

# REPUBLIC OF THE PHILIPPINES PROVINCE OF GUIMARAS OFFICE OF THE 8<sup>TH</sup> SANGGUNIANG PANLALAWIGAN

San Miguel, Jordan, Guimaras



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE 8<sup>TH</sup> SANGGUNIANG PANLALAWIGAN, PROVINCE OF GUIMARAS HELD AT THE SP SESSION HALL, PROVINCIAL CAPITOL ON JULY 3, 2018.

#### PRESENT:

Atty. John Edward G. Gando - Vice Governor and Presiding Officer
Hon. Cyril C. Beltran - SP Member and Majority Floor Leader

Hon. David G. Gano - SP Member and Deputy Majority Floor Leader

Hon. Cresente P. Chavez, Jr. - SP Member
Hon. Diosdado G. Gonzaga - SP Member
Hon. Josefina G. de la Cruz - SP Member
Hon. Aurelio G. Tionado - SP Member
Hon. Dan Elby C. Habaña - SP Member

Hon. Karren Kaye A. Gadnanan- Ex-Officio Board Member (SK Federation President)

#### ABSENT:

Hon. Rex G. Fernandez - SP Member

Hon. Ma. Sheila G. Gange - Ex-Officio Board Member (PCL Federation President)

### ORDINANCE NO. 2018-06

Series of 2018

AN ORDINANCE ADOPTING INTEGRATED COASTAL MANAGEMENT AS A STRATEGY FOR THE SUSTAINABLE DEVELOPMENT OF GUIMARAS COASTAL AND MARINE ENVIRONMENT AND NATURAL RESOURCES AND ESTABLISHING SUPPORTING MECHANISM FOR ITS IMPLEMENTATION AND FOR OTHER PURPOSES

# ARTICLE I GENERAL PROVISIONS

Be it ordained by the Sangguniang Panlalawigan of Guimaras, that:

Section 1. Title. This Ordinance shall be known as the "Integrated Coastal Management (ICM) Ordinance of the Province of Guimaras".

Section 2. **Authority.** The passage of this Ordinance is in accordance with Article II, Sections 9, 15 and 16 of the Philippine Constitution, Republic Act 7160; Sustainable Development Strategy for the Seas of East Asia (SDS-SEA); Executive Order No. 533; Philippine Development Plan; Provincial Ordinance No. 2, Series of 2005 also known as Guimaras Environment Code; and SP Resolution No. 20 Series of 2017.

Section 3.Statement of Policy. It shall be the policy of the Province of Guimaras to ensure sustainable development of the coastal and marine resources and environment in consultation with all stakeholders. Towards this end, it shall adopt Integrated Coastal Management, herein after referred to as ICM following the policy framework that is aligned with international standards (ISO 9001- Quality Management System, and ISO 14001- Environmental Management System. This ICM policy framework aims to strengthen governance and in addressing aspects of sustainable development related to natural and human-induced hazards management, habitat protection restoration and management, water use and supply management, food security and livelihood management, and pollution reduction and waste management while maintaining the functional integrity of ecosystems in the entire Province of Guimaras.

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CONTACT US:-







Section 4.**Scope and Coverage**. The Guimaras ICM shall be implemented following a ridge-to-reef approach addressing the inter-linkages of the coastal and marine areas with that of the uplands, watersheds, agricultural, rural, urban areas and wetlands, and socio-cultural heritage by all relevant provincial offices, municipal and barangay governments, national government agencies, civil society organizations and other institutions operating in the Province of Guimaras.

Section 5.**Purpose**. The purpose of the ICM Ordinance is to mainstream and institutionalize the ICM system into the local government mechanism in line with its mandate to sustainably manage the coastal and marine resources and environment as a basic service to the people who lives in Guimaras.

