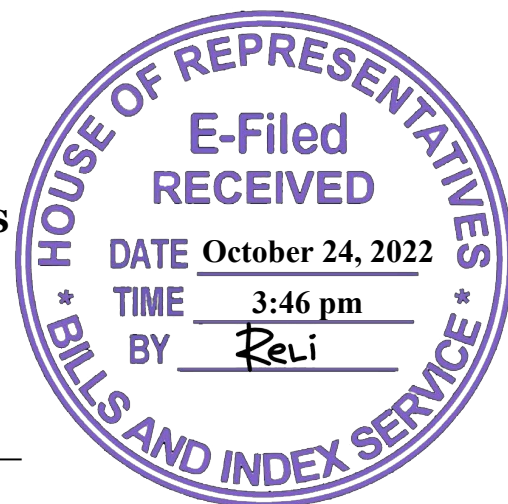


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5677



Introduced by **HON. EDGAR M. CHATTO**
First District, Bohol

EXPLANATORY NOTE

Coastal Greenbelts refers to a strip of natural or artificially created coastal vegetation including mangroves, beach forest, phytoplankton, and seagrasses, stretching at least up to 1.5 meters above towards land and up to 1.5 meters below towards the ocean from mean sea level, designed to prevent coastal erosion, and mitigate the adverse impacts of natural coastal hazards on human lives and property and mitigate the impacts of climate change.

Mangrove forests are one of the most severely threatened and undervalued ecosystems. According to Global Mangrove Watch, the area of mangrove habitat in the Philippines was 2,675.27 sq. km. in 2016, this represents a linear coverage of 30.25% of the 32,292.87 km of the coastline. Thus, the extent of mangroves in Philippines has decreased by 144.01 km² between 1996 and 2016.

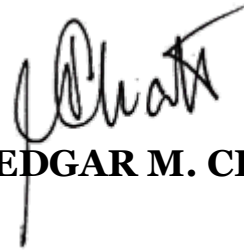
Mangroves are being cleared at an alarming rate and there are numerous threats to these forests, including land development/reclamation, pollution, deforestation, and illegal conversion. One of the major reasons for the loss of mangroves has been to establish fishponds for aquaculture. There is no implementation of the legal requirement on reversion to the State (through the Department of the Environment and Natural Resources) by the Bureau of Fisheries and Aquatic Resources, with the agencies lacking in data sharing and collaboration for the reversion of abandoned, undeveloped and underutilized (AUU) fishponds.

For many coastal communities, mangrove ecosystems provide livelihoods, essential sources of protein, and coastal protection and resiliency, amid the climate crisis we face. In fact, residents of small islands in Siargao were saved by the mangrove forest in the municipality of Del Carmen as Supertyphoon Odette wreaked havoc on the province last December 16, 2021. Compelling evidence suggests that mangroves play an important role in climate stabilization, possessing carbon storage and sequestration potential considered to be greater than that of tropical forests. The Philippines is estimated to have a total blue carbon stored in mangroves in metric tons of CO₂: 509,701,906 (Mapping Ocean Wealth Explorer), a fact largely unappreciated by decision-makers.

Mangroves hold tremendous significance, especially for biodiversity conservation, climate mitigation and resiliency, and disaster risk reduction and

management. However, the management of mangroves at both the local and national levels face a multitude of challenges, hence, we need to create and implement science-based policies for the restoration and regeneration of mangroves. Institutionalizing coastal greenbelt zones is a nature-based solution that will provide the protection and resiliency of our natural life support systems and our people, which are urgently needed if we are to mitigate and adapt to the impacts of climate change and mainstream sustainable development for all.

In view of the foregoing, the passage of this legislative proposal is earnestly being sought.

A handwritten signature in black ink, appearing to read 'E. Chatto', with a long vertical line extending downwards from the end of the signature.

