

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5353



Introduced by Rep. Precious Hipolito Castelo

EXPLANATORY NOTE

It is the policy of the State to protect 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

Towards this end, the Philippine government had already implemented various environmental policies to address the looming problem of climate change. Just last year, President Duterte ordered the closure of the Boracay island for a period of six (6) months from April 26 to October 26. The policy was met with mixed criticism, with some arguing that the move will have an adverse effect on Philippine tourism.

However, Department of Tourism (DOT) Secretary had acknowledged that the closure of Boracay was a "blessing in disguise", as it led travelers to discover other equally interesting destinations in the country such as Siargao, Siquijor and Dumaguete. She also said that Boracay closure further highlighted about the importance of sustainable tourism and sustainable development of our country's marine resources.

It is on this premise that the creation of the National Integrated Coastal Ecosystem Development Authority (NICEDA) is proposed. It is the intent of this measure to have a national body that will monitor and implement Integrated Coastal Management (ICM) programs to promote the sustainable development of the country's coastal and marine environment and resources. With this body, it is hoped that the rehabilitation, maintenance, and development of tourist attractions and other coastal areas will be attained.

The framework proposed for the implementation of this measure is taken from Executive Order No. 533, Series of 2006, which was enacted by then President Gloria Macapagal Arroyo.

The immediate passage of this bill is most earnestly sought.


PRECIOUS HIPOLITO CASTELO
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¹ Constitution, Section 16 of Article III.

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AN ACT

CREATING THE NATIONAL INTEGRATED COASTAL ECOSYSTEM DEVELOPMENT AUTHORITY (NICEDA) FOR THE IMPLEMENTATION OF INTEGRATED COASTAL MANAGEMENT PROGRAMS IN THE COUNTRY AND PROVIDING FUNDS THEREFOR

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

SECTION 1. *Short Title.* This Act shall be known as the "National Integrated Coastal Ecosystem Development Authority (NICEDA) Act."

SEC 2. *Declaration of Policy.* It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

Towards this end, the State shall adopt Integrated Coastal Management (ICM) as the national management policy framework to promote the sustainable development of the country's coastal and marine environment and resources in order to achieve food security, sustainable livelihood, poverty alleviation and reduction of vulnerability to natural and human-induced hazards, while preserving ecological integrity.

SEC. 3. *Definition.* Integrated Coastal Management (ICM) as defined in this Act is a dynamic process of planning and management involving stakeholders, and requiring the analysis of the environmental and socioeconomic implications of development, the ecosystem processes, and the interrelationships among land-based and marine-related activities across jurisdictions.

SEC. 4. *Creation of the NICEDA.* There is hereby created the National Integrated Coastal Ecosystem Development Authority (NICEDA) under the Department of Environment and Natural Resources (DENR) purposively to undertake the implementation of ICM programs in the country.

SEC. 5. *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. 6. *Development of a National ICM Program.* A National ICM Program shall be developed by the NICEDA, in consultation with other concerned agencies, sectors, and stakeholders, within one year from the effectivity of this Order 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. 7. *Composition of the NICEDA.* The NICEDA shall be composed of the following:

- a) A Chairman to be appointed by the President;
- b) Secretary of the Department of Environment and Natural Resources (DENR);
- c) Secretary of the Department of Tourism (DOT);
- d) Secretary of the Department of Health (DOH);
- e) Secretary of the Department of Public Works and Highways (DPWH);
- f) Secretary of the Department of Interior and Local Government (DILG);
- g) One representative from the academe who specializes in ICM or related field/s;
- h) One representative from an accredited non-government organization (NGO) concerned with coastal management or related field/s;
- i) One representative from fisherfolk organizations; and
- j) One representative from the private sector.

The selection process of the afore-mentioned representatives shall be set out in the implementing rules and regulations of this Act.

SEC. 8. *Implementation of ICM Programs.* The implementation of ICM programs shall take into account the following elements:

- a) An interagency, 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 area, 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. 9. *Monitoring of ICM Progress.* The NICEDA shall prepare and submit an annual progress report on the National ICM Program to the President.

SEC. 10. *Appropriations.* The amount necessary for the initial implementation of this Act shall be taken from the current fiscal year appropriations of the DENR. Thereafter, the amount needed for the maintenance and operation of the NICEDA shall be included in the annual General Appropriations Act.

SEC. 11. *Implementing Rules and Regulations.* – Within ninety (90) days from the promulgation of this Act, the Department of Environment and Natural Resources (DENR) shall formulate rules and regulations as may be necessary for the proper implementation of this Act.

SEC. 12. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the provision not otherwise affected shall remain valid and subsisting.

SEC. 13. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

SEC. 14. *Effectivity.* – This Act shall take effect after fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,