

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



'22 NOV 29 AIO :44

**SENATE**  
S. No. 1561

RECEIVED BY: 

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**Introduced by SENATOR RAMON BONG REVILLA, JR.**

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**AN ACT  
TO IMPROVE THE QUALITY OF BEACHES AND COASTAL RECREATION  
WATER**

**EXPLANATORY NOTE**

World class beaches are one of the things that our country is truly proud of. The Philippines is known for its prime beaches, and rest and recreation facilities. Not only does this give pride to our country, but it also provides for employment and income for many of our *kababayans*.

This bill seeks to improve and maintain the quality of beaches and coastal recreation waters in the country. If successfully attained, this will not only conserve our ecology but will also sustain the source of income of our fellow Filipinos.

Among the provisions of this bill are: (1) adoption of Coastal Recreational Water Quality Criteria, and (2) promulgation of Coastal Beach Water Quality Monitoring. Further, it also mandates the Department of Environment and Natural Resources (DENR) to submit a report to Congress of the implementation of the law, specifically possible recommendations for improvement.

For the purpose of protecting public safety and improvement of environmental quality, consideration of this bill is earnestly sought.

  
**RAMON BONG REVILLA, JR.**

NINETEENTH CONGRESS OF THE )  
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**AN ACT  
TO IMPROVE THE QUALITY OF BEACHES AND COASTAL RECREATION  
WATER**

*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 “*Beaches Environmental*  
2 *Assessment and Coastal Health (BEACH) Act*”.

3 Sec. 2. *Purposes.* – The purpose of this Act is to require uniform criteria and  
4 procedures for testing, monitoring, and notifying users of public coastal recreation  
5 water and beaches:

- 6 a. To protect public safety; and
- 7 b. To improve environmental quality.

8 Sec. 3. *Definitions.* – For the purposes of this Act, the following terms shall  
9 mean:

- 10 a. *Coastal recreation water* – means water adjacent to public beaches and marine  
11 coastal water (including bays, lagoon mouths, and coastal estuaries within the  
12 tidal zone) used by the public for:
  - 13 i. Swimming;
  - 14 ii. Bathing;
  - 15 iii. Surfing; or
  - 16 iv. Other similar body contact purposes

1 b. *Floatable materials* – means any foreign matter that may float or remain  
2 suspended in water, including:

- 3 i. Plastic;
- 4 ii. Aluminum cans;
- 5 iii. Wood;
- 6 iv. Bottles;
- 7 v. Paper products; and
- 8 vi. Fishing gear.

9 *Sec. 4. Adoption of Coastal Recreational Water Quality Criteria.*

10 a. In General. – Not later than three (3) years and one hundred eighty (180) days  
11 after the date of enactment of this Act, the Secretary of the Department of  
12 Environment and Natural Resources (DENR) shall adopt water quality criteria  
13 for coastal recreation water.

14 b. Development of Criteria. – Water quality criteria described in paragraph (A)  
15 shall be developed and promulgated, in accordance with existing environmental  
16 laws and policies.

17 *Sec. 5. Water Quality Criteria Revision.*

18 a. *Studies.* – Not later than three (3) years after the date of enactment of this Act,  
19 and after consultation with appropriate officials, including local health officials,  
20 and other interested persons, the Secretary shall conduct studies to provide  
21 new information for use in developing:

- 22 i. A more complete list of potential human health risks from inhalation,  
23 ingestion, or body contact with coastal recreation water, including  
24 effects on the upper respiratory system;
- 25 ii. Appropriate and effective indicators for improving direct detection of the  
26 presence of pathogens found harmful to human health in coastal  
27 recreational water;
- 28 iii. Appropriate, accurate, and expeditious methods (including predictive  
29 models) for detecting the presence of pathogens in coastal recreation  
30 water that are harmful to human health; and

1           iv. Guidance for the application of the criteria issued under subsection (B)  
2           to account for the diversity of geographic and aquatic conditions  
3           throughout the country.

4       b. Revised Criteria. – Not later than five (5) years after the date of enactment of  
5       this Act, based on the results of the studies conducted under paragraph (A),  
6       the Secretary, after consultation with appropriate officials, including local health  
7       officials, and other interested parties, shall:

8           i. Issue revised water quality criteria for pathogens in coastal recreation  
9           water that are harmful to human health, including a revised list of  
10          indicators and testing methods; and

11          ii. Not less than once every five (5) years thereafter, review and revise the  
12          water quality criteria.

13       *Sec. 6. Coastal Beach Water Quality Monitoring.*

14       a. Monitoring

15          i. In General. – Not later than one (1) year and one hundred eighty (180) days  
16          after the date of enactment of this Act, the Secretary shall promulgate  
17          regulations for the monitoring by the Department for:

18              a. Compliance with applicable water quality criteria; and

19              b. Maintenance of public safety.

