enhance the tourism and livelihood potential of the area. Transforming vulnerable coastal villages into highly resilient and sustainable communities is a step towards a nation that is inclusive for all.

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

A handwritten signature in black ink, appearing to read 'Rodel M. Batocabe', is written over a horizontal line. The signature is stylized with loops and a long vertical stroke extending downwards.

RODEL M. BATOCABE

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**AN ACT ESTABLISHING THE NATIONAL COASTAL GREENBELT PROGRAM,
PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

SECTION 1.- Title.- This Act shall be known as the "National Coastal Greenbelt Act of 2015."

SECTION. 2. Declaration of Policies.- The State shall ensure the protection of the rights of the people to a healthful and balanced ecology. Consistent with the Climate Change Act of 2009 (R.A. No. 9729), as amended by R.A. No. 10174, the State shall encourage the participation of the national government, local governments, businesses, nongovernment organizations, local communities and the public to prevent and reduce the adverse impacts of climate change. The State shall also recognize that climate change and disaster risk reduction and management are closely interrelated. The State shall incorporate a gender-sensitive, pro-children and pro-poor perspective in all plans of disaster risk reduction and management. These principles shall be further integrated into climate change programs and initiatives. Taking into account the effects of climate change and the need to conserve and develop the conditions of our environment, the State shall take appropriate measures to protect the lives and property of the people from the impacts in coastal areas of typhoons, tsunamis and similar natural events.

SECTION 3.- Definition of Terms.

- a. Coastal greenbelts- a strip of natural or planted coastal vegetation, stretching at least 100 meters in width from the sea towards land, primarily of mangrove and beach forest species, which are designed to prevent coastal erosion, and mitigate the adverse impacts of natural coastal hazards on human lives and property.
- b. Designated area for coastal greenbelts – site-specific stretch of vegetation in the coastal zone, defined in relation to risk factors and vulnerability to coastal hazards, and reserved for protection and maintenance under the National Coastal Greenbelt Action Plan. The area may undergo rehabilitation, reforestation or afforestation with locally appropriate species. Designated areas with abandoned fishponds require the reversion of these fishponds to mangroves through natural regeneration or replanting with locally appropriate species. Designated areas with illegal structures (such as breakwaters, permanent residential/commercial structures, and the like) require removal of such structures.
- c. National Coastal Greenbelt Action Plan (NCGAP)- the operational plan that shall serve as the guide for the Local Greenbelt Action Plan (LCGAP). It shall contain the implementing guidelines on how to go about Section 4 of this Act.
- d. Local Coastal Greenbelt Action Plan (LCGAP)- the local action plan shall be based on the NCGAP. It shall contain the specific goals and targets for the implementation of the program set in the NCGAP.

SECTION 4.- National Coastal Greenbelt Action Plan (NCGAP). The Climate Change Commission shall, within six (6) months, identify and convene all national agencies responsible for foreshore management, mangrove and beach forest protection and utilization, coastal land and sea-use planning, coastal tourism

development, social welfare of coastal communities, and other relevant mandates, to prepare an integrated National Coastal Greenbelt Action Plan (NCGAP).

The NCGAP shall, at the minimum, contain the following:

- a. Spatial representation, or if feasible, quick/rapid inventory of the status of coastlines and foreshores, including the status of mangroves, beach forests, settlements, structures and fishponds within 100 meters therein;
- b. Assessment of priority areas to be declared as coastal greenbelts, for each coastal province, city and municipality, to protect by means of mangroves and beach forests, based on vulnerability to storm surges, waves, tsunami and the like. The Action Plan shall indicate that the assessment of priority areas shall be completed within twelve (12) months from the adoption of the NCGAP;
- c. Designation of priority areas for coastal greenbelts that are already included as either a protected area under the National Integrated Protected Areas System (R.A. No. 7586), or as a fish refuge or sanctuary under the Fisheries Code of 1998 (R.A. No. 8550), or as a local marine protected area as may be declared by municipalities and cities through ordinances. The designation shall be completed within six (6) months from the completion of the assessment. Designation shall also be done through a proposal to the appropriate agency, municipality or city as may be deemed necessary. If an area is designated as a priority area, no structure shall be allowed in said area unless it is approved by the DENR or BFAR, as may be appropriate;
- d. Operational Plan for the rehabilitation, reforestation or afforestation of designated priority coastal greenbelts with ecologically appropriate mangrove and beach forest species, not less than one hundred (100) meters in width. Existing forests or plantations greater than the minimum

