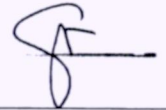


SENATE

JUL 11 AM 11:02

S. No. 334



Introduced by **SENATOR CYNTHIA A. VILLAR**

AN ACT

TO ADOPT INTEGRATED COASTAL MANAGEMENT AS A NATIONAL STRATEGY TO ENSURE THE SUSTAINABLE DEVELOPMENT OF THE COASTAL AND MARINE ENVIRONMENT AND RESOURCES AND TO ESTABLISH SUPPORTING MECHANISMS FOR ITS IMPLEMENTATION AND PROVIDE FUNDS THEREFOR

EXPLANATORY NOTE

It is the policy of the State, as stated in the Philippine Constitution of 1987, "to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature"¹. In line with this policy and with regard to the country's marine resources, the Constitution further provides that the State "shall protect the nation's marine wealth and exclusive economic zone and reserve its use and enjoyment exclusively to Filipino citizens"² and "shall protect the rights of subsistence fishermen, especially local communities, to the preferential use of the communal marine and fishing resources, both inland and offshore and provide support to such fishermen through appropriate technology and research and other services"³.

¹ Article II, Section 16 of the 1987 Philippine Constitution

² Article XII, Section 2 of the 1987 Philippine Constitution

³ Article XIII, Section 7 of the 1987 Philippine Constitution

Coastal environments encompass different ecosystems such as shore lands, mangroves, seagrass beds and coral reefs. They are among the most productive and biologically diverse landscapes known to man. Coastal and marine areas are vital sources of food, minerals and raw materials, as well as natural setting for sports, recreation, and other social and cultural activities, while marine-related economic activities, including fisheries, marine transportation, tourism, coastal mining, and offshore oil and gas development make significant contributions to a country's GDP as well as provide livelihood and employment opportunities to coastal communities.⁴

Being an archipelago with more than 7,100 islands, the Philippines has immense coastal and marine areas and is considered a center of marine biodiversity in the world. The country's coastline stretches to more than 18,000 kilometers, and its coastal waters cover an area of 266,000 square kilometers⁵; while 80% of the major settlements are located within ten or twenty kilometers from the shorelines. Given this setting, it goes without saying that the protection and management of coastal environments are important concerns of the State that should be properly addressed.

The current trends in coastal migration and increasing human activities on land, coasts and seas exert pressure on the sustaining capacity of marine areas as well as amplify the risks of environmental degradation, destruction of vital coastal habitats, loss of marine biological diversity, and deterioration of near shore water quality.⁶

The attached bill proposes the adoption of an integrated coastal management as a national strategy to ensure the sustainable development of the coastal and marine environment and resources of the country. The bill promotes the formulation of mechanisms to address the connectivity of terrestrial and marine biodiversity, social and ecological systems and the different human activities taking place therein. Apart from its goal of sustainable development, the bill aims to achieve food security, poverty alleviation, gender equality, respect for sustainable traditional

⁴ Whereas Clause, EO 533 series of 2006

⁵ http://www.oneocean.org/about_crmp/where_we_are.html

⁶ Ibid

resource rights of indigenous peoples, and to reduce vulnerability to climate change, and human induced and natural hazards.

The salient provisions of the bill include, among others: the creation of a National Coordinating Committee on Integrated Coastal Management (ICM), composed of able representatives of relevant government agencies and stakeholders, primarily mandated to formulate, institute and implement a National ICM Framework; the coordination on ICM matters at the regional, provincial and city/municipal levels; the promotion of ICM best practices that may be emulated by LGUs; the grant of incentives for LGUs that exhibit exemplary performance in the development and implementation of their respective local ICM plans; the consistency of Local ICM Plans and National Programs and Plans with the National ICM Framework; and the delineation of the roles of LGUs, the civil society and the private sector in the implementation of ICM programs.

The adoption of an ICM is within the objectives, provisions, scoping and principles of the Philippine Strategy for Sustainable Development (PSSD), as well as of the actions and agreements adopted by the Philippine Council for Sustainable Development (PCSD) related to the pursuit of the objectives of the Agenda 21 of the United Nations Conference on Environment and Sustainable Development (UNCED) and of such other protocols and treaties to which the Philippines has committed to abide.

