

SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

SENATE
S.B. No. 1687



70 FEB 12 24:08

Introduced by Senator Poe

AN ACT
INSTITUTIONALIZING SUSTAINABLE COASTAL TOURISM, PROVIDING
MECHANISMS FOR ITS INSTITUTIONALIZATION, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

Explanatory Note¹

The tourism sector is one of the bright spots of the Philippine economy. In 2016, the World Travel and Tourism Council (“the Council”) estimated that travel and tourism directly contributed Php2,852.9 billion or 19.7% of the country’s Gross Domestic Product (GDP) in 2016. Furthermore, the Council projected that the direct contribution of Travel and Tourism to our GDP will rise to Php5,134.2 billion or 20.7% in 2027.²

Our coastal resources will play an enormous role in achieving our tourism sector’s potential. Our coastline stretches for some 36,000 kilometers and encompasses around 800 municipalities. For many foreigners and tourists, these coastlines *are* our country. The Philippines which they see is the one found in postcards and travel blogs. The recent domestic and foreign films boasting and/or featuring Philippine beaches in Siargao, Palawan, La Union, Batangas, among others, had attracted a lot more tourists to visit our beaches.

Supply follows the ebb and flow of demand. Thus, beach resorts and hotels have sprung up in beaches often visited by tourists. Obviously, this has had a huge multiplier effect in terms of tourist arrivals and economic growth. However, the unmanaged growth has caused environmental experts to raise red flags on the negative effects of this business model.

¹ We would to acknowledge the assistance of Ms. Hanniel Almasco in drafting this measure.

² World Travel and Tourism Council. *Travel and Tourism Economic Impact 2017 Philippines*. Retrieved from <https://www.wttc.org/-/media/files/reports/economic-impact-research/countries-2017/philippines2017.pdf>

Boracay island is an instructive example.³ Boracay is a small island in Western Visayas that is popular among tourists for its white sand beaches. The island's popularity began in the 1970's and has continued to grow ever since. Hotels, lodging houses, second homes, and restaurants were constructed both along the beach and away from the coast to accommodate rising tourist arrivals.

Untreated sewage from these new buildings were- and still are- dumped into the sea due to the lack of a developed wastewater system. High levels of coliform bacteria in the island were noted as early as 1997. Groundwater shortages have been noted. Lack of a developed waste management system has led mounting land pollution.

Boracay still retains some of its charm despite these setbacks. However, the possibility of a "tipping point" for the island remains. Furthermore, other popular beach destinations in the country have started to display similar symptoms of tourism-related decay. High levels of coliform were noted in El Nido, Palawan in 2014.⁴

Action must be taken to preserve our beaches. To this end, this representation hereby proposes the institutionalization of Sustainable Coastal Management. This bill seeks to mandate Local Government Units to formulate and implement their respective Local Sustainable Coastal Tourism Plans. This bill further proposes the creation of a National Council on Sustainable Coastal Tourism to oversee the efforts of LGUs in implementing the provisions of this Act.

It is for the above reasons that the speedy approval of this bill is eagerly sought.


GRACE POE

³ Smith, R.A. "The Development and Management of Beach Resorts: Boracay Island, The Philippines" *Asia Pacific Journal of Tourism Research*: April 2011. Retrieved from https://www.researchgate.net/profile/Russell_Smith10/publication/254240520_The_Development_and_Management_of_Beach_Resorts_Boracay_Island_The_Philippines/links/55fb7ff908aec948c4afae49/The-Development-and-Management-of-Beach-Resorts-Boracay-Island-The-Philippines.pdf

⁴ Anda, R.D. "El Nido beach tests positive for coliform" *The Philippine Daily Inquirer* (17 November 2014). Retrieved from <http://newsinfo.inquirer.net/651058/el-nido-beach-tests-positive-for-coliform>

SEVENTEENTH CONGRESS OF THE REPUBLIC)
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AN ACT
INSTITUTIONALIZING SUSTAINABLE COASTAL TOURISM, PROVIDING
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THEREFOR, AND FOR OTHER PURPOSES

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

ARTICLE I
GENERAL PROVISIONS

1
2
3
4 **SECTION. 1.** *Short Title.*- This Act shall be known as the “Sustainable Coastal Tourism
5 *Act of 2018*”.

