JUL 1 2 2022

OUTGOING

MEMORANDUM

FOR :

The Regional Executive Director

DENR MIMAROPA Region

1515 L&S Bldg. Roxas Blvd. Ermita, Manila

THRU : The ARD for Technical Services

FROM: The OIC, PENR Officer

SUBJECT: OUARTERLY REPORT FOR THE TARGET

ACTIVITIES UNDER COASTAL AND MARINE RESOURCES/AREAS Sa-Ca MARINE PROTECTED AREA NETWORK (MPAN) AND TECHNICAL ASSISTANCE TO LOCAL GOVERNMENT UNITS (LGUs) AND FOR VERDE ISLAND PASSAGE (VIP)

Respectfully forwarded is the memorandum dated July 5, 2022 from CENRO Sablayan regarding above-mentioned subject.

Please be informed that CENRO Sablayan-Conservation and Development Section (CDS) has conducted the following activities per target activity:

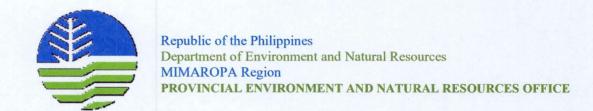
1. Technical Assistance to Local Government Unit (LGUs)

 Submitted a communication letter to the Local Government Unit of Sablayan re above-mentioned activity last June 2022 but as of this writing a confirmation letter from the LGU has not been received maybe due to the trasition period of the LGU as a new Local Chief Executive has been elected.

2. Sablayan-Calintaan marine Protected Areas Networking (Sa-Ca MPAN)

- The scheduled meeting last June 17, 2022 was postponed due to the conflict in schedule of the members of the Executive Committee (Exe Com) as a transition period for the LGUs concerned due to the recently conducted Local election. The meeting was rescheduled on July 15, 2022.
- Drafted the Sa-Ca MPAN Manual of Operations (for presentation of the Exe Com).

So. Pag-asa, Brgy. Payompon, Mamburao, Occidental Mindoro Email: tsdoccmin04@gmail.com



3. Technical Assistance to LGUs-Verde Island Passage(TAs-LGUs VIP)

- Submitted a milestone activity report regarding the activities conducted by the LGUs and their LMMPAs within the VIP especially for the Municipalities of Looc and Lubang.
- A communication letter was also sent to the Provincial Government of Occidental Mindoro thru the Office of the Provincial Planning and Development Coordinator requesting for the result of the conducted reef check for LMMPAs of Looc and Lubang.
- Currently, CENRO Sablayan also in communication with the Rare Phillipines, a Non-Government Organization that has active projects/activities in the municipalities of Looc and Lubang, Occidental Mindoro for future partnership/collaboration in crafting the said activity for the VIP.

Also, you may access the electronic copies of the Means of Verifications (MOVs) for activities under Coastal and Marine Resources/Areas in this link <u>bit.ly/CSby-CDS-MPAN</u>.

For your information and record

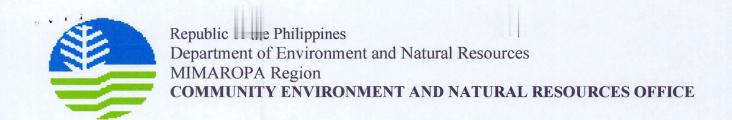
ERNESTO E. TAÑADA

Cc:

1. Planning

2. File

TSD-CDS 7/12/22



July 5, 2022

MEMORANDUM

The OIC, PENR Officer FOR

The Chief, Technical Services Division THRU

The Planning Officer

The CENR Officer FROM

SUBJECT QUARTERLY REPORT FOR THE TARGET ACTIVITIES

> UNDER COASTAL AND MARINE RESOURCES/ AREAS Sa-Ca MARINE PROTECTED AREAS NETWORKING (MPAN) AND TECHNICAL ASSISTANCE TO LOCAL GOVERNMENT UNITS (LGUs) AND FOR VERDE ISLAND PASSAGE (VIP)

Please be informed that the Conservation and Development Section (CDS) has conducted different activities based on the approved CY 2022 Work and Financial Plan (WFP). For the Sablayan-Calintaan Marine Protected Areas Networking (Sa-Ca MPAN), the next Management Board Meeting has been scheduled on July 15, 2022. Meanwhile under Technical Assistance to LGUs, a letter of communication was already sent to Provincial Governor Eduardo B. Gadiano thru Mr. Anthony Dantis requesting for a copy of the reef check assessment result conducted by their office. A letter was also sent to LGU Sablayan for the ICM mainstreaming activity.

To access the electronic copies of our Means of Verifications (MOVs) for the activities conducted kindly visit the link provided (bit.ly/CSby-CDS-MPAN).

For your information, record and evaluation.

For the CENR Officer:

(Chief, PSU/In-charge of Office)

National Road, Brgy.Sto. Niño, Sablayan, Occidental Mindoro E-mail: cenrosablayan@denr.gov.ph





July 4, 2022

MEMORANDUM

FOR

The CENR Officer

THRU

The Deputy CENR Officer

FROM

The Chief, Conservation and Development Section

SUBJECT

QUARTERLY REPORT ON THE TARGET ACTIVITIES

UNDER THE MANAGEMENT OF COASTAL AND MARINE

RESOURCES/ AREAS

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Also, to access the electronic copies of our Means of Verifications (MOVs) for activities under Coastal and Marine Resources/ Areas kindly click the link (bit.ly/CSby-CDS-MPAN).

For your information, evaluation and record.

ALVIN E. SANICO



Republithe Philippines
Department of Environment and Natural Resources
MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

June 13, 2022

HON. ANDRES D. DANGEROS

Municipal Mayor Sablayan, Occidental Mindoro

ATTN:

MR. ROBERT P. DUQUIL

MENR Officer

RECORDED

Date: 10-13-77

Dear Mayor Dangeros,

Greetings of Peace!

This DENR CENRO Sablayan has a target activity under the Coastal and Marine Resources particularly in assisting the Local Government Units (LGUs) in crafting their Integrated Coastal and Marine Resources Management Plan which entail discussions/workshops with regards to the existing policies.

In this connection and considering the data currently available, we are proposing the municipality of Sablayan as our target area for this year. With this may we request a confirmation letter from your office if you will accept our proposal to be our host municipality for the said activity.

Should there be queries regarding the said activity, kindly contact Mr. Alvin E. Sanico our Conservation and Development Section thru his phone number at +63917-301-1615.

Thank you very much. More power and God bless.

Record MENROFFine 6/10/1021

TONE 16, 2-22

Very truly yours,

FOR. ANASTACIO A SANTOS, MPA



Republi the Philippines
Department of Environment and Natural Resources
MIMAROPA Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

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TOW 16, 2022

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FOR. ANASTACIO A SANTOS, MPA

Sablayan-Calintaan Management Protected Area Network Draft Manual of Operations

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Acronyms

CENRO Community Environment and Natural Resources Officer DENR

Department of Environment and Natural Resources

ExeCom **Executive Committee**

Provincial Environment and Natural Resources Officer **PENRO**

People's Organization PO

Sablayan-Calintaan Marine Protected Area Network SACA MPAN

WC Working Committee

Figures

Figure 1. Organizational structure of MCWS-PAMB

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Photo credits:

1 Introduction

Regardless of where we live, all people depend upon healthy ocean ecosystems. The role that marine protected areas (MPAs) can play in promoting the health of our oceans and seas have been recognized at the highest levels. The World Summit on Sustainable Development, the IUCN's World Commission on Protected Areas, the Convention on Biological Diversity, and the G8 group of Nations have all called for establishing a global system of MPA networks by the year 2012. Our challenge is to transform these commitments into meaningful action. Yet global progress on building marine protected area (MPA) networks has been slow, in part because they embrace a range of issues greater than conservation alone. For conservationists and natural resource managers, identifying the conservation actions needed to establish MPA networks can be a difficult process, but including concerns outside their immediate sphere of experience can be even more challenging and complex. This is where this report comes in. It seeks to capture emerging international best practices on the full range of considerations needed to build such networks.

Developing effective MPA networks requires involving relevant stakeholders from the very beginning. Engaging stakeholders enhance information exchange, fosters the accountability of experts and authorities, reduces mistrust in the decision-making process, and enables stakeholder groups to collaborate and find mutually acceptable solutions. An open, participatory process also fosters a sense of ownership and accomplishment among the groups involved, thereby strengthening support and political will for the MPA network. Timely, planned consultation processes operating at meaningful spatial scales are critical to success.

Political support is fundamentally important throughout the process of developing an MPA network. Public participation and political support are interrelated and are critical to achieving significant and lasting marine conservation outcomes. To successfully implement a network, designers must remain aware of the political environment at every step. Education and outreach can enhance people's attitudes, behaviors, understanding of, and appreciation for, MPA networks. Education programs can address specific resource management issues, help achieve management objectives and promote other essential services such as research, monitoring, and enforcement. Monitoring and assessment allow managers to determine whether progress is being made towards network objectives and goals. Creating and maintaining representative, effectively managed networks of MPAs requires substantial funding from local, national, regional, and even international entities (e.g. Global Environment Facility and other donors). A financially sustainable MPA network should be able to meet, continuingly, the minimum level of recurrent and investment costs needed to achieve its conservation objectives.

2 Overview

2.1 Scope of application

Pursuant to R.A. 8550 (Philippine Fisheries Code of 1998), and R.A. 7160 (Local Government Code of the Philippines), Executive Order 533 (Integrated Coastal Management Policy) the provisions of this Manual of Operations shall apply to Sablayan – Calintaan Marine Protected Area Networking (SaCa MPAN) which comprise of the Local Chief Executives, Vice Mayor, Sangguniang Bayan members Chairman on Environment Committee, Municipal Environment and Natural Resources Officers, Municipal Planning and Development Coordinator, Provincial Planning and Development Coordinator and representatives from the coastal barangay LGUs of the two Municipalities,

2.2 Declaration of Policy

This Manual of Operations adopts the following policy and policy statements:

- 1. The SaCa MPAN shall protect and conserve significant economic, biological, physical and socio-cultural values of the coastal areas of the two municipalities to sustain human well-being and development into perpetuity for the enjoyment of present and future generations. This shall be pursued by participatory and collaborative management and effective administration of the coastal and marine resources of Sablayan and Calintaan to maintain its ecological character and ecosystem services through adopted policies by all stakeholders.
- 2. Recognizing the important role of the coastal communities play in living harmoniously and sharing living space with marine and coastal resources within the municipalities of SaCa as well as the adjacent areas.
- 3. Coastal and marine resources management practices in SaCa should aim to maintain or improve habitats and ecosystem services
- 4. The potential impacts of climate change in disaster risk reduction should be considered in planning for coastal and marine resources management.
- 5. Research into the ecology of coastal and marine resources should be encouraged to better understand and support the coastal and marine protected area/integrated coastal management plans and law enforcement activities,
- Cooperation and incentives among fisher folks, government authorities, non-government organizations, coastal communities, academic institutions, and the general community are essential for effective management.
- 7. Data-driven planning, adaptive management, and results-based monitoring and evaluation are vital to enhance management performance, understand the coastal and marine ecosystems dynamics, and achieve meaningful results.

2.3 Guiding principles

The Sablayan-Calintaan Marine Protected Area Network (SACA-MPAN) is a multi-stakeholder body composed of representatives from DENR, Provincial Government of Occidental Mindoro (PGO), two municipalities, fisher folks, coastal communities and civil societies adheres to the following principles, values and norms as standards in the performance and execution of its official duties and responsibilities:

- 1. Sustainability the SaCa MPAN shall uphold the principle of sustainability in all its actions and decisions. It shall endeavor to achieve a balance between ecological integrity, and socioeconomic development. It shall strive to ensure that implemented activities are not one-offs and can be sustained.
- 2. **Precautionary Principle** the SaCa MPAN shall exercise caution in taking actions and making decisions. However, in case of threats or serious irreversible damage to the environment or human lives, the lack of full scientific and local knowledge about the situation should not be a cause for delay in the SaCa MPAN's decision.
- 3. Accountability- the SaCa MPAN shall be accountable to the local government and the coastal communities for all its actions including the proper management of coastal and marine resources. The decisions or actions of the SaCa MPAN shall be equally responsive to the needs of coastal and marine protection and the welfare of the fisher folks and local communities.
- 4. *Participation* As far as practicable, the SaCa MPAN members shall engage the various stakeholders in the management of the Marine Protected Area Networking (MPAN) to ensure ownership and responsible investment.
- 5. *Transparency* All information pertaining to the management of the SaCa MPAN and the local communities, and documents such as, but not limited to, management plans and financial statements shall be made available to the public upon request.
- Adherence to Laws and Policies- the SaCa MPAN members are expected to abide by relevant laws and policies governing coastal and marine and specific rules and regulations and should act within the limits of their powers.
- 7. Efficiency and Effectiveness- the SACA MPAN board shall ensure financial sustainability of the network through a proper formulation and implementation of a management plan. All revenues generated through ecosystem services shall be used solely to contribute to the protection, maintenance, administration, and management of the SACA-MPAN.
- 8. Commitment to Public Interest- the SaCa shall extend prompt, courteous and adequate service to the public. The members shall always uphold public interest over personal interest. All government resources and powers of their respective offices must be employed and use efficiency, honesty, and economically, particularly to avoid wastage in public funds and revenues.

- 9. Professionalism- the SaCa MPAN shall perform and discharge its duties with the highest degree of excellence, professionalism, intelligence and skill. The members shall perform public service with utmost devotion and dedication to duty.
- 10. Fairness and Sincerity- the SaCa MPAN must act with fairness and sincerity and shall not discriminate against anyone and the underprivileged. It shall at all times respect the rights of others, and shall refrain from doing acts contrary to law, good moral, good customs, public order, public policy, public safety and public interest. It shall not dispose or extend undue favour on account of their officers to their relatives whether by consanguinity of affinity.
- 11. Political Neutrality- the SaCa MPAN shall provide service to everyone without unfair discrimination and regardless of party affiliation or preference.

2.4 Definition of terms

- 1. Coastal Area a band of dry land and adjacent ocean space (water and submerged land) in which terrestrial processes affect oceanic processes and uses and vice versa. Its geographic extent may include areas within a landmark limit of one (1) kilometre from the shoreline at high tide to include mangrove swamp, brackish water ponds, Nipa swamps, estuarine rivers, sandy beaches and other area within a seaward limit of 200 meters isobaths to include coral reefs, algal flats, seagras beds and other soft-bottom areas.
- 2. Coral Reefs an underwater ecosystem characterize by reef-building corals. Reefs are formed of colonies of coral polyps held together by calcium carbonate. Most coral reefs are built from stony corals, whose polyps cluster in groups.
- 3. Integrated Coastal Management (ICM) a natural resource and environmental management framework which employs an interactive, holistic management approach and integrative planning process in addressing the complex management issues of the coastal area. The major goal is to attain sustainable coastal development including the maintenance of the functional integrity of ecosystems.
- 4. Locally Managed Marine Protected Area (LLMPA) MPA managed locally by Local Government Units (LGUs) or People's Organization
- 5. Marine Resources are physical and biological entities that are found in seas and oceans that are beneficial to man. They include fish, coral reefs, mangroves and seagrass beds.
- 6. Marine Protected Area a defined area of the sea established and set aside by law, administrative regulation, or any other effective means in order to conserve and protect a part of or the entire enclosed environment through the establishment of management guidelines. It is considered a generic term that includes or declared areas governed by specific rules or guidelines in order to protect and managed activities within the enclosed area
- 7. Marine Protected Areas Network a group of adjacent individual MPAs under a common management system based on all or any of the following: physical, biological, governance and socio-economic activities.
- 8. Mangrove ecosystem -
- 9. Sea grass beds

3 Vision and mission statements

3.1 Vision

Sablayan – Calintaan Marine Protected Area Management Network (SaCa-MPAN) is envisioned of a proper conservation, protection, and management of the God-given marine resources that guarantee basic but sustainable needs of the fisher folks and of the consumers who are committed, accountable and environment-friendly individuals under the lawful governance of the responsible leadership

3.2 Mission

- Sustainable MPAN
- · Economic stability and resiliency
- · Formulation of policies and sound environment-friendly PPAs
- Community empowerment and leadership re: stakeholders' involvement and partnership
- · Centre for eco-tourism on promotion
- · Responsible and accountable governance

3.3 Purpose of the manual of operations

Effective management of the Marine Protected Areas starts with a fully functioning SaCa MPAN and having a clear Manual of Operations. If MPAN Areas were to perform their expected role in contributing to achievement of conservation and their ecosystem services objectives, the SaCa MPAN have to be actively engaged with stakeholders, communities, and perform as a multistakeholder body.

The performance of the SaCa MPAN hinges on the knowledge of its members about relevant laws, policies and procedures governing the Marine Protected Area Networking Plan. The Manual of Operations will guide the conduct of the SaCa MPAN's affairs. The SaCa MPAN members has to be properly oriented about the nature, scope and limitations of their roles, functions and responsibilities as approving authorities, decision makers, accountable persons, and managers of Marine Protected Areas.

As decision-makers that are primarily responsible for formulating strategies and assessing results and working in an inter-agency/multi-sectoral management system, the SaCa MPAN needs to delegate authorities to address sectoral concerns by committees or task forces that shall be within the MPA network or if needed experts from other stakeholders.

