

13 NOV -4 P4 :44

SENATE

S.B. NO. **1898**

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Introduced by Senator Legarda

EXPLANATORY NOTE

Based on a 2005 joint study by marine biologists from the World Conservation Union and the Smithsonian Institute of the United States entitled "The center of the center of marine shore fish biodiversity: the Philippine Islands", the Verde Island Passage Marine Corridor, a 1.14 million hectare stretch of water along portions of the provinces of Batangas, Oriental Mindoro, Occidental Mindoro, Marinduque and Romblon, is believed to be the "center of the center of marine shore fish biodiversity in the world". Located right in the middle of the Coral Triangle and with the highest concentration of marine species in any region of the world, the Verde Island Passage Marine Corridor is an important source of livelihood for over 7 million people living along these provinces who engage in fishing, aquaculture and tourism, among others. It likewise provides important passageway for both commercial and industrial ships travelling from Manila or Batangas going to the southern parts of the country and vice versa.

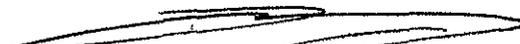
The study, however, reveals that due to the increasing threat to the marine environment, the Verde Island Passage "is in trouble" and the continued degradation of the marine habitat could possibly lead to the extinction of species. Illegal fishing and unregulated shipping still persist despite existing laws prohibiting such. As noted by the international marine biologist Dr. Kent Carpenter, coordinator of the Global Marine Species Assessment of the World Conservation Union, the Philippines has "excellent laws, best scientists, 400 MPAs, [and] highly dedicated people" but these laws are not strictly implemented.

A significant step exerted by the government towards the resolution of this problem is the issuance of Executive Order No. 578, dated November 8, 2006 which provides, among others, for the creation of a Task Force on Verde Island Passage to ensure the protection, conservation and sustainable use of the biological diversity in the Verde Island Passage Marine Corridor and the formulation of the Verde Island Passage Management Plan. Thus, a large number of Marine Protected Areas (MPAs) have been established within the Verde Island Passage Marine Corridor--from over 1,000 hectares in 2005 to more than 17,000 hectares as of 2011.

This bill, therefore, seeks to intensify government's drive in preserving one of our national heritage, the Verde Island Passage by declaring it as Marine

Protected Area and Ecological Tourism Zone and for this purpose, creating the Verde Island Passage Advisory Council (VIPAC) that shall formulate policies and regulations to ensure its protection, conservation and sustainable use. A Master Plan shall be prepared by the Council which contains mechanisms and management strategies to ensure participatory decision-making among concerned local government officials and agencies. Thus, it shall sustain the recent gains of host communities in the management of MPAs and the people will continue to exercise a "sense of ownership" and "spirit of volunteerism", showing that Verde Island Passage deserves to be declared as the Center of Marine Shore Fish Biodiversity.

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



LOREN LEGARDA

Senator

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



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SENATE

S. B. NO. 1898

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Introduced by Senator Loren Legarda

AN ACT
DECLARING THE VERDE ISLAND PASSAGE AS A MARINE PROTECTED
AREA AND ECOLOGICAL TOURISM ZONE, CREATING FOR THE
PURPOSE THE VERDE ISLAND PASSAGE ADVISORY COUNCIL,
DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

*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 "Verde Island
2 Passage Act of 2013".

3 SEC. 2. Declaration of Policy. - It is the policy of the State to protect and
4 advance the right of the people to a balanced and healthful ecology in accord
5 with the rhythm and harmony of nature. Towards this end, there is an urgent
6 need to create the Verde Island Passage Management Board that shall ensure the
7 optimal resource utilization, protection, preservation and promotion of the
8 sustainable coastal and marine development of the areas covered by the Verde
9 Island Passage Marine Corridor.

10 SEC. 3. Declaration of the Verde Island Passage Marine Corridor as
11 Marine Protected Area and Ecological Tourism Zone. - The Verde Island
12 Passage Marine Corridor located between Batangas and Mindoro is hereby
13 declared as Marine Protected Area and Ecological Tourism Zone.

14 In accordance with the current Verde Island Passage Management Plan
15 Framework, marine protected areas, whether existing or yet to be established,

1 should remain consistent with the Strategies and Principles provided for in the
2 said Framework.

3 To maximize the protection and conservation of the biodiversity of the
4 Verde Island Passage, the networking of these marine protected areas should be
5 promoted and undertaken with the full support of the local government units
6 and national agencies concerned.

7 Moreover, the proposed Verde Island Passage Management Board shall
8 form a Technical Working Group whose function, among many others as
9 designated by the Board, is the integration and implementation at the national
10 and regional level of the individual Management Plans of each member
11 provinces for the proper and sustained management of their portion of the
12 Verde Island Passage Marine Corridor.

13 **SEC. 4. The Verde Island Passage Management Board** - To implement
14 the policies enunciated under this Act, there is hereby created the Verde Island
15 Passage Management Board, hereinafter referred to as the Board, which shall be
16 under the Department of Environment and Natural Resources (DENR).

