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
AN ACT
DECLARING THE VERDE ISLAND PASSAGE AS A MARINE PROTECTED AREA AND ECOCLOGICAL 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:

SECTION 1. Short Title. - This Act shall be known as the "Verde Island Passage Act of 2013".

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, there is an urgent need to create the Verde Island Passage Management Board that shall ensure the optimal resource utilization, protection, preservation and promotion of the sustainable coastal and marine development of the areas covered by the Verde Island Passage Marine Corridor.

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

In accordance with the current Verde Island Passage Management Plan Framework, marine protected areas, whether existing or yet to be established,
should remain consistent with the Strategies and Principles provided for in the said Framework.

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

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

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

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

The following shall be the members of the Board:

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

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

(3) The Regional Director, Department of Science and Technology (DOST) Region IV-A;
(4) The Regional Director of the National Economic and Development Authority (NEDA); and

(5) One (1) representative each from the private sector, non-governmental organization, and the academe.

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

(1) Formulate the Verde Island Passage Marine Protected and Eco-Tourism Master Plan that is consistent with the existing Management Plan Framework;

(2) Implement such policies and programs as are necessary for the accomplishment of the purposes of this Act;

(3) Ensure the preparation by member provinces of their own Management Plans for the Verde Island Passage of which the Management Board shall ensure the integration of these individual Management Plans at the regional and/or national level;

(4) Monitor and ensure the strict implementation by municipalities of coastal resource management strategies that are climate-change adaptive and provide sufficient information for ecosystem monitoring and evaluation;

(5) Coordinate and network with local government units in the establishment of climate-adaptive Marine Protected Areas which use adaptive management approaches in addressing current and future climate change impacts;

(6) Convene a conflict resolution mechanism

(7) Provide guidelines and best practices for coastal and foreshore development planning that take into account the likelihood for
increased storm activity, saltwater intrusion, and other climate change impacts;

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

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

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

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

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

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

The Master Plan shall contain the following:

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

(b) Management goals and objectives;

(c) Mechanisms to ensure consultative and participatory decision-making processes;
(d) Site management strategy including, but not limited to establishment of clear and simplified guidelines on the activities allowed within the maritime zone.

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

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

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

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

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

Approved.