

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

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SENATE
S. No 288

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

The Philippine waters cover ten times more area than the total terrestrial environment. It, therefore, has great potential as a major base for development. Ecosystems present in the coastal zone include the coral reefs, identified as the most biologically productive environment second only to tropical rain forests, mangrove areas, seagrass beds and soft bottom communities. The coastal and marine ecosystem is considered an important source of livelihood for about 70% of the country's municipalities.

Today, such resources have been extensively exploited. Most of the threats in the coastal zone are a direct result of human population and demographic trends. Concomitantly, there are the problems of inappropriate coastal land use schemes, destructive fishing practices, pollution and the demand for greater economic outputs without consideration of the long term sustainability of resources that have resulted to environmental deterioration in these coastal zones. This is further aggravated by widespread poverty of coastal communities, institutional deficiencies on sustainable coastal resource management and low awareness of the people on coastal resource management strategies.

This bill seeks to lessen, if not totally eliminate, coastal and marine degradation with the establishment of the Coastal Environmental Program (CEP). The CEP aims to coordinate all activities on resource and environmental management of coastal ecosystems with the involvement of the communities and immediate stakeholders in the protection and management of coastal zones. It shall rely heavily on information, education and communication (IEC) coupled with community organizing during the early stages to achieve higher levels of participation.

The components of CEP shall be coastal habitats and bio-diversity, endangered species, coastal industries and pollution, resource inventory and assessment, and research and special projects. The fundamental management principle of maintaining healthy and productive coastal and marine ecosystem will be the direction in the allocation of coastal and marine resources for long-term socio-economic benefits.

The Department of Environment and Natural Resources shall take the lead in achieving the expected outputs of this Act in our quest for a sustainable coastal and marine environment.

Our survival as a nation is closely linked to the benefits we derive from the sea. When limited land resources eventually run out, the next frontier for survival lies under the sea - our marine resources. In recent years, more and more Filipinos have come to realize the tremendous impact of coastal resources on the country's well being. These resources, increasingly under threat from destruction and over exploitation, need to be protected, managed, and nurtured for generations to come.

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



SERGIO OSMEÑA III
Senator

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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:*

1 SECTION 1. **Short Title.** – This Act shall be known as the “*Coastal*
2 *Environment Program (CEP) of 2004*”

3 SEC. 2. **Declaration of Policy.** – It is the policy of the State to protect
4 and advance the right of the people to a balanced and healthful ecology in
5 accord with the rhythm and harmony of nature. Toward this end, the State shall
6 protect, conserve, and manage on a sustainable basis coastal environments
7 throughout the territorial jurisdiction of the country. The integrity, productivity,
8 biodiversity, and sustainability of coastal ecosystems shall be maximized subject
9 to some areas being designated for protection. Moreover, the State shall promote
10 partnerships among all sectors of Philippine society in protecting and enhancing
11 coastal ecosystems.

12 Equitable access and utilization of resources and substantive involvement
13 of local communities and stakeholders shall be basic consideration in promoting
14 a coastal environment program.

15 SEC. 3. **Definition of Terms.-**

16 (a) “Coastal environments” refer to those areas of the country where at
17 any given time socioeconomic interaction among and between humans and land-

1 based and sea-based natural resources occur, extending no more than one (1)
2 linear kilometer from the highest tide point landward and one hundred (100)
3 fathom isobath or fifteen (15) linear kilometers, whichever is farther, seaward.

4 (b) "Coastal Environment Program" herein after referred to as CEP,
5 refers to a comprehensive and integrated program composed of specialized
6 components in order to ensure the integrity of coastal ecosystems and to
7 promote their productivity and biodiversity.

8 (c) "Coastal resources" refer to all objects and processes of nature that
9 are of value to humans, grouped primarily as shorelands, coastal forests, fishery
10 and wildlife resources, and minerals.

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

14 (e) "Central Forests" refer to mangroves and other beach vegetation
15 whose structures and forms are consistent with the definition of forests under
16 Presidential Decree No. 705, otherwise known as the Forestry Reform Code of
17 the Philippines, as amended.

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

21 (g) "Minerals" refer to solid, gases (free or dissolved), and other liquids
22 found on or under the seabed.