6
7 **SEC. 2.** *Declaration of Policy.*- The State recognizes the indispensable role of coastal
8 tourism in promoting rapid and inclusive growth among coastal provinces and affected local
9 government units. The State further recognizes the pressure which coastal tourism bears upon
10 marine and coastal environments. To this end, the State hereby declares it a policy to promote
11 sustainable coastal tourism to reconcile the social and economic growth from coastal tourism
12 with the people’s right to a balanced and healthful ecology in accord with the rhythm and
13 harmony of nature.

14
15 **SEC. 3.** *Definition of Terms.*-

16
17 a) “Coastal Local Government Unit” or “Coastal LGU”- refers to LGUs bordering a
18 coast regardless of income classification;

19
20 b) “Coastal Recreational Area”- refers to coastal areas, including shores, sand bars,
21 bays, lagoon mouths, and coastal estuaries within the tidal zone, which are used by

1 the public for recreational activities such as swimming, bathing, surfing,
2 skimboarding and any other water sports;

- 3
- 4 c) "*Council*"- refers to the National Council for Sustainable Coastal Tourism
5 established under this Act;
- 6
- 7 d) "*Local Sustainable Coastal Tourism Plans*" or "*Plan*"- refers to the plans to be
8 formulated by coastal provinces under this Act in consultation with affected cities,
9 municipalities and communities;
- 10
- 11 e) "*National Coastal Recreational Area Quality Framework*" or "Framework"- refers to
12 the Framework to be established by the Council under this Act;
- 13
- 14 f) "*Sustainable Coastal Tourism*"- refers to an approach to coastal tourism which
15 reconciles tourism with environmental sustainability;
- 16

17 **ARTICLE II**

18 **THE PHILIPPINE COUNCIL FOR SUSTAINABLE COASTAL TOURISM**

19

20 **SEC. 4.** *Establishment of the Council.*- The National Council for Sustainable Coastal
21 Tourism, herein referred to as "the Council", is hereby established. The Council shall be the
22 policy-making, standard-setting, planning, coordinating, enforcing, monitoring, and advisory
23 body of the government on sustainable coastal tourism. The Council shall be an independent
24 agency attached to the Department of Environment and Natural Resources, with a separate
25 budget under the General Appropriations Act.

26

27 **SEC. 5.** *Powers and Functions of the Council.*-The Council shall be empowered to:

28

- 29 a) Formulate the National Coastal Recreational Area Quality Framework, which shall
30 include but not be limited to the following measurable requirements:
- 31
- 32 1. Ecological Waste Management
 - 33 2. Water quality and sanitation;
 - 34 3. Accessibility;
 - 35 4. Preventing and reversing coastal degradation;
 - 36 5. Protection of marine flora and fauna;
 - 37 6. Presence of emergency health services; *and*
 - 38 7. Other measurable and reasonable quality standards pursuant to the declared state
39 policy of this Act or other related laws or rules and regulations.
- 40

