

SENATE

S.B. No. 1370

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

This bill seeks to ensure optimum resource utilization and sustainable coastal and marine development through the adoption of an Integrated Coastal Management (ICM) program, which shall be mainstreamed and implemented in all levels, starting from national to grassroots levels.

Degradation of our coastal areas has long ceased to be merely an environmental issue as it pushed poverty deeper in the coastal communities through losses in livelihood, vulnerability to natural hazards, and even health problems. While efforts have been undertaken from the past 20 years, the programs lack a comprehensive and integrated approach that should have effectively managed coastal resources and prevented further problems.

Recognizing the necessity to put in place a comprehensive framework that will promote the sustainable development of the coastal and marine environment and resources, this bill proposes to develop a national ICM program that shall provide direction, support, and guidance to the local government units (LGUs) in the development of their respective ICM programs. The Department of Environment and Natural Resources (DENR) as the primary agency tasked in developing said program, shall consult with all the stakeholders and concerned agencies and sectors. It shall likewise submit an annual report on the status of the program's implementation to the President.

This bill further mandates inter-agency and multi-sectoral coordination in implementing ICM programs, ensuring participation of the national government through its various agencies. To strengthen the objective of this bill, supporting mechanisms and activities are proposed to be put in place such as:

1. ICM Education
2. ICM Training program for LGUs
3. Environmental and Natural Resource Accounting and Valuation for ICM Planning

4. Coastal and Marine Environmental Information Management System.

To help carry out the ICM programs, government financial institutions and other similar and relevant financial institutions shall formulate and identify financing schemes, including livelihood projects for small-scale fishers and cooperatives. Local and international grants are also allowed to support the coastal management activities and programs, especially of the LGUs.

Through a national ICM program and a systematic and comprehensive approach in implementing the same, we will be able to realize our goal of achieving food security, sustainable livelihood, poverty alleviation, and reduction of vulnerability to natural hazards while preserving ecological integrity.

In view of the foregoing, the passage of this bill is earnestly sought.


LOREN LEGARDA
Senator

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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

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

Section 1. Short Title. - This law shall be known as "The Integrated Coastal Management Act."

Sec. 2. Policy Statement. - It shall be the policy of the State to insure optimum resource utilization and sustainable coastal and marine development. Towards this end, it shall adopt Integrated Coastal Management, hereinafter referred to as ICM, and related approaches such as coastal resource management or coastal zone management as the national management policy framework to promote the sustainable development of the coastal and marine environment and resources in order to achieve food security, sustainable livelihood, poverty alleviation, and reduction of vulnerability to natural hazards while preserving ecological integrity.

Sec. 3. Scope and Coverage. - ICM shall be implemented in all coastal and marine areas, addressing the inter-linkages among associated watersheds, estuaries, and wetlands, and coastal seas, by all relevant national and local agencies.

Sec. 4. Development of a National ICM Program. - A National ICM Program shall be developed by the Department of Environment and Natural Resources, in consultation with other concerned agencies, sectors and stakeholders, within one year from the effectivity of this Act to provide direction, support and guidance to the Local Government Units (LGUs)

and stakeholders in the development and implementation of their local ICM programs. The National ICM Program shall include principles, strategies and action plans identified after balancing national development priorities with local concerns, define national ICM targets and develop a national ICM coordinating mechanism.

Sec 5. Implementation of ICM Program. - The implementation of ICM programs shall take into account the following elements:

- a. an inter-agency, multi-sectoral mechanism to coordinate the efforts of different agencies, sectors and administrative levels;
- b. coastal strategies and action plans that provide a long-term vision and strategy for sustainable development of the coastal areas, and a fixed-term program of actions for addressing priority issues and concerns;
- c. public awareness programs to increase the level of understanding of, and appreciation for, the coastal and marine resources of the area, and to promote a shared responsibility among stakeholders in the planning and implementation of the ICM program;
- d. mainstreaming ICM programs into the national and local governments' planning and socio-economic development programs and allocating adequate financial and human resources for implementation;
- e. 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;
- f. integrated environmental monitoring for the purpose of measuring the status, progress and impacts of management programs against sustainable development indicators, as may be established, and for use in decision-making, public awareness, and performance evaluation; and
- g. Investment opportunities and sustainable financing mechanisms for environmental protection and improvement and resource conservation.

ICM programs shall promote the application of best practices, such as, but not limited to:

- a. Coastal and marine use zonation as a management tool;
- b. Sustainable fisheries and conservation of living resources;
- c. Protection and rehabilitation of coral reefs, mangroves, seagrass, estuaries and other habitats, particularly through implementation of marine protected areas, nature reserves and sanctuaries;

- d. Development of upland watershed, catchment areas and basin-wide management approaches;
- e. Integrated waste management, including sewage and solid, hazardous, toxic, and other wastes by major sources;
- f. Integrated management of port safety, health, security and environmental protection; and
- g. Involvement of the private sector/business sector as a partner in ICM.