Likewise, organized and strongly empowered environmentally trained fisher folks and other onsite stakeholders' groups can be allocated with certain areas to manage within their respective MPAs. On top of the Manual of Operations, a variety of instruments can be used to govern and manage the SaCa MPAN: International law, conventions, standards and best practices for conservation in general and protected areas in particular, especially international conventions that have been nationally ratified;

- 1) National legislation, policies, strategies, agreements and plans—ranging from the national constitution to sector-specific legislation; and from accepted customary law to established conservation goals relating to protected areas;
- 2) Formal management plans and regulations e.g., for establishing priorities and a zoning system, timing the use of a resource, opening or closing access to an area, and allowing or disallowing a particular activity or technology, and agreements such as legally binding memoranda of understanding;
- Technical and other forms of advice on what kind of decisions might be effective, desirable, proper, feasible, cost-effective, etc., including through advisory committees and taskforces; and
- 4) Social incentives and disincentives, such as social recognition and esteem, awards and rewards (e.g., for environmental stewardship actions), ostracism for destructive or careless behavior, etc.

4 SaCa MPAN Executive Committee Members

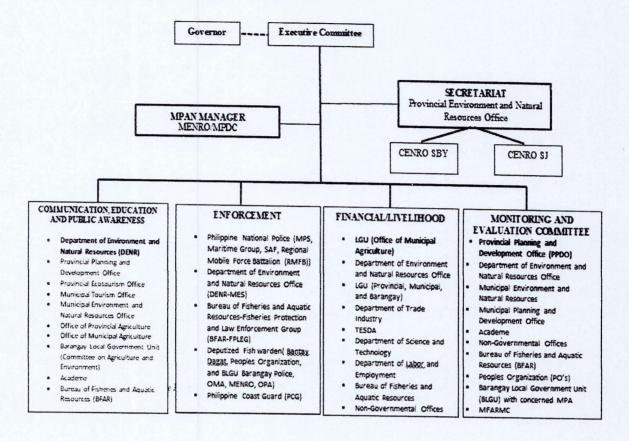
4.1 Composition

This organizational structure of the Executive Committee will be responsible for the proper, efficient and sustainable implementation of the marine sanctuaries and the MPA Management Plan.

- 1. Mayors of the Municipalities of Sablayan and Calintaan
- 2. Sangguniang Bayan Chairpersons (Vice-Mayor) of Sablayan and Calintaan
- 3. Sangguniang Bayan (SB) Chairman on Environment Committee of Sablayan and Calintaan
- 4. Municipal Planning and Development Coordinators (MPDCs)
- 5. Municipal Environment and Natural Resources Officers (MENROs)
- 6. Provincial Planning and Development Coordinator (PPDC)

4.2 Organizational Structure of SaCa-MPAN

Figure 1. Organizational structure of SACA-MPAN



4.3 Powers and functions of the SaCa MPAN

Mayor:

- Over-all management and implementation of the MPA management plan
- Resolve problems or conflicts, if any
- Approve budgetary requirements for activities pertaining to the implementation of the MPA management plan

Sangguniang Bayan (SB):

- Enact ordinances o establishment and strengthening of organizational structure of the MPA management group
- Enact ordinances on integration of the MPA management plan and budget into the Municipal Development Plan

Municipal Planning and Development Office (MPDO):

- Facilitate integration of the MPA management plan and budget into Annual Municipal Development Plan
- Develop monitoring systems to define clear objectives, measuring indicators, reporting system, benchmark information collected by the MPA management group

Municipal Environment and Natural Resources Officer (MENRO):

- Coordinate with the MPA management group in the implementation of the management plan
- Facilitate the implementation of M&E system
- Meet regularly with the MPA Management Board to formulate, review and modify policies for the effective development and management of the MPAs
- Submit monthly status report of the MPA management to the MPDO
- Provide technical assistance in support of the MPA implementation
- Attend the meetings of the MPA Management Board
- Assist in the implementation of livelihood programs

MPA Management Board:

- Prepare annual action plans
- Evaluate and review the MPA management plan
- Monitor all committees in the implementation of the MPA plan
- Recommend revisions, strategies and policies to the ENRO
- Composition: 2 Mayor, 2 Vice Mayor, 2 SB Member (Chair. On Environment) PPDC, 2 MPDC, 2 MENRO (11 members)

Working Committees

Communication, Education and Public Awareness (CEPA)

- Conduct trainings on IEC
- Produce IEC materials
- Conduct CEPA activities about MPAs
- Conduct regular meetings
- Preparation and submission of monthly reports to the MPA Management Board
- Composition: Representatives from DENR, PPDO, PEO, MTO, MENRO, OMA, OPA, BLGU, Academe, BFAR - 10 members

Enforcement

- > Conduct regular patrolling in mangrove areas and marine sanctuaries
- > Implement MPA ordinances and policies
- > Conduct guarding of MPAs
- > Conduct regular meetings
- Preparation and submission of monthly reports to the MPA Management Board Composition:

- ✓ Department of Environment and Natural Resources Office (DENR-MES)
- ✓ Bureau of Fisheries and Aquatic Resources-Fisheries Protection and Law Enforcement Group (BFAR-FPLEG)
- ✓ Deputized Fish warden(Bantay Dagat, Peoples Organization, and BLGU Barangay Police, OMA, MENRO, OPA)
- ✓ Philippine Coast Guard (PCG)

Financial/Livelihood

- > Prepare proposals for grants/aids
- Develop and recommend fund-raising/fund sourcing activities to the MPA Management Board • Facilitate the preparation and review of the tourism management plan
- Request budget from M/BLGU
- > Monitor and evaluate status of livelihood program implementation Recommend livelihood projects
- Identify and recommend target beneficiaries for livelihood projects
- > Conduct regular meetings
- > Preparation and submission of monthly reports to the MPA Management Board
- > Composition:
 - ✓ LGU (Office of Municipal Agriculture)
 - ✓ Department of Environment and Natural Resources Office
 - ✓ LGU (Provincial, Municipal, and Barangay)
 - ✓ Department of Trade Industry
 - **✓** TESDA
 - ✓ Department of Science and Technology
 - ✓ Department of Labor and Employment
 - ✓ Bureau of Fisheries and Aquatic Resources
 - ✓ Non-Governmental Offices
- > Eight (8) Members

Monitoring and Evaluation

- > Facilitate the conduct of biophysical (reef check and fish visual census) and socioeconomic (fish catch) monitoring
- Evaluate the performance of POs involved in MPA management
- Conduct regular meetings
- > Preparation and submission of monthly reports to the MPA Management Board
- > Composition:
 - ✓ Provincial Planning and Development Office (PPDO)
 - ✓ Department of Environment and Natural Resources Office
 - ✓ Municipal Environment and Natural Resources
 - ✓ Municipal Planning and Development Office
 - ✓ Academe
 - ✓ Non-Governmental Offices
 - ✓ Bureau of Fisheries and Aquatic Resources (BFAR)

- ✓ Peoples Organization (PO's)
- ✓ Barangay Local Government Unit (BLGU) with concerned MPA
- ✓ MFARMC
- > Ten (10) members

Reporting

- Quarterly Reporting on the status of MPA during regular Management Board meeting shall be presented by the MENROs/MPDCs.
- Copy of reports with concern to programs/projects/activities conducted within their respective MPAs shall be submitted to the Secretariat

The SaCa MPAN have the following powers and functions:

- 1. Oversee the management of the marine protected area;
- 2. Approve policies, plans and programs, proposals, agreements, and other related documents for the management of the marine protected area;
- 3. Approve the management plan of the marine protected area and ensure its harmonization and integration with the CLUP, CRM/ICM plans and other development plans, public and private, and its implementation;
- 4. Adopt a manual of operations to include rules of procedures in the conduct of business, and the creation of committees and their respective terms of reference;
- 5. Recommend the deputation of appropriate agencies and individuals for the enforcement of laws, rules and regulations governing the management of the marine protected area;
- Allocate financial resources for the implementation of the management plan and manage the Marine Protected Area and other funds in accordance with the accounting and budgeting rules and regulations;
- 7. Set fees and charges in accordance with existing guidelines;
- 8. Issue rules and regulations for the resolution of conflicts through appropriate and effective means;
- 9. Recommend appropriate policy changes to the DENR, LGU's and other government authorities;

4.4Terms of Office of SACA-MPAN Executive Committee

- 1. The Municipal Mayors of both Municipality shall serve as SACA-MPAN Chairperson for the duration of two years and will hold the seat alternately, the other Local Chief Executive will automatically serve as Vice-Chairperson.
- 2. The elected Vice Mayor of both Municipalities and the Sangguniang Bayan Chairman for Environment and Natural Resources will automatically serve as member of Executive Committee. Also, the Municipal Planning Development Coordinators (MPDCs), Municipal

- Environment and Natural Resources Officers (MENROs), and the Provincial Planning and Development Coordinator.
- 3. The Community Environment and Natural Resources Officer (CENRO) through the Secretariat shall ensure that the Executive Committee members of the SACA-MPAN board are duly acknowledged by the Regional Office.

4.5 Nomination of Permanent Representatives

- 1. All members of the Executive Committee shall submit their permanent representatives to attend regular and special meetings in their absence. This will ensure the continuous direction for the proper implementation and execution of plans and programs of the Network.
- 2. The nominees must be from the respective Executive Committee Members office and holding a permanent position.
- 3. The permanent representative shall have a voting power on behalf of the ExeCom members.

5 Functional Relationship between DENR and the Executive Committee

The DENR shall provide technical assistance to the Local Government Units of Sablayan and Calintaan. On the other hand, the SaCa MPAN ExeCom exercises management prerogatives at the site level consistent with existing laws, rules and regulations.

The DENR through the PENR Offier shall review the decisions of the Executive Committee, in his/her capacity as stipulated in Section 5.a of the Memorandum of Agreement for the SACA-MPAN; to ensure that these are consistent with relevant laws, rules and regulations. He/she shall reverse or modify a decision of the Executive Committee only on grounds that same violates existing laws, rules and regulations, or is inconsistent with the management plan.

6 SACA-MPAN Conduct of Meetings

6.1 Regular Meetings

The Management Body shall meet every third week of the second month of every quarter while the Working Committees shall meet as often as the need arises. Through a resolution, the SaCa MPAN shall fix the date, time and venue for regular meetings and such resolution shall be added to this Manual of Operations as Annex.

The Secretariat shall send notice of regular meeting, signed by the Executive Committee Chairperson, to all members at least five (5) working days prior to the scheduled meeting. The notice of the regular meeting shall contain the date, time, venue, provisional agenda and pertinent documents, such as minutes of the previous meeting.

6.2 Special Meetings

The Executive Committee Chairperson may be called a special meetings for urgent matters or when decisions/action need to be made immediately, provided that a written notice shall be sent to the members atleast 48 hours before the special meeting. All communications shall be signed by the Executive Committee Chairperson.

The Secretariat may also request for a special meeting, which shall be approved by the Chairperson of the SACA-MPAN. The request should be made in writing, stating the proposed agenda and the reason or justification why it is necessary to hold such special meeting. The Secretariat shall send notice of special meeting, signed by the Chairperson, to all SACA-MPAN members at least 5 working days prior to the scheduled meeting. The notice of the special meeting shall contain the date, time, venue, provisional agenda and pertinent documents.

6.3Quorum

1. Based on Section 10 of Memorandum of Agreement on SACA-MPAN, a simple majority of all the members of the Network shall constitute a quorum. If there is no quorum, the meeting can proceed but the Network cannot make any official decisions. All decisions of the Network shall be made by affirmative vote of a simple majority of those present in a meeting when there is a quorum. The manner of voting can be open voting or secret ballot, depending on the decision of the body for that particular issue/concern.

6.4 Agenda of the Meeting

The Secretariat, based on pressing issues and concerns of the Network, shall recommend the provisional agenda of the meeting to the Chairperson, who in return shall instruct the Secretariat to prepare a notice of meeting to all members. The Secretariat shall review the minutes of the previous meetings and identify concerns that require follow up actions from the ExeCom and propose them to be included in the agenda. The Secretariat may also include in the agenda, actions undertaken out of concerns presented in the previous meeting and updates from the Working Committees.

The Chair shall also include in the agenda the regular update on the status, issues and concerns of Network, since the previous meeting was held. The updates may include reports of the MENROs/MPDCs related to coastal and marine resources protection and law enforcement, community affairs and other concerns.

Any member of the ExeCom may further propose other agenda, to the regular meeting, which shall be written and communicated to the Secretariat in advance or presented during the meeting proper. The Chairperson shall present the provisional agenda for approval, through a motion and duly seconded, during the meeting.

The calendar of business for regular meetings are as follows:

- 1. Approval of the provisional agenda
- 2. Reading and approval of the minutes and matters arising from the previous meeting
- 3. Specific agenda items for discussion
- 4. Status of existing programs (i.e. annual WFP viz 5-year implementation plan) and projects
- 5. Working Committee Reports, as applicable
- 6. Assessment of facilitating and hindering factors in achieving results
- 7. Other Matters

6.5Presiding Officer

The members by highest number of votes of those in attendance, shall choose from among themselves a Presiding Officer.

6.6 Conduct of the Business/Meeting

Prior to call to order by the Presiding Officer, the Secretariat and his/her staff shall set up a secretariat table for registration of the attendees. The Secretariat shall prepare a registration or attendance sheet, and be filled in by the attendees, duly classifying the ExeCom members and those invited as resource persons. The attendance sheet would include the (a) name; (b) institution represented; (c) position title; (d) updated contact details; (e) gender; and (f) signature. Prior to the meeting, the Secretariat shall also prepare a kit for distribution to members. The kit shall include (a) list of provisional agenda; (b) minutes of the previous meeting (if minutes of the meeting were not enclosed to the notice of meeting earlier sent); and (c) documents relevant to the agenda. The Presiding Officer shall call the meeting to order and determine, through a roll call of all those in attendance, and announce the presence of a quorum.

The Presiding Officer shall present the provisional agenda for the meeting, which shall be adopted by a motion and duly seconded.

The Secretariat shall ensure that the attendance of members is properly documented.

6.7 Preparation and Approval of the Conduct of Meeting and Resolutions

The Secretariat shall keep the minutes of the proceedings, which shall include a concise, brief and exact account of the business transacted and actions taken during the meeting. The minutes must clearly indicate the following:

- 1. Nature of the meeting, whether regular or special, and if special, a copy of the call for such meeting;
- 2. Date, time, and place of the meeting;

- 3. Names of members present and absent, including the organization represented;
- 4. Whether the minutes of the previous meetings were read and approved, citing corrections, if any;
- 5. Every resolution in full, if the resolution was approved unanimously, a brief statement of the minority opinion;
- 6. Nominal voting; and
- 7. Time of adjournment.

The minutes of every meeting shall be read and approved by a majority of the members present at the meeting at which they are read, and if necessary corrected by the same vote or by general consent. The reading of the minutes shall not be interrupted or suspended except by unanimous consent of the body.

The minutes of meeting shall be prepared by the Secretariat and approved by the Executive Committee Chairperson. In case the Chairperson is not the Presiding Officer, minutes of meeting shall be approved by the Presiding Officer and affirmed by the Chairperson.

All decisions of the members of the Executive Committee shall be duly documented as SACA-MPAN Resolutions passed by the members.

Copy of the minutes of meetings and resolutions shall be submitted to the DENR Regional Executive Director within ten (10) working days after the meeting and be furnished to the BMB promptly.

6.8Adoption of Resolutions

The resolutions issued by the SACA-MPAN Executive Committee Chairperson must be consistent with existing fishery laws, rules and regulations. The ExeCom members are expected to be knowledgeable SACA-MPAN Strategic Action Plan, so that decisions that may be made will support the objectives of that plan.

7 Approval of Plans, Programs, and Projects

1. Approval of Strategic Action Plan

The Secretariat shall submit the proposed SACA-MPAN Management Plan to the Executive Committee for consideration and endorsement to the Community Environment and Natural Resources Office (CENRO), Provincial Environment and Natural Resources Office (PENRO) of Occidental Mindoro, and DENR Mimaropa Regional Executive Director through a resolution concurred by the majority of the members. The CENRO being part of the planning process shall endorse the proposed Strategic Action Plan to the PENRO and the PENRO on the other hand shall endorse the proposed SAP to the Regional Office.

The ExeCom members shall review, update, and if necessary, modify the SAP, at least every five (5) years, in accordance with scientific studies, sound resources assessments, and surveys, as well as relevant developments in coastal and marine resources conservation, and the social dynamics in the marine protected areas. If applicable, the ExeCom may also update and modify the SAP after the occurrence of calamities that may have an adverse impact on the marine protected areas.

