

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

14th Congress
First Regular Session

House Bill No. 1790

Introduced by Honorable Trinidad “Ebbie” G. Apostol

EXPLANATORY NOTE

The coastal environment can be defined as that area lying at the interface between land and sea (or other large body of water). A variety of factors – including wave energy, tidal range, sediment supply, sediment type, continental-shelf slope and width, and part geologic history – characterize coastal environments.

The Philippines is home to a rich diversity of natural resources, yet a lot of these are threatened by environmental degradation and acute pollution problems. Thus, the protection and proper management of coastal environments are important concerns of the State and are explicitly mandated by the Constitution.

Coastal Environment Program (CEP) is being implemented by the Department of Environment and Natural Resources and integrates programs, projects and initiatives related to or concerning coastal environments. The program aims to promote community-based sustainable use of resources in coastal areas in the country by encouraging the use of environment friendly technologies, providing livelihood opportunities to coastal communities, promoting equitable access to resources, and building DENR capabilities in the management of coastal areas. The CEP is the only national government to promote management of the entire coastal environment, including water quality and shoreline land use, and is not only focused on fisheries management. The CEP has the potential to develop into a national coordinating and policy unit supporting integrated coastal management throughout the Philippines

The best environmental outcomes are achieved when the local community and the government can work together. Through this program, the efficiency and effectiveness of the departments service delivery will be greatly improved.

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

TRINIDAD “Ebbie” G. APOSTOL
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2nd District, Leyte

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**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 2002.”

SECTION 2. Declaration of Policy. It is the policy of the state to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Toward this end, the State shall 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 biodiversity shall be maximized subject to some areas being designated for protection, wherein human exploitation of coastal resources is absolutely prohibited, while other areas are developed and managed for sustainable use. Moreover, the State shall promote partnerships among all sectors of Philippine society in protecting and enhancing coastal ecosystems. Equitable access and utilization of resources and substantive involvement of local communities and stakeholders shall be basic considerations in promoting a coastal environment program.

SECTION 3. Definition of Terms.

a) “Coastal Environments” refers to those areas of the country where at any given time socioeconomic interaction among and between humans and land-based and sea-based natural resources occur, extending no more than one (1) linear kilometer from the highest tide point landward and one hundred (100) fathom isobath or fifteen (15) linear kilometers, whichever is farther, seaward.

b) “Coastal Environment Program (CEP)” refers to a comprehensive and integrated program composed of specialized components in order to ensure the integrity of coastal ecosystems and to promote their productivity and biodiversity.

c) “Coastal Resources” refers to all objects and processes of nature that are of value to humans, grouped primarily as shorelands, coastal forests, fishery and wildlife resources, and minerals.

d) "Shorelands" refers to strips of land extending one (1) linear kilometer from the highest tide point of the nearest body of water and includes the minerals, nutrients and life forms found under, on, or above the land.

e) "Coastal Forests" refers to mangroves and other beach vegetation whose structures and forms are consistent with the definition of forests under Presidential decree No. 705 or the Forestry Reform Code of the Philippines, as amended.

f) "Fishery and Wildlife Resources" refers to vertebrates, invertebrates, and floral formations in aquatic ecosystems, inhabiting or deriving sustenance from coastal environments.

g) "Minerals" refers to solids, gases (free or dissolved), and other liquids found on or under the seabed.

h) "Department" refers to the Department of Environment and Natural Resources (DENR).

i) "Secretary" refers to the Secretary of the Department of environment and Natural Resources (DENR).

SECTION 4. Program of Organizations. The CEP shall be organized into the following components:

a) Coastal Habitats and Biodiversity. This component shall deal mainly with the conservation and management of coastal areas to enhance 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 (NIPAS) Act of 1992 relative to protected areas in coastal environments. It shall also include the rehabilitation of mangroves, seagrasses and coral reefs.

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

c) Coastal Industries and Pollution. This component shall focus on the regulation of industrial activities and control and abatement of pollution in coastal areas. It shall study the impact of industrial activities and sources of pollution in coastal environments and identify and recommend developmental and regulatory options to mitigate the negative effects of industrialization and other human activities.

d) Resource Inventory and Assessment. This component shall include activities to identify and estimate existing and future stocks of ecologically and economically important coastal species.

e) 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 to the other components.