In view of the foregoing, the approval of the bill is highly recommended.




CYNTHIA A. VILLAR

SENATE

'19 JUL 11 A11 :02

S. No. 334

RECEIVED BY 

Introduced by **SENATOR CYNTHIA A. VILLAR**

AN ACT
TO ADOPT INTEGRATED COASTAL MANAGEMENT AS A NATIONAL STRATEGY TO ENSURE THE SUSTAINABLE DEVELOPMENT OF THE COASTAL AND MARINE ENVIRONMENT AND RESOURCES AND TO ESTABLISH SUPPORTING MECHANISMS FOR ITS IMPLEMENTATION AND PROVIDE FUNDS THEREFOR

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

CHAPTER I
GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the "*Integrated Coastal Management Act*".

Sec. 2. *Declaration of Policy.* – It shall be the policy of the State to ensure sustainable development of coastal and marine resources in consultation with all stakeholders. Towards this end, it shall adopt Integrated Coastal Management, hereinafter referred to as ICM, to address the connectivity of terrestrial and marine biodiversity, social and ecological systems and the different human activities taking place therein, to promote sustainable development, to achieve food security, poverty

1 alleviation, gender equality, respect for sustainable traditional resource rights of
2 indigenous peoples, and to reduce vulnerability to climate change, and human
3 induced and natural hazards.

4 Sec. 3. *Scope and Coverage.* – ICM shall be implemented in all coastal and
5 marine areas, addressing the interlinkages among associated watersheds and
6 wetlands, by all relevant *government* structures at the national and local levels in
7 consultation and partnership with all stakeholders.

8 Sec. 4. *Definition of Terms.* – For purposes of this Act, the following terms
9 shall be defined as *follows*:

10 (a) "*Adaptation*" refers to the adjustment in natural or human systems in
11 response to actual or expected climatic stimuli or their effects, which moderates
12 harm or exploits beneficial opportunities;

13 (b) "*Biological Diversity*" or "*Biodiversity*" refers to the variability among living
14 organisms from all sources including inter alia, terrestrial, marine, and other aquatic
15 ecosystems and the ecological complexes of which they are part. Biodiversity
16 consists of variety of species, their genetic make-up, and the communities or
17 population to which they belong;

18 (c) "*Climate Change*" refers to a change in climate that can be identified by
19 changes in the mean and/or variability of its properties and that persist for an
20 extended period typically decades or longer, whether due to natural variability or as
21 a result of human activity;

22 (d) "*Disaster Risk Reduction*" refers to the concept and practice of reducing
23 disaster risks through systematic efforts to analyze and manage the casual factors of
24 disasters, through reduced exposure to hazards, lessened vulnerability of people and
25 property, wise management of land and the environment, and improved
26 preparedness for adverse events;

27 (e) "*Coastal Area*" or "*Coastal Zone*" refers to a band of dry land and adjacent
28 ocean space (water and submerged land) in which terrestrial processes and uses

1 directly affect oceanic processes and uses, and vice versa; its geographic extent may
2 include mangrove swamps, brackish water ponds, nipa swamps, estuarine rivers,
3 sandy beaches and other areas to include coral reefs, algal flats, seagrass beds, and
4 other soft-bottom areas;

5 (f) "*Integrated Coastal Management*" refers to a natural resource and
6 environmental ecosystem-based management framework which employs an
7 integrative, holistic management approach and an interactive planning process in
8 addressing the complex management issues of the coastal area. The major goal is to
9 attain sustainable coastal development including maintaining the functional integrity
10 of ecosystems through effective coastal and ocean governance;

11 (g) "*Mangroves*" refers to a community of intertidal plants including all
12 species of trees, shrubs, vines and herbs found on coasts, swamps or border of
13 swamps;