2. Approval of Programs and Projects

There shall be the following categories of programs and projects:

- 1. Research activities (academic, NGO, and students)
- 2. Public works (school, health clinic, road, multi-purpose halls, water impounding systems)
- 3. Biodiversity and habitat assessment
- 4. Socio-economic assessments
- 5. Tourism-related projects
- 6. Communication-related projects (filming and documentation)

In case of requests for the conduct of any activity within the MPAN, the proponent shall submit a written request to the LCE of the concerned LGU with relevant information on their proposal. Relevant information includes:

- 1. Name of the proponent;
- Organization of the proponent;
- 3. Objectives and expected results of the program or project and link to the objectives and programs in the PA management plan;
- 4. Proposed activities and timeframe;
- 5. Indicative project costs;
- 6. Persons who will be involved in the implementation and profile;
- 7. Map of area where the activities will be conducted;
- 8. Potential benefits to the PA.

It is encouraged that proponents should submit or apply for necessary permits (i.e ECC, CNC, etc.) Proposals received at this stage will be reviewed and assessed by the relevant working committees, who shall evaluate the proposal and give their recommendation to the ExeCom. If the recommendation is positive, the proponent shall be invited to present in person to the ExeCom, even if funding is not yet secured. If the recommendation is for disapproval, the ExeCom through the Secretariat shall notify the proponent to not proceed with the application anymore.

The ExeCom shall initially evaluate requests and proposals to determine their conformity with the relevant and existing plans (Comprehensive Land Use Plan, Integrated Coastal Management Plan, Coastal Resources Management Plan and Ecotourism Management Plan)

Projects that have already secured funding will undergo the same process and can be disapproved if the review and the recommendation of the relevant working committees is for disapproval.

At the ExeCom meeting, before the presentation of the working committee's review and recommendation, all proposals/projects shall again be presented to the ExeCom in person during regular or special meeting. The Working Committee then presents the results of their review.

Proposals/projects found acceptable and recommended for approval by the working committee and affirmed by the ExeCom after deliberation shall be approved. Proposals/projects already endorsed for approval at the committee level should only be affirmed by the ExeCom Chairperson and shall not be deliberated upon again. A resolution shall be prepared by the Secretariat and signed by the Chairperson and relevant members of the ExeCom. The Chairperson shall notify in writing the proponent of the decision rendered by the ExeCom. The concerned Working Committee, DENR and other relevant stakeholders shall conduct regular monitoring of the implementation of the approved activity or project and report the same to the ExeCom.

7.1 Development of Policies and Guidelines

- 1. Any ExeCom member and/or the Secretariat may suggest any policy and/or guidelines within the bounds of their authority, as provided in the Local Government Code (RA 7160), RA 8550 as amended by RA 10654 amending Philippine Fisheries Code of 1998 and EO 533 or the Integrated Coastal Management Policy of 2006 and its Implementing Rules and Regulations, during regular or special meetings. The Chairperson/Presiding Officer may refer the proposed policy to the appropriate Working Committee for review, deliberation, and submission of recommendations;
- 2. The concerned Working Committees shall evaluate the proposed policy as to its merits and conformity with the mentioned laws, rules and regulations. The Committee shall thoroughly study the proposal and, when necessary, gather relevant information for the enhancement of the proposed guidelines;
- 3. The Working Committee shall submit the proposed policy or guidelines to the ExeCom for deliberation and approval;
- 4. All policies and regulations passed by the ExeCom shall be in accordance with existing laws, rules and regulations;
- 5. The approved policy shall be disseminated for public information;
- 6. The concerned LGU shall implement all the policies or regulations passed by the ExeCom and concerned Offices (MENROs, MPDCs, MAO) and make periodic reports to the ExeCom.

7. The ExeCom shall monitor the implementation of all policies or guidelines it has issued, and make necessary amendments of such policies if the situation and circumstances warrant.

7.2 SaCa-MPAN Boundary and Management Zones Delineation

The Chairperson shall instruct the DENR through the Secretariat to assist the Offices of MENRO, MAO and MPDO in conduct of ground delineation of the boundaries of the Marine Protected Area Network.

The DENR shall provide technical assistance in the conduct of delineation based on existing maps and plans of both Municipalities

7.3 Sustainable Financing

To the extent feasible, the ExeCom shall facilitate the generation of resources to effectively manage the SACA-MPAN, in addition to the annual budget allocated by both municipalities and other contributions. Relative to this, and based on existing laws and guidelines, the ExeCom adopts the following responsibilities and processes:

- a) Review the Financial Plan that is included in the Strategic Action Plan;
- b) Develop a marketing strategy to secure funding for the implementation of the approved management plan/financial plan;
- c) Based on the assessment/evaluation, study and valuation, the ExeCom shall review and develop user's fee system for SACA-MPAN through resolutions. Prior to the approval of such resolution, it is necessary that the ExeCom shall conduct consultation on the proposed guidelines.
- d) The ExeCom shall establish a trust fund for purposes of financing the projects and sustaining the operation of the network. Income generated from the operation and management of the network shall accrue to the trust fund. The income shall be derived from fees and charges from the use of resources and facilities of the marine protected areas; contributions from industries and facilities directly benefitting from it; and such other fees and income derived from the operation of the network.
- e) The disbursements out of such deposits shall be used solely for the protection, maintenance, administration, and management of the network and implementation of duly approved projects of the ExeCom. Payments for ecosystem good and services, including fines, penalties, and compensation for damages from the network offenses shall accrue fully to the trust fund and shall be managed by the ExeCom;
- f) Grants, donations and endowments from various sources, domestic or foreign, shall be deposited in the trust fund to be used for the purpose specified in the deeds and instruments covering them;

7.4Preparation of Strategic Action Plan and Annual Work and Financial Plan

- 1. Strategic Action Plan (SAP)
 - (a) The Action Plan shall serve as the basic long-term framework plan for the management of the network and guide in the preparation of its annual operations plan and budget. The SAP shall, at the minimum, promote the adoption and implementation of innovative management techniques including, when necessary, zoning, habitat conservation and rehabilitation, biodiversity conservation, community organizing and development, socio-economic and scientific research activities, site-specific policy development, climate change adaptation and mitigation, disaster risk reduction and management, waste sewerage and septic management, and gender and development among others.

The plan shall be harmonized with the respective Land Use Plans (CLUPs) of the local governments required under Republic Act No. 7160 or the "Local Government Code of 1991" and other local plans.

- 1) The ExeCom shall submit the Strategic Action Plan to the CENR Officer for consideration and endorsement to the PENR Officer, and DENR Regional Executive Director through a resolution concurred in by the majority of the members.
- 2) The ExeCom of the network, shall be responsible for the effective implementation of the SAP. The DENR shall be expected to provide overall guidance and technical assistance in the implementation.
- 3) The ExeCom together with the DENR shall conduct regular monitoring and evaluation of the implementation of the SAP to document the achievement of its objectives, and the challenges encountered, and to measure the network's overall performance, using indicators prescribed in the SAP.
- 2. Annual Work and Financial Plan
- a) The ExeCom shall ensure the inclusion of necessary funding for the network in their respective Annual Investment Plans.
- b) The DENR shall include and allocate funds for activities stipulated in SAP.
- c) The fiscal year for the Annual Work and Financial Plan shall be January 1st to December 31st.

7.5 Monitoring and Evaluation

The DENR with the MPDOs are responsible for the monitoring and evaluation of the effectiveness and efficiency of the implementation of the SAP. They are also responsible for ensuring the harmonization and implementation of the SAP and other existing plans. It is also the responsibility of the DENR to monitor and evaluate and assess the performance of the ExeCom using relevant assessment tool (e.g METT, MEA).

- 1. The MCWS-PAMB shall instruct the PASu to lead the preparation of a results-based M&E Plan for the PA, specifying the indicators for monitoring progress and evaluation of outcomes, based on the PAMP. Apart from results indicators, the M&E plan shall contain, as a minimum, information on the precise definition of the results indicators, their analytical value in terms of managing the PA, the method of data collection, frequency of data collection, responsibility for data collection, method for storing and analyzing data, and plan for disseminating the results of the analysis;
- 2. The Secretariat shall prepare quarterly progress report based on the annual work and financial plan that will contain a section on the progress made, quantitatively and qualitatively, on the results indicators for submission, information and guidance of the ExeCom. Concerns arising in the network during the period shall also be included in the report;
- 3. The Secretariat shall prepare an annual report, containing information on the results indicators that should reflect the state of the network, and shall be submitted to the ExeCom for information;
- 4. For contracts and agreements, it is important that the ExeCom shall stipulate the periodic monitoring and evaluation, which shall be the basis to either renew, amend or revoke the contract it has executed with the concerned party.
 - a. The proponent includes people and institutions involved in the conduct of the research in the acknowledgment of the written materials.
 - a) The PAMB may withdraw, suspend or revoke the Research Permit in case of violation of the above rules, without prejudice to the filing of criminal and/or civil actions.
 - b) Any commercial scientific researches to be conducted inside the MCWS by any person or entity shall be governed by the provisions of ENIPAS Act of 2018 and the IPRA Law.

7.6Executive Committee Capacity Building

The Secretariat, in coordination with the Human Resources Division (HRD) and the relevant units of DENR and LGUs and other relevant agencies' HRD staff, shall identify the possible capacity building requirements of the ExeCom. This process will be preceded by the conduct of a capacity needs assessment relevant to ExeCom members to perform their functions. The Secretariat shall prepare capacity building plan for the ExeCom. The results of the capacity needs assessment and capacity building plan and costs shall be presented to the ExeCom for approval. The capacity building program for the ExeCom shall include enhancing knowledge of relevant rules and regulations pertaining to marine and coastal resources management, knowledge and skills in facilitation and decision-making processes, monitoring and evaluation, adaptive management, and knowledge on the technical aspects of MPA management so that the members can appreciate and provide appropriate guidance and make good decisions related to the management of the network.

7.7CEPA Program

- 1. As the policy and decision-making body of the network, the ExeCom shall be primarily responsible for defining the strategy of the communication, education, and public awareness (CEPA) program of the SACA-MPAN. The ExeCom shall also be responsible for assessing the effectiveness of CEPA strategies implemented.
- 2. The Executive Committee Chairperson shall instruct the Working Committee for CEPA to lead in the formulation of a CEPA Plan;
- 3. The CEPA approaches that SACA-MPAN will employ include the following:
 - a. Preparation of brochures and pamphlets
 - b. Conduct of lectures and discussions in schools
 - c. Conduct of activities in relation to special events (e.g Month of the Ocean, Coral Triangle Day, International Coastal Clean-up)

7.8Law Enforcement

- 1. As the major policy and approving body of SACA-MPAN, the ExeCom shall be primarily responsible for the formulation and implementation of various laws and activities within the network and its harmonization with the law enforcement agencies and shall secure commitments and appropriate allocation of resources for the implementation of law enforcement activities. The responsibilities of the ExeCom shall include:
 - a) Conceptualization and adoption of necessary policies to be adopted by the ExeCom, and
 if appropriate, to require the provincial or municipal councils to enact corresponding
 ordinances;
 - b) Ensure that technical and legal assistance to Bantay Dagat involved in apprehending illegal fishing activities are extended;
 - c) Oversee the monitoring and evaluation of the effectiveness of the law enforcement strategies and guide the Law Enforcement Working Committee in applying adaptive management strategies in this respect.
 - d) Recommend to the BFAR names of local citizens, LGU staff and personnel who are eligible for deputization.
- 2. Any act or conduct of any Bantay beyond the authority conferred upon him shall constitute a ground for the revocation of the deputation or authority, without prejudice to other sanctions as provided by law, rules or Ordinance.
- 3. SACA-MPAN Executive Committee will work with other law enforcement agencies sharing concurrent jurisdiction over illegal activities committed within the network. These agencies include the Maritime Police, Bureau of Fisheries and Aquatic Resources (BFAR), Philippine Coast Guard (PCG) and the DENR. The agencies enumerated below shall support and participate in all level of operations with specific or general duties and functions:

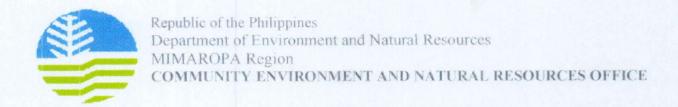
- 1) Philippine National Police. The PNP is charged with the enforcement of environmental laws in general. They also play an important role in the analysis and handling of certain evidence such, cyanide and noxious substances. The specific mandate is given to the PNP to designate wildlife law enforcement officer under Republic Act No. 9147 or the Wildlife Conservation and Protection Act.
- Philippine Coast Guard. Under RA 9993, is the sole agency responsible for the Philippine implementation of the Conventions with regards to oil pollution, prevention mitigation and control through the conduct of marine pollution and monitoring and control, and enforcement of all marine environmental laws and regulations. They are likewise mandated to conduct and implement laws in fisheries (and poaching)... and to implement other applicable laws within the countries marine jurisdiction and battle transnational crime. They are also authorized to board and inspect all watercrafts suspected to be involved in or use in illegal trade.
- 3) Bureau of Fisheries and Aquatic Resources. Is mandated for the development, improvement, management and conservation of country's fisheries and aquatic resources.

8 Effectivity

This Order shall take effect fifteen (15) days after its approval by SACA-MPAN Executive Committee.

Annexes

 Memorandum of Agreement by and between the DENR MIMAROPA Region, Provincial Government of Occidental Mindoro and with the Municipalities of Sablayan and of Calintaan for the SACA-Marine Protected Area Network



May 4, 2022

MEMORANDUM

FOR : The OIC, PENR Officer

THRU : The Chief, Technical Services Division

The Planning Officer

FROM : The CENR Officer

SUBJECT : MILESTONE ACCOMPLISHMENT REPORT ON THE CY 2022

TARGET UNDER TECHNICAL ASSISTANCE TO LOCAL GOVERNMENT UNITS (LGUs)- VERDE ISLAND PASSAGE

(VIP)

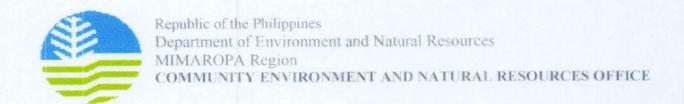
Respectfully forwarded herewith is the milestone report of the Conservation and Development Section (CDS) regarding the CY 2022 target activities under Technical Assistance to Local Government Units (LGUs) within Verde Island Passage (VIP).

The CDS team conducted fieldwork on April 18-23, 2022 in the Municipalities of Looc and Lubang, Occidental Mindoro and were able to meet their respective MAOs, MENROs and MPDCs. The meeting focused particularly on their Coastal and Marine activities within the Verded Island Passage (VIP).

For your information, evaluation and record.

FOR. ANASTACIO A SANTOS, MPA





May 2, 2022

MEMORANDUM

FOR The CENR Officer

THRU : The Deputy CENR Officer

FROM : The Chief, Conservation and Development Section

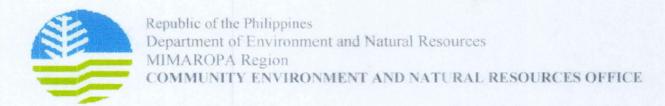
SUBJECT : MILESTONE ACCOMPLISHMENT REPORT ON THE CY 2022

TARGET UNDER TECHNICAL ASSISTANCE TO LOCAL GOVERNMENT UNITS (LGUs)- VERDE ISLAND PASSAGE

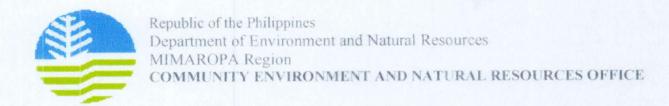
(VIP)

Please be informed that on April 18-23, 2022, the undersigned together with some personnel of DENR CENRO Sablayan conducted a field work at Lubang Island, Occidental Mindoro. As part of the target activity that is to be conducted was the meeting with respective MAO/ MENRO/ MPDC of the municipalities of Looc and Lubang with regards to the activities that they have conducted, currently conducting and management plans pertaining to their coastal/ marine areas that is within the Verde Island Passage (VIP). The following were the highlights of the meetings conducted;

Municipality	Activities conducted/ Issues	Remarks
Lubang	Communication, Education and Public Awareness (CEPA) campaigns have been conducted by the LGU in the previous years.	
	Managed Marine Protected Areas (LMMPAs) namely: Bahurang Vigo FMA (Municipal Ordinance No. 167, series of 2017), Cabra	Reef check was conducted last 2015. Activity is being scheduled and conducted by the PPDO (Schedule on April 25-29, 2022).



	Looc, Occidental Mindoro and for other purposes).	
	Employed bantay dagats are not deputized	A deputization activity will be conducted tentatively schedule on the 3 rd quarter of this year in partnership with RARE Philippines. No direct activities that are under or for the Verde Island Passage.
Looc	Managed Marine Protected Areas (LMMPAs) namely: Bahurang 8, Bahurang 7, Agkawayan/ Ambil Pass, Bahurang Aurura, Bahurang	Continuous patrolling activities are conducted Reef check was last conducted in 2015. Activity is being scheduled and conducted by the PPDO (Schedule on April 25-29, 2022).
	Employed bantay dagats are not deputized.	➤ A deputization activity will be conducted tentatively schedule on the 3 rd quarter of this year in partnership with RARE Philippines. ➤ No direct activities that are under or for the Verde



Resource Management Plan	Island Passage. Updating activity is in partnership also with RARE Philippines.

