

Minutes of the Executive Committee Meeting  
Zoom Conference Meeting ID No: 841 0979 8753  
30 March 2021

**1. Call to Order.** BGen Sharon G Gernale PAF was elected to preside over the meeting. The meeting was called to order at 10:10 am.

Present:

- |   |                   |
|---|-------------------|
| 1. BGen Sharon G Gernale PAF                  | Presiding Officer |
| 2. Atty. Vicente V. Escala, Office of the Gov | Member            |
| 3. RED Lourdes G. Ferrer, DENR- MIMAROPA      | Member            |
| 4. Hon. Sergio S. Tapalla, LGU-Cagayancillo   | Member            |
| 5. Ms. Marivel P. Dygico, WWF-Phils           | Member            |
| 6. LCdr Severino B Destura PCG, CGD-Pal       | Member            |
| 7. Mr. Romel L. Carbonell, SAGUDA-Pal         | Member            |
| 8. Atty. Adelina B. Villena, PCSD             | Member            |

Absent:

- |  |        |
|--|--------|
| 1. Commo. Donn Anthony L Miraflor, NFW | Member |
|--|--------|

Guest:

- |                                  |        |
|----------------------------------|--------|
| 1. Ms. Rhodora Ubani, DENR-PENRO | Member |
|----------------------------------|--------|

**2. Review of the Minutes of the Previous Meeting/Matters Arising Out of the Minutes.** The minutes of the previous meeting was reviewed and adopted. Below are the highlights and discussions pertaining to the previous meeting:

Highlights/Major Concerns	Actions taken
Cases for Plea Bargaining	ExeCom Reso ratified by TPAMB allowing PASu to enter into plea bargaining agreements
DBM Letter to DENR re TMO Plantilla Positions	PCSDS and TMO response to DBM sent upholding DOJ opinion
Signatories to TRNP Trust Fund Account	TPAMB Reso No. 21-004 issued requesting for authority of PENRO Saños to sign, no action yet
Authority to Sign MOA (BRING)	DENR letter suggesting further discussion
Request for Consideration re Permit to Operate	Moratorium on park rule on Permit to Operate
Gratuity Pay for TMO Employees	Gratuity Pay received with gratitude

RED Ferrer updated the Committee pertaining to the signatories to the TRNP Trust Fund Account. She said that she already signed a letter of ‘no objection’ to the TPAMB request for PENRO Saños to be a signatory to the TRNP Trust Fund. She added that she does not interpose any objections since the account is not a government account.

RED Ferrer also expressed her approval to authorize the PASu to enter into a MOA pertaining to the BRING initiative.

**3. Agenda**

**3.1 Partnership with Saguda and ACB.** TMO was able to access a grant from the ASEAN Center for Biodiversity (ACB) amounting to ₱800,000.00 for environmental education activities and shark research. The PASu added that, as in the 2019 ACB-funded project, Saguda Palawan, Inc., will manage the funds to facilitate liquidation. Additionally, the East Asian-Australasian Flyway Partnership (EAAFP) approved a proposal for ₱250,000.00 for the seabird survey. The PASu reported that TMO will enter into a similar arrangement with Saguda.

The ACB requires a resolution approving the partnership between Saguda and TMO. Draft Resolution 21-121 was shown on screen. The Presiding Chair proposed that a Whereas be added indicating that Saguda will manage the funds.



RED Ferrer inquired why such an arrangement is necessary and advised that TMO manage the funds itself. Ms. Barber said that the COA advised TMO that external funds be separated from the TRNP Trust Fund for the time being until such time as the accountability issues of the staff have been settled. The auditor advised that only tourism revenues be deposited in the Trust fund for now. RED Ferrer said that she will raise the matter of external fund management with ACB. Cdr Destura proposed that the COA advise be requested in writing for protection of TMO. The resolution was approved subject to changes discussed above.

**3.2 Partnership with Surigao State College of Technology.** The PASu reported that there is an offer of a partnership between the Surigao State College of Technology (SSCT) and TMO for the preparation and delivery of an environmental education module to pilot in the College. She added that SSCT will mainstream the module among its fisheries students by giving points for attendance and participation. In exchange, SSCT will offer a free review for rangers taking the fisheries board exam.

If approved, some of the ACB grant will go to the production of the module, which will be adapted from the marine park ranger training module. RED Ferrer advised that the reason for choosing SSCT as a partner be added in the resolution. Draft Resolution 21-122 was unanimously approved subject to the addition of the rationale for partnering with SSCT.

**3.3 UP MSI Study.** The PASu recalled that TMO, in its annual report, informed the TPAMB of the proliferation of cyanobacteria and sponges that are competing with corals in some site. As a result, coral cover has steadily decreased in these sites for several years. TMO requested UP-MSI for help in studying the phenomenon.