14 (h) "*Municipal Waters*" include not only streams, lakes, inland bodies of water
15 and tidal waters within the municipality which are not included within the protected
16 areas as defined under Republic Act No. 7586 or the National Integrated Protected
17 Areas System (NIPAS) Act, as amended by RA No. 11038, public forest, timber
18 lands, forest reserves or fishery reserves, but also marine waters included between
19 two (2) lines drawn perpendicular to the general coastline from points where the
20 boundary lines of the municipality touch the sea at low tide and a third line parallel
21 with the general coastline including offshore islands and fifteen (15) kilometers from
22 such coastline. Where two (2) municipalities are so situated on opposite shores that
23 there is less than thirty (30) kilometers of marine waters between them, the third
24 line shall be equally distant from opposite shore of the respective municipalities;

25 (i) "*Watershed*" refers to a land area drained by a stream or fixed body of
26 water and its tributaries having a common outlet for surface run-off;

27 (j) "*Wetland*" refers to areas of marsh, peatland or water, whether natural or
28 artificial, permanent or temporary, with water that is static, flowing, fresh, brackish
29 or salt, including adjacent areas of marine water; and

1 (k) "*State of the Coasts Reporting System*" refers to a tool to assist the local
2 government units (LGUs) in assessing the progress and benefits of ICM
3 implementation. It allows the LGUs to document and measure the effectiveness and
4 impacts of policy and management interventions in support of sustainable coastal
5 development and evaluate progress towards local, national, and international targets
6 for sustainable development.

7 CHAPTER II

8 INTEGRATED COASTAL MANAGEMENT SYSTEM

9 Sec. 5. *National Coordinating Committee on ICM.* – There is hereby
10 established a National Coordinating Committee on ICM, hereinafter referred to as
11 the National Coordinating Committee, to coordinate the review and implementation
12 of the National ICM Framework.

13 The DENR shall provide secretariat support to the National Coordinating
14 Committee.

15 The National Coordinating Committee shall be composed of the following:

- 16 (a) The Secretary of the Department of Environment and Natural Resources
17 (DENR) or his/her designated representative as chairperson;
- 18 (b) The Secretary of the Department of Agriculture (DA) or his/her designated
19 representative as vice-chairperson;
- 20 (c) The Secretary of the Department of the Interior and Local Government
21 (DILG) or his/her designated representative as vice-chairperson;
- 22 (d) The Director General of the National Economic and Development
23 Authority (NEDA) or his/her designated representative as member;
- 24 (e) One representative from the academe who specializes in ICM as member;
- 25 (f) One representative from non-government organizations (NGOs) dealing
26 with coastal management or fisheries as member; and

1 (g) One representative from the private sector as member.

2 The designated permanent representatives shall be chosen in a process to be
3 determined in the implementing rules and regulations of this Act.

4 *Sec. 6. Powers and Functions of the National Coordinating Committee on ICM.*

5 – The National Coordinating Committee shall exercise and perform the following
6 powers and functions:

7 (a) Formulate, adopt, institutionalize and amend, if necessary, the National
8 ICM Framework, in consultation with other concerned agencies, sectors and
9 stakeholders within six (6) months from the effectivity of this Act;

10 (b) Identify ICM management areas such as bays, lakes, gulfs, river basins,
11 watersheds, wetlands, protected areas, and other resources that are shared by two
12 or more provinces and assign the coordination of the formulation and
13 implementation of the required Inter-Provincial ICM Plan to the appropriate Regional
14 Development Council;

15 (c) Initiate the establishment and consolidation of baseline data on ICM
16 especially in relation to biodiversity;

17 (d) Resolve conflicts arising from ICM between or among provinces; and

18 (e) Recommend to Congress for enactment of legislations or to the
19 appropriate government agency for issuance of policies.

20 *Sec. 7. National ICM Framework.* – The National ICM Framework shall provide
21 direction, support and guidance to the local government units (LGUs) and
22 stakeholders in the development and implementation of their local ICM plans. The
23 National Coordinating Committee shall finalize the National ICM Framework within
24 twelve (12) months from the effectivity of this Act.

25 The National ICM Framework shall include the following components of the
26 framework for sustainable development of coastal areas:

- 1 (a) Goals and objectives;
- 2 (b) Strategies and action plans;
- 3 (c) Required policy or legislation;
- 4 (d) Information and public awareness campaign;
- 5 (e) Financing mechanisms; and
- 6 (f) Capacity building and National ICM Training Program.