REP. EDGAR M. CHATTO

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

NINETEENTH CONGRESS
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HOUSE BILL NO. 5677

Introduced by **HON. EDGAR M. CHATTO**
First District, Bohol

AN
ACT ESTABLISHING THE NATIONAL COASTAL GREENBELT ZONES
AND THE NATIONAL COASTAL GREENBELT MANAGEMENT ACTION
PLAN, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

Section 1. Short Title. - This Act shall be known as the “National Coastal Greenbelt Act of 2022.”

Section 2. Declaration of Policy. - It is hereby the declared policy of the State:

- a. To uphold the people’s constitutional right to a healthful and balanced ecology;
- b. To recognize that climate change and disaster risk reduction and management are closely interrelated, and effective disaster risk reduction will enhance climate change adaptive capacity;
- c. To mainstream the important contribution of mangroves and beach forest species in reducing the impacts of climate change and mitigate the adverse impacts of natural coastal hazards on human lives and property;
- d. To integrate, consolidate and institutionalize coastal greenbelt framework strategy and action plans into all development plans, programs and projects, and all actions and decisions of the national government, local government, business, non-government organizations, local communities, and the public in general;
- e. To develop and implement a coherent, comprehensive, integrated, efficient National Coastal Greenbelt Management Action Plan that aim to reduce our vulnerability to climate change and disaster risks, enhance adaptive capacity and build national and local resilience to climate change-related disasters;

- f. To enjoin the participation of national and local governments, businesses, nongovernment organizations, local communities and the public in the development, implementation, monitoring and assessment of plans, programs and activities to prevent and reduce the adverse impacts of climate change through the establishment of coastal greenbelt zones; and
- g. To adopt the precautionary principle in the planning, conservation, rehabilitation, and management of coastal greenbelt zones;

Section 3. Definition of Terms. - As used in this Act, the following terms and phrases shall mean as follows:

- a. Coastal Greenbelt Zone refers to specific strips of natural or artificially created coastal vegetation, stretching at least one hundred (100) meters in width from the sea towards land, primarily of mangrove and beach forest species, designed to prevent coastal erosion, and mitigate the adverse impacts of natural coastal hazards on human lives and property;
- b. Coastal Zone refers to a band of dry land and adjacent ocean space (water and submerged land in which terrestrial processes and uses directly affect oceanic processes and uses, and vice versa; its geographic extent may include areas within a landmark limit of one (1) kilometer from the shoreline at high tide to include mangrove swamps, brackish water ponds, nipa swamps, estuarine rivers, sandy beaches and other areas within a sea ward limit of 200 meters isobath to include coral reefs, algal flats, seagrass beds and other soft-bottom areas;
- c. Civil Society Organizations or CSOs refer to non-state actors whose aims are neither to generate profits nor to seek governing power. CSOs unite people to advance shared goals and interests. Their right to participate at all levels of decision-making is guaranteed by the Constitution and they have a significant role in public life, expressing the interests and values of their members or others, are based on ethical, cultural, scientific, environmental, human rights, religious or philanthropic considerations. CSOs include non-government organizations (NGOs), professional associations, foundations, independent research institutes, community-based organizations;
- d. Designated areas refer to site-specific stretches 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 Management Action Plan. The area may undergo rehabilitation, reforestation, or afforestation with locally appropriate native species. Designated areas with abandoned fishponds require the reversion of these fishponds to mangroves through natural regeneration or replanting with locally and ecologically appropriate species;

- e. Fisherfolk Settlement Areas refer to certain areas of the public domain, specifically near the fishing grounds, granted to or reserved for the settlement of municipal fisherfolks;
- f. Integrated Coastal Zone Management refers to 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;
- g. Mangroves- refer to a community of intertidal plants in the tropics and subtropics including all species of trees, shrubs, vines and herbs growing along tidal mudflats and shallow water coastal areas extending inland along rivers, streams and their tributaries where the water is generally brackish;
- h. National Coastal Greenbelt Management Action Plan (NCGMAP)- refers to the operation plan that shall serve as the guide for the Local Coastal Greenbelt Action Plan (LCGMAP); and
- i. Local Coastal Greenbelt Management Action Plan refers to the local action plan of the coastal local governments that shall be based on the NCGMAP. It shall contain the specific goals and targets for the implementation of the program set in the NCGMAP;

Section 4. Creation of National Coastal Greenbelt Management Action Plan. - 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 Management Action Plan (NCGMAP).