23 (h) "Department" refer to the Department of Environment and Natural
24 Resources.

25 (i) "Secretary" refers to the Secretary of the Department of Environment
26 and Natural Resources.

27 **SEC. 4. Program Organization-** The CEP shall be organized into the
28 following components:

1 (1) Coastal Habitats and Biodiversity - This component shall deal mainly
2 with the conservation and management of coastal areas to enhance the
3 biodiversity of floral and fauna populations. This component shall include the
4 implementation of Republic Act No. 7586, otherwise known as the National
5 Integrated Protected Areas System (NIPAS) Act of 1992 relative to protected
6 areas in coastal environments. It shall also include the rehabilitation of
7 mangroves, seagrasses and coral reefs.

8 (2) Endangered Species- This component shall focus on the conservation,
9 protection and propagation of endangered species and the protection and
10 management of their habitats. Existing projects of the Department on marine
11 turtles, crocodiles, sea snakes, shore birds, whales, sea cows, porpoises, and
12 other shall be included in this component.

13 (3) Coastal Industries and Pollution- This component shall focus on the
14 regulation of industrial activities and control and abatement of pollution in coastal
15 areas. It shall study the impact of industrial activities and sources of pollution in
16 coastal environments and identify and recommend developmental and regulatory
17 options to mitigate the negative effects of industrialization and other human
18 activities.

19 (4) Resource Inventory and Assessment- This component shall include
20 activities to identify and estimate existing and future stocks of ecologically and
21 economically important coastal species.

22 (5) Research and Special Projects- This component shall include activities
23 related to the development, testing and application of methodologies to
24 understand coastal environments and their associated resource systems. Special
25 projects shall include those, which because of their unique scoping or funding
26 specifications may not be associated to the other components.

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

1 SEC. 5. Lead Agency.- The Department of Environment and Natural
2 Resources shall be the lead agency in the implementation of this Act. It shall
3 consult and coordinate with the Bureau of Fisheries and Aquatic Resources of
4 the Department of Agriculture (BFAR-DA) and other concerned agencies such
5 as, but not limited to, the Philippine Council for Agriculture, Forestry and Natural
6 Resources, Research and Development (PCARRD), International Center for
7 Living Aquatic Resources Management (ICLARM), University of the Philippines
8 Marine Institute, and the local governments, whenever applicable: Provided, That
9 in the Province of Palawan, the Palawan Council for Sustainable Development
10 (PCSD) shall implement the provisions of this Act pursuant to Republic Act No.
11 7611 or the Strategic Environmental Plan (SEP) for Palawan.

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

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

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

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

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

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

28 There is hereby created an inter-agency committee to be known as the
29 National Coastal Environment Program Steering Committee under the

1 Department which shall assist the Secretary in formulating the policies and
2 implementing the guidelines of the CEP.

3 The NCSC shall be composed of the following:

4 (a) Secretary of the DENR, as chairperson;

5 (b) Secretary of Agriculture, member,

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

7 (d) Director of the Protected Areas and Wildlife Bureau (PAWB0,
8 member;

9 (e) Two (2) representatives from NGOs concerned with coastal
10 environment protection and conservation, to be appointed by the President of the
11 Philippines for a term of three (3) years, members; and

12 (f) Two (2) representatives of national organizations or federations of
13 fisherfolk organizations to be appointed by the President of the Philippines for a
14 term of three (3) years, members.

15 The Secretary shall designate a National Coastal Environment Program
16 Coordinator to ensure the effective implementation of the CEP nationwide. The
17 National CEP Coordinator shall supervise an administrative and technical staff,
18 as may be organized by the Secretary, which shall serve as the coordinating
19 body for CEP activities.

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

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

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

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

12 The Department may receive grants, subsidies, donations, or
13 contributions, bequests, or gifts, in cash or in kind from corporations, trusts,
14 foundations, associations, and other sources from any private or government
15 office, agency or corporations in the Philippines or abroad. The receipts from
16 cash donations and proceeds from sale of donated commodities shall be remitted
17 to the national treasury and recorded as a special account in the general fund
18 and shall be utilized by the Department through a special budget pursuant to
19 Section 35, Chapter 5, Book VI of Executive Order No. 292.

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

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

27 Approved,