7 Sec. 8. *Elements of the National ICM Framework.* – The implementation of
8 ICM Programs shall take into account the following elements:

- 9 (a) An inter–agency, multi–sectoral mechanism to coordinate the efforts of
10 different agencies, sectors and administrative levels;
- 11 (b) People’s participation in the formulation and implementation of the
12 National ICM Framework;
- 13 (c) Coastal strategies and action plans that provide a long–term vision and
14 strategy for sustainable development of the coastal areas; and a fixed–term program
15 of actions specifying responsible agencies or institutions for addressing priority
16 issues and concerns;
- 17 (d) Public awareness program to increase the level of understanding and
18 appreciation for the coastal and marine resources of the area; and to promote a
19 shared responsibility among stakeholders in the planning and implementation of the
20 National ICM Framework;
- 21 (e) Mainstreaming the National ICM Framework into the national and local
22 government planning and socio–economic development programs; and allocation of
23 adequate financial and human resources for its implementation;

(f) Capacity building programs to enhance required human resource skills, scientific input to policy and planning processes; and enforcement mechanisms to ensure compliance with adopted rules and regulations;

(g) Integrated environmental monitoring for the purpose of measuring, evaluating and reporting the status, progress and impacts of management programs against established sustainable development indicators and for use in decision-making, public awareness and performance evaluation;

(h) Investment opportunities and sustainable financing mechanisms for environmental protection and improvement; and resource conservation;

(i) Disaster risk reduction and management as well as climate change adaptation and mitigation programs; and

(j) Knowledge management, research and development programs in such areas as carrying capacity, limits to acceptable change, and enhancement of the analytical and predictive value of scenarios for protecting sustainable futures.

Sec. 9. *Coordination of ICM Matters at the Regional Level.* – The Regional Development Councils shall mainstream ICM in the formulation of Regional Development Plans and Priority Framework, among other related documents.

Sec. 10. *Coordination of ICM Matters at the Provincial Level.* – The coordination of the formulation and implementation of the ICM Plan at the provincial level shall be done by the Provincial Development Council established under Section 107(c) of Republic Act No. 7160 or the Local Government Code of 1991. However, instead of the Chairperson of the Committee on Appropriation of the *Sangguniang Panlalawigan* provided in Section 107(c) of R.A. 7160, the Chairperson of the Committee on Environment of the *Sangguniang Panlalawigan* shall serve as the second member of the Provincial Development Council that will coordinate in the formulation and implementation of the ICM plan at the provincial level. Aside from the members mentioned under Section 107 of R.A. 7160, representatives from Provincial Fisheries Office or from the Office of the Provincial Agriculturist, Provincial Tourism Office, and the private sector shall join the Provincial Development Council

1 for the purpose of coordinating the formulation and implementation of the Provincial
2 ICM Plan.

3 In cases where two or more provinces share a common resource such as
4 bays, gulfs, river basins, lakes, watersheds, marine protected areas, marine
5 biodiversity corridors, and upland ecosystems, the coordination, support and
6 assistance for the formulation, establishment and implementation of the Inter-
7 Provincial ICM Plan shall be provided by the concerned Regional Development
8 Council established under Executive Order No. 325, series of 1996.

9 However, this provision shall not apply to provinces or common resources
10 being shared by several LGUs which have an existing ICM coordinating mechanism
11 at the time of the effectivity of this Act.

12 Sec. 11. *Additional Functions of the Provincial Development Council.* – Aside
13 from the functions enumerated under Section 109 of R.A. 7160, the Provincial
14 Development Council shall:

15 (a) Formulate a Provincial ICM Plan in consultation with all the municipalities
16 and city or cities within the province;

17 (b) Submit the approved Provincial ICM Plan to the appropriate *sanggunian*
18 and recommend the issuance of an ordinance or ordinances to facilitate the
19 institutionalization of ICM in the local government programs;

20 (c) Submit the approved Provincial ICM Plan to the appropriate Regional
21 Development Council for integration with the Regional Development Plan for
22 submission to NEDA;

23 (d) Coordinate the implementation of the Provincial ICM Plan among the
24 relevant municipalities and city or cities within the province;

25 (e) Coordinate the efforts of provinces sharing a resource to address issues
26 that cut across their political boundaries;

1 (f) Coordinate the establishment and consolidation of baseline data on ICM
2 especially in relation to biodiversity; and

3 (g) Resolve conflicts arising from ICM between or among municipalities or
4 cities or between an LGU and a body managing a specially administered area within
5 the province.