Section 6.**Definition of Terms**. As used in this Ordinance, whether singular or plural, the following terms unless the context indicates otherwise shall mean:

- (1) Adaptive Management is one of the principles that form the foundation of ICM practice; it is applied throughout the ICM process to address ecological uncertainties and changing political and management conditions brought about by political changes, political interventions, changes in key project personnel and public opinion and varying responses of stakeholders to management interventions.
- (2)Coastal Area/Zone is a band of dry land and adjacent ocean space (water and submerged land) in which terrestrial processes and uses directly affect oceanic processes and uses, and vice versa; its geographic extent may include areas within a landmark limit of one (1) kilometer from the shoreline at high tide to include mangrove swamps, brackish water ponds, nipa swamps, estuarine rivers, sandy beaches and other areas within a seaward limit of 200 meters isobath to include coral reefs, algal flats, seagrass beds and other soft-bottom areas.
- (3) Coral reef Natural aggregation of corals skeleton with or without living coral polyps, occurring in intertidal and sub-tidal marine waters.
- (4) Ecosystem is a community of living organisms in conjunction with the nonliving components of their environment, interacting as a system.
- (5) Ecosystem-based Management is one of the principles that form the foundation of ICM practice that focuses on maintaining the integrity of ecosystems, which provide goods and services essential for human well-being.
- (6) Environment the quality, quantity, diversity and sustainability of renewable and non-renewable natural resources including the ambient environment such as the atmosphere, climate, sound and odor that are critical determinants of the quality of life. In a broader sense, it shall include the total environment of man such as economic, social, cultural, political and historical factors.
- (7) Environmental Management the entire system which includes but not limited to conservation, protection, monitoring, rehabilitation and enhancement, regulation and minimization of pollution, waste management, environmental law and policy, environmental education and information, study and mitigation of the environmental impacts of human activity.
- (8) Guimaras Environment and Natural Resources Office the Provincial Office created to perform the environmental functions devolved by the Department of Environment and Natural Resources under DAO 96-30 and Article 122 (n) of the Implementing Rules and Regulations of RA 7160.
- (9) Governor the Governor of the Province of Guimaras
- (10) Habitat the place or environment where a plant or animal naturally or normally lives and grows.
- (11) Integrated Coastal Management is a dynamic, multidisciplinary and iterative process to promote sustainable development and management of coastal areas that covers a full cycle of information collection, planning, decision-making, management and monitoring of implementation, that uses the informed participation and cooperation of all concerned stakeholders to assess the societal goals in a given coastal area, and to take actions towards meeting these objectives.

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- (12) Integrated Coastal Management–Program Coordinating Committee (ICM–PCC) is an interagency multi-sectoral coordinating mechanism composed of representatives of relevant government and non-government sectors and stakeholders including local communities, business sectors, academia, NGOs and other civil society groups who shall be tasked to oversee and provide policy guidance to ICM implementation.
- (13) Integrated Coastal Management Program Management Office (ICM-PMO)- is the coordinating office designated by the Governor who shall facilitate and coordinate the conduct of collaborative activities with relevant stakeholders and partners in all stages of ICM implementation.
- (14) Integrated Coastal Management System is a management system consisting of comprehensive, overarching Sustainable Coastal Development framework and platform for interagency cooperation and stakeholder participation with governance components and sustainable development aspects following a process for ICM program development and implementation cycle, a standardized monitoring mechanism and a code of conduct for ICM practices quality assurance.
- (15) Mangrove type of forest occurring in the tidal flats along the sea coast extending along the stream where the water is brackish.
- (16) Mangrove Forest the forest stand found in the mangrove areas composed primarily of mangrove trees and associated species.
- (17) Marine Areas- refers to areas of seas, oceans, estuaries or large lakes.
- (18) Municipal Waters include not only streams, lakes, inland bodies of water and tidal waters within the municipality which is not included within the protected areas as defined under RA 7586 (NIPAS Law), but also marine waters included between two lines drawn perpendicular to the general coastline from points where the boundary lines of the municipalities touch the sit low tide and a third parallel with the general coastline including offshore islands and fifteen kilometers from the coastline. Where two municipalities are situated on opposite shores less than

thirty kilometers from the coastline. Where two municipalities are so situated on opposite shores of less than thirty kilometers of marine waters between them, the third line shall be equally distant from the opposite shores of the respective municipalities.