width shall not be reduced. The program for rehabilitation, reforestation or afforestation shall be community-based, long-term and implemented through the municipality or city government. The Operational Plan shall indicate that the program for rehabilitation, reforestation and afforestation must cover a minimum target area of twenty percent (20%) of the designated priority areas in the first five (5) years for maximum protection of the most vulnerable communities in the city or municipality. The remaining priority areas must be completed within ten (10) years the designation of the priority area;

- e. Operational Plan for the reversion of all abandoned fishponds to mangroves through natural regeneration or replanting with locally appropriate species. The NCGAP shall indicate that the identification and recovery of possession from delinquent fishpond lease agreement holders shall be completed within twelve (12) months from the adoption thereof. All fishpond areas to be reverted to mangroves shall form part of the minimum target for the first year of implementation of the Action Plan;
- f. Operational Plan for the removal of illegal structures (such as breakwaters, permanent residential/commercial structures, and the like), in the identified priority coastal greenbelts. The NCGAP shall indicate that the declaration of and notice to persons responsible for removal of illegal structures shall be completed within twelve (12) months from the adoption thereof. The removal of illegal structures in and start of rehabilitation, reforestation or afforestation of these areas shall form part of the minimum target for the first year of implementation of the Action Plan;
- g. Monitoring and evaluation plan, with quantitative and qualitative targets consistent with (d), (e) and (f) above, appropriate indicators and

reasonable means of verification. The plan shall become an integrated part of the Action Plan and Annual Report to Congress.

The Climate Change Commission (CCC) shall be responsible for consolidating the NCGAP not later than twelve (12) months from the date this Act takes effect.

SECTION 5.- Key Implementing Agencies. The following agencies shall take the lead in implementing components of the Program and Action Plan that are relevant to their mandates:

- a. The Climate Change Commission (CCC) shall be responsible for the congregation of relevant government agencies, facilitation of public participation in the preparation of the NCGAP, integration of the NCGAP into the Local Action Plans including the power of approving putting up necessary structures in the Designated Areas, and the preparation of the integrated report to Congress especially with regard to the expenditure of the appropriation and other pertinent matters under Section 8 of this Act;
- b. The Department of Environment and Natural Resources (DENR), through its relevant offices, shall be responsible for (a) (b), (c), (d), (e) and (f) of Section 4 of this Act in line with existing laws and mandates, and it shall provide the CCC all relevant information to aid in the monitoring and evaluation of the NCGAP. In particular, the DENR shall identify the Designated Areas that will need to be expropriated by the government and to recommend the expropriation plan to the CCC;
- c. The Bureau of Fisheries and Aquatic Resources (BFAR) of the Department of Agriculture (DA) shall coordinate with the DENR for (e) in Section 4 above or the Operational Plan that provides for the reversion of all abandoned fishponds to mangroves through natural regeneration or replanting with locally appropriate species in line with existing laws and

mandates, and it shall provide the CCC all relevant information to aid in the monitoring and evaluation of the NCGAP;

- d. The Department of Interior and Local Governments (DILG) through its relevant offices, shall provide technical guidance for provinces, cities and municipalities to develop Local Coastal Greenbelt Action Plans, design and implement community-based and ecologically appropriate rehabilitation, reforestation and afforestation programs, and monitor and evaluate their programs. In particular, the Local Inter Agency Committee (LIAC) shall coordinate with the Local Government Unit in implementing the action plans.