Attached are the copies of the Sangguniang Bayan Resolution No. 23 series of 2017 "Resolution embodying Municipal Ordinance Establishing Marine Park in Barangay Cabra, Lubang, Occidental Mindoro providing for its Conservation and Supervision and appropriating funds thereof and for other purposes", Sangguniang Bayan Resolution No. 72 series of 2017 "A resolution declaring Manage Access Area and Sanctuary in Bahurang Vigo FMA, Creating a governing body, Defining its powers and functions, Institutionalizing an Implementation Mechanism, providing sanctions for violation and for other purposes "for the municipality of Lubang, Occidental Mindoro and Municipal Ordinance No. 82 series of 2020 "Looc Bay Managed Access Area + Sanctuary (LBMAA+S) Ordinance of Looc, Occidental Mindoro" and Municipal Ordinance No. 83 series of 2020 "An Ordinance creating Looc Managed Access Area + Sanctuary Board (LMAA+SB), Municipal Adjudication Board (MAB) and Municipal Board of Appeals (MBA) as Governing bodies, prescribing duties and functions for the effective and efficient implementations of MAA+S Ordinances and other Municipal Fishery Ordinances in Looc, Occidental Mindoro." for the municipality of Looc, Occidental Mindoro and Joint Ordinance No. 01 series of 2010.

Again, the electronic copies of our Means of Verifications (MOVs) can be accessed in the same link at bit.ly CSby-CDS-MPAN.

For your information, evaluation and record.





Republic of the Philippines Province of Occidental Mindoro MUNICIPALITY OF LUBANG

-000-

OFFICE OF THE SANGGUNIANG BAYAN

RESOLUTION EMBODYING MUNICIPAL ORDINANCE ESTABLISHING MARINE PARK IN BARANGAY CABRA, LUBANG, OCCIDENTAL MINDORO; PROVIDING FOR ITS CONSERVATION, DEVELOPMENT, PROTECTION AND SUPERVISION; AND APPROPRIATING FUNDS THEREOF, AND FOR OTHER PURPOSES.

SPONSORED BY:

COMMITTEE ON AGRICULTURE

PRESENT:

Hon. Erwin V. Anzaldo

Hon. Wilbert Daulat

Hon. Eugenio Guimba

Hon. Florante Alegre

Hon, Ferdinand Tangi

Hon. Michael Ron Tiatson

Hon, Alma L. Moreno

Hon. Orlando Agas

Hon. Dennis Verdera

ABSENT:

Hon. Charles Villas (Acting Mayor)

ADOPTED:

March 06, 2017

* RESOLUTION NO. 23 * - Series of 2017 -

WHEREAS, being an archipelagic state, the Philippine marine, inland, rivers, estuaries, coastal wetlands and near-shore submerged areas are precious national resources which importance for our survival was taken for granted;

WHEREAS, since the Municipality's fisheries resources are not that inexhaustible and that it could not withstand forever man's degradation and that economic advances aimed for cannot be sustained unless people maintain the health of the marine resources, the loss of marine habitats will continue unless a sound and firm ecological policy to preserve, protect, enhance, and restore them is established and backed by a commitment to execute that policy;

WHEREAS, Republic Act No. 8550 otherwise known as, "Philippine Fisheries Code of 1998" provides for the development, management and conservation of the fisheries and aquatic resources and integrates all laws pertinent thereto;

WHEREAS, Section 16 of Article 1 of Republic Act No. 8550 specifically pointed out that municipality shall have jurisdiction over municipal waters and that in coordination with the Fisheries and Aquatic Resource Management Council (FARMC), enact ordinances for this purpose in accordance with the National Fishery Policy;

WHEREAS, Section 16 of RA 8550 likewise provides that the municipal government in consultation with FARMC shall be responsible for the management, conservation, development, protection, utilization and disposition of all fish and fishery and aquatic resources within their respective municipal waters;

WHEREAS, Section 81 of the same Code added that, the Local Government Units, in consultation with FARMC, shall establish, in their municipal waters, fish reserves, refuge and sanctuaries at least fifteen percent where applicable of the total coastal areas in the municipality identified based on the best available scientific data and in consultation with the Department of Environment and Natural Resources (DENR);

WHEREAS, in conveying to Local Government Units the power to protect the country's fishing resources, Section 447 (a) (1) (vi) of the Local Government Code of 1991 the Code authorized the Sangguniang Bayan to, "Protect the environment and impose appropriate penalties for acts which endanger the environment, such as dynamite fishing and other forms of destructive fishing, xxx;"

WHEREAS, in order to fully and effectively exercise the mandate given under RA8550, the Municipality through MPA Management Body with the technical assistance provided by the Conservation and Rehabilitation of Aquatic Resources for Livelihood Sustainability (CoRALS) Project of the Provincial Government of Occidental Mindoro has formulated the Marine Protected Areas (MPAs) Management Plan of the Municipality including the budget for its implementation;

WHEREAS, in the development and formulation of the MPA Management Plan, the principles of participatory decision making were employed particularly with regard to the stakeholders and decision makers;

WHEREAS, the MPA Management Plan of the Municipality prescribes the policies, principles and strategies for the sustainable development, conservation, protection and management of the MPA of the Municipality;

WHEREAS, the MPA Management Plan was presented to the public hearing and consensus before the various sectors and stakeholders;

WHEREFORE, on motion of Hon. Wilbert daulat, duly seconded by unanimously,

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, By the Sangguniang Bayan of Lubang, Occidental Mindoro, that the following Municipal Ordinance be, as it hereby adopted and approved:

NOW, THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED by the Sangguniang Bayan of Lubang, Occidental Mindoro in its session assembled, that:

MUNICIPAL ORDINANCE NO. 160 - 2017

AN ORDINANCE ESTABLISHING A MARINE PARK IN BARANGAY CABRA, LUBANG, OCCIDENTAL MINDORO; PROVIDING FOR ITS MANAGEMENT, CONSERVATION, DEVELOPMENT, PROTECTION AND SUPERVISION; APPROPRIATING FUNDS THEREOF; AND FOR OTHER PURPOSES

Be it ordained by the Sangguniang Bayan of Lubang, Occidental Mindoro in session assembled, that:

CHAPTER I

SECTION 1. Title. This ordinance shall be known as the "Marine Park Ordinance of 2017 in Cabra, Lubang, Occidental Mindoro".

Section 2. Declaration of Policy. It is hereby declared as the policy of the Municipality of Lubang to:

Ensure that the resources in the protected area are managed in ways that are sustainable, thereby providing measures to rehabilitate and protect the coral reef ecosystem of Lubang, Occidental Mindoro which serves as the habitat, breeding and nursery ground for fish and marine organisms;

Regulate and control human access to the fisheries and aquatic resources and prevent constant physical disturbance of the municipality's reef ecosystem to allow fishes and other marine organisms to reproduce and grow to maturity, unhampered;

Increase the number of larvae, to grow into Juvenile and mature fishes and to circulate within the Marine Park and into the traditional fishing grounds, thereby increasing the fish catch of local fisher folks:

Allow the people's full and active participation in the conservation and management of the coastal and fishery resources, such as, but not limited to Community Based Coastal Resources Management, and shall promote awareness of sustainable fisheries through appropriate education and training;

Allow the private sector to be an active participant and partner of the Municipal Government in the management, development, conservation and protection of the fisheries and coastal resources of the Municipality;

SECTION 3. Definition of Terms. As used in this ordinance, the following terms and phrases shall mean as follows:

Aquatic/Coastal/ Fishery Resources – includes fish, all other aquatic flora and fauna and other living resources of the environment, including but not limited to salt and corals.

Bantay Dagat – a volunteer group of community members residing inside or within the vicinity of the coastal area, recognized and deputized by the Municipal Government of Lubang, whose task is to monitor, prevent or police the area against all sorts of illegal activities committed by any natural or juridical person.

Buffer Zone – an identified area outside of/and which enclosed the Core Zone, but inside the boundaries of the Marine Sanctuary, and immediately adjacent to the Core Zone, established in order to avoid or minimize harm to the Core Zone which is to be managed to provide a social fence to prevent encroachment and fishing activities.

Buoy – metal, bamboo or wooden objects either floated or anchored on the boundary or at the edge of the Marine Sanctuary and Buffer Zone, to serve as guide for fishermen and navigators not to enter or cross the Marine Sanctuary.

Coral – the hard calcareous substance made up of the skeleton of marine coelenterate polyps which include reefs, shelves and atolls or any of the marine coelenterates, animals living in colonies where their skeletons form a strong mass.

Coral Reef – geological features built by natural calcification and other deposits from corals and calcareous algae.

Core Zone – an area in the Marine Sanctuary considered as no-take -zone where fishing and other forms of unauthorized activities are not allowed.

Destructive Activities – shall mean those activities that bring and cause damage or destruction to marine life habitat and established facilities within the park.

Eco-Tourism – means environmentally responsible travel to relatively undisturbed areas, to enjoy and appreciate nature and accompanying actual features and to become aware of the need in preserving natural capitals.

FARMC – Fisheries and Aquatic Resources Management Council

Fisherfolks – person/s directly or personally and physically engaged in taking and/or culturing and processing fishery and aquatic resources.

Marine Park – a designated area in the municipal waters where marine life is allowed to grow undisturbed, preserve or protected and where fishing and other human activities are limited.

Resolution No. 23, Embodying Municipal Ordinance No. 160-2017 Page - 4 -

Marine Protected Area (MPA) – it is essentially a general term used, defining a space in the ocean where human activities are more strictly regulated than the surrounding waters – similar to parks we have on land.

Multiple Use Zone – is a zone surrounding the Core Zone(s) and Buffer Zone(s) of the Marine Park where human activities with low environmental impact such as diving, snorkelling, swimming, mooring and small scale hook and line fishing are allowed but regulated.

Navigation Zone – a navigational pathway where sea vessels pass.

R.A. 8550 – otherwise known as the Philippine Fisheries Code of 1998. It is the national law that governs the management and conservation of the fisheries resources of the country.

User's Fee – a fee levied to those who use the Marine Park, through scuba diving, research, snorkelling, mooring or sight-seeing.

CHAPTER II The Marine Park

SECTION 1. Location, Area and Technical Description of the Cabra Marine Park. There shall be established a Marine Park in the Municipal Waters of Lubang, Occidental Mindoro located at Barangay Cabra known as Bahurang Libis, with an area of approximately 43 hectares more or less, bounded by the following geographical coordinates, to wit:

Cabra Marine Park Coordinates

		Ca	bra IS. MPA		
Location	Category	Point	Longitude	Latitude	Area(has)
Cabra Is.	Core zone	er un de communication	120°02'55.8"" E	13°53'23.7"" N	3.134
Cabra Is.	Core zone	2	120*02'59.1"" E	13*53'26.9"" N	
Cabra Is.	Core zone	3	120°03'04.6"" E	13°53'22.0"" N	
Cabra Is.	Core Zone	4	120°03'01.5"" E	13*53'18.7"" N	
Cabra Is.	Buffer zone	1	120°02'55.4"" E	13°53'23.6"" N	0.719
Cabra Is.	Buffer zone	2	120*02'59.0"" E	13°53'27.3"" N	
Cabra Is.	Buffer zone	3	120°03'05.0"" E	13°53'22.0"** N	
Cabra Is.	Buffer zone	4	120°03'01.5"" E	13°53'18.3"" N	
Cabra Is.	Multiple use	in plant and control of the control	120°02'47.9"" E	13"53'44.3"" N	
Cabra Is.	Multiple use	2	120°02'53.1"" E	13*53'47.8** N	39.992
Cabra Is.	Multiple use	3	120°03'16.5"" E	13°53'16.6"" N	
	Multiple use	4	120°03'11.9"" E	13*53'11.9** N	
Cabra Is.	Indicipie osc	grave-some strong and some	Angele de la participa de la company de la c	Total Area	43.84

SECTION 2. Placing of Markers and Buoys. – So as to distinguished the area of the Marine Park from that of the neighboring fishing grounds, navigational markers like buoys, shall be erected in the perimeter of the Marine Park.

SECTION 3. Buffer Zone. Buffer zone with property indicated markers shall be established around or adjacent to the Core Zone.

The conduct of research and tourism related activities, by government agencies, recognized research institutions and/or association, educational institutions and or individuals involved in marine researches and protection may be

SECTION 4. Navigational Zone. The Cabra Marine Park Management Board, in consultation with the FARMC, shall designate the navigational routes of fishing crafts and shall disallow any activity that shall obstruct the designated navigational route.

CHAPTER III

Administration of the Cabra Marine Park Management Board

SECTION 1. Creation, Composition and Powers of the Cabra Marine Park Management Board. A coordinating body to be known as the Cabra Marine Park Management Board is hereby created which shall be composed of the Municipal Mayor as Chairman. The other members of the Management Board, shall be appointed by the Mayor. The composition of the Board are:

Chairman – Municipal Mayor Vice-Chairman – Chairman, MFARMC Members:

- Head, Municipal Agriculture's Office
- Head, Municipal Planning and Development Office
- Head, Municipal Tourism Office
- Cabra Punong Barangay
- Cabra Barangay Council Chairman, Committee on Agriculture
- Cabra Barangay Council Chairman, Committee on Livelihood
- Cabra Barangay Council Chairman, Committee on Environment
- Chairman, BFARMC of Cabra
- Two representatives, Cabra Fisher folks Associations/ Cooperatives
- One representative, PNP Maritime Command
- One representative, Bantay Dagat Association

SECTION 2. Meeting of the Management Board – The Management Board shall meet at least twice a year and that if any member, for one reason or another, cannot attend the meeting of the Management Board, a member may designate a representative to attend the meeting for and in his behalf.

SECTION 3. Functions of the Management Board – The supervision, management and administration of the Marine Park is hereby placed under the Cabra Marine Park Management Board. To carry out the mandate of this Ordinance, the Management Board shall exercise any and all of the following specific powers and functions:

Develop plans and strategies on the Marine Park management and implement the same:

Issue written permission for scientific and educational activities inside the Marine Park for monitoring and other related purposes,

Enforce all laws and ordinances, rules and regulations adopted by the Municipal Government governing the protection and conservation, utilization and management of Marine Park in cooperation with relevant agencies;

Construct Monitoring Stations, assign guards and provide equipment to deter and prevent illegal activities inside the sanctuary and threat of life of the guards;

Delineate and demarcate the Marine Park's boundaries and buffer zone in consultation with appropriate government agencies, public and private organizations;

Coordinate with other local government units, line agencies, industries, and non-governmental organizations for the implementation of integrated coastal management programs to ensure sustainable use of the Marine Park.

Undertake the monitoring and compliance to environmental laws in the Marine Park and process primary and secondary information for policy directions and management decisions;

Receive grants and donations and other financial assistance from government and other funding institutions/agencies;

Adopt such measures related to the protection, conservation, and sustainable use of environment and natural resources in the Marine Park which will improve the livelihood and living conditions of the inhabitants near the protected area;

Submit Annual Report to the Municipal Council on the status of the Marine Park regulation in force and other pertinent information together with recommendations;

Deputize officers and delegate any of his powers as provided, and other laws to expedite implementation and enforcement of the mandate of this Ordinance;

Ensure maximum participation and benefit of the affected areas in eco-tourism activities;

Recommend policies and guidelines not mentioned in this ordinance, but subject to the approval of the Sangguniang Bayan.

SECTION 4. Committees and Functions. The Management Board shall create the following committees and determine their composition.

Enforcement Committee – the enforcement committee shall coordinate with the Management Board on all law enforcement activities taking place within and around the Marine Park.

Information and Education Committee – the Information and Education Committee shall perform extensive information and educational campaign on all matters pertaining to the Marine Park. The Committee will directly provide news and information about the activities and events relating to the Marine Park.

Monitoring and Evaluation Committee – the Monitoring and Evaluation Committee shall organized monitoring teams to examine the general status of the Marine Park and conduct biophysical researches and regeneration activities and review and monitor the Marine Park Management Plan.

Livelihood Development Committee – the Livelihood Development Committee shall lead in the implementation of the following:

Initiate in identifying appropriate livelihood opportunities that has a relation to the Marine Park:

Initiate the formulation, passing and follow-up of proposals for livelihood projects for the funding partners;

Coordinate with the Financial Sustainability Committee on funding, proposals and other related concerns:

Initiate the formulation of systems, policies and regulations for livelihood projects; and

Initiate in monitoring and evaluation of various livelihood projects.

Financial Sustainability Committee – the Financial Sustainability Committee shall head the financial dealings in relation to the following:

Initiate in fund-sourcing activities on People's Organization relative to the Marine Park:

Initiate in identifying strategies to raise funds for the People's Organization projects and activities;

Initiate in identifying and coordinating with the possible funding partners;

Initiate in reviewing and formulating proposals for fund-sourcing while continuously coordinating with other communities concerned; and

Initiate in the creation of financial systems and in regulations in coordination with People's Organizations.

Maintenance Committee – the Maintenance Committee shall head the maintenance of markers, pump boats, guardhouse and other materials and equipment on the Marine Park and report on the status of the material and equipment.

SECTION 5. Responsibility of Visitors and Scientific Studies in the Marine Park – Scientific studies and visitors who will visit the Marine Park shall be governed by the following rules and shall:

Take precaution as may be necessary to prevent destruction to the park's surroundings and to ensure environmental protection at all times;

The head of scientific studies shall assume responsibility for any or all acts of his/her students/subordinates.