The NCGMAP 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 one hundred (100) meters therein;
- b. Assessment of priority areas to be designated as coastal greenbelts for each coastal province, city, and municipality. The criteria for designation of priority area shall be based on its vulnerability to storm surges, waves, tsunami and the like. This shall be completed within one (1) year from the adoption of the NCGMAP;
- c. Designation as priority areas for coastal greenbelts all those that are declared as a protected area under the Expanded National Integrated Protected Areas System (Republic Act 11038), a fish refuge or sanctuary under the Amended Fisheries Code (Republic Act 10654), or as a local marine protected area as declared by municipalities and cities through ordinances. The designation shall be completed within six (6) months from the completion of the assessment. The

designation shall be done through the proposal of the appropriate agency, municipality or city as may be necessary. No structures shall be allowed in the designated area. Designation as priority area, however, shall not affect structures found in fisherfolk settlement areas reserved for the settlement of municipal fisherfolks and shall not impair existing foreshore lease and other similar agreements, provided that grantees shall be tasked to implement the plans and conditions laid down under the NCGMAP and LCGMAP;

- 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 Operation 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 from the designation as priority area;
- e. Operational Plan for the reversion of all abandoned fishponds to mangroves through natural regeneration or replanting with locally appropriate species. The NCGMAP 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 NCGMAP shall indicate that the declaration and notice to persons responsible for removal of illegal structures shall be completed within twelve (12) months from the 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 subparagraphs (d), (e) and (f) of this Section, appropriate indicators, and reasonable means of verification. The plan shall become an integrated part of the National Coastal Greenbelt Management Action Plan and Annual Report to Congress;

The Commission shall be responsible for consolidating the NCGMAP not later than twelve (12) months from the effectivity of this Act.

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

- a. The Climate Change Commission shall be responsible for convening the relevant government agencies, facilitating public participation in the crafting the NCGMAP and integration of the NCGMAP into the Local Coastal Greenbelt Management Action Plan (LCGMAP), and preparing 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 Resource (DENR), through the Biodiversity Management Bureau, shall be responsible for Section 4 (a), (b), (c), (d), (e), and (f) of this Act in line with existing laws and mandates, and it shall provide the Commission with all the relevant information to aid in the monitoring and evaluation of the NCGMAP. In particular, the DENR shall identify the designated areas that must be expropriated by the government and recommend the expropriation plan to the Commission;
- c. The Department of Agriculture through the Bureau of Fisheries and Aquatic Resources shall coordinate with the DENR for Section 4 (e) above or the Operation Plan that provides for the reversion of all abandoned fishponds to mangroves through natural regeneration, replanting with locally appropriate species, and implementation of fisherfolk settlement program in line with existing laws and mandate, and it shall provide the Climate Change Commission with all relevant information to aid in the monitoring and evaluation of the NCGAP;
- d. The Department of Interior and Local Government (DILG) through its relevant offices, shall provide technical guidance and supervision for provinces, cities, and municipalities to establish their local coastal greenbelt zones and develop appropriate Local Coastal Greenbelt Management Action Plans, design and implement community-based and ecologically appropriate rehabilitation, reforestation, and afforestation programs, and monitor and evaluate the implementation of the Local Government Unit's (LGUs) programs and action plans; and
- e. The Department of Human Settlements and Urban Development (DHSUD) in coordination with concerned Local Government Units (LGUs) shall provide for the relocation of the families or individuals who will be affected by the designated areas;

Other implementing agencies that participated in the preparation of the Action Plan shall implement their commitments, as provided therein within a period of six (6) months. The actions required of implementing agencies are immediately executable, based on the agreed National Coastal Greenbelt Management Action Plan, and on their existing mandates, programs and budgets that are aligned with the Action Plan, without need of 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 representative from the Climate Change Commission;
- b. A representative from the Department of Environment and Natural Resources;
- c. A representative from the Department of Agriculture - Bureau of Fisheries and Aquatic Resources;
- d. A representative from the Department of the Interior and Local Government;
- e. Two experts in mangrove and beach forest ecosystems, oceanography, or other related disciplines; and
- f. 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 and has been actively involved in mangrove research as among the criteria that will be set by DENR, BFAR and the Commission.