In addition, the National Housing Authority (NHA) shall provide appropriation for the relocation of the families or individuals who will be affected by the Designated Areas. The other agencies that participated in the preparation of the Action Plan shall implement their commitments, as provided therein. The actions required of implementing agencies are immediately executable, based on the agreed National Coastal Greenbelt Action Plan, and on their existing mandates, programs and budgets that are aligned with the Action Plan, without need for formulating implementing guidelines, rules and regulations for this Act.

SECTION 6.- National Technical Advisory Committee. The Climate Change Commission shall convene a National Technical Advisory Committee (NTAC) composed of:

- a. A technical representative from the Climate Change Commission (CCC)
- b. A technical representative from the Department of Environment and Natural Resources (DENR)
- c. A technical representatives from the Bureau of Fisheries and Aquatic Resources (BFAR)

- d. Two (2) known experts in mangrove and beach forest ecosystems, oceanography or other related disciplines
- e. A representative from a non-government organization or a people's organization that demonstrates capacity to promote the public interest and with identifiable leadership, membership and structure that has been actively involved in mangrove research and has produced actual publication in mangrove research as among the criteria that shall be set by the DENR, BFAR and CCC.

The National Technical Advisory Committee shall provide scientific guidance in the design, implementation and evaluation of actions under the NCGAP. The experts shall serve in the Committee without compensation, but may be reimbursed for basic expenses to attend meetings and prepare technical reports.

SECTION 7.- Local Coastal Greenbelt Action Plan. Each coastal municipality and city in the identified priority coastal greenbelt areas in the Action Plan shall prepare a Local Coastal Greenbelt Action Plan (LCGAP) to facilitate the implementation of mandated actions in the NCGAP. The roles of the municipality or city, as provided in the local LCGAP shall be to:

- a. Facilitate the implementation of the mandates of the national agencies under Section 4, by providing local data and other supporting measures;
- b. Implement complementary programs to assist local communities and local businesses that are affected by the actions under Section 4, such as relocation sites with basic services such as livelihood and transportation programs, zoning or re-zoning of the priority coastal greenbelt areas, as appropriate, and the like;
- c. Provide the actual inventory of affected families in Designated Areas and to ensure that a just and humane process of relocation is done;

- d. Lead in the actual implementation of rehabilitation, reforestation and afforestation, through the coastal barangays;
- e. Integrate the identified coastal greenbelts in the Comprehensive Land-Use Plan;
- f. Provide data and qualitative feedback to the Key Implementing Agencies, as may be relevant.

The provincial government shall provide technical and budgetary support to component coastal cities and municipalities, and ensure consistency across contiguous cities and municipalities sharing a common priority coastal greenbelt area.

SECTION 8. Enforcement Actions.-

- a) In addition to the penalties provided under existing law, any person who obstructs the DENR in the removal of illegal structures, or BFAR in the process of reversion of abandoned fishponds, shall be liable to that agency for an administrative fine of fifty thousand pesos (P50,000) per day that the agency is prevented from performing its function.
- b) No structures shall be built within the identified coastal greenbelts without a permit from DENR or BFAR, consistent with their mandates. Any person who violates this prohibition shall be liable to the agency for an administrative fine of fifty thousand pesos (P50,000) per day from the time the structure was built until its removal.
- c) Proceeds from administrative fines under this Section shall be retained by the agency imposing such fines and used exclusively for the implementation of its mandate under this Act.
- d) Legal actions filed in the exercise of rights and enforcement of obligations under this Act shall be covered by the Rules of Procedure for Environmental Cases.

SECTION 9. Appropriations.- The Key Implementing Agencies shall draw from their existing programs and budgets to implement their responsibilities under the Action Plan, and through the People's Survival Fund, where appropriate, subject to additional funding in the annual national appropriations, to meet the targets agreed in the Action Plan.

SECTION 10. Annual Report to Congress.- The Key Implementing Agencies shall report to Congress on their progress in meeting the quantitative and qualitative targets under the Action Plan for each fiscal year. The reports shall be consolidated by the Climate Change Commission for presentation to the appropriate Committee in Congress at a meeting called for the purpose.

SECTION 11. Effective Date.- This Act shall take effect fifteen (15) days after publication in the Official Gazette and in two (2) national newspapers of general circulation.

Approved.