17 **SEC. 5. The Composition of the Management Board.** - The Management
18 Board shall be composed of the Executive Director of the DENR Region IV-A, as
19 Chairman and the Executive Director of the Bureau of Fisheries and Aquatic
20 Resources (BFAR) as Vice-Chairman, who shall both be designated by the
21 President.

22 The following shall be the members of the Board:

23 (1) the Provincial Governors of Batangas, Oriental Mindoro, Occidental
24 Mindoro, Marinduque, and Romblon;

25 (2) the Regional Director, Department of Tourism (DOT) Region IV-A;

26 (3) The Regional Director, Department of Science and Technology (DOST)
27 Region IV-A;

- 1 (4) The Regional Director of the National Economic and Development
2 Authority (NEDA); and
3 (5) One (1) representative each from the private sector, non-governmental
4 organization, and the academe.

5 **SEC. 6. Powers and Functions of the Board.** - The Verde Island Passage
6 Management Board shall have the following powers and functions:

- 7 (1) Formulate the Verde Island Passage Marine Protected and Eco-
8 Tourism Master Plan that is consistent with the existing Management
9 Plan Framework;
- 10 (2) Implement such policies and programs as are necessary for the
11 accomplishment of the purposes of this Act;
- 12 (3) Ensure the preparation by member provinces of their own
13 Management Plans for the Verde Island Passage of which the
14 Management Board shall ensure the integration of these individual
15 Management Plans at the regional and/or national level;
- 16 (4) Monitor and ensure the strict implementation by municipalities of
17 coastal resource management strategies that are climate-change
18 adaptive and provide sufficient information for ecosystem monitoring
19 and evaluation;
- 20 (5) Coordinate and network with local government units in the
21 establishment of climate-adaptive Marine Protected Areas which use
22 adaptive management approaches in addressing current and future
23 climate change impacts;
- 24 (6) Convene a conflict resolution mechanism
- 25 (7) Provide guidelines and best practices for coastal and foreshore
26 development planning that take into account the likelihood for

1 increased storm activity, saltwater intrusion, and other climate change
2 impacts;

3 (8) Initiate partnerships with the private sector and the local
4 government units concerned on establishing processes for dealing
5 with pollution, including but not limited to oil spills, through the
6 Environmental Impact Assessment System;

7 (9) Coordinate with concerned municipalities in ensuring proper zoning
8 of coastal waters to reduce possible conflict in the use of resources;

9 (10) Establish an incentive system, together with the private sector, to
10 help promote best practices in the governance of marine protected
11 areas;

12 (11) Facilitate access among local government units to technical
13 assistance and information.

14 **SEC. 7. The Verde Island Passage Secretariat.** - A Secretariat for the
15 Verde Island Passage Management Board shall be established through a Board
16 Resolution which shall be permanently held by DENR Region 4A.

17 **SEC. 8. The Verde Island Passage Marine Protected and Eco-Tourism**
18 **Master Plan.** - Within one (1) year from the effectivity of this Act, there shall be a
19 Verde Island Passage Marine Protected Area and Eco-Tourism Master Plan
20 prepared by the Verde Island Passage Management Board.

21 The Master Plan shall contain the following:

22 (a) Period of applicability which is ten (10) years, subject to periodic review
23 every three (3) years;

24 (b) Management goals and objectives;

25 (c) Mechanisms to ensure consultative and participatory decision-making
26 processes;

1 (d) Site management strategy including, but not limited to establishment of
2 clear and simplified guidelines on the activities allowed within the
3 maritime zone.

4 **SEC. 9. Appropriations.** - The sum of Fifty Million Pesos (PhP
5 50,000,000.00) necessary for the initial operating expenses of the Board is hereby
6 charged to appropriations authorized for the DENR. Thereafter, the sum
7 necessary for the continued operation and maintenance of the Board shall be
8 charged from the user fees to be imposed by the respective local government
9 units concerned. This income shall be derived from the visitor/tourist fees,
10 contributions from industries and facilities directly benefiting from the use of the
11 portions of the Verde Island Passage.

12 **SEC. 10. Implementing Rules and Regulations.** - The Council, in
13 coordination with the DENR, BFAR, DOT, NEDA, concerned local government
14 units and other government agencies and the private sector, shall promulgate
15 the implementing rules and regulations for this Act, within six (6) months from
16 the effectivity of this Act.

17 **SEC. 11. Separability Clause.** - If for any reason, any provision of this
18 Act is declared invalid or unconstitutional, the remaining provisions not
19 affected thereby, shall continue to be in full force and effect.

20 **SEC. 12. Repealing Clause.** - All laws, orders, rules and regulations, or
21 portions thereof, inconsistent with this Act are hereby repealed and modified
22 accordingly.

23 **SEC. 13. Effectivity Clause.** - This Act shall take effect fifteen (15) days
24 after its complete publication in at least two (2) newspapers of general
25 circulation.

26 **Approved.**