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

Section 7. Local Coastal Greenbelt Management Action Plan. - Each coastal city and municipality in the identified priority coastal greenbelt areas in the Action plan shall prepare a Local Coastal Greenbelt Management Action Plan (LCGMAP) to facilitate the implementation of mandated actions in the NCGMAP. Each city and municipality shall:

- 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 affected by the actions under Section 4, such as but not limited to relocations sites with basic services like livelihood and transportation programs, zoning, or re-zoning of the priority coastal greenbelt areas, as appropriate, and the like;
- c. Provide an actual inventory of affected families in designated areas to ensure that a legal, just, fair and humane process of relocation is carried out;
- d. Lead in the actual implementation of rehabilitation, reforestation, and afforestation, through the coastal barangays;
- e. Integrate the identified coastal greenbelt zones in the Comprehensive Land-Use Plan; and

- 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 common priority coastal greenbelt areas. Highly urbanized cities shall likewise provide support to component barangays under their jurisdiction.

Section 8. Incentives. - Local government units (LGUs) whose Local Coastal Greenbelt Management Action Plan have been submitted and/or approved to the Department of the Interior and Local Government (DILG) and the Climate Change Commission or those LGUs who have been recognized by the DILG and the Commission for their effective establishment and/or management efforts for coastal greenbelts may be entitled to receive grants and incentives for the purpose building technical capacities in implementing the LCGMAP and supporting programs which are in line with the objectives of this Act. The incentive program, which shall encourage the participation of LGUs in the implementation of this Act, shall be included in the NCGMAP.

Section 9. Coastal Greenbelt Incentive Fund. - There is hereby created a special account under the General Appropriations Act (GAA) called “Coastal Greenbelt Fund” (CGIF). The fund shall be utilized to pay out the incentives granted to LGUs which qualify for the CGIF.

Section 10. Enforcement Actions. -

- a. In addition to the penalties provided under existing laws, any person who obstructs the LGU, DENR, or any other authorized agency or officer in the removal of illegal structures, or the BFAR in the process of reversion of abandoned fishponds, shall be liable to that agency for an administrative fine of fifty thousand pesos (P50,000.00) per day that the agency is prevented from performing its function;
- b. No structures shall be built within the identified coastal greenbelt zones without permits from the LGU, DENR or BFAR, consistent with their mandates. Any person who violates this prohibition shall be liable for an administrative fine of fifty thousand pesos (P50,000.00) 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; and
- d. Legal actions filed in the exercise of rights and enforcement of obligations under this Act shall also be covered by the Fisheries Code, as amended by RA 10654, and the 2010 Supreme Court Rules of Procedure for Environmental Cases;

Section 11. 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 year. The reports shall be

consolidated by the Commission for presentation to the appropriate Committee in Congress at a meeting called for that purpose.

Section 12. Implementing Rules and Regulations. - Within sixty (60) days from the effectivity of this Act, the DENR and Climate Change Commission shall promulgate the necessary rules and regulations for the effective implementation of this Act.

Section 13. 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 14. Separability Clause. - Should any provision of this Act be declared invalid or unconstitutional, the same shall not affect the validity of the other provisions of this act.

Section 15. Amendatory and Repealing Clause. - To expand the powers and functions of the Climate Change Commission, Section 9 of Republic Act 9729, insofar as it may be inconsistent with this Act, is hereby amended. All laws, decrees, orders, rules and regulations or other issuances or parts inconsistent with the provisions of this Act are likewise hereby repealed or modified accordingly.

Section 16. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.