6 Sec. 12. *Coordination of ICM Matters at City and Municipal Levels.* – The
7 coordination of the formulation and implementation of the ICM Plan at the city,
8 whether highly urbanized city (HUC), independent component city (ICC), or
9 component city, and municipal levels shall be done by the City or Municipal
10 Development Council established under Section 107(b) of R.A. 7160. However,
11 instead of the Chairperson of the Committee on Appropriation of the *Sangguniang*
12 *Panlungsod* or *Bayan* provided in Sec. 107 (b) (2) of R.A. 7160, the Chairperson of
13 the Committee on Environment of the *Sangguniang Panlungsod* or *Bayan* shall serve
14 as the second member of the City or Municipal Development Council that will
15 coordinate the formulation and implementation of the ICM plan at the city or
16 municipal levels. Aside from the members mentioned under Sec. 107 (b) of R.A.
17 7160, representatives from the City or Municipal Fisheries Office or from the Office of
18 the City or Municipal Agriculturist, City or Municipal Tourism Office, and the private
19 sector shall join the City or Municipal Development Council for the purpose of
20 coordinating the formulation and implementation of the City or Municipal ICM Plan.

21 However, this provision shall not apply to cities or municipalities which have an
22 existing ICM coordinating mechanism at the time of the effectivity of this Act.

23 Sec. 13. *Additional Functions of the City or Municipal Development Council.* –
24 Aside from the functions enumerated under Sec. 109 of R.A. 7160, the City or
25 Municipal Development Council shall:

26 (a) formulate a city or municipal ICM Plan in consultation with all the
27 barangays within the city or municipality;

1 (b) submit the approved ICM plan to the appropriate *sanggunian* and
2 recommend the issuance of an ordinance or ordinances to facilitate the
3 institutionalization of ICM in the city or municipal government programs;

4 (c) coordinate the implementation of the City or Municipal ICM Plan among
5 the relevant barangays;

6 (d) coordinate the efforts of barangays sharing a resource to address issues
7 that cut across their boundaries;

8 (e) coordinate the establishment and consolidation of baseline data on ICM
9 especially in relation to biodiversity; and

10 (f) resolve conflicts arising from ICM between or among barangays or
11 between a barangay and a specially managed or administered area within the city or
12 municipality.

13 Sec. 14. *Representation of Other Agencies and Stakeholders.* – The LGUs
14 shall consider the representation in the development councils of other national
15 agencies and stakeholder groups that will be affected by issues on ICM.

16 Sec. 15. *Assistance from LGUs and/or National Agencies.* – The Local
17 Development Councils may call upon any local official or any official of national
18 agencies or offices within the LGU to assist in the formulation of local ICM plans.

19 In providing technical assistance and other forms of support related to coastal
20 management and the implementation of development plans, the national
21 government agencies shall give priority to LGUs with approved or existing ICM plans.

22 Sec. 16. *Monitoring, Evaluation, and Reporting of ICM Program.* – The
23 National Coordinating Committee shall coordinate the preparation, consolidation and
24 submission of an initial State of the Coasts Report one year after the effectivity of
25 this Act based on available baseline data gathered and such report shall be
26 submitted to Congress. Every three (3) years thereafter, the National Coordinating
27 Committee shall coordinate the preparation, consolidation and submission of State of
28 the Coasts Report to the President and to Congress on the implementation of the

1 local ICM plans in line with the National ICM Framework. The LGUs shall submit their
2 respective progress reports on the implementation of their respective ICM plans to
3 the National Coordinating Committee. The civil society organizations shall be
4 involved in the monitoring of the implementation of the National ICM Framework and
5 local ICM plans.