Sec. 6. National Government Responsibilities. - All concerned national agencies shall support the implementation of the ICM program and promote best practices, some of which were indicated in Sec. 5, that fall within their respective mandates. Specifically, the Department of Agriculture, Department of the Interior and Local Government, Department of Transportation and Communications, Department of Finance, Department of Tourism, Department of Health, Department of Education, Department of Foreign Affairs, Department of Science and Technology, Department of Energy, Department of National Defense, National Economic and Development Authority, Department of Social Welfare and Development, Department of Labor and Employment, and the Department of Justice shall identify, prepare, and provide policy guidance, and technical resource assistance to DENR and LGUs in the implementation of the National and Local ICM Programs and enforcement of relevant coastal and marine policies and regulations. These agencies shall directly consult with relevant LGUs in the development and implementation of national plans and projects affecting coastal and marine areas in their respective localities.

Sec. 7. LGU Responsibilities for ICM. - Consistent with the provision of the Local Government Code (Republic Act 7160) and the national sustainable development policies and strategies, LGUs shall act as the frontline agencies in the formulation, planning and implementation of ICM programs in their respective coastal and marine areas. The ICM programs of the LGU shall be in line with the National ICM Program and prepared in consultation with the relevant stakeholders. LGUs shall update their respective ICM programs to reflect changing social, economic, and environmental conditions and emerging issues. LGUs shall furnish the DENR within one month from adoption, with copies of their ICM programs and all subsequent amendments, modifications and revisions. LGUs shall mobilize and allocate necessary personnel, resources and logistics to effectively implement their respective ICM programs. Barangays shall be directly involved

with municipal and city governments in prioritizing coastal issues and identifying and implementing solutions. Municipal and city governments shall consider ICM as one of their regular functions. Provincial governments shall provide technical assistance, enforcement and information management in support of municipal and city ICM. Inter-LGU collaboration shall be maximized in the conduct of activities related to sustaining the country's coastal and marine resources.

Sec. 8. Roles of the Civil Society and the Corporate and Private Sectors. - In the development and implementation of the ICM program, the NGOs, civic organizations, academe, people's organizations, the private and corporate sectors and other concerned stakeholder groups shall be engaged in activities such as planning, community organizing, research, technology transfer, information sharing, investment and training programs.

Sec. 9. Supporting Mechanisms and Activities. - The following activities shall be undertaken in support of the implementation of ICM programs:

- a. ICM Education. The Department of Education shall integrate ICM into the primary and secondary education curricula and/or subjects, such as, but not limited to, Science, Biology, History, including textbooks, primers and other educational materials, basic principles and concepts of conservation, protection and management of marine resources;
- b. ICM Training Program for LGUs. The DENR and the DILG, through the Local Government Academy and building upon existing ICM expertise and experiences, shall develop and provide ICM training programs to LGUs;
- c. Environmental and Natural Resource Accounting and Valuation for ICM Planning. NEDA and the National Statistics Coordination Board shall incorporate coastal and marine resource accounting in the national and regional accounts; and
- d. Coastal and Marine Environmental Information Management System. The DENR shall oversee the establishment and maintenance of a coastal and marine environmental information management system and network, in collaboration with other concerned national government agencies, institutions and LGUs.

Sec. 10. Monitoring of ICM Progress. - The DENR shall prepare and submit an annual progress report on the National ICM Program to the President. LGUs shall submit annual progress reports on local ICM program implementation to the DENR.

Sec.11. Budgetary Appropriation for ICM. - All relevant government agencies and LGUs shall allocate adequate funds for the development and implementation of ICM programs from their existing budgets. In subsequent budget proposals, the concerned offices and units shall appropriate budget for ICM program development and implementation including continuing ICM training and education.

Sec. 12. Other Funding Options. - National government agencies may source local and international grants and donations in support of ICM implementation and in accordance with relevant laws.

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

LGUs, particularly coastal cities or municipalities, as may be allowed under relevant laws, may raise revenues and secure funds to implement their ICM program through:

1. Enactment of Tax Ordinances;
2. Allocation of Funds from the Internal Revenue Allotment, subject to the approval of their legislative councils;
3. Utilization of shares in the development of national wealth;
4. Secure loans, grants and donations as may be applicable;
5. Privatization of local government-owned enterprises;
6. Adopt, as appropriate, user fee schemes for waste management, exclusive use of coastal water areas for commercial and leisure purposes and other environmental services;
7. Public-Private Partnership schemes under the Build-Operate-Transfer Law (Republic Act 6957 as amended by Republic Act 7718) and related laws;
8. Arrange credit financing schemes; and
9. Raise income through inter-LGU cooperation.

Sec. 13. Separability Clause. - If for any reason any section or provision of this Act is declared by the Court as unconstitutional or invalid, the other sections or provisions thereof shall not be affected thereby.

SEC. 14. Repealing Clause. - All laws, ordinances, rules and regulations, and other issuances or parts thereof which are inconsistent with this Act, are hereby repealed or modified accordingly.

SEC. 15. Effectivity. - This Act shall take effect upon its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,