- (19) Reef is a bar of rock, sand, coral or similar material, lying beneath the surface of water.
- (20) Ridge refers to a long, narrow raised part of a surface, especially a high edge along a mountain.
- (21) Ridge-to-Reef Approach refers to a management approach that addresses threats in the uplands, lowlands and coastal areas in an integrated way with the aim of achieving sustainable development of coastal and marine resources and environment, allowing the maintenance and enhancement of ecosystem goods and services that would contribute to poverty reduction, support livelihood, eco-tourism, industrial and other socio-economic activities.
- (22) Sustainable Development refers to the needs and aspirations of the people without compromising the ability of the future generation to meet theirs (World Commission on Environment and Development)
- (23) Upland is a land elevated above other land; the higher ground of a region or district; an elevated region; a land or an area of land lying above the level where water flows
- (24) Wetlands is a land area that is saturated with water, either permanently or seasonally, such that it takes on the characteristics of a distinct ecosystem. The primary factor that distinguishes wetlands from other land forms or water bodies is the characteristic vegetation of aquatic plants, adapted to the unique hydric soil.

#### Section 7. Acronyms

(1) BFAR - Bureau of Fisheries and Aquatic Resources

2) CMRM - Coastal and Marine Resource Management

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- (3) CSO Civil Society Organization
- (4) DA-BFAR Department of Agriculture Bureau of Fisheries and Aquatic Resources
- (5) DA-BPI Department of Agriculture- Bureau of Plant Industry
- (6) DAR Department of Agrarian Reform
- (7) DENR Department of Environment and Natural Resources
- (8) Dep Ed Department of Education
- (9) DILG Department of the Interior and Local Government
- (10) DPWH Department of Public Works and Highways
- (11) DTI Department of Trade and Industry
- (12) DOST Department of Science and Technology
- (13) DOT Department of Tourism
- (14) DOT-(PCG) Department of Transportation (Philippine Coast Guard)
- (15) FLA (BFAR) Fishpond Lease Agreement
- (16) FLA (DENR) Foreshore Lease Agreement
- (17) GENRO Guimaras Environment and Natural Resources Office
- (18) ICM Integrated Coastal Management
- (19) IIMS Integrated Information Management System
- (20) ISO International Organization for Standardization
- (21) NGAs National Government Agencies
- (22) NGO's Non-Government Organizations
- (23) PCC Program Coordinating Committee
- (24) PEMSEA Partnerships in the Environmental Management for the Seas of East Asia
- (25) P/MLGUs Provincial / Municipal Local Government Units
- (26) PMO Program Management Office
- (27) PNP Philippine National Police
- (28) PO's People Organizations
- (29) PPAs Programs, Projects, Activities
- (30) PPDO Provincial Planning and Development Office
- (31) SDS-SEA Sustainable Development Strategy for Seas of East Asia
- (32) SOC State of the Coasts
- (33) SP SangguniangPanlalawigan of Guimaras

# ARTICLE II INTEGRATED COASTAL MANAGEMENT SYSTEM

# Section 8.ICM Institutional Arrangements - Coordinating Mechanism

(a) Program Coordinating Committee (PCC) - shall be responsible for coordination of policy making, planning, implementation and evaluation. Specifically, the purpose of the coordinating mechanism is to harmonize any overlapping responsibilities of line agencies and stakeholders' interest, to identify gaps in mandates and responsibilities, and to integrate policy and management interventions, as appropriate.

(b) Composition and Structure- The PCC shall be compose of the following:

Chairperson

Governor

Vice Chairperson

Vice Governor

Members

Sangguniang Panlalawigan Members

All Provincial Heads of Offices

Municipal Mayors

Scientific Advisory Group

Academe

Civil Society Organizations

National Government Agencies

**FARMCs** 

MLGUs (MAO; MPDC; MHO; MDRRMC; MTO and SB Chairperson, Committee on Environment, Health and

Agriculture)

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The PCC has five Sub-Committees responsible for reviewing the accomplishments and providing policy guidance to managing the five sustainable development aspects (SDA). The PMO shall serve as secretariat.

(c) Frequency of Meetings- The regular ICM-PCC and Sub-Committee meetings shall be conducted at least twice a year with special meetings as the need arises.

(d)ICM Program Management Office - The GENRO shall serve as the coordinating office and shall identify opportunities for collaboration and partnership arrangements among the various stakeholders for implementation of the ICM system; monitor and evaluate the ICM system; report to the interagency multi-sectoral coordinating mechanism on the performance of the ICM system for review, including recommendations for improvement; and communicate the needs and requirements of stakeholders to the local government.