Allow or render assistance to the park guards or any law enforcer for that matter, for purpose of inspection, searching and examining any person, document, records and places of operations including storage areas, auxiliary boats or goods aboard the boat.

CHAPTER IV

User's Fee and Revenue Sharing

SECTION 1. User's Fee. – The Municipal Treasurer's Office shall collect from any individual or groups, the User's Fee for leisure and recreation as stated in Lubang Tourism Code.

SECTION 2. Ticketing System – The Municipal Treasurer's Office shall be responsible for the printing of tickets in triplicates; (1) for the Municipal Treasurer's Office, (1) for the Clients and (1) for the Deputized Warden. The Municipal Treasurer's Office shall be responsible for the monitoring of the tickets purchased.

SECTION 3. Users of the Marine Park must present the prescribed tickets to the Deputized Warden, before entering the Marine Park. Only users with prescribed tickets which can be secured in advance at the Municipal Treasurer's Office or its representatives, are allowed to enter the Marine Park. The Deputized Warden shall strictly imposed the No Ticket, No Entry Policy.

SECTION 4. Revenue Sharing on the Fees. – Revenues derived from the fees shall be shared in the following manner:

Sixty Percent (60%) shall go to the Cabra Marine Park Trust Fund

Twenty Percent (20%) shall go to Barangay Cabra

Twenty Percent (20%) shall go to the Municipal Government

SECTION 5. Revenue Sharing on the Penalties. – Revenue generated from the penalties shall be shared in the following manner:

Twenty Percent (20%) shall go to the Cabra Marine Park Trust Fund;

Twenty Percent (20%) shall go to Barangay Cabra;

Twenty Percent (20%) shall go to Municipal Government

Forty Percent (40%) shall go to the apprehending person (to include the informer)

CHAPTER V

Prohibited Acts and Penalties

SECTION 1. Prohibited Acts in the Core Zone. – The following act/s of any person, entities, organizations or corporations, unless there is a written permission from the Marine Park Management Board, are hereby prohibited and not allowed inside the Core Zone of the Marine Park:

Entering, bathing, swimming, exploiting, occupying, catching fish and or fingerlings of any fishery species, collecting shells, gathering of corals, constructing of fish cages and other structure, permanent or temporary, or engage in any fishery activities, Provided, That scientific and educational activities (guided tour), research works, shall be allowed inside the core zone for monitoring and other related purposes only if written permission was obtained from the Management Board.

The discovery of any person inside the Core Zone, where he has no permit or registration papers shall constitute a prima facie presumption that said person and or vessel is engaged in unauthorized fishing;

Poaching or operating any fishing vessel or bringing fishing gears or spear guns, nets, etc. inside the Core Zone:

The entry of any vessel and/or fishing gear shall constitute as prima facie evidence that the vessel is engaged in fishing in the Marine Park;

Fishing through explosives, noxious substances or any poisonous substances and or electricity that could kill, stupefy, disable, or render the fish or any fishery species unconscious:

The discovery of dynamite, other explosives and chemical compounds which contain combustible elements or noxious poisonous substances or equipment or device for electro-fishing inside the Marine Park shall constitute prima facie evidence that the same will be used or was used for fishing and in violation of this ordinance.

The introduction / dumping / disposal of waste and other marine litter, discharge of petroleum or residual products of petroleum, and other radioactive, noxious or harmful liquid, gaseous or solid substances, plastic, cellophane, cans, glass and others that may cause pollution, deleterious effects, hazard or destruction of the Marine Protected Area;

Dropping anchor, altering, removing or defacing the boundary markers located within the Marine Park:

Construction of structure, fence, setting of fish traps inside the Marine Park and the Buffer Zone, without approval of the Management Board;

Engaging in water sports such as jet skiing, water skiing and navigating within the Marine Park using motorized vessel or boat;

SECTION 2. Prohibited Acts in the Buffer Zone. – It shall be unlawful for any person, entities, organizations or corporations, to engage in all types of fishing activities, gathering of rocks and corals, removing, destroying or defacing boundary markers and buoys located within the Buffer Zones.

Exemption: Cabra Fisherfolks are allowed to collect shells in the Buffer Zone, provided that in doing so they will not destroy, deface or remove boundary markers.

SECTION 3. Prohibited Acts in the Multiple Use Zone – Destructive activities like cutting of trees, throwing and burning of garbage along the coast of the Marine Park is prohibited.

SECTION 4. Any person or persons found violating this ordinance shall upon conviction by a competent court be punished for each offense with the following:

First Offense P1,500.00 Second Offense P2,000.00

Third Offense P2,500.00, and imprisonment of six (6) months, or upon the discretion of the court; and. Additional fine for the confiscated boat.

Provided, further, That the court shall order the confiscation and forfeiture of the paraphernalia used in the offense in favor of the Municipal Government of Lubang and for the offender to restore whatever damage she/he/they may have caused to the Marine Park. If the offender is an association, corporation, partnership, or cooperative, the president or manager shall be directly responsible for the act of his employees and laborers.

CHAPTER VI

Miscellaneous Provisions

SECTION 1. Marine Park Trust Fund. There is hereby established a Trust Fund to be known as Marine Park Trust Fund (MPTF) for the purpose of financing projects of the Management Board. The Management Board may solicit and receive donations, endowments and grants, and such endowments shall be exempted from the income or gift taxes and all other taxes, charges or fees by the Municipal Government or instrumentality thereof.

All incomes generated from the utilization, exploitation, and management of the Marine Park, including the resources thereto, shall accrue to the Fund and should be utilized by the Management Board for the above purpose. These incomes shall be derived from:

Contributions from industries and facilities directly benefiting from the management of Marine Park:

Fines and fees, including user's fees, collected and derived from the operation of the Marine Park, including the resources thereio;

Contributions, donations, endowments and grants from any source; and

Such other revenues, fines and fees as may be derived from the utilization, exploitation and management of the Marine Park.

Disbursements from the Fund shall be made solely for the protection, maintenance, administration, and management of the Marine Park, and duly approved projects, in the amounts authorized by the Municipal Government or its duly authorized deputies.

The Municipal Government or its duly authorized representatives shall establish a Governing Board to administer the Fund and to decide on fund allocation among the duly approved programs and projects.

SECTION 2. Enforcement Agencies. The enforcement of this ordinance shall be under the Municipal Mayor's Office, in coordination with the following:

Municipal Agriculture's Office; Municipal Planning and Development Office; Municipal Treasurer's Office; Barangay Council of Cabra; Barangay Tanods of Cabra; Philippine National Police; Deputized Fish Wardens
PNP Maritime Police/AFP
Marine Park management Board
Bureau of Fisheries and Aquatic Resources
Bantay Dagat Association

SECTION 3. Appropriation. For the first year of operation, the appropriation in the amount of Thirty Thousand Pesos (\$\mathbb{P}\$30,000.00), for the establishment of the Marine Park, shall be taken from the General Fund of the Municipality. The proposed budget for subsequent years, shall be submitted for inclusion in the Annual Investment Plan of the Municipality which shall not be less than the amount of the prior year appropriation, shall be included in the annual budget of the Municipal Agriculture Office.

CHAPTER VII

Final Provisions

SECTION 1. Repealing Clause. All previous ordinance, executive orders, rules and regulations or parts thereof which are inconsistent with this ordinance are hereby repealed and/or modified accordingly.

SECTION 2. Separability Clause. If, for any reason or reasons, any part or provision of this ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby, shall continue to be in full force and in effect.

SECTION 3. – Effectivity. – This Ordinance shall take effect thirty (30) days after a copy hereof is posted in the Bulletin Board at the entrance of the Municipal Hall and in at least two (2) conspicuous places in the Municipality.

CONCURRED FLORANTE ALEGRE PERDINANO TANGI WILBERTIDAULA EUGENIO GUIMBA 8 Member SB Member SB Metyber SB Member nicreio ENNIS VERDERA ORLANDO AGAS ALMA MORENO MICHAEL RON TATSON ABC President SB Member SB Member SB Member CERTIFIED TO BE DULY ADOPTED: ATTESTED: RICARDE C. VILLALUZ Secretary to the Sanggunian ERWIN ANZALDO SB Member/Temp.Presiding Officer MAR 2 9 2017 ROBERTO M. SANCHEZ Date Municipal Mayor



Republic of the Philippines Province of Occidental Mindoro MUNICIPALITY OF LUBANG

OFFICE OF THE SANGGUNIANG BAYAN

A RESOLUTION DECLARING MANAGE ACCESS AREA AND SANCTUARY IN BAHURANG VIGO FMA, CREATING A GOVERNING BODY, DEFINING ITS POWERS AND FUNCTIONS, INSITUTIONALIZING AN IMPLEMENTATION MECHANISM, PROVIDING SANCTIONS FOR VIOLATIONS AND FOR OTHER PURPOSES...

SPONSORED BY:

HON. WILBERT DAULAT

PRESENT:

Hon, Erwin Anzaldo

Hon. Wilbert Daulat

Hon. Eugenio Guimba

Hon. Florante Aleg

Hon. Ferdinand Tangi

Hon. Michael Ron Tiatson

Hon. Orlando Agas

Hon. Dennis Verdera

ABSENT:

Hon. Charles Villas (Acting Mayor)

Hon. Alma Moreno (OB)

ADOPTED:

June 27, 2017

* RESOLUTION NO. 72 * - Series of 2017 -

WHEREAS, in the formulation and implementation of policies and measures on local autonomy, the Local Government Code of 1991 mandates that there shall be established in every LGU an accountable, efficient, and dynamic organizational structure and operating mechanism that will meet the priority needs and service requirements of its communities;

WHEREAS, under Section 16 of the Philippine Fisheries Code of 1998 and Illegal, Unregulated, Unreported Fishing Amendment of RA 8550, the municipal government is vested with the jurisdiction over its municipal waters and in consultation with the FARMC, be responsible for the management, conservation, development, protection, utilization, and disposition of all fish and fishery/aquatic resources within its municipal waters;

WHEREAS, the marine ecosystem around the municipality serves as the reservoir of larvae of both demersal and pelagic species in and around the municipal waters of Lubang and it serves as a vital link for the propagation of valuable marine species;

WHEREAS, the state of degradation of the marine within its municipal water and underscores the need to regulate traditional and present fishing practices of the fisherfolks that could otherwise lead to extinction of vital species and thereby threatens food security and livelihood sustainability;

WHEREAS, the way to ensure sustainability is to grant Managed Access Areas or MAA to marginal fisherfolks as incentives for their role in the conservation and protection of fisheries and aquatic resources with specific provisions for harvest regulation, fish catch monitoring and reporting, link to market, and sustained coastal and fishery law enforcement;

WHEREAS, after consultation and endorsement with the FARMC, the Municipality of Lubang finds it imperative to declare the marine waters within one and one half (1.5) kilometers from the shoreline as a Managed Access Area and Sanctuary (MAA + S) strategy to ensure the rational and sustainable utilization, management, development, conservation and protection of its fisheries and aquatic resources within its municipal waters.

NOW, THEREFORE, on motion of Hon. Wilbert Daulat, duly seconded by Hon. Florante Alegre, be it RESOLVED, as it is hereby resolved to enact the following Ordinance:

* Municipal Ordinance No. 167 * - Series of 2017 -

AN ORDINANCE DECLARING MANAGE ACCESS AREA AND SANCTUARY IN BAHURANG VIGO FMA, CREATING A GOVERNING BODY AND DEFINING ITS POWERS AND FUNCTIONS, INSTITUTIONALIZING AN IMPLEMENTATION MECHANISM, PROVIDING SANCTIONS FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES.

Be it enacted by the Sangguniang Bayan in a regular session assembled:

ARTICLE I General Provisions

SECTION 1. SHORT TITLE - This Ordinance shall be known and cited as a Manage Access Area and Sanctuary in Bahurang Vigo FMA or MAA+S Ordinance.

SECTION 2. DECLARATION OF POLICY - It is hereby declared the policy of the Municipality of Lubang:

- 1. To achieve food security and sustainable livelihood as the overriding consideration in the utilization, management, development, conservation and protection of fisheries and aquatic resources within its municipal waters;
- To adopt the TERRITORIAL USE RIGHTS IN FISHERIES AND SANCTUARY (TURF + S) strategy in ensuring the rational and sustainable utilization, management, development, conservation and protection of its fisheries and aquatic resources;
- 3. To limit access to fisheries and aquatic resources within the Manage Access Area primarily for the exclusive use and enjoyment of registered and licensed fisherfolks of Lubang and eligible fisherfolks from Barangays of Vigo, Maliig and Tilik for limited fishing activities;
- 4. To adopt the precautionary principle and manage fishery and aquatic resources, in a manner consistent with the concept of an ecosystem-based approach to fisheries management and integrated coastal area management, appropriately supported by research, technical services and guidance provided by partner national government agencies (NGAs), the academe and non-government organizations (NGOs); and
- 5. To provide sufficient budgetary support and allocate human resources for the fishery sector, primarily for the municipal fisherfolks, including women and youth in the fishing communities, for their livelihoods through appropriate technology, trainings, marketing assistance and other services.

SECTION 3. OBJECTIVES - This Ordinance is enacted to attain the following objectives of the Municipality:

- 1. To achieve food security and alleviate poverty in the fishery sector;
- 2. To make conservation, protection and management of the fisheries and aquatic resources within its municipal waters, including the enforcement of coastal and fishery laws, a shared responsibility and accountability by and between the Municipal and Barangay Local Government Units of Lubang and of the fisherfolks and their associations;
- 3. To grant gratuitous exclusive fishery privileges as incentives to registered and licensed fisherfolks directly involved in the conservation, protection and management of the Marine Sanctuary and the Manage Access Area (MAA) in Bahurang Vigo:
- 4. To implement harvest regulations, catch monitoring and reporting, links to market and fish trading regulations; and
 - 5. To adopt administrative and penal sanctions in cases of violations thereof.

SECTION 4. SCOPE OF APPLICATION - This Ordinance shall be enforced in the declared Managed Access Area (MAA) and Sanctuary in Bahurang Vigo FMA.

$\label{eq:article} \textbf{ARTICLE} \ \Pi$ Rules of Interpretation and Definition of Terms

SECTION 5. RULES OF INTERPRETATION - In the interpretation of this Ordinance, the following rules shall apply:

- Words and phrases embodied in this Ordinance but not specifically defined shall have the same meaning as in RA 8550, as amended by RA 10654, and in Fisheries Administrative Orders issued by the Department of Agriculture-Bureau of Fisheries and Aquatic Resources (DA-BFAR);
- In the resolution of controversies that may arise in the enforcement of this Ordinance where no legal provision or jurisprudence squarely applies, resort may be had to customs and traditions in the Municipality;
- 3. In case of doubt in the course of implementation of this Ordinance as regards the priorities in the grant of privileges under this Ordinance, all doubts shall be resolved in favor of the registered and licensed fisherfolks of Tilik, Vigo and Maliig; and
- 4. In case of conflict between the policy formulated by the municipality in connection with this Ordinance and those that may be adopted by the national government through BFAR, such conflict shall be harmonized so as to make them complementary with each other. *Provided*, that should the efforts to harmonize fails, the doubts shall be resolved in favor of the municipality.