6 Sec. 17. *ICM Best Practices.* – The National ICM Framework and local ICM
7 plans shall promote the application of best practices which includes, among others,
8 the following:

9 (a) Coastal and marine use classification, marine spatial planning and
10 harmonization of comprehensive land and water use plan as management tools;

11 (b) Sustainable fisheries and conservation of living resources;

12 (c) Protection and rehabilitation of coral reefs, mangroves, seagrass,
13 estuaries, and other habitats, particularly through establishment of marine protected
14 areas, nature reserves, and sanctuaries;

15 (d) Development of management approaches for the conservation of upland
16 watershed, catchment areas, and river basins;

17 (e) Integrated waste management, including sewage and solid, hazardous,
18 toxic, and other wastes by major sources;

19 (f) Natural and man-made hazards management;

20 (g) Water use and supply management;

21 (h) Payment for ecosystem services and equitable allocation of costs and
22 benefits;

23 (i) Integrated and baywide law enforcement;

24 (j) Disaster risk reduction and management in coastal areas;

25 (k) Climate change adaptation and mitigation in coastal areas;

1 (l) Community-led natural resource management; and

2 (m) Recognition of the concerns of indigenous peoples.

3 Sec. 18. *Incentives.* – The National Coordinating Committee shall develop a
4 recognition and reward system for LGUs that:

5 (a) regularly update their ICM programs or plans once every five (5) years;
6 and

7 (b) exhibit exemplary performance in the development and implementation of
8 their respective local ICM plans in accordance with the National ICM Framework.

9 The details of the recognition and reward system will be provided in the
10 implementing rules and regulations of this Act.

11 Sec. 19. *ICM Office.* – Each province may establish an ICM Office to act as the
12 secretariat to the Provincial Development Council with regard to ICM matters and to
13 monitor the implementation of the Provincial ICM Plan in consonance with the
14 National ICM Framework. This may be an office under the Provincial Planning and
15 Development Office focused solely on matters or tasks relating to ICM. Otherwise,
16 the Provincial Planning and Development Office shall serve as the secretariat to the
17 Provincial Development Council.

18 Whenever the National Coordinating Committee deems it necessary, a city or
19 municipality shall also establish an ICM Office to act as the secretariat to the City or
20 Municipal Development Council with regard to ICM matters and to monitor the
21 implementation of the City or Municipal ICM Plan in consonance with the Provincial
22 ICM Plan and the National ICM Framework. This may be an office under the City or
23 Municipal Planning and Development Office focused solely on matters or tasks
24 relating to ICM. Otherwise, the City or Municipal Planning and Development Office
25 shall serve as the secretariat to the City or Municipal Development Council.

26 Sec. 20. *Scientific Advisory Group.* – Each province shall, as far as practicable,
27 establish a Scientific Advisory Group which shall ensure that ICM interventions have
28 sound scientific basis. It shall be composed of the following:

1 (a) a representative from the academe who specializes in ICM or any related
2 discipline;

3 (b) a representative from the Department of Science and Technology (DOST);

4 (c) a representative from the DENR;

5 (d) a representative from the Bureau of Fisheries and Aquatic Resources
6 (BFAR); and

7 (e) a representative from the Philippine Association of Marine Science
8 (PAMS).

9 A city or municipality may also establish a Scientific Advisory Group for the
10 same purpose and the same composition as that of a province.

11 Sec. 21. *Role of National Government Agencies.* – All concerned national
12 agencies shall support the implementation of the National ICM Framework and local
13 ICM plans and promote ICM best practices that fall within their respective mandates.
14 They shall identify, prepare, and provide policy guidance and technical resource
15 assistance to the DENR, the development councils, and the LGUs in the
16 implementation of the National ICM Framework and local ICM plans and in the
17 enforcement of relevant coastal and marine policies and regulations; and regional
18 and international commitments or treaties. These agencies shall directly consult with
19 concerned LGUs in the development and implementation of the National ICM
20 Framework and local ICM plans affecting coastal and marine areas in their respective
21 localities.