Section 9. Framework of Guimaras ICM System. The framework covers a system of governance and management programs, projects and activities that are designed to achieve sustainable development based on the principles of integration, coordination, adaptive and ecosystem-based management. The State of the Coasts reporting allows monitoring and reporting of the performance of the ICM system to ensure that goals and targets are achieved. The key areas of competence addressed in the governance component include: (1) policy, strategies and action plans; (2) institutional arrangements; (3) legislations; (4) information and public awareness; (5) financial mechanism; and (6) capacity development. Management programs, projects and activities that address sustainable development aspects include: (1) natural and human-induced hazard prevention and management; (2) habitat protection, restoration and management; (3) water use and supply management; (4) food security and livelihood management; and (5) pollution reduction and waste management. The entire process exhibits the operation of the ICM system that is in conformity with the provisions of the ICM Code.

Section 10.**Development of Guimaras ICM System.** The Guimaras ICM shall be implemented by P/MLGUs in partnerships with relevant NGAs, international organizations, etc. GENRO is tasked to coordinate the implementation of ICM with PPDO in collaboration with MLGUs and various partners. Its development and implementation shall be guided by the following key stages of the ICM Cycle:

#### Stage 1: Preparing

This stage establishes a project management mechanism in order to organize staff, set up a project coordinating committee and identify working relationships with local government. Budget is ensured and training of staff is prioritized for effective program management and implementation. This stage refers to Section 8 and Section 11 paragraph (a) of this Ordinance.

# Stage 2: Initiating

This stage includes the identification and prioritization of environmental issues and concerns that require management intervention. Aside from profiling, an initial environmental risk assessment (IRA) allows for priority ranking of environmental concerns. An integrated information management system (IIMS) is also established to store information which is shared among the various line agencies. The State of the Coast Report determines policy and management interventions needed. Results from these assessments and consultations are then developed into strategies and action programmes. The Coastal Strategy or ICM Plan provides a framework within which more issue-specific action plans can be developed. Refer to Section 13 paragraphs (a),(b),(c) and (d) of this Ordinance.

#### Stage 3: Developing

This stage develops a Coastal Strategy Implementation Plan (CSIP) that addresses risks and focuses on prioritizing action programs within the Coastal Strategy/ICM Plan framework. An integrated environmental monitoring program is developed to assess changes in the environmental risk levels, and results from this are used to refine the risk assessment. Development and implementation of a coastal use zoning plan is also an important undertaking at this stage, while stakeholder consultations are done in a

continuous process.

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### Stage 4: Adopting

At this stage, the respective ICM plans/Coastal Strategyare adopted by the local government authority. This is facilitated by disseminating information to the general public of the environmental issues and risks associated with public health, ecosystem health and the society's well-being.

# Stage 5: Implementing

This stage transforms the interagency and/or multi-sector coordinating mechanism or the PCC into a more permanent mechanism. In particular, the project management arrangements can be transformed to be essential parts of local government institutional structures, and financial resources are utilized to operate the ICM program. Action plans that offer quick results are selected to build confidence of the stakeholders. This stage also refers to Section 11 of this Ordinance.

# Stage 6: Refining and Consolidating

Refinement of the ICM implementation is necessary to ensure that it will continuously respond to environmental and policy changes as well as meet the requirements of the stakeholders following the feedback from the stakeholders. Local staff is expected to gain experience, resulting to more effective implementation of the ICM action plans. The ICM program then moves to the next cycle. New actions are thus formed and implemented in the new cycle, based on the experience and foundation established in the previous cycle.

Section 11.Implementation of Guimaras ICM System. The Provincial Government through the GENRO shall take the lead in the implementation of ICM system. It shall be streamlined into the GENRO organizational structure maintaining different sections or creating as needed such as but not limited to Coastal and Marine Resource Management, Forest Management, Environmental Management, Mineral Resource Management with Administrative Support aligned to the ridge-to-reef implementation of ICM in the Province of Guimaras through different projects, programs and activities.

