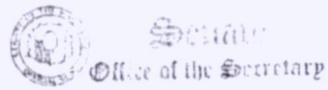


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



19 JUL 17 P5:47

SENATE
S. No. 577

RECEIVED

A handwritten signature in black ink, appearing to read "Grace Poe".

Introduced by Senator Grace Poe

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

*Explanatory Note*¹

The tourism sector is one of the bright spots of the Philippine economy. In a 2019 press release, the Philippine Statistics Authority (PSA) estimated the contribution of the tourism industry to the Philippine economy at 12.7 percent or PhP 2.2 trillion in 2018.² Furthermore, the World Travel and Tourism Council ("the Council") projected that the direct contribution of Travel and Tourism to the country's Gross Domestic Product (GDP) will rise to PHP6,240.6 billion or 22.4% of GDP in 2028.³

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.

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

² Philippine Statistics Authority. *Contribution of Tourism to the Philippine Economy is 12.7 percent in 2018*. Retrieved from <https://psa.gov.ph/tourism-satellite-accounts-press-releases>

³ World Travel and Tourism Council. *Travel and Tourism Economic Impact 2018 Philippines*. Retrieved from <https://www.wttc.org/economic-impact/country-analysis/country-reports/>

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.

Boracay island is an instructive example.⁴ 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.

The overdevelopment and overcrowding in Boracay has led to a series of environmental issues. Untreated sewage from these buildings were 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.

This is the reason why on 26 April 2018, President Rodrigo Duterte ordered the closure of Boracay for a maximum period of six months to rehabilitate the island with focused efforts on the treatment of drainage and waste water.⁵

Palawan, Panglao Island in Bohol and Siargao Island in Surigao are among other popular beach destinations in the country facing similar problems and are currently

⁴ 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_Phippines/links/55fb7ff908aec948c4afae49/The-Development-and-Management-of-Beach-Resorts-Boracay-Island-The-Philippines.pdf

⁵ CNN Philippines. *Rebuilding Boracay: Timeline, what to expect*. Retrieved from <http://nine.cnnphilippines.com/news/2018/04/05/boracay-reopening-timeline.html>

placed under the radar of the Department of Environment and Natural Resources (DENR) for possible rehabilitation.⁶

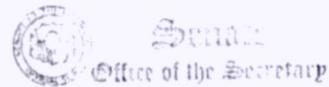
With all these to consider, it is an undeniable fact that immediate action must be taken to preserve our beaches. To this end, this representation hereby proposes the institutionalization of Sustainable Coastal Management. This bill seeks to mandate Local Government Units to formulate and implement their 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.

A handwritten signature in black ink that reads "grace Poe". Below the signature, the name "GRACE POE" is printed in a smaller, sans-serif font. To the right of the printed name, there is a small, stylized drawing of a heart or star shape.

⁶ Kabiling, G. *Massive rehab for Panglao Island, El Nido*. Retrieved from <https://news.mb.com.ph/2018/12/05/massive-rehab-for-panglao-island-el-nido/>

EIGHTEENTH CONGRESS OF THE
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**AN ACT
INSTITUTIONALIZING SUSTAINABLE COASTAL TOURISM, PROVIDING
MECHANISMS FOR ITS INSTITUTIONALIZATION, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

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

1 ARTICLE I

2 GENERAL PROVISIONS

3 Section. 1. *Short Title.* – This Act shall be known as the "Sustainable Coastal
4 Tourism Act of 2019".

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

12 Sec. 3. *Definition of Terms.* –

- 13 a) *Coastal Local Government Unit* or *Coastal LGU* - refers to LGUs bordering a
14 coast regardless of income classification;
- 15 b) *Coastal Recreational Area* - refers to coastal areas, including shores, sand
16 bars, bays, lagoon mouths, and coastal estuaries within the tidal zone, which

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

3 c) *Council* - refers to the National Council for Sustainable Coastal Tourism
4 established under this Act;

5 d) *Local Sustainable Coastal Tourism Plans* or *Plan* - refers to the plans to be
6 formulated by coastal provinces under this Act in consultation with affected
7 cities, municipalities and communities;

8 e) *National Coastal Recreational Area Quality Framework* or *Framework* - refers
9 to the Framework to be established by the Council under this Act; and,