22 All government contracts entered into and permits issued by the government
23 such as foreshore lease agreements, forest management agreements, special land
24 use permits, and mining permits entered into or issued by the government and its
25 instrumentalities shall be in conformity with the National ICM Framework and local
26 ICM plans.

27 Sec. 22. *Consistency of Local ICM Plans and National Programs and Plans with*
28 *the National ICM Framework.* – LGUs and national agencies shall formulate and

1 implement their ICM plans and national programs and plans such as Tourism
2 Development Plan and Infrastructure Program, respectively, in consonance with the
3 National ICM Framework. Existing ICM plans shall be reconciled and harmonized with
4 the National ICM Framework.

5 Sec. 23. *Specially Managed or Administered Areas.* – Specially managed or
6 administered areas such as river basins, Water Quality Management Areas
7 (WAQMAs) established under Republic Act No. 9275, special economic zones,
8 freeport zones, ecotourism zones, and protected areas, whether established under
9 Republic Act Nos. 7586 and 11038 or by virtue of an ordinance, shall prepare their
10 management plans in consonance with the ICM National Framework and relevant
11 local ICM plans. Their management plans shall incorporate ICM principles and best
12 practices taking into account the interlinkages between and among associated
13 watersheds and wetlands.

14 Sec. 24. *Review of Existing ICM or Related Programs and Plans.* – Provinces,
15 cities, municipalities, especially managed or administered areas such as special
16 economic zones or freeport zones, ecotourism zones, bays, lakes or marine
17 protected areas (MPAs) with existing ICM or related programs or plans shall review,
18 revise, reconcile, and harmonize the same based on the National ICM Framework
19 within three (3) years from the effectivity of this Act. Actual use shall be preferred
20 over future or reserve use: *Provided,* That all existing locational clearances and
21 zoning permits issued by the LGUs prior to the effectivity of this Act shall remain
22 valid pending review of existing programs and plans and zoning ordinances (ZOs)
23 and they shall not be invalidated because of the sole reason that the new and
24 approved programs and plans and ZOs have determined that they should be
25 properly located in a different coastal use zoning area: *Provided, further,* That
26 appropriate measures shall be adopted by the LGU concerned, the landowner, and
27 the developer should any existing structures and facilities are found to be properly
28 covered by a different coastal use zoning category in areas where they are currently
29 located: *Provided, finally,* That existing structures and facilities within extremely
30 hazardous and high risk danger zones which cannot be addressed by any mitigating
31 or protective measures shall be required to relocate.

1 Sec. 25. *Role of LGUs.* – LGUs shall act as the frontline agencies in the
2 formulation, planning and implementation of ICM programs in their respective
3 coastal and marine areas. The local ICM plan shall be in line with the National ICM
4 Framework and shall be prepared in consultation with the stakeholders. The LGUs
5 shall regularly update their respective ICM plans to reflect emerging issues and
6 changing social, economic, and environmental conditions. Also, the LGUs shall
7 ensure that their ICM plans shall be reflected in their annual work and investment
8 plans. The LGUs shall furnish the DENR, within one month from adoption, with
9 copies of their ICM plans and all subsequent amendments, modifications, and
10 revisions. LGUs shall mobilize and allocate the necessary personnel, resources and
11 logistics to effectively implement their respective ICM plans. Barangays shall be
12 directly involved with municipal and city governments in prioritizing coastal issues
13 and identifying and implementing solutions. Municipal and city governments shall
14 consider ICM as one of their priority programs.

15 Provincial governments shall provide technical assistance, enforcement and
16 information management in support of Municipal and City ICM Plans. Inter-LGU
17 collaboration shall be encouraged in the conduct of activities related to protecting
18 the country's coastal and marine resources.

19 Sec. 26. *Roles of Civil Society and the Private Sector.* – In the development
20 and implementation of the ICM program, the NGOs, civic organizations, people's
21 organizations, the academe, the private sector and other concerned stakeholder
22 groups shall be engaged in activities such as planning, community organizing,
23 research, technology transfer, information sharing, investment, training programs,
24 and monitoring; and evaluation, response, and feedback systems.