(a) The Guimaras ICM shall also take into account the following:

An inter-agency, multi-sectoral mechanism to coordinate the efforts of different NGAs, provincial offices, municipal and barangay governments, private sectors and academic institutions;

Long term vision and strategies for sustainable development of the Province of Guimaras addressing priority issues and concerns through the ridge-to-reef approaches;

- a) Increase the level of understanding and appreciation and promote shared responsibilities among stakeholders in the planning and implementation of the Guimaras ICM;
- Capacity building programs to enhance required human resource skills, scientific inputs to policy and planning processes to include enforcement mechanism compliant with adopted rules and regulations;
- c) Integrated environmental monitoring to measure the status, progress and impacts of ICM against established sustainable development indicators for use in decision-making, public awareness and performance evaluation;
- d) Mainstreaming ICM into the provincial and municipal government's planning and socioeconomic development programs and allocating adequate financial and human resources for its implementation; and
- e) Promote investment opportunities and sustainable financing mechanisms for environmental protection and improvement and resource conservation.

The Guimaras ICM shall promote the application of best practices in coastal management, such as, but not limited to:

- Coastal and marine use zonation as a management tool;
- Sustainable fisheries and conservation of living resources;

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- c) Protection and rehabilitation of coral reefs, seagrass, and other habitats, particularly through the implementation of protected areas, nature reserves and sanctuaries;
- d) Development of upland watershed, catchment areas, basin wide management, and riverbank enhancement approaches;
- e) Integrated waste management;
- f) Integrated management of port safety, health, security and environmental protection;
- g) Strong involvement and active participation of the private/business sector as ICM partners.

#### Section 12. Roles and Responsibilities

- (a) National Government Responsibilities. All concerned national agencies are enjoined to support the implementation of ICM and promote best practices within their respective mandates specifically the Department of Interior and Local Government, Department of Transportation (Philippine Coast Guard), Department of Tourism, Department of Education, Department of Science and Technology, Department of Environment and Natural Resources, Department of Agriculture (Bureau of Fisheries and Aquatic Resources and Bureau of Plant Industry- National Crop Research, Development and Production Support Center), Department of Trade and Industry, Department of Public Works and Highways, Department of Agrarian Reform, and other line agencies.
- (b) **Provincial Government Responsibilities.** The Province of Guimaras through the GENRO and other concerned departments shall provide technical, financial, enforcement and information management support to municipal ICM implementation.
- (c) Municipal Government Responsibilities for ICM. Consistent with the provision of Local Government Code (RA 7160) and national policies and strategies for sustainable development and in close coordination with the GENRO and other stakeholders, the component Municipalities shall act as the frontline units in the formulation, planning and implementation of ICM programs within their jurisdiction. The Municipal Governments in coordination with GENRO and other stakeholders shall develop, adopt and implement their coastal use zoning schemes to regulate and manage land and sea uses. They shall update their respective ICM programs to reflect changing social, economic and environmental condition and other emerging issues and shall provide the Provincial Government within one month from adoption of this ordinance and all subsequent amendments, modifications and revisions. Further, the Municipal Governments shall allocate resources and logistics and mobilize necessary personnel such as the Municipal Environment and Natural Resources Officer (MENRO) or Environment Focal Person to effectively implement their respective ICM System. Likewise, the concerned barangays shall be directly involved with the municipal government in prioritizing coastal issues and identifying and implementing solutions.
- (d) Roles of the Civil Society, Business and Private Sectors. Non-environmental and civic organizations, academe, people's organizations, the private and business sectors and other stakeholder groups shall develop their corporate socio-environmental responsibility statement and be encouraged to participate and engage in activities such as planning, community organizing, research, technology transfer, information sharing, investment, training programs and putting up of environmental projects as embodied therein.

Section 13. <u>Supporting Tools and Mechanisms</u>. The following supporting tools and mechanisms shall be undertaken to support the ICM System implementation in the Province of Guimaras:

- **a.Initial Environmental Risk Assessment** In the development of programs, projects and activities, an initial environmental risk assessment shall be included by local government units concerned. It will be the basis for priority ranking of environmental concerns to identify environmental issues that require management intervention.
- **b. Integrated information Management System-** The GENRO shall oversee the establishment and maintenance of an Integrated Information Management System, which is a standardized system for data collection, collation, recording and a database tool necessary to support environmental management and policy and decision making, in collaboration with the municipal governments and other stakeholders.

