

SENATE
S.B. No. 3325



Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article II Section 16 provides:

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.

Being an archipelagic country, all internal waters and seas of the Philippines are considered a natural resource of utmost importance.

Ocean and coastal areas are regions of remarkably high biological productivity, are of considerable importance for a variety of recreational and commercial activities, and provide a vital means of transportation.

Ocean and coastal resources are limited and susceptible to change as a direct and indirect result of human activities, and such changes can impact the ability of the ocean to provide the benefits upon which the nation depends.

Marine debris, including plastics, derelict fishing gear, and a wide variety of other objects, have a harmful and persistent effect on marine flora and fauna and can have adverse impacts on human health.

A study conducted by the University of Nottingham in the United Kingdom, found that plastic debris in the marine environment is a persistent problem that has rapidly increased over the past forty years. The main sources are commercial fishing debris such as lines and nets, packaging material discarded from vessels, and litter from land based sources such as beach litter. Most of these products degrade very slowly, at a slower rate in the sea than in the air, and so persist for considerable periods of time. Floating net fragments, monoline rope, can carriers, and packaging bands can entangle individual animals. Smaller plastic particles may be ingested

by marine mammals, seabirds, turtles and fish, possibly blocking the digestive tract or causing ulcerations and damage to the stomach lining.

Marine debris is also a hazard to navigation, putting mariners and rescuers, their vessels, and consequently the marine environment at risk, and can cause economic loss due to entanglement of vessel systems.

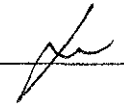
Like many global environmental problems, marine pollution requires proper environmental planning. Insufficient knowledge and data on the source, movement, and effects of plastics and other marine debris in marine ecosystems has hampered efforts to develop effective approaches for addressing marine debris.

Lack of resources, inadequate attention to this issue, and poor coordination at the national level has undermined the development and implementation of a national program to address marine debris, both domestically and regionally.

The purpose of this bill is to establish programs within the Department of Environment and Natural Resources to (1) help identify, determine sources of, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with other national and local entities; (2) develop a national information clearinghouse to enable researchers to study the sources, scale and impact of marine debris more efficiently; and (3) take appropriate action in the international community to prevent marine debris and reduce concentrations of existing debris on a global scale.


MIRIAM DEFENSOR SANTIAGO

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1 AN ACT
2 ESTABLISHING A MARINE DEBRIS RESEARCH, PREVENTION, AND REDUCTION
3 PROGRAM

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

6 SECTION 1. *Short Title.* – This Act shall be known as the “Marine Debris Research,
7 Prevention, and Reduction Act.”

8 SECTION 2. *Implementing Agency.* – The Environmental Management Bureau (EMB)
9 of the Department of Environment and National Resources shall implement the provisions of this
10 act; the acting Bureau Director shall be designated as program administrator.

11 SECTION 3. *Program Components* - The EMB with the assistance of the Philippine
12 Coast Guard and the Department of Interior and Local Government and in coordination with
13 other relevant agencies shall:

14 A. Develop and implement a Marine Debris Prevention and Removal Program to
15 reduce and prevent the occurrence and adverse impacts of marine debris on the
16 marine environment and navigation safety.

17 B. Undertake marine debris mapping, identification, impact assessment,
18 prevention, and removal efforts, with a focus on marine debris posing a threat
19 to living marine resources, particularly species identified as endangered or
20 threatened or protected, and navigation safety, including:

21 1. The establishment of a process, building on existing information
22 sources maintained by other government agencies, educational institutions

1 and non-government organizations for cataloguing and maintaining an
2 inventory of marine debris and its impacts found in the internal waters of
3 the Philippines and the Philippines' exclusive economic zone, including
4 location, material, size, age, and origin, and impacts on habitat, living
5 marine resources, human health, and navigation safety;

6 2. The creation of measures to identify the origin, location, and projected
7 movement of marine debris within the Philippines internal waters, the
8 Philippines' exclusive economic zone, and the high seas, including the use
9 of oceanographic, atmospheric, satellite, and remote sensing data; and

10 3. The development and implementation of strategies, methods, priorities,
11 and a plan for preventing and removing marine debris from Philippines'
12 internal waters and within the Philippines' exclusive economic zone,
13 including development of local or regional protocols for removal of
14 derelict fishing gear.