25 Sec. 27. *Supporting Activities.* – The following activities shall be undertaken
26 in support of the implementation of ICM programs:

27 (a) *ICM Education.* The Department of Education (DepEd) and the
28 Commission on Higher Education (CHED) shall integrate the concept and basic
29 principles of ICM into the primary, secondary, and tertiary education curricula, as
30 well as in the textbooks, primers and other educational materials;

1 (b) *ICM Training Program for LGUs.* The DENR and DILG, through the Local
2 Government Academy, shall develop and provide ICM training programs for LGUs.
3 For this purpose, LGUs may allocate funds for scholarships on tertiary and graduate
4 courses relating to ICM or source funds for such scholarships other than LGU funds;

5 (c) *Environmental and Natural Resource Accounting and Valuation for ICM*
6 *Planning.* The NEDA and the National Statistics Coordination Board (NSCB) shall
7 incorporate coastal and marine resource accounting as well as estimates of their
8 carrying capacity in the national and regional accounts;

9 (d) *Coastal and Marine Environmental Information Management System.* The
10 DENR shall oversee the establishment and maintenance of a coastal and marine
11 environmental information management system and network, in collaboration with
12 other concerned national government agencies, institutions, LGUs, civil society
13 organizations and other academic institutions. The DENR shall promote the
14 documentation and information dissemination of good practices as well as initiate
15 replication and scaling up of ICM programs in the country. The concerned agencies,
16 however, shall review the coastal and marine data prior to their public dissemination.

17 CHAPTER III

18 FINAL PROVISIONS

19 Sec. 28. *Appropriations.* – All concerned government agencies and LGUs shall
20 allocate from their annual appropriations adequate funds for the implementation of
21 the ICM. In subsequent budget proposals, the concerned offices and units shall
22 appropriate funds for program and project development and implementation
23 including continuing ICM capacity building, training, and education in ICM. LGUs
24 shall pool their resources in establishing inter-LGU alliances in the management of
25 shared resources such as bays, gulfs, lakes, rivers, watersheds, marine biodiversity
26 corridors, and marine protected area networks within their jurisdiction.

27 Sec. 29. *Other Funding Options.* – The National Coordinating Committee, the
28 local development councils, the LGUs, and the national government agencies may

1 source local and international grants, bequests, and donations in support of ICM
2 implementation.

3 The Land Bank of the Philippines, the Development Bank of the Philippines,
4 the People's Credit and Finance Corporation and other relevant government financial
5 institutions shall formulate and identify loan and financing mechanisms that will be
6 made available to support local ICM programs, including alternative livelihood
7 projects for small-scale fisherfolks and cooperatives.

8 Sec. 30. *Tax Exemption.* – All grants, bequests, endowments, donations, and
9 contributions made to the National Coordinating Committee, the local development
10 councils, the LGUs, and the DENR that will be actually, directly, or exclusively used
11 for the implementation of the ICM shall be exempted from donor's tax and the same
12 shall be allowed as deduction from the gross income of the donor for purposes of
13 computing the taxable income of the donor in accordance with the provisions of the
14 National Internal Revenue Code of 1997, as amended.

15 Sec. 31. *Implementing Rules and Regulations.* – The DENR, in consultation
16 with concerned agencies and stakeholders, shall promulgate the implementing rules
17 and regulations of this Act within ninety (90) days from the effectivity of this Act.

18 Sec. 32. *Non-impairment Clause.* – Nothing in this Act shall be construed as
19 to diminish, impair, or repeal the prohibited acts under existing laws, presidential
20 decrees, executive orders, ordinances, rules and regulations, and other issuances.

21 Sec. 33. *Separability Clause.* – If any portion or provision of this Act is
22 declared unconstitutional or invalid, the remainder of this Act or any provisions
23 hereof not affected thereby shall continue to be in force and effect.

24 Sec. 34. *Repealing Clause.* – Any law, presidential decree or issuance,
25 executive order, letter of instruction, rule or regulation inconsistent or contrary to
26 the provisions of this Act is hereby repealed or modified accordingly.

1 Sec. 35. *Effectivity.* – –This Act shall take effect after fifteen (15) days
2 following its complete publication in the Official Gazette or a newspaper of general
3 circulation.

4 Approved,