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- c. State of the Coasts Reporting System The GENRO in partnership with the SOC Task Team shall be in-charge in the periodic updating of the Guimaras SOC Report, which is a monitoring tool to assess the progress and impacts of ICM implementation that documents and measures policy and management interventions in addressing environmental issues in the Province.
- d. Coastal Strategy and Coastal Strategy Implementation Plan or ICM Plan The GENRO in coordination with other stakeholders shall spearhead the preparation and updating of the Guimaras Coastal Strategy and Coastal Strategy Implementation Plan, which is a comprehensive strategy that provides common vision and framework for the long-term planning and management of the marine and coastal areas of the Province in coordination with the various stakeholders thus enhancing coordination and integration to ensure effective use of time, funding and resources.
- e. Coastal Use Zoning Scheme- The Municipal Governments in coordination with GENRO and other stakeholders shall develop, adopt and implement their coastal use zoning schemes to regulate and effectively manage land and sea uses. The zoning scheme provides the local governments with a regulatory mechanism for implementing the strategies and action programs identified in the Coastal Strategy and Coastal Strategy Implementation Plan and for allocating the necessary resources.
- **f. ICM Training Program-** The GENRO shall closely coordinate with the PEMSEA, DENR, DILG and other relevant partners in the development and provision of training programs for municipal governments and other stakeholders in building their ICM experiences and expertise.
- g. ICM Education The Department of Education through the local division in Guimaras shall incorporate Integrated Coastal Management into the primary and secondary education modules or curricula and/or subjects, such as, but not limited to Science, Biology, History, including primers and other educational materials on basic principles and concepts on conservation, protection and management of marine resources.
- h. Environmental and Natural Resource Accounting and Valuation- The GENRO and PPDO, in collaboration with the academe in close collaboration with DENR and other stakeholders shall incorporate coastal and marine accounting in all developmental endeavors in the Province of Guimaras.

# Section 14.Funding Mechanisms

- (a) Budgetary Allocation for ICM. The Provincial Government, Municipal Governments and other stakeholders shall respectively provide necessary budget for ICM program development and implementation including continuing training/skills enhancement and education.
- (b) Other Funding Options. All ICM stakeholders are encouraged to seek funding support from national government agencies, financial institutions, international grants and donations in accordance with existing relevant laws, rules and regulations. In particular, public-private-partnerships shall be promoted to facilitate continuing support to maintaining the ecological balance in the island Province of Guimaras through integrated interventions.

### Section 15. Monitoring, Evaluation and Reporting.

Reporting on ICM accomplishment shall be based on the Work and Financial Plans for the given period by all stakeholders. They shall submit semi-annual reports to the GENRO for consolidation which in turn will submit the report to the PCC. Relevant information from the consolidated report will be inputted to the Guimaras State of the Coasts Report, which will be regularly updated every five years. The preparation of the SOC report will be spearheaded by GENRO in coordination with PPDO to measure and report on the achievements and effectiveness of management interventions as reflected in improvements in the social, economic and ecological attributes of the province and recommend measures for addressing identified gaps and challenges to achieving sustainable development.

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#### ARTICLE III FINAL PROVISIONS

Section 16. Separability Clause. If for any reason any section or provision of this Ordinance is declared by the Court as unconstitutional or invalid, the other sections or provisions thereof shall not be affected and shall continue to be in effect.

Section 17. Repealing Clause. All local laws, ordinances, rules and regulations and other local issuances or parts thereof which are inconsistent with this Ordinance are hereby repealed or modified accordingly.

Section 18. Effectivity - This Ordinance shall take effect fifteen (15) days after publication in a regional or local newspaper in general circulation in the Province of Guimaras.

ENACTED this 3rd day of July 2018.

I hereby certify to the correctness of the foregoing ordinance which was duly enacted by the 8th Sangguniang Panlalawigan of the Province of Guimaras during its regular session on July 3, 2018.

Secretary to the Sangguniang Panlalawigan

We Concur:

YRIL C. BELTRAN Board Member

CRESENTE P. CHAVEZ, JR. Board Member

Board Member

DAN ELBY C. HABAŇA Board Member

Board Member

DAVID G. GANO

Board Member

AURELIO G. TIONADO

Board Member

KARREN KANE A. GADNANAN Board Member

Attested:

ice Governor siding Officer

Approved:

SAMUEL T/GUMARIN, MD, MPH

Governor