SECTION 6. DEFINITION OF TERMS - As used in this Ordinance the following words and phrases shall mean:

- Aquatic resources all aquatic flora and fauna including, but not restricted to, fish, algae, seaweeds, coelenterates, mollusks, crustaceans, echinoderms and cetaceans.
- 2. Artificial reef any man-made structure, deployed on a body of water to serve as coral recruitment, habitat and breeding areas of fish and other aquatic species.
- 3. Auxiliary Invoice or Transport Permit Fee is a fee charged on fishery products brought outside of the municipality of Lubang. This is also a fee on the entry of fish from other places of origin.
 - 4. BFARMC shall mean Barangay Fisheries and Aquatic Resources Management Council.
- 5. Carrying capacity is the ability of a designated area of water like mariculture zone to sustain the maximum number of fishing operation such as fish cages or fish pens, without causing deterioration to the environment and damage to its ecosystems.
 - 6. Charges refer to financial liability, as rents or fees against persons or property.
- Closed Season the period in which taking of specified fishery species by a specified fishing gear is prohibited in the specific area in the municipal waters of Lubang.
- 8. Coastal Zone is a band of dry and adjacent ocean space (water and submerged land) in which terrestrial processes and uses, and vice versa, its geographic extent may include area 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 isobaths to include coral reefs, algal flats, sea grass beds and other soft-bottom areas.
- 9. Commercial Fishing the taking of fishery species by passive or active gear for trade, business or profit beyond subsistence, or sports fishing, to be further classified as:
 - Small Scale Commercial Fishing fishing with passive or active gear utilizing fishing vessels of 3.1 gross tons (GT) up to twenty (20) gross tons (GT);

- Medium Scale Commercial Fishing fishing utilizing active gear and utilizing fishing vessels of 20.1 gross tons (GT) up to 150 gross tons (GT); and
- Large Scale Commercial Fishing fishing utilizing active gear and vessel of more than 150 gross tons (GT).
- 10. Community Service means any service or activity that is performed for the benefit of the community or its institutions in lieu of payment of fine imposed as administrative or criminal penalty.
 - 11. Compressor is a mechanical breathing device used by fishermen to stay longer underwater.
- 12. Coral reef a natural aggregation of corals, occurring in inter-tidal and sub-tidal waters of Lubang that serve as shelter, habitat and breeding areas for fish and other aquatic resources.
- 13. Docking area a designated area where municipal fishing boats and fishing vessels are secured and protected.
- 14. Ecosystem overfishing this occurs when the decline of once abundant fish stock due to fishing results in an ecological imbalance and eventual changes in fishery.
- 15. Electrofishing the use of electricity generated by batteries, electric generators and other source of electric power to kill, stupefy, disable or render unconscious fishery species, whether or not the same is subsequently recovered.
- 16. Endangered, Rare or Threateued Species aquatic plants and animals including some varieties of coral and seashells in danger of extinction as provided for in existing fishery laws, rules and regulations, or by the Biodiversity Management Bureau (BMB) of the Department of Environment and Natural Resources (DENR) and in the Convention on the International Trade of Endangered Species of Flora and Fauna (CITES).
- 17. Fee means a charge fixed by law or ordinance for the regulation or inspection of a business or activity.
- 18. Fine mesh net net with mesh size of less than three (3) centimeters measured between two (2) knots of a full mesh when stretched.
- 19. Fish aggregating device (payao) is a device consisting of a floating raft anchored by a weighted line with suspended materials such as palm fronds to attract and aggregate pelagic schooling species common in waters.
- 20. Fish cage refers to a floating enclosure made up of nets or screens sewn or fastened together and installed in the water with opening at the surface or covered and held in place by wooden/bamboo/metal posts with anchors and floats.
- 21. Fish corral or "Baklad" a stationary weir or trap devised to intercept and capture fish consisting of rows of bamboo stakes, plastic nets and other materials fenced with split bamboo matting or wire matting with one or more enclosures and with or without leaders to direct the fish to the catching chamber, purse or bag.
- 22. Fish fingerling a stage in the life cycle of the fish, measuring to about 6-13 centimeters, depending on the species.
 - 23. Fish fry a stage in the life cycle of fish usually with sizes from 1-2.5 cm.
- 24. Fish pot (bobo) a device made of bamboo splits, rattan or screen woven together for easy entrance and difficult exit of the fish.
- 25. Fisherfolk men or women indirectly and directly engaged in taking and/or culturing, processing, and vending of fishery and/or aquatic resources of municipal waters.

- 26. Fisherfolk organization an organized group, association, federation, alliance or an institution of fisherfolk which has at least fifteen (15) members, a set of officers, a constitution and by-laws, an organizational structure and a program of action, accredited by the LGU and registered by the authorized agency.
- 27. Fisheries refer to all activities relating to the act or business of fishing, culturing, preserving, processing, marketing, developing, conserving and managing aquatic resources and the fishery areas, including the privilege to fish or take aquatic resource thereof.
- 28. Fishery management area A bay, gulf or any other fishery area that may be delineated for fishery resource management purposes.
- 29. Fishery/aquatic products include finfish, mollusks, crustaceans, echinoderms, algae, seaweeds, marine mammals and all other flora and fauna.
- 30. **Fishing** the taking of fishery species from their wild state or habitat, with or without the use of fishing vessels.
- 31. Fishing boat/Gear license a permit to operate specific types of fishing boat/gear for specific duration in areas within the municipal waters of Lubang.
- 32. Fishing gear any instrument or device and its accessories utilized in taking fish and other fishery species.
 - (a) Active fishing gear is a fishing device characterized by the pursuit of the target species by towing, pushing the gears, surrounding, covering, dredging, and scaring the target species to impoundments; such as, but not limited to, trawl, purse seines, Danish seines, paaling and drift gill net.
 - (b) Passive fishing gear is characterized by the absence of pursuit of the target species; such as, but not limited to, hook and line, fishpots, traps and gill nets set across the path of the fish.
- 33. Fishing vessel any boat, ship or other watercraft equipped to be used for taking of fishery species or aiding or assisting one (1) or more vessels in the performance of any activity relating to fishing, including, but not limited to preservation, supply, storage, refrigeration, transportation and / or processing.
- 34. Fishing light attractor refers to a fishing aid which employs lights using, among others, mercury vapor, high pressure sodium vapor, standard tungsten, tungsten halogen, fluorescent of light-emitting diode, that are attached to structure water or suspended underwater to attract both fish and members of the food chain to specific areas in order to harvest them.
- 35. Fishing with explosives fishing with the use of explosives, which will kill, stupefy, disable or render unconscious any fish species.
- 36. Fishing with noxious or poisonous substance is the use of any substance, plant extracts or chemicals, which will kill, stupefy, disable or render unconscious any fish species or aquatic resources.
- 37. Fishpen an artificial enclosure constructed within a body of water for culturing fish and fishery/aquatic resources, made of poles closely arranged in enclosures with wooden materials, screen or nylon netting to prevent the escape of fish.
- 38. Fishworker is a person employed in commercial fishing, aquaculture, fish processing plants and other ancillary or related industries.
- 39. Foreshore area is a strip of land fringing a body of water or the part of seashore between the low-water line usually at the seaward margin of a low tide terrace and the upper limit of wave wash at high tide, usually marked by a beach/scarp or berm.

- 40. Gill Net is a curtain-like net in which the fish is entangled in the actual meshes of the net.
- 41. Gross tonnage is the product of boat length, depth, and breadth multiplied by a factor of 0.70 divided by 2.83.
- 42. Grievance is a written or verbal complaint concerning disputes between and among fisherfolks and their organization respecting the interpretation, application or compliance of the rules and regulations set in this ordinance.
 - 43. Hook and line (Kawil) fishing gear using hook, line, swivel and sinker.
 - 44. Jigger (Tangkab)) a fishing gear used in catching squid.
- 45. Juvenile fish any species of fish, which does not reach its reproductive maturity stage and is less the average size in length as may be determined.
- 46. Limited access A fishery policy by which a system of equitable resource use and allocation is established by law through fishery rights granting and licensing procedures.
- 47. Local Government Unit or LGU refers to the Municipal Government of Lubang, unless it is used to mean other specific local government unit.
- 48. Management zone is a defined area within the municipal waters delineated for specific management objectives.
- 49. Marginal fisherfolks refer to people engaged in any fishery activity for livelihood utilizing primitive or conventional method of fishing activities with gross income below the poverty threshold as declared by the authorized national agency of a given year.
- 50. Marine Protected Area (MPA) means a defined area of the sea established and set aside by law or ordinance in order to conserve and protect a part or entire enclosed environment through the establishment of management guidelines. It is considered a generic term that includes all declared areas governed by specific rules or guidelines in order to protect and manage activities within the enclosed area.
- 51. Maximum Sustainable Yield (MSY) is the largest average quantity of fish that can be harvested from a fish stock/ resource within a given period of time on a sustainable basis under existing environmental conditions.
 - 52. MFARMC shall mean Municipal Fisheries and Aquatic Resource Management Council
 - 53. Mooring buoys a floating device or other buoyant material for docking purposes.
 - 54. Monitoring, control and surveillance:

Monitoring – the requirement of continuously observing: (1) fishing efforts which can be expressed by the number of days or hours of fishing, number of fishing gears and number of fisherfolks; (2) characteristics of fishery resources; and (3) resource yields (catch).

Control - the regulatory condition (legal framework) under which the exploitation, utilization and disposition of the resources may be conducted; and

Surveillance - the degree and types of observations required to maintain compliance with regulations.

- 55. Migratory species refer to some fish species, which in the course of their life could travel from freshwater to marine water or vice versa, or any marine species which travel to great distances in waters of the ocean as part of their behavioral adaptation for survival and speciation.
- 56. Municipal Fisherfolks refers to a person registered and licensed to fish within the municipal waters of Lubang.

- 57. Municipal Waters include not only streams, lakes, inland bodies of water and tidal waters within the municipality which are not included within the protected areas as defined under Republic Act No. 7586 (The NIPAS Law), public forest, timber lands, forest reserves or fishery reserves, but also marine waters included between two (2) lines drawn perpendicular to the general coastline from points where the boundary lines of the municipality touch the sea at low tide and a third line parallel with the general coastline including offshore islands and fifteen (15) kilometers from such coastline.
- 58. Multiple handline (barangay) a single vertical line with a series of small baited hooks attached to its "spreaders" at regular intervals.
 - 59. Net tonnage the gross tonnage multiplied by a factor 0.32.
- 60. Non-Government Organization (NGO) an agency, institution, a foundation or a group of persons whose purpose is to assist people's organizations/associations in various ways including but not limited to organizing, education, training, research and/or resource accessing.
- 61. No Take Zone or NTZ is a defined area of the municipal waters declared by ordinance and known as Marine Protected Area (MPA) or Fish Sanctuary whereby no fishing is allowed and access thereto is strictly limited to research, assessment and for law enforcement.
 - 62. Penalties sanctions imposed to those found violating this ordinance.
- 63. People's Organization a bona fide association of citizens with demonstrated capacity to promote public interest and with identifiable leadership, membership and structure. Its members belong to a sector and who voluntarily bond themselves together to work for and by themselves for their own upliftment, development and greater good.
- 64. Person natural or juridical entity such as individuals, associations, partnership, cooperatives or corporations.
- 65. Post-harvest facilities these facilities include, but are not limited to, fishport, fish landing, ice plants and cold storage, fish processing plants.
- 66. Protected Area Zones or PAZs refers to the defined areas within the Lubang MAA+S, which are established to perpetuate the species of fish, protect the habitats, conserved the endangered and threatened marine mammals and other marine organisms. These areas shall be known and cited according to their names and location based on their geographic descriptions as provided in the following sections.
- 67. Recreational zone this includes all existing beach resorts, dive sites and all other establishments along the coastline of the municipal waters of Lubang.
- 68. Rights-based Management is fishery management strategy anchored on the promotion and strengthening of the preferential use rights of marginal fisherfolks over near shore fisheries commonly known as municipal waters.
- 69. Sabalo—is a full grown "bangus" (milkfish) scientifically known as Chanos chanos Forskal, and refers to both male and female measuring more than 60 centimeters long from the tip of the mouth to the extreme end of the caudal peduncle caught in the municipal waters of Lubang.
 - 70. SCUBA -refers to the self-contained underwater breathing apparatus.
- 71. Serious violations means any of the following violation of the provisions of this Ordinance:
 - a. Fishing without a valid registration and license, authorization or permit;
 - b. Fishing without reporting the catch or misreporting the catch;
 - Fishing in closed area or during closed season wheneverr such is being declared in this or other ordinances;
 - d. Fishing of prohibited species;

Resolution No. 72 series of 2017. Municipal Ordinance No. 167 (Rahurana Viao)

Parte 7

Look Bay Municipal Maric liture Park — There is hereby established as Look Bay Municipal Marculture Park on area for sustainable manculture activities such as fish cages, and other mariculture activities which shall be identified and delineated by the Management Board containing an area of thirty seven (37) hectares and bounded by the following coordinates

A SECURE OF THE PROPERTY OF TH

Point	Not Culture Prodess in a layer Latitude	Longitude
1	120 27212930300	13.71864287690
2	120.27707395100	13.71880477900
3	120.27320274700	13.71291347930
4	120 27367451100	13.71197161660

General Managed Access Area — is thet pert of LBMAA+S composing the areas outside of the Bahureng Aurora Marine Sanctuary, Buffer Zone and Looc Bay Municipal



- 57. Municipal Waters include not only streams, lakes, inland bodies of water and tidal waters within the municipality which are not included within the protected areas as defined under Republic Act No. 7586 (The NIPAS Law), public forest, timber lands, forest reserves or fishery reserves, but also marine waters included between two (2) lines drawn perpendicular to the general coastline from points where the boundary lines of the municipality touch the sea at low tide and a third line parallel with the general coastline including offshore islands and fifteen (15) kilometers from such coastline.
- 58. Multiple handline (barangay) a single vertical line with a series of small baited hooks attached to its "spreaders" at regular intervals.
 - 59. Net tonnage the gross tonnage multiplied by a factor 0.32.
- 60. Non-Government Organization (NGO) an agency, institution, a foundation or a group of persons whose purpose is to assist people's organizations/associations in various ways including but not limited to organizing, education, training, research and/or resource accessing.
- 61. No Take Zone or NTZ is a defined area of the municipal waters declared by ordinance and known as Marine Protected Area (MPA) or Fish Sanctuary whereby no fishing is allowed and access thereto is strictly limited to research, assessment and for law enforcement.
 - 62. Penalties sanctions imposed to those found violating this ordinance.
- 63. People's Organization a bona fide association of citizens with demonstrated capacity to promote public interest and with identifiable leadership, membership and structure. Its members belong to a sector and who voluntarily bond themselves together to work for and by themselves for their own upliftment, development and greater good.
- 64. Person natural or juridical entity such as individuals, associations, partnership, cooperatives or corporations.
- 65. Post-harvest facilities these facilities include, but are not limited to, fishport, fish landing, ice plants and cold storage, fish processing plants.
- 66. Protected Area Zones or PAZs refers to the defined areas within the Lubang MAA+S, which are established to perpetuate the species of fish, protect the habitats, conserved the endangered and threatened marine mammals and other marine organisms. These areas shall be known and cited according to their names and location based on their geographic descriptions as provided in the following sections.
- 67. Recreational zone this includes all existing beach resorts, dive sites and all other establishments along the coastline of the municipal waters of Lubang.
- 68. Rights-based Management is fishery management strategy anchored on the promotion and strengthening of the preferential use rights of marginal fisherfolks over near shore fisheries commonly known as municipal waters.
- 69. Sabalo is a full grown "bangus" (milkfish) scientifically known as *Chanos chanos* Forskal, and refers to both male and female measuring more than 60 centimeters long from the tip of the mouth to the extreme end of the caudal peduncle caught in the municipal waters of Lubang.
 - SCUBA –refers to the self-contained underwater breathing apparatus.
- 71. Serious violations means any of the following violation of the provisions of this Ordinance:
 - a. Fishing without a valid registration and license, authorization or permit;
 - b. Fishing without reporting the catch or misreporting the catch;
 - c. Fishing in closed area or during closed season whenever such is being declared in this or other ordinances;
 - d. Fishing of prohibited species;

e. Fishing with the use of prohibited gear or methods;

f. Falsifying, concealing or tampering with vessel markings, identity or registration to conceal vessel identity or lack of registration;

g. Assaulting, resisting, intimidating, harassing, seriously interfering with, or unduly obstructing or delaying a fisheries law enforcer, deputized Fish Warden or Bantay Dagat or duly authorized government officer; and

h. Committing muttiple violations which taken together constitute a serious disregard of

this Ordinance.

- 72. Snorkeling refers to swimming with the use of snorkel and mask observing or sight-seeing or viewing the beauty of natural wonders of marine and aquatic life.
 - 73. Snorkeling area refers to the designated area for snorkeling.
 - 74. Spear Gun (pana) is a device used to propel a spear for fishing.
- 75. Manage Access Area (MAA) refers to the delineated area within the Bahurang Vigo FMA set aside by an ordinance in order to conserve and protect the habitat and species against destructive, exhaustive and other unsustainable fishing activities through the establishment of specific rules and quidelines herein.
 - 76. Sport Fishing refers to any fishing activity mainly for the purpose of recreation.
- 77. Supertight also called magic light, refers to a type of light using halogen or metal halide bulb, which may be located above the sea surface or submerged in the water. It consists of a ballast, regulator, electric cable and socket. The source of energy comes from a generator, battery or dynamo coupled with the main engine.
- 78. Troll Line (subid-subid) a line with hooks and bait attractants or jiggers being towed by a boat.
- 79. Territorial Use Rights in Fisheries and Reserve (TURF + Reserve) strategy refers to a grant of exclusive fishery privileges to individual or community of fishers by ordinance, to fish within a designated special fisheries management area (SFMA) with an undertaking to be responsible for the conservation and protection of fisheries and aquatic resources and to comply with the harvest regulations, fish catch monitoring and reporting, and participate in coastal and fishery law enforcement.
- 80. Water pollution is the introduction of substances or energy to the aquatic environment which results or is likely to result in such deleterious effects as to harm living and non-living aquatic resources, pose potential and/or real hazard to human health, hindrance to aquatic activities such as fishing and navigation, including dumping/disposal of waste and other marine litters, discharge of petroleum or residual products of petroleum or carbonaceous materials/substances, and other radioactive, noxious or harmful liquid, gaseous or solid substances, from any water, land or air transport or other human-made structure. Deforestation, unsound agricultural practices such as the use of artificial fish feed, and wetland conversion, which causes similar hazards and deleterious effects, shall also constitute aquatic pollution.

