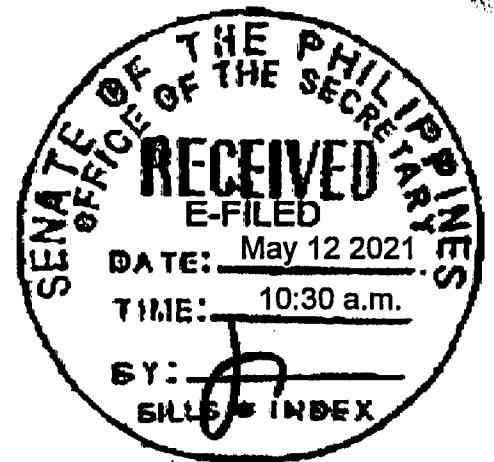


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE
S. No. 2181

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
TO IMPROVE THE QUALITY OF BEACHES AND COASTAL RECREATION
WATER**

EXPLANATORY NOTE

World class beaches are one of the things that our country is truly proud of. The Philippines is known for its prime beaches and rest and recreation facilities. Not only does this give pride to our country but it also provides for employment and income for many of our *kababayans*.

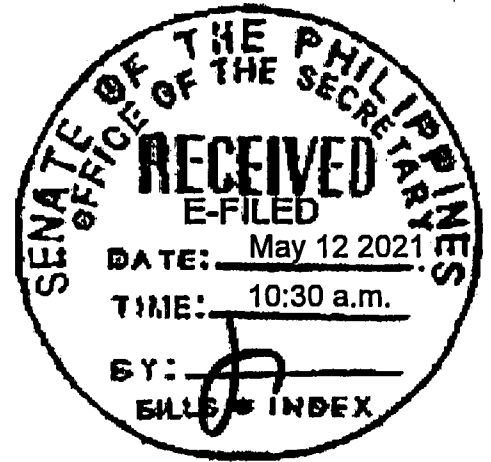
This bill seeks to improve and maintain the quality of beaches and coastal recreation waters in the country. If successfully attained this will not only conserve our ecology but will also sustain the source of income of our *kababayans*.

Among the provisions of this bill are: (1) adoption Coastal Recreational Water Quality Criteria, and (2) promulgation of Coastal Beach Water Quality Monitoring. Further, it also mandates the Department of Environment and Natural Resources (DENR) to submit a report to Congress of the implementation of the law, specifically possible recommendations for improvement.

For the purpose of protecting public safety and improvement of environmental quality, consideration of this bill is earnestly sought.


RAMON BONG REVILLA, JR.

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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SENATE
S. No. 2181

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
TO IMPROVE THE QUALITY OF BEACHES AND COASTAL RECREATION
WATER**

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

1 SECTION 1. *Short title.* – This Act shall be known as the “Beaches
2 Environmental Assessment and Coastal Health (BEACH) Act”.

3 Sec. 2. *Purposes.* – The purpose of this Act is to require uniform criteria and
4 procedures for testing, monitoring, and notifying users of public coastal recreation
5 water and beaches:

- 6 A. To protect public safety; and
7 B. To improve environmental quality.

8 Sec. 3. *Definitions.* – For the purposes of this Act, the following terms shall
9 mean:

- 10 A. *Coastal recreation water* – means water adjacent to public beaches and
11 marine coastal water (including bays, lagoon mouths, and coastal
12 estuaries within the tidal zone) used by the public for:
13 a. swimming;
14 b. bathing;
15 c. surfing; or
16 d. other similar body contact purposes

1 **B. *Floatable materials*** – means any foreign matter that may float or remain
2 suspended in water, including:

- 3 a. Plastic;
- 4 b. Aluminum cans;
- 5 c. Wood;
- 6 d. Bottles;
- 7 e. Paper products; and
- 8 f. Fishing gear.

9 **Sec. 4. *Adoption of Coastal Recreational Water Quality Criteria.***

10 **A. In General.** – Not later than three (3) years and one hundred eighty
11 (180) days after the date of enactment of this Act, the Secretary of the
12 Department of Environment and Natural Resources shall adopt water
13 quality criteria for coastal recreation water.

14 **B. Development of Criteria.** – Water quality criteria described in paragraph
15 (A) shall be developed and promulgated in accordance with existing
16 environmental laws and policies.

17 **Sec. 5. *Water Quality Criteria Revision.***

18 **A. *Studies.*** – Not later than three (3) years after the date of enactment
19 of this Act, and after consultation with appropriate officials, including
20 local health officials, and other interested persons, the Secretary shall
21 conduct studies to provide new information for use in developing:

- 22 a. A more complete list of potential human health risks from
23 inhalation, ingestion, or body contact with coastal recreation
24 water, including effects on the upper respiratory system;
- 25 b. Appropriate and effective indicators for improving direct
26 detection of the presence of pathogens found harmful to
27 human health in coastal recreational water;
- 28 c. Appropriate, accurate, and expeditious methods (including
29 predictive models) for detecting the presence of pathogens in
30 coastal recreation water that are harmful to human health;
31 and

1 d. Guidance for the application of the criteria issued under
2 subsection (B) to account for the diversity of geographic and
3 aquatic conditions throughout the country.

4 B. Revised Criteria. – Not later than five (5) years after the date of
5 enactment of this Act, based on the results of the studies conducted
6 under paragraph (A), the Secretary, after consultation with
7 appropriate officials, including local health officials, and other
8 interested parties, shall:

9 a. issue revised water quality criteria for pathogens in coastal
10 recreation water that are harmful to human health, including a
11 revised list of indicators and testing methods; and

12 b. not less than once every five (5) years thereafter, review and
13 revise the water quality criteria.