10 f) *Sustainable Coastal Tourism* - refers to an approach to coastal tourism which
11 reconciles tourism with environmental sustainability;

12 ARTICLE II

13 THE PHILIPPINE COUNCIL FOR SUSTAINABLE COASTAL TOURISM

14 Sec. 4. *Establishment of the Council.* – The National Council for Sustainable
15 Coastal Tourism, herein referred to as “the Council”, is hereby established. The Council
16 shall be the policy-making, standard-setting, planning, coordinating, enforcing,
17 monitoring, and advisory body of the government on sustainable coastal tourism. The
18 Council shall be an independent agency attached to the Department of Environment
19 and Natural Resources, with a separate budget under the General Appropriations Act.

20 Sec. 5. *Powers and Functions of the Council.* – The Council shall be empowered
21 to:

- 22 a) Formulate the National Coastal Recreational Area Quality Framework, which
23 shall include but not be limited to the following measurable requirements:
24 1. Ecological Waste Management
25 2. Water quality and sanitation;
26 3. Accessibility;
27 4. Preventing and reversing coastal degradation;
28 5. Protection of marine flora and fauna;
29 6. Presence of emergency health services; and,

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

30

1 i) Provide awards and other forms of recognition to coastal provinces and
2 affected LGUs which provide good examples of implementing sustainable
3 coastal tourism;

4 Sec. 6. *Composition.* – The Council shall be composed of:

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

21 The representatives from the academe and non-government organizations shall

22 be appointed by the Council.

23 Sec. 7. *National Sustainable Coastal Recreational Area Quality Framework.* – The
24 Council shall formulate a National Coastal Recreational Area Quality Framework, herein
25 referred to as “The Framework”, Within ninety (90) days from the effectivity of this Act.

26 The Framework shall be used to:

- 27 a) Assess the quality of all coastal recreational areas in the country;
- 28 b) Guide national government agencies in formulating, implementing and
29 monitoring policies, programs and projects in relation to the goals of this Act;
30 and,

1 c) Guide coastal provinces, coastal cities and coastal municipalities in
2 formulating their respective local sustainable coastal tourism plans.

3 Sec. 8. *Components of the Framework.* – The Framework shall include, but not
4 be limited to, the following measurable components:

- 5 a) Ecological Waste Management
- 6 b) Water quality and sanitation;
- 7 c) Presence of floatable materials, such as plastics, aluminum cans, and bottles;
- 8 d) Accessibility;
- 9 e) Preventing and reversing coastal degradation;
- 10 f) Coastal cleanliness and/or visible pollution;
- 11 g) Presence of emergency health services;
- 12 h) Protection of marine flora and fauna; and,
- 13 i) Other measurable and reasonable quality standards pursuant to the declared
14 state policy of this Act or other related laws or rules and regulations.

15 Sec. 9. *National Inventory and Assessment of Coastal Recreational Areas.* –

16 Within two (2) years from the effectivity of this Act, and every three (3) years
17 thereafter, the Council shall create a database of existing coastal recreational areas in
18 the country and assess them using the Framework.

19 Sec. 10. *Sustainable Coastal Tourism Challenge Trust Fund.* – The Sustainable
20 Coastal Tourism Challenge Fund, hereafter referred to as “the Fund”, is hereby
21 established. The Council shall use the Fund as an incentive for LGUs to comply with and
22 implement the provisions of this Act.

23 The Fund shall be sourced from the equivalent of five percent (5%) of any
24 annual increase of the revenues collected from the excise tax on manufactured oils and
25 other fuels. It shall be indicated as a separate line item under the budget of the
26 Council.