ARTICLE III

Declaration of Manage Access Area (MAA) and Sanctuary in Bahurang Vigo FMA

SECTION 7. DECLARATION OF MANAGE ACCESS AREA AND SANCTUARY IN BAHURANG VIGO FMA. There is hereby declared a Manage Access Area and Sanctuary (MMA+S) in Bahurang Vigo FMA, as shown in the map hereunder:

Point No.	Longitude (N)	Latitude (E)
roint 190.	Longitude (14)	merence (E)
Point 1	120°10′30.08″	13°52′9.30
Point 2	120°12′55.04″	13°52′45.66
Point 3	120°10′54.79″	13°50′34.84
Point 4	120°13′19.87″	13*51′11.14

SECTION 9. MARKING AND MAINTENANCE OF BOUYS - For management and enforcement efficiency of different sets of rules and regulations in every zone herein established, it is hereby mandated that the zones shall be distinctly marked and planted with visible buoys. The cost and maintenance of buoys shall be the responsibility of the MAA+S in Bahurang Vigo FMA and the particular committee or organization assigned for the purpose. Provided, however, that it shall be unlawfull for any person to remove, destroy or otherwise condemn the buoys without authority from the MAA+S Board; and likewise unlawful to keep in his possession the lost or detached buoys for a period of seventy two (72) hours without reporting or returning it to the law enforcement team and/or a fisherfolks organization member of the MAA+S Board.

ARTICLE IV

Access to MAA+S

SECTION 10. ACCESS TO MAA+S - The municipality hereby adopts the policy of limited access to fisheries and aquatic resources within the Manage Access Areas and Marine Sanctuary in Bahurang Vigo FMA primarily for the use and enjoyment of registered and licensed fisherfolks of Lubang and to a certain extent to eligible fisherfolks from the coastal Barangays of Tilik, Vigo and Maliig for limited fishing activities.

Provided. That in the approval of applications for registration of fisherfolks and license to fish, strict regulation must be observed on the number, size or length of the fishing gears per fisherfolk, taking into consideration the maximum sustainable yield (MSY) and carrying capacity of the MAA+S under existing environmental conditions. It shall be planned and monitored through the mechanism to be established and duly approved by the MAA+S Board.

SECTION 11. FISHERFOLK REGISTRATION - It shall be unlawful for any person to capture or gather or to cause the capture or gathering of fish, fry or fingerlings of any fishery species or fishery products inside the MAA+S without being registered as a municipal fisherfolk. For this purpose, no person shall be eligible for registration unless he/she meets the following requisites:

- (a) A Filipino citizen;
- (b) At least 18 years of age: Provided, however, That minors who are at least 15 years may be allowed to register upon submission of written waiver or undertaking executed by a parent or guardian that said minor is an out of school youth and engages in fishing as his/her means of livelihood under his/her parental authority or supervision;
- (c) A bonafide resident of Lubang from barangays Tilik, Vigo and Maliig; Provided, however, That fisherfolks residing in the coastal barangays of Lubang may be allowed to register for as long he has been known to be fishing within the MAA+S prior to the adoption of this Ordinance;
- (d) Pay the registration and license fee for his fishing gears;
- (e) Submit a Barangay Clearance.

SECTION 12. FISHING BOAT REGISTRATION – It shall be unlawful for any person, natural or juridical, to own fishing boat(s) to be used in MAA+5 and in the municipal waters of Lubang without being registered in accordance with the guidelines of DA-BFAR on Boat Registration or Boat-R and pursuant to this ordinance. For this purpose, the boat owner applying for boat registration shall be required to submit the following requirements:

- (a) Proof of ownership of the boat(s) sought for registration;
- (b) Payment of boat registration fee;
- (c) Compliance of the color-coding of boat/vessel; and
- (d) In case of sale or transfer of ownership of registered boat or vessel, the owner shall notify the Municipal Agriculture Office within a period of 30 days from such sale or transfer; otherwise, the transferee may be held liable for violation of this section.

SECTION 13. FISHING GEAR REGISTRATION AND LICENSE — It shall be unlawful for any person to use fishing gear or gears to capture or gather fish, fry or fingerlings of any fishery species or fishery products in the MAA+S without securing registration and license to those fishing gear or gears. The concerned fisherfolk shall be required to pay minimal registration and the license fees which shall specify to what particular fishery area those gears can and will be used. *Provided, however*, that in cases of seasonal fishing gears, as distinguished from year-round gears, the fisherfolks shall be allowed to pay one registration and license fee for not more than three (3) gears whenever each gear is usable or applicable for a specific season only. The MAA+S Board in coordination with the MAO and, in consultation with the FARMC, shall set the guidelines for the purpose.

SECTION 14. ESTABLISHMENT OF REGISTRY OF MUNICIPAL FISHERFOLKS AND FISHING BOATS AND GEAR LICENSE – The MAO shall establish and maintain the registry of municipal fisherfolks, fishing boats and gear licenses. It shall be published or posted in Barangay Hall and other conspicuous places frequented by the fisherfolks or their organizations. *Provided*, that any person in possession or use of any fishing boat or gear within the declared LMAA+S and whose name is not found in the municipal registry shall constitute a *prima facie* presumption that the person is in violation of the provisions of the preceding sections.

SECTION 15. ANNUAL RENEWAL OF REGISTRATION AND LICENSE OR PERMIT

— It is hereby declared mandatory to renew annually in the month of January of the ensuing year the
registration of fisherfolks and their boats and fishing gears license at the MAO. The application for
renewal shall be subject to evaluation of their compliance to the specific harvesting regulations, catch
monitoring and reporting, and their involvement in coastal and fishery law enforcement. Subject to the
observance of due process of law, the MAA+S Board shall have the power to recommend for suspension
or revocation of license or permit and the disapproval of applications for renewal of registration, license
or permit, in the event the concerned fisherfolks or their organizations failed to abide by the existing
regulations embodied in this ordinance.

ARTICLE V Conservation and Protection of Bahurang Vigo Marine Sanctuary

SECTION 16. CONSERVATION AND PROTECTION OF THE SANCTUARY/NO-TAKE ZONES — To carry out the objectives of establishing the BAHURANG VIGO MARINE SANCTUARY the following activities are hereby declared prohibited inside the Core Zone:

- To catch fish in any form or gather seaweeds, sand, rocks, shells, coral or anything within the habitat for breeding and culture of fish and other marine resources: Provided, that biophysical assessment, catching or culturing for purposes of research/study shall be allowed upon issuance of permit by the Municipal Mayor;
- To enter inside the core zone (aboard a boat or not) without permit to do so or authority from Bahurang Vigo Marine Sanctuary Management Board duly designated to secure and protect the MPA, except in cases of force majeure or due to accident or emergency; and

The discovery of any person in possession of a fishing gear or operating a
fishing boat in the abovementioned area without permit or authority shall
constitute a prima facie presumption that the person is in violation of this
Section.

SECTION 17. CONSERVATION AND PROTECTION OF THE MANAGE ACCESS AREA – To conserve and protect the Manage Access Area, policies and regulations on fishing activities in MAA shall be imposed for strict implementation.

SECTION 18. AUTHORITY TO FORMULATE MANAGEMENT PLANS – The MAA+S Board in close coordination with the MAO and Peoples Organization (PO) to manage Bahurang Vigo MAA+S and with the participation of FARMC, by virtue of this ordinance, is hereby authorized to formulate and adopt the MAA+S Management Plan to conserve and protect the entire enclosed environment through the establishment of management guidelines and secure funding from the government, private institutions and generate sustaining revenues to effectively protect and manage the activities in the protected area.

ARTICLE VI

Utilization and Management of the Bahurang Vigo Manage Access Area and Sanctuary

SECTION 19. UTILIZATION OF BAHURANG VIGO MANAGE ACCESS AREA (BVMAA) – The municipality hereby declares the utilization and fishing rights over Bahurang Vigo MAA shall be granted exclusively to the registered and licensed fisherfolks who are residents of Barangays Maliig, Vigo and Tilik. The fishers licensed to fish in MAA shall be held responsible and accountable, individually and collectively, in the conservation and protection of the fisheries and habitat therein from illegal and unsustainable fishing practices. They shall be bound to comply with the harvest regulations, catch monitoring and reporting as provided in this ordinance.

For the purpose of this Ordinance licensing of fishing gears to be used inside MAA shall be limited to the following fishing gears used by the fisherfolks, known as:

	Hook and Line	Spearfishing
Single	Hook and Line (e.g. kawii)	Spearfishing (pana)
	le Hook and Line (e.g. kaskas)	
Jigger ((e.g tangkab)	

SECTION 20. ALLOWANCE OF MORE FISHERS AND INTRODUCTION OF NEW FISHING GEARS IN Bahurang Vigo MAA - The MAA+S Board in close coordination with the MAO and the concerned fisherfolks organizations, the Barangay LGUs and M/BFARMC by virtue of this ordinance, shall have the sole authority to determine the feasibility of allowing more fishers and the introduction of new fishing gears in the declared MAA+S, subject however to the approval of the Municipal Mayor.

SECTION 21. PUBLICATION OF THE LIST OF LICENSED FISHERS – The MAO shall publish the list in Barangay Hall and in conspicuous places frequented by the fisherfolks the list of licensed fishers and the corresponding licensed fishing gear in the MAA+S and update the same annually. In the list of licensed fishers the following duties and responsibilities must be stated, such as but not limited to:

- (a) Record and report periodically their catch through the use of catch monitoring forms and submit the same to the MAO or designated enumerator in their Barangay;
- (b) Participate in the conservation and protection of marine sanctuaries and the entire municipal waters of Lubang;
- (c) Attend meetings, seminars, workshops and other activities in furtherance of effective fisheries and aquatic resources management of BVMAA+S;
- (d) Pay the required fees whenever required by this ordinance; and
- (e) Report illegal fishing activities and participate in the coastal and fishery law enforcement activities.

ARTICLE VII

Governing Body and Administration of Bahurang Vigo MAA+S

SECTION 22. GOVERNING BODY OF Bahurang Vigo MAA + S - There is hereby constituted a governing body to be known and cited as Bahurang Vigo Manage Access Area + Marine Sanctuary Board. It shall be composed of the following officers and members:

OFFICERS:

Municipal Mayor

S

SB Committee Chair on Agriculture and Fisheries
 Municipal Agriculturist

: Co-Vice Chairperson

: Chairperson

: Co-Vice Chairperson

MEMBERS:

- 4. Municipal Planning and Development Coordinator
- 5. Municipal Environment and Natural Resources Officer
- 6. Liga ng mga Barangay Chairman
- 7. Chairperson of M/FARMC
- 8. Chairperson of Fisherfolk Associations
 - a. Red Snapper Tilik Association
 - b. Maliig Fisherfolks Association
 - c. Palanas Fisherfolk Association
- 9. Member of the Local PNP
- 10. Chair of Municipal Bantay Dagat

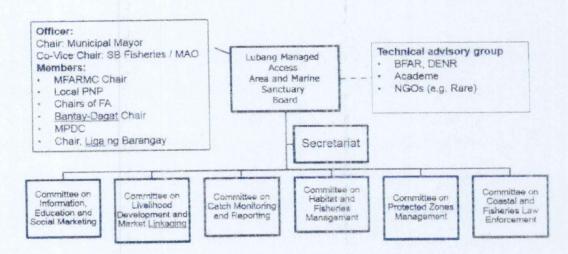
TECHNICAL ADVISORY GROUP:

- 11. Representative of Bureau of Fisheries and Aquatic Resources
- 12. Representative of Department of Environment and Natural Resources
- 13. Representative of Academe
- 14. Representative of Non-Governmental Organization

SECTION 23. POWERS AND FUNCTIONS - The Bahurang Vigo Manage Access Area Management + Sanctuary Board by virtue of this ordinance is hereby vested with the following powers and functions:

- a. Act as the primary policy making and recommending body of MAA+S subject to the approval by the Mayor;
- Formulate and develop overall management plan and special management plans for different management zones within the MAA+S;
- Develop administrative system and manual of operations of MAA+S Board and define the duties and responsibilities of different committees and bodies under its supervision;
- d. Come up with a list of disputes falling under the authority/responsibility of the Grievance Committee and the guidelines in grievance handling;
- e. Promulgate the Rules of Procedure of the Municipal Adjudication Board (MAB);
- f. Manage the special trust fund derived from the funding support of the Municipality and its share from all the monies collected from payment of registration fees, licenses, permits, penalties and fines, as a consequence of coastal and fisheries law enforcement;
- g. Hold regular quarterly and special meetings and thru the Chairman convene the initial meetings of different committees and bodies for them to elect and sworn in their respective officers and members;
- h. Define the roles of various committees and stakeholders—including fishers, fisherfolks associations, Barangay LGUs, BFARMC, national government agencies (NGAs), non-government organizations (NGOs) and the Academe in the implementation of the TURF+Reserve strategy in LMAA + MS
- Develop project proposals for funding of its various programs and projects in MAA+S;
- Oversee the conservation and protection of protected zones, enforce the catch monitoring and reporting among the registered and license fishers, market linkaging, and the coastal and fisheries law enforcement operations within and around the municipal water of Lubang;
- k. Consult with fishers regularly to get their feedbacks and inputs regarding the implementation of TURF and MPA strategy in the management of nearshore fisheries.
- Establish a database and institutionalize data gathering to benchmark fisheries management control, monitoring and surveillance system for short and long term evaluation of the program.
- Undertake periodic assessment of the implementation of TURF+Reserve strategy in meeting its biological, economic and social goals.
- m. Link-up with NGAs, NGOs and Academe to avail of their technical assistance and network of scientists and experts in fisheries management at the national and regional levels.
- n. Perform such other functions as may be necessary, appropriate, or incidental for its efficient and effective governance of MAA+S.

SECTION 24. ORGANIZATIONAL STRUCTURE OF MAA+S - There is hereby constituted an organizational structure to be known and cited as MAA+S Organizational Structure, as follows:



SECTION 25. COASTAL RESOURCES MANAGEMENT OFFICE (CRMO) – Until the Coastal Resources Management Office (CRMO) under the Office of the Municipal Agriculturist is officially created and its chief is appointed and assumed office, the designated CRM Officer, shall assume the responsibility of being the Secretariat of this Ordinance. Provided, however, that in the meantime the Municipal Agriculturist shall continue to exercise relevant powers, duties and functions until such time that the CRMO has been created and constituted.

SECTION 26. MULTI-SECTORAL COMMITTEES – The MAA+S Board shall organize different committees composed of its members to act as the multi-sectoral implementing bodies for various concerns, such as but not limited to: (a) Committee on Coastal and Fisheries Law Enforcement; (b) Committee on Protected Zones Management; (c) Committee on Habitat and Fisheries Management; (d) Committee on Catch Monitoring and Reporting; (e) Committee on Livelihood Development and Market Linkaging; and (f) Committee on Information, Education and Social Marketing.

SECTION 27. OPERATIONALIZATION – The municipality hereby mandates the operationalization of the organizational structure MAA+S within the period of six (6) months from the effectivity of this ordinance, including the creation of the CRMO as herein envisioned.

ARTICLE VIII

Role of the Barangays

SECTION 28. ROLE OF THE BARANGAY – In the implementation of this Ordinance the role of the Barangays is hereby strengthened to be the primary implementing entities in their respective territorial jurisdictions and shall exercise the following powers and functions:

- (a) In particular, the Barangay LGU of Lubang in coordination with the MAO and MAA+S, lead the campaign for comprehensive registration of all fisherfolks and accreditation of fisherfolks organizations in the Barangay, including registration of fishing boats and licensing of fishing gears;
- (b) Mainstreaming of the coastal and fisheries management and law enforcement activities in their Barangay development plans and programs;
- (c) Allocate budget and deploy manpower in support to the programs and

projects of MAA+S Board.

- (d) Participate in fish catch monitoring and reporting, link to markets, and assessment activities; and
- (e) Perform such other functions as may be necessary, appropriate, or incidental for its efficient and effective governance.

SECTION 29. REVENUE SHARING SCHEME -

- a) Shares for all the revenues collected from the registration, license and permit fees;
 - o Fifty percent (50%) goes to the Municipality;
 - o Twenty-five percent (25%) goes to the Barangay; and
 - o Twenty-five percent (25%) goes to the MAA+S Trust Fund.
- b) Tourism fees, fines and penalties, as a consequence of the implementation of this ordinance. The municipality hereby adopts the following sharing scheme:
 - Seventy percent (70%) goes to the MAA+S Trust Fund.
 - o Thirty percent (30%) goes to the Municipality.

ARTICLE IX

Role of the BFARMC and Fisherfolks Organizations

SECTION 30. ROLE OF THE BFARMC - Pursuant to Section 73 of R.A. 8550 there is hereby organized Barangay Fisheries and Aquatic Resources Management Council (BFARMC) in each Barangay and, for purposes of this Ordinance, a FARMC shall be organized, whose main function is to serve in advisory capacity to the MLGU and MAA+S Board.

SECTION 31. ROLE OF FISHERFOLKS ORGANIZATIONS – The fisherfolks are hereby encouraged to organize and strengthen themselves to play an active role in bringing to fruition the preferential use rights of its members over the municipal waters. It shall act as a partner of BVMAA+S Board in the implementation of this ordinance especially in the conservation and protection, coastal and fisheries law enforcement, and the harvest regulations, catch monitoring and reporting.

ARTICLE X

Grievance Mechanism

SECTION 32. GRIEVANCE BODY – There is hereby established a Grievance Body in the Barangay to settle disputes between and among fisherfolks and their organizations with regards to the interpretation, application or compliance of the rules and regulations set in this ordinance, specifically on registration and licensing, catch monitoring and reporting, and involvement in coastal and fishery law enforcement. The MAA+S Board may adopt locally appropriate term to identify such body.

