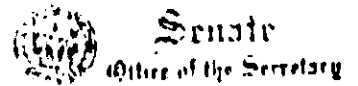


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



16 JAN 11 P3:49

SENATE
S. No. 3053

RECEIVED BY: *J.*

Introduced by Senator Miriam Defensor Santiago

AN ACT
PROVIDING PROGRAMS FOR BEACH MONITORING

EXPLANATORY NOTE

The Philippines is well known for its extraordinary beaches. Hence, the beaches, especially those used most by the public, should be tested to make sure the water is safe for swimming for both locals and tourists.

This bill requires the Secretary of the Department of Environment and Natural Resources (DENR) to: (1) prepare an annual assessment of the compliance of local governments with program requirements; (2) update within 12 months after the effectivity of this Act and biennially after the enactment, the list indicating which coastal recreational waters adjacent to beaches used by the public are, and which of such waters are not, subject to a monitoring and notification program; and (3) study and report to Congress on the long-term impact of climate change on pollution of coastal recreational waters.

This bill further proposes a deadline for the DENR Secretary to complete its validation of a rapid testing method, which would provide beachgoers with same day information on beach water safety.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
7P

¹ This bill was originally filed during the Fourteenth Congress, Second Regular Session and refiled during the Fifteenth Congress, First Regular Session.

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Clean Coastal
2 Environment and Public Health Act.”

3 SECTION 2. *Definition of Terms.* – As used in this Act, the term:

4 (A) “Rapid Testing Method” means a method of testing the water quality of
5 coastal recreation waters for which results are available as soon as practicable and not
6 more than two hours after the commencement of the rapid testing method; and

7 (B) “Secretary” means the Secretary of the Department of Environment and
8 Natural Resources;

9 SECTION 3. *Contents of Monitoring and Notification Programs.* – A program for
10 monitoring and notification shall include monitoring consistent with the performance
11 criteria as determined by the Secretary, public notification, source tracking, sanitary
12 surveys, and prevention efforts to address identified sources of contamination by
13 pathogens and pathogen indicators in coastal recreation waters adjacent to beaches or
14 similar points of access that are used by the public.

15 SECTION 4. *Validation of Rapid Testing Methods.* – Not later than 30 December
16 two year after the effectivity of this Act, the Secretary shall complete an evaluation and

1 validation of a rapid testing method for the water quality criteria and standards for
2 pathogens and pathogen indicators.

3 **SECTION 5. *Guidance for Use of Rapid Testing Methods.*** – Not later than 180
4 days after the date of completion of the validation and after providing notice and an
5 opportunity for public comment, the Secretary shall publish guidance for the use at
6 coastal recreation waters adjacent to beaches or similar points of access that are used by
7 the public of rapid testing methods that will enhance the protection of public health and
8 safety through rapid public notification of any exceedance of applicable water quality
9 standards for pathogens and pathogen indicators.

10 In developing guidance, the Secretary shall require the use of rapid testing
11 methods at those beaches or similar points of access that are the most used by the public.

12 **SECTION 6. *Information Dissemination.*** – The Secretary shall provide
13 information to the public about coastal recreation waters, which is publicly accessible and
14 searchable on the Internet; organized by beach or similar point of access; identifies
15 applicable water quality standards, monitoring protocols, sampling plans and results, and
16 the number and cause of coastal recreation water closures and advisory days; and updated
17 within 24 hours of the availability of revised information;

18 **SECTION 7. *National List of Beaches.*** – Not later than one year after the
19 effectivity of this Act, the Secretary shall make a National List of Beaches, which shall
20 be updated biennially.

21 **SECTION 8. *Compliance Review.*** – On or before 31 July of each calendar year
22 beginning after the effectivity of this Act, the Secretary shall:

23 (A) prepare a written assessment of compliance with all statutory and regulatory
24 requirements of this Act for each local government;

1 (B) notify the local government of each such assessment; and

2 (C) make each of the assessments available to the public in a searchable database
3 on the Internet on or before 31 December of the applicable calendar year.

4 SECTION 9. *Impact of Climate Change on the Pollution of Coastal Recreation*
5 *Waters.* – The Secretary shall conduct a study on the long-term impact of climate change
6 on pollution of coastal recreation waters. A report on the study shall be submitted to
7 Congress.

8 The report shall include information on potential contaminant impacts on ground
9 and surface water resources; and public and ecosystem health in coastal communities.
10 The report shall also address monitoring required to document and assess changing
11 conditions of coastal water resources, recreational waters, and ecosystems; and review
12 the current ability to assess and forecast impacts associated with long-term change.

13 SECTION 10. *Impact of Algae on Coastal Recreation Waters.* – Not later than one
14 year after the date of effectivity of this Act, the Secretary shall submit to Congress a
15 study on the impact of algae on coastal recreation waters. The following should be
16 considered in preparing the study: (a) quantify the levels of algae that cause problems at
17 recreational beaches; and (b) quantify the concentrations of phosphorus that may be
18 associated with algae problems;

19 SECTION 11. *Separability Clause.* – If any provision of this Act is held invalid or
20 unconstitutional, the same shall not affect the validity and effectivity of the other
21 provisions hereof.

22 SECTION 12. *Repealing Clause.* – All laws, decrees, orders, and issuances, or
23 portions thereof, which are inconsistent with the provisions of this Act, are hereby
24 repealed, amended or modified accordingly.

1 SECTION 13. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
2 after its publication in the *Official Gazette* or in two (2) newspapers of general
3 circulation.

Approved,

/m125Nov2015