27 ARTICLE III

28 ROLE OF NATIONAL GOVERNMENT UNITS

1 Sec. 11. *Role of National Government Agencies.* – In addition to their duties as
2 members of the Council, the concerned agencies shall also perform the following
3 functions to ensure the successful implementation of this Act:

4 a) The DOT shall provide technical and financial assistance in marketing,
5 promoting and developing sustainable coastal tourism projects. The DOT shall
6 also coordinate with the Philippine Information Agency (PIA) in formulating
7 and disseminating information against the collection of flora and fauna in
8 coastal recreational areas;

9 b) The DPWH shall construct access roads and other essential infrastructure that
10 are sustainably masterplanned for coastal recreational areas, in coordination
11 with the DOT, the DILG and the concerned coastal provinces and affected
12 local government units: Provided, that all infrastructure constructed pursuant
13 to this Act shall be planned and maintained in a environmentally sustainable
14 manner;

15 c) The DOTr shall assist in the provision of transportation services for coastal
16 recreational areas, in coordination with the DOT, the DILG, and the
17 concerned coastal provinces and affected local government units;

18 d) The DENR and its attached agencies shall provide technical and financial
19 assistance in monitoring and the status of flora and fauna in coastal
20 recreational areas and maintaining their assistance;

21 e) The DOH and the DENR- Environmental Management Bureau shall formulate
22 and enforce water quality and sanitation standards for coastal recreational
23 areas. The DOH shall also provide technical assistance to coastal provinces
24 and affected local government units in monitoring such standards in coastal
25 recreational areas; and,

26 f) The DILG, in coordination with the Council, shall take the lead in raising
27 awareness of sustainable coastal tourism among coastal provinces and
28 affected local government units.

29 ARTICLE IV

30 ROLES OF LOCAL GOVERNMENT UNITS

1 Sec. 12. *Local Sustainable Coastal Tourism Plans.* – Coastal LGUs shall formulate
2 and implement their respective Local Sustainable Coastal Tourism Plans, herein referred
3 to as “the plan”, to ensure the quality of coastal recreational areas within their
4 jurisdiction. The plans shall include, but not be limited to:

5 a) Promotion and marketing of sustainable coastal recreational areas in their
6 jurisdiction;

7 b) Provision of proper and well-equipped waste management facilities which can
8 accommodate 50% more than the total number of waste produced by the
9 coastal area in a day.

10 c) Provision of facilities for coastal tourism, including the acquisition of
11 equipment, regulation and supervision of business concessions, and security
12 services for such facilities;

13 d) Clean-ups of coastal recreational areas;

14 e) Banning tourists and locals from collecting samples of flora and fauna found
15 in coastal recreational areas;

16 f) Collection of tourism access fees from coastal recreational areas: Provided,
17 that all amounts collected pursuant to this provision shall accrue to the city or
18 municipal government from which it was collected and which shall be
19 accounted for in accordance with existing government rules and regulations:
20 Provided further, that the all amounts collected shall be used by the LGU to
21 implement the provisions if this Act.

22 g) Inspection and regulation of water quality and sanitation in coastal
23 recreational areas;

24 h) Construction and maintenance of sustainably planned and maintained access
25 roads near coastal recreational areas;

26 i) Enforcement of easement zones as provided in Presidential Decree No. 1067,
27 s. 1976, otherwise known as the Water Code of the Philippines;

28 j) Provision of emergency health services;

29 k) Dismantling of structures which prevent access to coastal recreational areas;
30 and,

1 I) Moratorium on mining of sand and other minerals in or near coastal
2 recreational areas;

3 Local sustainable coastal tourism plans shall integrate the measurable indicators
4 used in the National Coastal Recreational Area Quality Framework. Coastal LGUS shall
5 consult affected communities in formulating their respective plans.

6 ARTICLE V

7 FINAL AND TRANSITORY PROVISIONS

8 Sec. 13. *Appropriations.* – The amounts necessary to implement this Act shall be
9 taken from the current budget of the Department of Environment and National
10 Resources. Thereafter, such amounts necessary to effectively carry out the provisions of
11 this Act shall be included in the annual General Appropriations Act.

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

17 Sec. 15. *Implementing Rules and Regulations.* – The DENR, DOT, DOTr, DPWH,
18 DOTr, DOH, DILG shall promulgate the implementing rules and regulations of this Act
19 within ninety (90) days from its effectivity.

20 Sec. 16. *Separability Clause.* – If for any reason any section or provision of this
21 Act is declared as unconstitutional or invalid, the other sections or provisions hereof
22 shall not be affected thereby.

23 Sec. 17. *Repealing Clause.* – All laws, ordinances, rules and regulations, and
24 other issuances or parts thereof which are inconsistent with this Act are hereby
25 repealed or modified accordingly.

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

Approved,