15 C. Improve efforts and actively seek to prevent and reduce fishing gear
16 losses, as well as to reduce adverse impacts of such gear on living
17 marine resources and navigation safety, including--

18 1. research and development of alternatives to gear posing threats to the
19 marine environment, and methods for marking gear used in specific
20 fisheries to enhance the tracking, recovery, and identification of lost and
21 discarded gear: and

22 2. development of voluntary or mandatory measures to reduce the loss and
23 discard of fishing gear.

24 D. Establish outreach activities and education of the public and other
25 stakeholders, such as the fishing industry, fishing gear manufacturers, and other
26 marine-dependent industries, on sources of marine debris, threats associated
27 with marine debris and approaches to identify, determine sources of, assess,
28 reduce, and prevent marine debris and its adverse impacts on the marine

1 environment and navigational safety, including outreach and education activities
2 through public-private initiatives.

E. Take appropriate action in the international community to prevent marine
debris and reduce concentrations of existing debris on a global scale.

3 SECTION 4. *Grants*- Financial assistance, in the form of grants, shall be provided
4 through the Marine Debris Prevention and Removal Program for projects to accomplish
5 the purposes of this Act.

6 A. Fifty percent (50%) Percent Matching Requirement-

7 1. Except as provided in subparagraph (B), national funds for any project
8 under this section may not exceed 50 percent of the total cost of such
9 project. For purposes of this subparagraph, the project proponent's share
10 of the project costs may be provided by in-kind contributions and other
11 noncash support.

12 2. Waiver- The Environment Management Bureau may waive all or part of
13 the matching requirement under subparagraph (A) if the Administrator
14 determines that no reasonable means are available through which
15 applicants can meet the matching requirement and the probable benefit of
16 such project outweighs the public interest in such matching requirement.

17 B. Eligibility - Any natural resource management authority of a local
18 government unit or other government authority whose activities directly or
19 indirectly affect research or regulation of marine debris, and any educational or
20 nongovernmental institutions with demonstrated expertise in a field related to
21 marine debris, are eligible to submit to the EMB a marine debris proposal under
22 the grant program.

23 C. Grant Criteria and Guidelines - Within 180 days after the date of enactment of
24 this Act, the EMB shall promulgate necessary guidelines for implementation of
25 the grant program, including development of criteria and priorities for grants.
26 Such priorities may include proposals that would reduce new sources of marine

1 debris and provide additional benefits to the public, such as recycling of marine
2 debris or use of biodegradable materials. In developing those guidelines, the EMB
3 shall consult with--

- 4 1. national, regional, and local governmental entities with marine debris
5 experience;
- 6 2. marine-dependent industries; and
- 7 3. non-governmental organizations involved in marine debris research,
8 prevention, or removal activities.

9 D. Project Review and Approval- The EMB shall review each marine debris
10 project proposal to determine if it meets the grant criteria and supports the goals
11 of the Act. Not later than 120 days after receiving a project proposal under this
12 section, the EMB shall--

- 13 1. Provide for external merit-based peer review of the proposal;
- 14 2. After considering any written comments and recommendations based on
15 the review, approve or disapprove the proposal; and
- 16 3. Provide written notification of that approval or disapproval to the
17 person who submitted the proposal.

18 E. Project Reporting - Each grantee under this section shall provide periodic
19 reports as required by the Administrator. Each report shall include all information
20 required by the Administrator for evaluating the progress and success in meeting
21 its stated goals, and impact on the marine debris problem.

22 SECTION 5. *Appropriations.* – To carry out the provisions of this Act, an amount of
23 Fifty million pesos (P50,000,000.00) is hereby authorized to be appropriated from the National
24 Treasury. Thereafter, the amount necessary for the continuous operation of the program shall be
25 included in the annual appropriations of the Environment Management Bureau.

1 SECTION 6. *Separability Clause.* – If any provision or part hereof, is held invalid or
2 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
3 valid and subsisting.

4 SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive
5 order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent
6 with the provision of this Act is hereby repealed, modified, or amended accordingly.

7 SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
8 publication in at least two (2) newspapers of general circulation.

Approved,

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