- 1 b) Supervise the formulation and implementation of Local Sustainable Coastal Tourism
2 Plans;
3
4 c) Utilize the Sustainable Coastal Tourism Challenge Fund created under this Act as an
5 incentive for LGUs to implement the provisions of this Act;
6
7 d) Recognize meritorious and/or extraordinary implementation of this Act by LGUs
8 through awards;
9
10 e) Review, harmonize, and identify gaps in existing rules and regulations on sustainable
11 coastal tourism;
12
13 f) Conduct an inventory and assess the quality of all existing and potential coastal
14 recreational areas in the country;
15
16 g) Compile, use, and provide access to data on coastal recreational areas, which shall
17 include but not be limited to location, magnitude, tourist arrivals, revenue from
18 sustainable coastal tourism, coastal degradation, water quality and sanitation,
19 accessibility, and habitation of marine wildlife;
20
21 h) Research and develop community-based and sustainable coastal tourism models and
22 promote their adoption among local government units;
23
24 i) Receive grants, contributions, donations, endowments, bequests, or gifts in cash, or in
25 kind from local and foreign sources in support of the development and
26 implementation of climate change programs and plans: *Provided*, that such donations
27 shall not be used to fund personal services expenditures and other operating expenses
28 of the Council;
29
30 j) Provide capacity building and technical assistance to coastal municipalities, cities and
31 provinces in evaluating, formulating, and reviewing local sustainable coastal tourism
32 plans; *and*
33
34 k) Mobilize non-government, private and international participation in local sustainable
35 coastal tourism plans and projects;
36
37 l) Provide awards and other forms of recognition to coastal provinces and affected
38 LGUs which provide good examples of implementing sustainable coastal tourism;
39

40 **SEC. 6. Composition.**- The Council shall be composed of:

- 1
2 a) The Secretary of the DENR, or his duly authorized representative, as chairperson;
3
4 b) The Secretary of the Department of Tourism (DOT), or his duly authorized
5 representative, as Co- Chairperson;
6
7 c) The Secretary of the Department of Transportation (DOTr), or his duly authorized
8 representative;
9
10 d) The Secretary of the Department of Public Works and Highways (DPWH), or his
11 duly authorized representative;
12
13 e) The Secretary of the Department of Health (DOH), or his duly authorized
14 representative;
15
16 f) The Secretary of the Department of Interior and Local Government, or his duly
17 authorized representative;
18
19 g) Two (2) representatives from the academe who shall be experts in sustainable coastal
20 management and/or related disciplines;
21
22 h) Three (3) representatives from reputable non-government organizations working on
23 sustainable coastal tourism.
24

25 The representatives from the academe and non-government organizations shall be
26 appointed by the Council.
27

28 **SEC. 7. National Sustainable Coastal Recreational Area Quality Framework.**- The
29 Council shall formulate a National Coastal Recreational Area Quality Framework, herein
30 referred to as "The Framework", Within ninety (90) days from the effectivity of this Act. The
31 Framework shall be used to:
32

- 33 a) Assess the quality of all coastal recreational areas in the country;
34
35 b) Guide national government agencies in formulating, implementing and monitoring
36 policies, programs and projects in relation the goals of this Act; and
37
38 c) Guide coastal provinces, coastal cities and coastal municipalities in formulating their
39 respective local sustainable coastal tourism plans.
40

- 1 b) The DPWH shall construct access roads and other essential infrastructure that are
2 sustainably masterplanned for coastal recreational areas, in coordination with the
3 DOT, the DILG and the concerned coastal provinces and affected local government
4 units: *Provided*, that all infrastructure constructed pursuant to this Act shall be
5 planned and maintained in a environmentally sustainable manner;
6
- 7 c) The DOTr shall assist in the provision of transportation services for coastal
8 recreational areas, in coordination with the DOT, the DILG, and the concerned
9 coastal provinces and affected local government units;
10
- 11 d) The DENR and its attached agencies shall provide technical and financial assistance
12 in monitoring and the status of flora and fauna in coastal recreational areas and
13 maintaining their assistance;
14
- 15 e) The DOH and the DENR- Environmental Management Bureau shall formulate and
16 enforce water quality and sanitation standards for coastal recreational areas. The
17 DOH shall also provide technical assistance to coastal provinces and affected local
18 government units in monitoring such standards in coastal recreational areas; *and*
19
- 20 f) The DILG, in coordination with the Council, shall take the lead in raising awareness
21 of sustainable coastal tourism among coastal provinces and affected local government
22 units.
23

