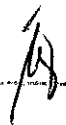


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

3 MAY 28 1914

SENATE
S. B. No. **2336**

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 16 mandates that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

In a research conducted by the U.S. Congress, they made a finding that the weather, climate change, and climate variability affect public safety, environmental services and security, human health, agriculture, energy use, water resources, and other factors vital to national security and human welfare. The present rate of advance of national efforts in research and development and the application of such advances is inadequate to meet the challenges posed by observed and projected rates of climate change and climate variability and the increasing demand for information to guide planning and response across all sectors.

The Philippines lacks adequate research, infrastructure, and coordinated outreach and communication mechanisms to meet national climate monitoring, prediction, and decision support needs for adapting to and mitigating the impacts of climate change and climate variability. Local communities need national assistance in developing and implementing strategies to address the impacts of climate change.

Climate change and climate variability occur on a global basis making international cooperation essential for the purpose of sharing the benefits and costs of a global effort to understand and communicate these changes.

This bill seeks to establish a national plan to address the continuing changes in our climate and the environment by unifying and coordinating the efforts done internationally and locally.


MIRIAM DEFENSOR SANTIAGO

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1 AN ACT
2 ESTABLISHING THE NATIONAL CLIMATE PROGRAM

3 *Be it enacted by the Senate and the House of representatives of the Philippines in*
4 *Congress assembled:*

5 SECTION 1. *Short Title.* – This Act shall be known as the “National Climate Program
6 Act of 2008.”

7 SECTION 2. *Declaration of Policy.* – The Constitution, Article 2, Section 16 mandates
8 that the State shall protect and advance the right of the people to a balanced and healthful
9 ecology in accord with the rhythm and harmony of nature. Taking into account this mandates the
10 State shall establish a program that will address the continuing changes in our climate and the
11 environment by unifying and coordinating the efforts done internationally and locally.

12 SECTION 3. *Purpose* - It is the purpose of the Congress in this Act to establish a national
13 climate program that will assist the country to understand and respond to natural and man-
14 induced climate processes and their implications.

15 SECTION 4. *Definition of Terms.* – For purposes of this Act, the term:

16 (A) “Program” means the National Climate Program;

17 (B) “Secretary” means the Secretary of Environment and Natural Resources.

18 SECTION 5. *National Climate Program.* – The President shall establish a National
19 Climate Program in accordance with the provisions and purposes of this Act.

20 SECTION 6. *Duties.* – The President shall formulate a five year strategic plan as
21 described in Section 7 of this Act. The plan shall identify the departments and agencies who shall
22 take part in the strategic plan and their role in its implementation. The strategic plan shall also

1 provide for program coordination. The members include, among others, the Departments of
2 Agriculture, Trade and Industry, National Defense, Energy, Interior and Local Government,
3 Transportation and Communication, Environment and Natural Resources, and Science and
4 Technology.

5 SECTION 7. *Program Elements.* – The Program shall include:

- 6 (A) A strategic plan to address the impacts of climate change within the Philippines; and
7 (B) A National Climate Service to be established within the Philippine Atmospheric,
8 Geophysical and Astronomical Services Administration.

9 SECTION 8. *National Strategic Plan for Climate Change Adaptation.* – Not later than 2
10 years after the date of enactment of this Act, the President shall provide to the Congress a 5-year
11 national strategic plan to address the impacts of climate change within the Philippines, to
12 implement such strategy for nationally managed resources and actions, and to provide
13 information to and coordinate with local governments and nongovernmental entities to support
14 similar efforts with respect to local natural resources. The President shall provide a mechanism
15 for consulting with local governments, the private sector, universities, and other
16 nongovernmental entities in developing the plan. The plan shall be updated at least every 5 years.

17 (A) CONTENTS OF PLAN- The plan shall, at a minimum—

- 18 1. Identify existing national requirements, protocols, and capabilities for addressing
19 climate change impacts on nationally managed resources and actions;
20 2. Identify measures to improve such capabilities and the utilization of such
21 capabilities;
22 3. Include protocols to integrate climate change impacts into national agency actions
23 and policies, consistent with existing authorities;
24 4. Address vulnerabilities and priorities identified through the assessments by the
25 national climate service;
26 5. Establish a mechanism for the exchange of information related to addressing the
27 impacts of climate change with, and provide technical assistance to, local
28 governments and nongovernmental entities;

- 1 6. Develop partnerships with local governments and nongovernmental entities to
2 support and coordinate implementation of the plan;
- 3 7. include implementation and funding strategies for short-term and long-term
4 actions that may be taken at the national, regional, and local level;
- 5 8. Establish a process to develop more detailed agency and department-specific
6 plans;
- 7 9. Identify opportunities to utilize remote sensing and other geospatial technologies
8 to improve planning for adaptation to climate change impacts; and
- 9 10. Identify existing legal authorities and additional authorities necessary to
10 implement the plan.

11 (B) Agency-level Strategies-

12 (1) AGENCY PLANS- Each department and agency of the Executive Branch, as
13 identified under Section 5 of this Act, shall develop a detailed plan, based on the
14 national plan, for addressing climate change impacts with respect to such
15 department or agencies policies and actions, within 1 year after the date that the
16 plan is submitted under this Section and provide such plan to Congress.