To conduct the study, scientists need to collect samples to identify organisms and abiotic components that may be influencing the decline. A resolution is needed for the collection and transport of the samples Manila. RED Ferrer recommended that the resolution be rephrased so as not to be too detailed. She suggested that the subject of the resolution be made more general in scope to cover partnership with UP-MSI in all scientific studies in Tubbataha. Atty. Villena and Cdr Destura proposed changes to the title of the resolution to capture the recommendation of RED Ferrer. The draft resolution was unanimously approved subject to the changes.

**3.4 2021 Tourism Outlook for TRNP.** The PASu reported that the Provincial Government approved in mid-March the guidelines on liveaboard diving in Tubbataha. At least two commercial vessels were planning to operate from March to June. However, the recent spike in Covid cases and the lockdown in parts of Manila led to the cancellation of trips. Only two private yachts owners are planning to visit this year. If there are no changes in the Covid situation, it is estimated that revenues will not exceed ₱100,000.00.

The Presiding Officer stressed that anyone who will visit Tubbataha must adhere to both LGU and IATF guidelines.

**3.5 Ranger Station Monitoring Trip, 16-19 April 2021.** The PASu recalled that the TPAMB created a Monitoring Team for the ranger station project to be composed of members of the Executive Committee and representatives of TIEZA. The first inspection trip scheduled for 16-19 April 2021 is postponed to June 2021 due to the spike in covid cases in Manila and Puerto Princesa.

**3.6 Updates on DENR and PSFI Grants.** Ms. Barber reported that DENR is providing ₱4.441M in operational support for 2021. This will cover the cost of boat rentals for eight management and research trips to the Park. The contract amounting to ₱3.024M has already been awarded with the first trip for fish and benthos monitoring scheduled for April 22. Included in the support is the salary of six TMO staff for nine months amounting to ₱1.407M. The contract of the staff was already approved by PENRO.

PSFI, on the other hand, is providing a grant of ₱2.950M. This will cover communication costs, equipment for research and enforcement, consultancies, counterpart funds for research, dive insurance of researchers, and information and education equipment.

**3.7 Position Paper for OP.** Atty Villena briefed the Committee on the position paper that PCSDS sent to the Office of the President and DBM on March 22. The paper in response to issues raised by DENR in its 04 March 2021 letter to DBM. Some of the points raised by PCSDS are:

The pertinence of Sec 15 of the ENIPAS Act to TRNP. It states that protected areas (PA) of portions thereof under the management of other departments and government instrumentalities shall remain in the said department or government instrumentality. TRNP should therefore remain with the OP per DOJ opinion of 2018.



Contrary to the DENR claim, the declaration of TRNP is not only under the NIPAS Act but also under the SEP Act. The assistive role mentioned in Section 16 of the TRNP Act applies to both the DENR and the PCSD. The two agencies, therefore, exercise joint oversight function over TRNP.

PCSD also contested the DENR statement that 'the ENIPAS Act repealed the provisions of RA 10067 with regard to the management of TRNP'. According to PCSD, absent any express repeal or unreconcilable conflict, the TRNP Act is in full force.

DENR made no mention of the DOJ opinion stating that TMO is under the OP. However, PCSD stated that even the Supreme Court has declared that 'a DOJ opinion carries persuasive weight upon the courts'.

The fiscal adequacy of TRNP is ensured through the establishment of the TRNP Trust Fund under Section 17 of RA 10067. TRNP need not solely depend on the IPAF because it is authorized to establish its own fund to finance projects for TRNP.

Finally, PCSD expressed support for the creation of 35 plantilla positions for TMO under the OP as mother agency pursuant to the 2018 DOJ opinion.

The TMO, PCSD, and TPAMB submitted position papers to the DBM and the OP with the common stand of abiding by the DOJ opinion. TMO is waiting for a response from the DBM.

### Other Matters

**4.1 Biodiversity Resource Information Network Group (BRING) MOA.** The Committee unanimously approved granting the PASu authority to sign the BRING MOA.

**4.2 Dive Season.** Cdr Destura inquired if Tubbataha will be open for the dive season. He said that some dive operators are apprehensive about being able to operate due to the capacity restriction of 50% pursuant to MARINA guidelines. They are asking if Tubbataha will have the same requirements. The PASu replied that the Park will be open for tourism and that in preparation for the season, diving protocols for liveaboard vessels was formulate and approved by the Provincial Government. For its part, TMO is prohibiting visitors from face-to-face interaction with rangers and is only accepting online transactions.

Atty. Villena stressed that the health protocols are applicable to all and does not exempt anybody from abiding by vessel capacity prescriptions for boats.

The PASu said that at 50% boat capacity, research cannot be conducted in Tubbataha because there will not be enough people to carry out the studies. TMO will find out whether this guideline applies to passenger vessels only or to private vessels as well and inform Cdr Destura and the dive operators.

The meeting was adjourned at 11:35 pm.

Prepared by:

  
**ANGELIQUE M. SONGCO**  
Secretary

Attested by:

  
**BGEN SHARON G GERNALE PAF**  
Presiding Officer