20          ii. Contents of Requirements. – Monitoring requirements established under this  
21          section shall specify, at a minimum –

22              a. Available monitoring methods to be used; and

23              b. The frequency and location of monitoring based on:

24                  i. The periods of recreational use of coastal recreation water and  
25                  beaches;

26                  ii. The extent and degree of recreational use during the periods  
27                  described in clause (1);

28                  iii. The proximity of coastal recreation water to known or identified  
29                  point and nonpoint sources of pollution; and

30                  iv. The relationship between the use of public recreation water and  
31                  beaches to storm events;

32          c. Methods for:

- 1           i. Detecting levels of pathogens that are harmful to human health;
- 2           and
- 3           ii. Identifying short-term increases in pathogens that are harmful to
- 4           human health in coastal recreation water, including the
- 5           relationship of short-term increases in pathogens to storm events;
- 6           and
- 7           iii. Conditions and procedures under which discrete areas of coastal
- 8           recreation water may be exempted by the Secretary from the
- 9           monitoring requirements under this subsection, if the Secretary
- 10          determines that an exemption will not:
- 11                1. Impair compliance with the applicable water quality criteria
- 12                for that water; and
- 13                2. Compromise public safety.

14 b. Notification Requirements

- 15       i. In General – Regulations promulgated under subsection (a) shall require
- 16       provinces to provide notification of a failure or the likelihood of a failure to meet
- 17       applicable water quality criteria for provincial coastal recreation water, to:
- 18           a. Local governments;
- 19           b. The public; and
- 20           c. The Secretary.
- 21       ii. Information included in Notification. – Notification under this subsection shall
- 22       require, at a minimum:
- 23           a. The prompt communication of the occurrence, nature, extent and
- 24           location of, and substance, including pathogens, involved in a failure or
- 25           immediate likelihood of a failure to meet water quality criteria, to a
- 26           designated official of a local government having jurisdiction over land
- 27           adjoining the coastal recreation water for which the failure or imminent
- 28           failure to meet water quality criteria is identified; and
- 29           b. The posting of signs, during the period in which water quality criteria are
- 30           not met continues, that are sufficient to give notice to the public:
- 31                i. Of failure to meet applicable water quality criteria for the water;
- 32                and

- 1                   ii. The potential risks associated with water contact activities in the  
2                   water.
- 3 c. Review and Revision of Regulations. – Periodically, but not less than once every five  
4 (5) years, the Secretary shall review and make any necessary revisions to regulations  
5 promulgated under this section.
- 6 d. Implementation
- 7           i. In General. – Not later than three (3) years and one hundred eighty (180)  
8 days after the date of enactment of this Act, each province shall implement a  
9 monitoring and notification program that conforms to the regulations  
10 promulgated under subsections (A) and (B).
- 11           ii. Revision of Program. – Not later than two (2) years after the date of  
12 publication of any revision by the Secretary under subsection (C), each province  
13 shall revise the program established under paragraph (A) to incorporate the  
14 revisions.
- 15 e. Guidance: Delegation of Responsibility
- 16           i. In General – Not later than one (1) year and one hundred eighty (180) days  
17 after the date of enactment of this Act, the Secretary shall issue guidance establishing:
- 18                   a. Core performance measures for testing, monitoring, and notification  
19 programs under this section; and
- 20                   b. The delegation of testing, monitoring and notification programs under  
21 this section to the local government authorities.
- 22 f. Delegation of Responsibility to Local Governments. – If a responsibility described in  
23 the above paragraph is delegated by a province to a local government authority, or is  
24 delegated to a local government authority before the date of enactment of this section,  
25 resources, including grants made, shall be made available to the delegated authority  
26 for the purpose of implementing the delegated program in a manner that is consistent  
27 with the guidance issued by the Secretary.
- 28 g. Floatable Materials Monitoring; Technical Assistance. – Not later than one (1) year  
29 and one hundred eighty (180) days after the date of enactment of this Act, the  
30 Secretary shall:
- 31           i. Provide technical assistance for uniform assessment and monitoring  
32 procedures for floatable materials in coastal recreation water; and

1           ii. Specify the conditions under which the presence of floatable material shall  
2           constitute a threat to public health and safety.

3    h. Occurrence Database. – The Secretary shall establish, maintain, and make available  
4    to the public by electronic and other means –

5           i. A national coastal recreation water pollution occurrence database using  
6           reliable information, including the information reported under paragraph (A);  
7           and

8           ii. A listing of communities conforming to the regulations promulgated under  
9           paragraphs (A) and (B).

10       *Sec. 7. Report to Congress.* – Not later than four (4) years after the date of the  
11       enactment of this Act, and periodically thereafter, the Secretary shall submit to  
12       Congress a report that contains:

13           A. Recommendations concerning the need for additional water quality  
14           criteria and other actions that are necessary to improve the quality of  
15           coastal recreation water; and

16           B. An evaluation of efforts to implement this Act.

17       *Sec. 8. Separability Clause.* If any portion of this Act is declared invalid or  
18       unconstitutional, the portions or provisions which are not affected shall continue to be  
19       in full force and effect.

20       *Sec. 9. Repealing Clause.* All laws, decrees, executive orders and rules and  
21       regulations or parts thereof contrary to, or inconsistent with, this Act are hereby  
22       repealed, modified or amended accordingly.

23       *Sec. 10. Effectivity Clause.* This Act shall take effect fifteen (15) days after its  
24       complete publication either in the Official Gazette or in at least two (2) national  
25       newspapers of general circulation in the Philippines.

*Approved,*