17 (2) INTERIM ACTIVITIES- Nothing in this section shall be understood to
18 prevent any agency or department to take climate change impacts into account,
19 consistent with its existing authorities, until the plans are provided to Congress
20 and steps to implement such plans are taken.

21 (C) COORDINATION- The President shall ensure that the mechanism to provide
22 information related to addressing the impacts of climate change to local governments
23 and nongovernmental entities is appropriately coordinated or integrated with existing
24 programs that provide similar information on climate change predictions.

25 SECTION 9. *Ocean and Coastal Vulnerability and Adaptation* – Within 2 years after the
26 date of enactment of this Act, the Secretary of Environment and Natural Resources shall, in
27 consultation with the appropriate local governmental entities, conduct regional assessments of

1 the vulnerability of coastal and ocean areas and resources to hazards associated with climate
2 change, climate variability, and ocean acidification including--

- 3 (A) Sea level rise;
- 4 (B) Increases in severe weather events;
- 5 (C) Storm surge;
- 6 (D) Rainfall;
- 7 (E) Flooding and inundation;
- 8 (F) Changes in sea ice;
- 9 (G) Changes in ocean currents impacting global heat transfer;
- 10 (H) Increased siltation due to coastal erosion;
- 11 (I) Shifts in the hydrological cycle;
- 12 (J) Natural hazards, including tsunami, drought, flood, and fire;
- 13 (K) Coral reef bleaching; and
- 14 (L) Alteration of ecological communities, including at the ecosystem or watershed
15 levels,

16 The Secretary shall update such assessments at least once every 5 years.

17 SECTION 10. *Regional Coastal and Ocean Assessment.* --The regional assessments shall
18 include an evaluation of--

- 19 (A) physical, biological, and ecological impacts, such as coastal erosion, flooding and
20 loss of estuarine habitat, saltwater intrusion of aquifers and saltwater encroachment,
21 impacts on food web distribution, species migration, species abundance, and changes in
22 marine pathogens and diseases;
- 23 (B) social impacts associated with threats to and potential losses of housing,
24 communities, and infrastructure; and
- 25 (C) economic impacts on local regional economies, including the impact on abundance or
26 distribution of economically important living marine resources.

27 SECTION 11. *Coastal and Ocean Adaptation Plan.* -- The Secretary shall, within three
28 (3) years after the date of enactment of this Act, submit to the Congress a national coastal and

1 ocean adaptation plan, composed of individual regional adaptation plans that recommend targets
2 and strategies to address coastal and ocean impacts associated with climate change, ocean
3 acidification, sea level rise, and climate variability. The plan shall be developed with the
4 participation of local government agencies that will be critical in the implementation of the plan
5 at the local levels and shall take into account other relevant studies, and not duplicate existing
6 national hazard planning requirements. The Plan shall recommend both short- and long-term
7 adaptation strategies and shall include recommendations regarding--

- 8 (A) Flood insurance program modifications;
- 9 (B) Areas that have been identified as high risk through mapping and assessment;
- 10 (C) Mitigation incentives such as rolling easements, strategic retreat, state acquisition
11 in fee simple or other interest in land, construction standards, and zoning;
- 12 (D) Land and property owner education;
- 13 (E) Economic planning for small communities dependent upon affected coastal and
14 ocean resources, including fisheries;
- 15 (F) Coastal hazards protocols to reduce the risk of damage to lives and property, and
16 a process for evaluating the implementation of such protocols;
- 17 (G) Strategies to address impacts on the most vulnerable living marine resources;
- 18 (H) Proposals to integrate measures into the actions and policies of the philippine
19 atmospheric, geophysical and astronomical services administration;
- 20 (I) A plan for additional research and development of technologies and capabilities to
21 address such impacts;
- 22 (J) Plans to pursue bilateral and multilateral agreements necessary to effectively
23 address such impacts;
- 24 (K) Partnerships with nongovernmental organizations;
- 25 (L) Methods to mitigate the impacts identified, including habitat restoration
26 measures; and
- 27 (M) Funding requirements and mechanisms.

1 SECTION 12. *Technical Planning Assistance.* – The Secretary, through the Philippine
2 Atmospheric, Geophysical and Astronomical Services Administration, shall establish a
3 coordinated program to provide technical planning assistance and products to coastal local
4 governments as they develop and implement adaptation or mitigation strategies and plans.
5 Products, information, tools and technical expertise generated from the development of the
6 regional coastal and ocean assessments and the coastal and ocean adaptation plans will be made
7 available to coastal localities for the purposes of developing their own local plans.

8
9 SECTION 13. *Appropriations.* – To carry out the provisions of this Act, such amount as
10 hereby necessary is hereby authorized to be appropriated from the National Treasury.

11 SECTION 14. *Separability Clause.* – If any provision or part hereof, is held invalid or
12 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
13 valid and subsisting.

14 SECTION 15. *Repealing Clause.* – Any law, presidential decree or issuance, executive
15 order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent
16 with the provision of this Act is hereby repealed, modified, or amended accordingly.

17 SECTION 16. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
18 publication in at least two (2) newspapers of general circulation.

19 Approved,