Future activities of the Department relating to coastal environments shall be assigned to any of these five (5) components.

SECTION 5. Lead Agency. The Department of Environment and Natural Resources 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 (BFAR-DA) and other concerned agencies such as, but not limited to, the Philippine Council for Agriculture, Forestry and Natural Resources, Research and Development (PCARRD), International Center for Living Aquatic Resources Management (ICLARM), 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 (PCSD) shall implement the provisions of this Act pursuant to Republic Act No. 7611 or the Strategic Environmental Plan (SEP) for Palawan.

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

- a) Information, education and communication (IEC) campaign coupled with community organizing to achieve higher levels of participation of local communities in the activities;
- b) Introduction of intended interventions or package of developmental activities for adoption by partner communities and sectors;
- c) Monitoring and evaluation of the activity to seek options and opportunities for follow-up and institutionalization.

Each phase may overlap to the extent deemed desirable by the implementing agencies or organizations to ensure the successful implementation of activities.

SECTION 7. Program Management. The Secretary shall exercise overall direction and management of the CEP. However, said direction and management affecting the Province of Palawan shall be exercised by the PCSD pursuant to the SEP for Palawan.

There is hereby created an inter-agency committee to be known as the National Coastal Environment Program Steering Committee under the Department which shall assist the Secretary in formulating the policies and implementing the guidelines of the CEP.

The NCSC shall be composed of the following:

- a) Secretary of the DENR, as chairperson;
- b) Secretary of Agriculture, member;
- c) Director of the Bureau of Fisheries and Aquatic Resources, member;
- d) Director of the Protected Areas and Wildlife Bureau (PAWB), member;
- e) Two (2) representatives from NGOs concerned with coastal environment protection and conservation, to be appointed by the President of the Philippines for a term of three (3) years, members;
- f) Two (2) representatives of national organizations or federations of fisherfolk organizations to be appointed by the President of the Philippines for a term of three (3) years, members.

The Secretary shall designate a National Coastal Environment Program Coordinator to ensure the effective implementation of CEP nationwide. The National

CEP Coordinator shall supervise an administrative and technical staff, as may be organized by the Secretary, which shall serve as the coordinating body for CEP activities.

The regional executive director (RED) of the Department may designate the assistant regional director (ARED), any provincial environment and natural resources officer (PENRO), or any other officer of equivalent rank as the Regional CEP Coordinator, subject to the approval of the Secretary.

SECTION 8. Local Government and Community Participation. Planning, implementing, monitoring and evaluating CEP activities shall, to all extent possible, involve local communities and sectoral organizations, such as peoples organizations (POs), non-government organizations (NGOs), and local government units (LGUs). Leadership in CEP activities shall be reposed on, or at least shared by the Department with local leaders and community members.

SECTION 9. Training. The Secretary shall give priority to the training of the Department's personnel as well as community leaders in the technical aspects of resource inventory and assessment as well as proper monitoring and evaluation of activities in order to develop local expertise and to establish a reliable and uniform data base.

SECTION 10. Appropriations. The Secretary shall immediately include in the Department's program the implementation of this Act, the initial funding of which shall be charged against the appropriations of the coastal and marine management office of the Department under the current General Appropriations Act. Thereafter, such amount as may be necessary for the continued implementation of the CEP shall be included in the General Appropriations Act.

The Department 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 corporations in the Philippines or abroad. The receipts from cash donations and proceeds from sale or donated commodities shall be remitted to the national treasury and recorded as a special account in the general fund and shall be utilized by the Department through a special budget pursuant to Section 35, Chapter 5, Book VI of Executive Order No. 292.

SECTION 11. Repealing Clause. All laws, executive orders, presidential decrees, letters of instruction, rules or regulations, or parts thereof which are inconsistent with any of the provisions of this Act are hereby repealed and/or amended accordingly.

SECTION 12. Effectivity. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved,