

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

MINUTES OF REGULAR MEETING
Protected Area Management Board (PAMB)

July 26, 2022
(Date of Meeting)

Palayok ni Jing Restaurant and Catering Services, Sablayan Occidental Mindoro
(Venue of Meeting)

The meeting was attended by the following:

PRESENT:

POSITION/DESIGNATION

- | | |
|--------------------------------|--|
| 1. Capt. Roberto S. Rodil PCGA | Division Director, Philippine Coast Guard Auxiliary (PCGA) 506.2 Divisions, Sablayan – NGO |
| 2. Mr. Melchor L. Quiatchon | Representative, Office of the Representative, Lone District of Occ. Mindoro |

PRESENT THRU TELE CONFERENCE:

- | | |
|--------------------------------------|---|
| 3. Ms. Apolonia Marie Grace Diamante | Executive Director, Mindoro Biodiversity Conservation Foundation Inc. (MBCFI) |
| 4. Mr. John Paul Aristotle C. Ramos | Office of the Representative Government of Occidental Mindoro |
| 5. Mr. Algene Eduard M. Francisco | Professor, PUP Sby. Campus-Academe (Representative of PUP-Sablayan Campus) |
| 6. Ruther John Col-long | NEDA-MIMAROPA
(Representative of Ms. Mirabelle Lanuza) |

ABSENT:

- | | |
|------------------------|------------------------------|
| 7. Mr. David N. David | Representative, WWF |
| 8. Mr. Lorenzo Ordenes | Representative, LGU Sablayan |

SECRETARIAT:

- | | |
|---|-------------------------------|
| 1. Ms. Krystal Dayne T. Villanada | Protected Area Superintendent |
| 2. Ms. Anna Ritchelle D. Nicanor | SCDO |
| 3. Ms. Stephany Kenneth Khen D. Colesio | Management Support Staff |
| 4. Ms. Hugo Ignacio G. Salvador | CMEMP Extension Officer |

GUEST:

- | | |
|-------------------------|------------------------------|
| 1. Fernando B. Dalangin | Representative, LGU-Sablayan |
|-------------------------|------------------------------|

52 **THRU TELE CONFERENCE:**

- 53
54 1. Celso B. Almazan
55 2. Ms. Michaela Rongavilla

SvEM-PENRO Mamburao
DMO III, DENR – MIMAROPA

56
57 **I. Opening Program**

58
59 The meeting started at around 1:30 in the afternoon with an invocation led by PASu
60 Villanada.

61
62 **II. Agenda**

63
64 **1. Roll Call and Proof Of Quorum**

65
66 PASu Villanada has declared that six (6) out of nine (9) PAMB members were
67 present, hence there is a quorum.

68
69 **2. Call to Order**

70
71 Pursuant to BMB Technical Bulletin No. 2017 – 04, PAMB Quiatchon was chosen
72 to preside over the meeting on motion of PAMB Rodil and seconded by PAMB
73 Francisco, with concurrence of the body.

74
75 **3. Review of the Minutes of the Previous Meeting**

76
77 PAMB Quiatchon asked PASu Villanada to present the previous minutes and
78 resolutions of the meetings conducted last May 4, 2022 in Sablayan and on July 6,
79 2022 in Bayview Park Hotel, Ermita, Manila.

80
81 The members of the board read and reviewed the minutes of the previous meeting
82 conducted on May 4, 2022 at the Palayok ni Jing Restaurant, Sablayan, Occidental
83 Mindoro.

84
85 PASu Villanada informed the board that during the PAMB special meeting
86 conducted on July 6, 2022, there were four (4) approved resolutions but only two
87 (2) of them were signed by the Regional Executive Director. She then read and
88 discussed the resolution as well as the responses of Atienza Interisland Ferries Inc.
89 and RBL Fishing Corporation. She also discussed and explained the agreement
90 during the meeting for the information of the other PAMB members who did not
91 attend last July 6, 2022. Both shipping companies were given only seven (7) days
92 to respond upon receipt of the PAMB Resolutions requiring them to compensate
93 for the certain administrative fines.

94
95 Upon motion of PAMB Algene Edward Francisco and seconded by PAMB
96 Roberto S. Rodil, with concurrence of the body, the minutes of the meeting for
97 May 4, 2022 and July 6, 2022 were approved with no corrections.

98
99 **4. Presentation and Approval of the Provisional Agenda**

100
101 PASu Villanada presented the following agenda for the meeting:
102

103 **For Discussion:**

- 104
- 105 1. RESPONSE LETTER FROM ATIENZA INTER ISLAND FERRIES INC.
- 106 AND RBL FISHING CORPORATION PERTAINING TO THE
- 107 DISCUSSION ON RECENTLY CONCLUDED PAMB SPECIAL MEETING
- 108 LAST JULY 6, 2022 AT BAYVIEW PARK HOTEL;
- 109
- 110 2. RESULT OF WATER QUALITY MONITORING ASSESSMENT FOR THE
- 111 DRY SEASON.
- 112

113 The body agreed that any topics not included in the lists of the provisional agenda

114 shall fall on "Other Matters".

115

116 **5. New Business**

117

118 **RESPONSE LETTER FROM ATIENZA INTER ISLAND FERRIES INC.**

119 **AND RBL FISHING CORPORATION PERTAINING TO THE**

120 **DISCUSSION ON RECENTLY CONCLUDED PAMB SPECIAL MEETING**

121 **LAST JULY 6, 2022 AT BAYVIEW PARK HOTEL**

122

123 PASu Villanada read the letter from the Atienza Interisland Ferries Inc. The letter

124 was sent to the Protected Area Management Office via email on July 12, 2022. The

125 letter was asking for a reconsideration regarding the required amount of

126 administrative fine set by the PAMB.

127

128 PAMB Quiatchon said that as per his understanding the Atienza Interisland Ferries

129 Inc. did not give a direct answer pertaining to their resolution. He also added that

130 the AIFI, once again, just discussed what they already know and that the company,

131 in no manner, is willing to compensate the damages that they incurred.

132

133 PASu Villanada said that as per Atty. Gandhi, if the Atienza Interisland Ferries

134 Inc. will not cooperate, the PAMB can decide to file and pursue a criminal case

135 against them.

136

137 DMO III Rongavilla informed the board that she and Atty. Gandhi had a

138 discussion before the meeting. She said that if the PAMB will decide to file a

139 criminal case against Atienza Interisland Ferries Inc., the board needs to establish

140 the prohibited acts they were violated. She then highlighted the possible acts under

141 R.A 11038 (ENIPAS Law):

142

143 *Sec. 20. Prohibited Acts.* - Except as may be allowed by the nature of their

144 categories and according to rules and regulations governing the same, the

145 following acts are prohibited within protected areas:

146

147 "(a) Poaching, killing, destroying, disturbing of any wildlife

148 including in private lands within the protected area;

149

150 "(g) Operating any motorized conveyance within the protected area

151 without a permit from the PAMB, except when the use of such

152 motorized conveyance is the only practical means of transportation

153 of IPs/ICCs in accessing their ancestral domain/land;

154
155 Sec. 21. *Penalties.* - Violation under this Act shall be subject to the
156 following penalties:
157

158 "(a) A fine of not less than Two hundred thousand pesos (P200,
159 000) but not more than One million pesos (P1, 000,000) or
160 imprisonment from one (1) year but not more than six years, or
161 both, plus damages of triple the value of the said resources, or both,
162 shall be imposed upon any person who violates paragraphs (a) to (e)
163 of Section 20 herein;
164

165 "(e) Administrative fines of not less than Fifty thousand pesos
166 (P50,000), but not exceeding Five million pesos (P5,000,000), shall
167 be imposed by the DENR Secretary for the violation of any rule,
168 regulation, or provision of any agreement reached with the PAMB:
169 Provided, That if an area which has sustained damage from any
170 activity conducted therein requires rehabilitation or restoration as
171 determined by the court, the offender shall be required to restore or
172 pay compensation for damage, which payment shall accrue to the
173 IPAF.
174

175 PAMB Quiatchon clarifies if the imprisonment is only charged to the Boat
176 Captain. PASu Villanada said that according to their legal officer, the liable will
177 only be the boat captain and crew. She was also uncertain if the shipping company
178 will also be held liable by the officiating judge.
179

180 DMO III Rongavilla said that these were the challenges that the PAMO and PAMB
181 will encounter.
182

183 PASu Villanada said that if PAMB agreed to pursue and file a criminal case
184 against the Atienza Interisland Ferries Inc., the PAMO will prepare immediately
185 the affidavit and all pertinent documents to be submitted to Atty. Gandhi for
186 review and suggestions.
187

188 *The board agreed to pursue and file a criminal case against the Atienza Interisland*
189 *Ferries Inc.*
190

191 PASu Villanada read and presented the response letter from RBL Fishing Corp.
192 The fishing company were asking to reduce the administrative fine from Php
193 2,298,720.00 to Php 600,000.00
194

195 PAMB Quiatchon asked for the comment of the PAMB members regarding the
196 reply of RBL Fishing Corporation.
197

198 DMO III Rongavilla informed the board that RBL Fishing Corporation has been
199 involved recently with the same incident last January 5, 2022 in Palawan. The
200 coral damage is at around 1,554 sq. meters amounting to 18 million. After a series
201 of administrative hearings and negotiation, both parties agreed to compensate the
202 amount of 3.1 million. She added that as per Atty. Gandhi the shipping company
203 was not a newbie regarding the grounding incident in a protected area.
204

PASu Villanada said that when she and SCDO Nicanor were in Palawan for a seminar last June 2022, she had a chance to discuss the same situation with the PASu of Ursula Island Game Refuge and Bird Sanctuary. RBL was forced to pay and settle the administrative fine set by the Local Government because they were fishing in Palawan Area and they can be banned from operating there if they won't settle their damages.

PAMB Quiatchon asked the board if they will stand firm with the previous resolution whereas asking the RBL to pay the administrative fine amounting to Php 2,298,720.00.

PAMB Diamante asked PASu Villanada on the amount of the brand new speedboat.

PASu Villanada said that upon the canvassing done by the PAMO, the brand new speedboat was ranging from 1.7 to 2 million. She then suggested to lessen the amount of administrative fine from Php 2,298,720.00 to Php 1,700,000.00 which can be paid in cash or a 30-footer high speed watercraft with 115 HP outboard engine.

On motion of PAMB Grace Diamante, seconded by PAMB John Paul Ramos, with concurrence of the body a **"RESOLUTION AMENDING RESOLUTION NO. 012 SERIES OF 2022 RE RESOLUTION REQUIRING THE RBL FISHING CORPORATION TO COMPENSATE THE DAMAGE ON CORAL REEF BROUGHT ABOUT BY THE GROUNDING OF F/V MONALINDA 85 AT APO REEF NATURAL PARK AMOUNTING TO P 2,298,720.00, DECREASING THE AMOUNT TO PHP 1,700,000.00"** was passed

RESULT OF WATER QUALITY MONITORING ASSESSMENT FOR THE DRY SEASON FOR CY 2022

PASu Villanada presented the result of the water quality monitoring assessment for the dry season conducted last May 23, 2022.

PAMB Quiatchon requested PASu Villanada to present and explain the result of oil and grease from last year for them to have a comparison. He also asked if the methodology of the EMB Laboratory on analyzing the water samples was differ from the Optimal Laboratory.

CMEMP EO Salvador informed the board that the PAMO were accompanied by the EMB personnel during the collection of water samples. The EMB personnel instructed them to collect samples on the water surface only. Unlike their previous collection, they collected multi-level samples and then mixed it into the sample bottles or container.

PASu Villanada clarified this issue in their recently concluded training in Zambales. She asked for the standard procedure on collecting water samples but the EMB explained that the guideline on water quality monitoring and assessment for marine ecosystems is still in process. It is, however, indicated in the EMB manual to have a multi-level water collection, hence this should be used.

PAMB Quiatchon asked when the PAMO did receive the result of the water analysis. He then suggested conducting the WQMA twice every season. And also asked PASu Villanada if the PAMO needs the help of the PAMB regarding the fund for the WQMA.


PASu Villanada informed the board that the EMB laboratory testing located in Calapan City is free; however, some of the parameters such as nitrate and phosphate are not available. Those parameters are also important to monitor within the protected area. The private laboratory during the last WQMA in ARNP costs around P 72,000.00 for 5 sampling sites excluding travel costs and other incidentals.

PAMB Diamante agreed with the suggestion of PAMB Quiatchon to conduct WQMA twice per season, however the PAMO are still coping from the pandemic therefore spending fund for that activity is challenging because there are many maintenance work/activity and other priorities that the PAMO will be done under the IPAF. She added that since there is an allotted budget from the regular fund, she suggested continuing the conduct of the WQMA as stated on the Work and Financial Plan.


III. Adjournment

Having no other matters to discuss, PAMB Rodil moved for the adjournment of the meeting with concurrence of the body. The meeting ended at exactly 3:45 in the afternoon.

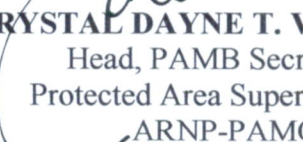
Prepared by:


STEPHANY KENNETH KHEN D. COLESIO
PAMB Secretariat
Management Support Staff
ARNP-PAMO


Check and reviewed by:


ANNA RITCHELLE D. NICANOR
PAMB Secretariat
Special Collecting and Disbursing Office
ARNP-PAMO

Submitted by:


KRYSTAL DAYNE T. VILLANADA
Head, PAMB Secretariat
Protected Area Superintendent
ARNP-PAMO

Certified Correct:


MELCHOR L. QUIATCHON
Representative, Office of the
Representative, Lone District of Occ. Mindoro

Affirmed:

LORMELYN E. CLAUDIO, CESO IV
The Chair of the Board
The Regional Executive Director
DENR MIMAROPA Region