14 **Sec. 6. Coastal Beach Water Quality Monitoring.**

15 **A. Monitoring**

16 a. In General. – Not later than one (1) year and one hundred
17 eighty (180) days after the date of enactment of this Act, the
18 Secretary shall promulgate regulations for the monitoring by
19 the Department for:

20 i. compliance with applicable water quality criteria; and

21 ii. maintenance of public safety.

22 b. Contents of Requirements. – Monitoring requirements
23 established under this section shall specify, at a minimum –

24 i. Available monitoring methods to be used; and

25 ii. the frequency and location of monitoring based on:

26 1. the periods of recreational use of coastal
27 recreation water and beaches;

28 2. the extent and degree of recreational use during
29 the periods described in clause (1);

30 3. the proximity of coastal recreation water to
31 known or identified point and non-point sources
32 of pollution; and

1 4. the relationship between the use of public
2 recreation water and beaches to storm events;

3 iii. Methods for:

4 1. Detecting levels of pathogens that are harmful
5 to human health; and

6 2. Identifying short-term increases in pathogens
7 that are harmful to human health in coastal
8 recreation water, including the relationship of
9 short-term increases in pathogens to storm
10 events; and

11 iv. Conditions and procedures under which discrete areas
12 of coastal recreation water may be exempted by the
13 Secretary from the monitoring requirements under this
14 subsection, if the Secretary determines that an
15 exemption will not:

16 1. Impair compliance with the applicable water
17 quality criteria for that water; and

18 2. compromise public safety

19 B. Notification Requirements

20 a. In General – Regulations promulgated under subsection (a)
21 shall require provinces to provide notification of a failure or
22 the likelihood of a failure to meet applicable water quality
23 criteria for provincial coastal recreation water, to”

24 i. Local governments;

25 ii. the public; and

26 iii. the Secretary.

27 b. information included in Notification. – Notification under this
28 subsection shall require, at a minimum:

29 i. the prompt communication of the occurrence, nature,
30 extent and location of, and substance, including
31 pathogens, involved in a failure or immediate likelihood
32 of a failure to meet water quality criteria, to a

1 designated official of a local government having
2 jurisdiction over land adjoining the coastal recreation
3 water for which the failure or imminent failure to meet
4 water quality criteria is identified; and

5 ii. the posting of signs, during the period in which water
6 quality criteria are not met continues, that are sufficient
7 to give notice to the public:

8 1. of failure to meet applicable water quality
9 criteria for the water; and

10 2. the potential risks associated with water contact
11 activities in the water

12 C. Review and Revision of Regulations. – Periodically, but not less than
13 once every five (5) years, the Secretary shall review and make any
14 necessary revisions to regulations promulgated under this section.

15 D. Implementation

16 a. In General. – Not later than three (3) years and one hundred
17 eighty (180) days after the date of enactment of this Act, each
18 province shall implement a monitoring and notification
19 program that conforms to the regulations promulgated under
20 subsections (A) and (B).

21 b. Revision of Program. – Not later than two (2) years after the
22 date of publication of any revision by the Secretary under
23 subsection (C), each province shall revise the program
24 established under paragraph (A) to incorporate the revisions.

25 E. Guidance: Delegation of Responsibility

26 a. In General – Not later than one (1) year and one hundred
27 eighty (180) days after the date of enactment of this title, the
28 Secretary shall issue guidance establishing:

29 i. Core performance measures for testing, monitoring,
30 and notification programs under this section; and

1 ii. The delegation of testing, monitoring and notification
2 programs under this section to the local government
3 authorities.

4 b. Delegation of Responsibility to Local Governments. – If a
5 responsibility described the above paragraph is delegated by
6 a province to a local government authority, or is delegated to
7 a local government authority before the date of enactment of
8 this section, resources, including grants made, shall be made
9 available to the delegated authority for the purpose of
10 implementing the delegated program in a manner that is
11 consistent with the guidance issued by the Secretary.

12 F. Floatable Materials Monitoring; Technical Assistance. – Not later than
13 one (1) year and one hundred eighty (180) days after the date of
14 enactment of this Act, the Secretary shall

15 a. provide technical assistance for uniform assessment and
16 monitoring procedures for floatable materials in coastal
17 recreation water; and

18 b. specify the conditions under which the presence of floatable
19 material shall constitute a threat to public health and safety.

20 G. Occurrence Database. – The Secretary shall establish, maintain, and
21 make available to the public by electronic and other means –

22 a. A national coastal recreation water pollution occurrence
23 database using reliable information, including the information
24 reported under paragraph (A); and

25 b. A listing of communities conforming to the regulations
26 promulgated under paragraphs (A) and (B).

27 **Sec. 7. Report to Congress.** – Not later than four (4) years after the date of the
28 enactment of this title and periodically thereafter, the Secretary shall submit to
29 Congress a report that contains:

30 A. Recommendations concerning the need for additional water quality
31 criteria and other actions that are necessary to improve the quality of
32 coastal recreation water; and

1 B. An evaluation of efforts to implement this Act.

2 Sec. 8. *Separability Clause.* If any portion of this Act is declared
3 unconstitutional or invalid, the portions or provisions which are not affected shall
4 continue to be in full force and effect.

5 Sec. 9. *Repealing Clause.* All laws, decrees, executive orders and rules and
6 regulations or parts thereof which are inconsistent with this Act are hereby repealed
7 or modified accordingly.

8 Sec. 10. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its
9 publication in the Official Gazette or in at least two (2) national newspapers of general
10 circulation.

Approved.