24 **ARTICLE IV**
25 **ROLES OF LOCAL GOVERNMENT UNITS**
26

27 **SEC. 12.** *Local Sustainable Coastal Tourism Plans.*- Coastal LGUs shall formulate and
28 implement their respective Local Sustainable Coastal Tourism Plans, herein referred to as “the
29 plan”, to ensure the quality of coastal recreational areas within their jurisdiction. The plans shall
30 include, but not be limited to:
31

- 32 a) Promotion and marketing of sustainable coastal recreational areas in their jurisdiction;
33
- 34 b) Provision of proper and well-equipped waste management facilities which can
35 accommodate 50% more than the total number of waste produced by the coastal area
36 in a day.
37
- 38 c) Provision of facilities for coastal tourism, including the acquisition of equipment,
39 regulation and supervision of business concessions, and security services for such
40 facilities;

- 1
2 d) Clean-ups of coastal recreational areas;
3
4 e) Banning tourists and locals from collecting samples of flora and fauna found in
5 coastal recreational areas;
6
7 f) Collection of tourism access fees from coastal recreational areas: *Provided*, that all
8 amounts collected pursuant to this provision shall accrue to the city or municipal
9 government from which it was collected and which shall be accounted for in
10 accordance with existing government rules and regulations: *Provided further*, that the
11 all amounts collected shall be used by the LGU to implement the provisions if this
12 Act.
13
14 g) Inspection and regulation of water quality and sanitation in coastal recreational areas;
15
16 h) Construction and maintenance of sustainably planned and maintained access roads
17 near coastal recreational areas;
18
19 i) Enforcement of easement zones as provided in Presidential Decree No. 1067, s. 1976,
20 otherwise known as the Water Code of the Philippines;
21
22 j) Provision of emergency health services;
23
24 k) Dismantling of structures which prevent access to coastal recreational areas; *and*
25
26 l) Moratorium on mining of sand and other minerals in or near coastal recreational
27 areas;
28

29 Local sustainable coastal tourism plans shall integrate the measurable indicators used in
30 the National Coastal Recreational Area Quality Framework. Coastal LGUS shall consult affected
31 communities in formulating their respective plans.
32

33 **ARTICLE V**
34 **FINAL AND TRANSITORY PROVISIONS**
35

36 **SEC. 13. Appropriations.-** The amounts necessary to implement this Act shall be taken
37 from the current budget of the Department of Environment and National Resources. Thereafter,
38 such amounts necessary to effectively carry out the provisions of this Act shall be included in the
39 annual General Appropriations Act.
40

1 **SEC. 14. *Penalty for Non-Compliant LGUs.***- Local government officials who fail to
2 formulate and implement their Local Sustainable Coastal Tourism Plan shall be charged with the
3 penalty of dereliction of duty as defined under Chapter IV, Section 6 of Republic Act No. 7160
4 under Republic Act No. 7160, otherwise known as the “*Local Government Code of 1991*”.

5
6 **SEC. 15. *Implementing Rules and Regulations.***- The DENR, DOT, DOTr, DPWH,
7 DOTr, DOH, DILG shall promulgate the implementing rules and regulations of this Act within
8 ninety (90) days from its effectivity.

9
10 **SEC. 16. *Separability Clause.*** – If for any reason any section or provision of this Act is
11 declared as unconstitutional or invalid, the other sections or provisions hereof shall not be
12 affected thereby.

13
14 **SEC. 17. *Repealing Clause.*** – All laws, ordinances, rules and regulations, and other
15 issuances or parts thereof which are inconsistent with this Act are hereby repealed or modified
16 accordingly.

17
18 **SEC. 18. *Effectivity.*** – This Act shall take effect fifteen (15) days after the completion of
19 its publication in the Official Gazette or in at least two (2) national newspapers of general
20 circulation.

21
22 *Approved,*
23
24