SECTION 33. DISPUTES FOR SETTLEMENT – Except for the violation of RA 8550, as amended by RA 10654, and existing environmental laws, the MAA+S Board in close coordination with the MAO and after consultation with the BLGU and BFARMC, shall come up with a list of particular disputes falling under the authority of the Grievance Committee.

SECTION 34. GRIEVANCE PROCEDURE – Without prejudice to the guidelines on grievance handling that the MAA+S Board may hereafter promulgate; the following procedure shall be observed:

 (a) A written or verbal complaint or grievance may be filed or brought to the attention of the Chair of the Grievance Committee;

- (b) The Chair shall record the complaint or grievance in chronological order taking note of the nature and cause of the grievance and the person against whom it is filed;
- (c) If the Chair so decides to conciliate the parties, he/she may issue a written or verbal invitation to the complainant and respondent for conciliation meeting; otherwise, the Chair constitutes a panel of 3 from among his members to conduct the conciliation proceedings. If no settlement is reached, the panel shall inform the Chair and the latter convene the Grievance Committee en banc to undertake the conciliation meeting;
- (d) If settlement is reached the amicable settlement shall be put into writing stating therein the dispute and the terms of settlement; however, if in their amicable settlement the parties agreed that one or both/all of them shall do or cause to be done something then the agreement must state it in writing and specify the person responsible and the time frame to do it;
- (e) However, even after exhausting all avenues no settlement is reached, the Grievance Committee shall issue a certification of no settlement and refer the dispute to the FMU for adjudication of the Municipal Adjudication Board.

SECTION 35. CAPACITY BUILDING – For this purpose, the MAO in coordination with the concerned Committee under the MAA+S Board, shall conduct seminars, workshops and other capacity building activities to enhance the capacity the members of the Grievance Committee in the discharge of their duties and responsibilities.

ARTICLE XI Municipal Adjudication Board (MAB)

SECTION 36. CREATION OF MUNICIPAL ADJUDICATION BOARD (MAB) – The Municipal Adjudication Board (MAB) is hereby reconstituted the Municipal Adjudication Board composed of the following:

Chairman Vice Chairman : Municipal Agriculturist

: Municipal Planning Development Coordinator

Members

: Secretary to the Sangguniang Bayan

MFARMC Chairman

Priest/Pastor

Secretariat

: Coastal Resources Management Office or CRMO

For this purpose, the Municipal Mayor shall issue an Executive Order to constitute the MAB and the appointments of its officers and members, who shall sign/accept it in the same document. They shall commence discharging their powers and functions after taking their oath of office.

The term of office of the MAB shall be for three (3) years inclusive of the term of the Mayor: *Provided, however*, after the expiration of the term of the Mayor the MAB shall continue to discharge their duties until after new appointments are issued by the appointing authority. Any vacancy that may occur shall be filled up by appointment for the unexpired term only.

SECTION 37. POWERS AND FUNCTIONS OF MAB — The MAB is hereby vested with the primary and original authority to hear and decide unsettled grievances referred to it by the Grievance Committees. It shall also exercise jurisdiction for adjudication of offenses in violation of this Ordinance and other existing fishery ordinances whereby the offender was apprehended and expressed willingness to admit his offense and pay the corresponding fine. *Provided*, that if the offender fails to pay the fine he shall render community service. The MAB may, upon proper complaint or recommendation from MAA+S, impose upon habitual offenders the penalty of suspension or revocation of license to fish or permit the denial of their application for renewal therefore. The resolution of the MAB shall become final and executory after the lapse of fifteen (15) days from receipt thereof.

SECTION 38. ADJUDICATION PROCEDURE – Within six (6) months from the effectivity of this ordinance the MAA+S Board shall promulgate Rules of Procedure of the Municipal Adjudication Board.

A. For Unsettled Grievances:

- The Head of the MAO shall act as the Secretariat of the MAB who shall be responsible in the recording of unsettled grievances referred to it by the Grievance Committees. Thereupon, the MAO shall evaluate the facts and circumstances of the grievance whether or not there is a need to bring the matter to the MAB. If in his/her capacity the grievance can be settled without resorting to administrative adjudication he may proceed to take appropriate action thereon: *Provided*, that he renders report to the Chairman of the MAB;
- 2. Should the MAO decide to refer the grievance to the MAB for adjudication, he/she shall require the complainant to submit an affidavit-complaint containing the facts and circumstance showing the violation of the respondent and attaching therein the supporting documents or affidavits of witnesses. Within fifteen (15) days from receipt of the affidavit, the MAO shall issue summons to the respondent directing the latter to file his counter-affidavit or answer to complaint and informing him that he has the right to defend by himself or with the assistance of counsel;
- 3. As soon as the issues are joined, the MAO shall notify the Chairman of the readiness of the grievance for adjudication: Provided, In the event respondent fails to file his counter-affidavit or answer and his/her failure is unjustified the proceedings shall continue for as long as he/she has been duly notified;
- Within fifteen (15) days from receipt thereof, the Chairman shall convene the MAB on a particular date and time at the SB Session Hall for hearing of the complaint or grievance;
- 5. In the adjudication process, the MAO shall read the complaint in a language or dialect known to and understood by the respondent and thereafter the Chairman shall ask the respondent of his plea whether he admits the fault or not. If respondent admits the fault then the MAB shall determine the appropriate sanction; if not, the hearing shall proceed;
- 6. In the conduct of the proceedings, the MAO shall not be bound by the technical rules of procedure and evidence as prescribed in the Rules of Court, but shall proceed to hear and decide all grievances and administrative cases in a most expeditious manner, employing all reasonable means to ascertain the facts of every case in accordance with justice and equity;
- In the interest of due process, all parties must be afforded ample opportunity to be heard and present his case or defense before a decision is rendered;
- 8. In its decision, the MAB may either: (a) dismiss the grievance for lack of merit; (b) reprimand or require the respondent to perform an act or desist from doing or delivering something; and (c) impose administrative sanctions such as payment of fines or community service for failure to pay fine;

- The decision shall be served to the parties and become final and executory
 after the lapse of fifteen (15) days from receipt thereof and no appeal was
 taken within such period.
- 10. Appeal of the Decision to the MBA shall be done in the form of notice of appeal duly filed with the MAO within such reglementary period.

B. For Violations of the Provisions of the Ordinance:

- Except for serious violations of the provisions of RA 8550, as amended by RA 10654, and other environmental laws, this rule shall apply only in cases of apprehension for violation of the provisions of this ordinance and other fishery ordinances of Lubang and the offender expresses the willingness to admit his offense and pay the corresponding fines;
- 2. Upon notice of such apprehension and intent of the offender, the Head of the MAO being the lead implementing officer of this ordinance and with the assistance of the Police Investigators from Lubang MPS, undertake the documentation of the case and henceforth notify the Chairman of the readiness of the case for adjudication;
- Within five (5) days from receipt thereof, the Chairman shall convene the MAB on a particular date and time at the SB Session Hall for hearing of the complaint;
- 4. In the adjudication process, the Head of the MAO shall read the complaint in a language or dialect known to or understood by the respondent and thereafter the Chairman shall ask the respondent whether he admits his guilt or not; If he admits his guilt, then the MAB shall relieve to hear the case further and decide at once the appropriate penalty for the offense committed:
- 5. The decision shall be in writing and furnished to the respondent, which shall serve as basis in the payment of fine at the Office of the Municipal Treasurer. Upon full payment of the fine the respondent shall submit his proof of payment to the MAB and the same shall serve as basis in declaring the case as terminated; and
- 6. The decision of the MAB shall not constitute a bar from prosecuting the offender should there be any serious offense committed thereby as a consequence of the acts or omissions he/she pleaded guilty thereof.

SECTION 39. CAPACITY BUILDING – For this purpose, the MAA + S Board in partnership with NGAs and NGOs shall conduct seminars, workshops and other capacity building activities for the members of the MAB in the discharge of their duties and responsibilities.

ARTICLE XII

Coastal and Fishery Law Enforcement

SECTION 40. BAHURANG VIGO COASTAL AND FISHERIES LAW ENFORCEMENT TEAM — There is hereby constituted a Coastal and Fishery Law Enforcement Team of BAHURANG VIGO MAA+S to be known and cited as BVMAA Coastal and Fisheries Law Enforcement Team, which shall be composed of the following:

Chairman Vice Chairman Members Chairman of MFARMC CRMO of Lubang

COP/Designated Police Investigator for CFLET Deputized Fish Warden (Bantay Dagat)

SECTION 41. DUTIES AND RESPONSIBILITIES - The Bahurang Vigo Coastal and Fisheries Law Enforcement Team herein constituted shall carry out the following duties and responsibilities:

- Effect the full implementation of this Ordinance taking into consideration the specific objectives of different management zones;
- Undertake sea-borne and land-based patrols and enforcement of marketdenial policy against illegally caught fish and illegally gathered rare, threatened and endangered fishery species, including wildlife resources and exotic species;
- 3. Formulate operation and implementation plans for effective fishery law enforcement;
- Conduct trainings, seminars and workshops for the enhancement of skills and capabilities of the deputized fish wardens or Bantay Dagat;
- Perform such other duties and functions as may be necessary and relevant to achieve the purposes for its creation.

SECTION 42. BUDGET - The MAO shall be responsible in the preparation and submission of the work and financial plan for the operation of BVMAA Coastal and Fisheries Law Enforcement Team for its inclusion in the annual budget. It shall also be responsible in the processing of vouchers for the utilization of the Trust Fund for fishery management.

SECTION 43. DEPUTATION OF FISH WARDENS OR BANTAY DAGAT – No person shall be eligible for deputation as Fish Warden or Bantay Dagat unless he undergoes and successfully completed a three-day Fishery Law Enforcement Training Course as prescribed by the Bureau of Pisheries and Aquatic Resources (BFAR) and Department of Environment and Natural Resources (DENR). The deputation papers and identification cards shall be issued by the Local Chief Executive after such training.

ARTICLE XIII

Special Trust Fund for MAA+S

SECTION 44. SPECIAL TRUST FUND FOR MAA+S – There is hereby created a special trust fund which shall be known and cited as Special Trust Fund for LMAA +S for all the monies received as subsidy from the LGU and those pertaining to the share of LMAA+S from the collection of registration fees, fishery fees and charges, pursuant to the revenue sharing scheme under Section 29 and the shares from the fine and penalties imposed in this ordinance.

SECTION 45. FUND FOR MAA+S - The municipality shall provide sufficient funds for the purpose through its appropriation for the Coastal Resource Management (CRM) and seven and one half percent (7.5%) of which shall be released as subsidy to the trust fund for MAA +S

ARTICLE XIV

Prohibitions and Penalties

SECTION 46. PROHIBITED ACTS AND PENALTIES – in addition to the prohibited acts and their corresponding penalties as provided in Chapter VI of the Fisheries Code of 1998 (RA 8550), as amended by RA 10654, and the existing Environmental Laws, and those offenses defined and penalized the following acts and omissions are hereby considered offenses and punishable under this Ordinance, as follows:

OFFENSES	PENALTY
a. Violation of Section 9 – for removing of damaging or stealing or keeping the marker buoys established in Lubang MMA+S b. Violation of Section 11 for fishing within the declared SFMA without being registered as a municipal fisherfolk of Lubang. c. Violation of Section 13 – for using fishing gear or gears without securing registration and license at the CRMO. d. Violation of Section 15 – for failure to renew registration of fisherfolk, boat, fishing gear license, and permit to operate MAA+S.	All the offenses listed in the left column shall have uniform penalties depending on the frequency of the commission of the offense: 1st Offense: Fine ranging from P2,500.00 but not more than P5,000.00 at the discretion of the Court. 2nd Offense: Fine ranging from P5,000.00 to P10,000.00 or imprisonment for 10 days but not more than 1 month or both at the discretion of the Court. 3nd Offense: Fine ranging from P10,000.00 but not more than P15,000.00 or imprisonment for 1 month and 1 day but not more than 2 months or both at the discretion of the Court.
	month and 1 day but not more than 2 months of
	fines. Instead, he/shall be prosecuted criminally and be made to pay the maximum penalty of fine an imprisonment. Provided, That in case of failure to pay the fine the violator shall be required to render communities service equivalent to his penalty computed P100.00 per day.
	Provided, further. That the Municipal Adjudication Board (MAB) in the exercise of its power maimpose the penalty of fine to offenders who as willing to plead guilty to the offense and expressibilingness to pay the fines as hereinabove stated.

ARTICLE XV

Miscellaneous Provisions

SECTION 47. OVERSIGHT COMMITTEE - There is hereby created a Joint Oversight Committee to oversee the implementation of this Ordinance, which shall composed of the Chairmen of the SB Committee on Agriculture and Fisheries, and Committee on Laws and their respective Members.

SECTION 48. IMPLEMENTING RULES AND REGULATIONS - The Municipal Mayor is hereby authorized to issue an Executive Order that will promulgate the Implementing Rules and Regulations to provide the details and to carry out the purposes of this Ordinance within sixty (60) days from approval of this Ordinance.

SECTION 49. TRANSITORY PROVISION. — The duly designated Coastal Resource Management Officer (CRMO) of the Municipality shall act as the Coastal Resources Management Officer (CRM Officer) until after a regular officer is officially appointed.

SECTION 50. SEPARABILITY CLAUSE – If any provision of this Ordinance or the application of such provision to any person or circumstances is declared invalid, the remainder of the Ordinance or the application of such provision to other persons or circumstances shall not be affected by such declaration.

SECTION 51. REPEALING CLAUSE - All ordinances, executive orders, rules and regulations or parts thereof which are inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 52. EFFECTIVITY - This Ordinance shall take effect immediately 30 days after publication in a newspaper of general circulation upon approval.

CONCURRED: FLORANTE I. ALEGRE ÉUGENIO T. GUIMBA FERDINAND WILBERT LDAULA 88 Member SB Member SB Member SB Member VENDERA MICHAE ROMP. TIATSON DOY. AGAS DENNIS V. ABC President SB Member SB Nemb CERTIFIED TO BE DULY ADOPTED: ATTESTED ERWIN V. ANKALDO HALITZ SB Member/Temporary Presiding Officer Sanggunian APPROVED: JUL 1 7 2017 ROBERTO M. SANCHEZ Date Municipal Mayor



MUNICIPALITY OF LOOC Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN OF LOOC, OCCIDENTAL MINDORO HELD AT THE MUNICIPAL SESSION HALL ON MARCH 09, 2020

Present & Attested

MUNICIPAL ORDINANCE NO. 82

Series of 2020

Sponsored by: Councilor Wilmer T. Valles

(On Official Quisiness)
MARLON V. DELA TORRE

Municipal Vice-Mayor

ALFREDITO D. ABOTT AR Presiding Officer Pro-Tempore Municipal Councilor LOOC BAY MANAGED ACCESS AREA + SANCTUARY (LBMAA+S)
ORDINANCE OF LOOC, OCCIDENTAL MINDORO

Regular Members:

SABINO S. VALDERAS

RICHARD S. QUINONES

M L Q L RUPERTO M. JUAÑO Municipal Councilar

ABELARDO F. TRIA JR.

Municipal Councilor

WILMER T. VALLES
Municipal Councilor

ORI ANDO D. TORRELIZA

OBE CODO T. ZUBIRI Muglicipal Councilor

Ex-Officio Members:

SAMUEL P. TERRAÑA LinB President

NICKBRYAN W. YIAÑA Sangguniang Kabataan Article I General Provisions

SECTION 1. SHORT TITLE - This Ordinance shall be known and cited as LOOC BAY MANAGED ACCESS AREA + SANCTURY or Looc Bay MAA+S Ordinance.

SECTION 2. DECLARATION OF POLICY - It is hereby declared the policy of the Municipality of Looc:

- To achieve food security and sustainable livelihood as the overriding consideration in the utilization, management, development, conservation and protection of fishenes and aquatic resources within its municipal waters;
- To limit access to fisheries and aquatic resources within the Managed Access Area primarily for the exclusive use and enjoyment of registered and licensed fisherfalks of the Municipality of Looc;
- 3 To adopt the Territorial Use Rights in Fisheries and Sanctuary (TURF+5) strategy in 3ensuring the rational and sustainable utilization, management development conservation;
- 4 To adopt the precautionary principle and managed fishery and aquatic resources, in a manner consistent with the concept of an ecosystembased approach to fisheries management and integrated coastal area management, appropriately supported by research, technical services and guidance provided by partner national government agencies (NGAs), the academe and non-government organizations (NGOs); and
- 5 To provide sufficient budgetary support and allocate human resources for the fishery sector, primarily for the municipal fisherfolks, including women and youth in the fishing communities, for their livelihoods through appropriate technology, trainings, marketing assistance and other services.

SECTION 3. OBJECTIVES - This Ordinance is enacted to attain the following objectives of the Municipality of Looc.

- 1. To achieve food security and alleviate poverty in the fishery sector,
- To make conservation, protection and management of the fisheres and aquatic resources within its municipal waters, including the enforcement of coastal and fishery laws, a shared responsibility and accountability by and between the Municipal and Barangay Local Government Units of Loop and of the fisherfolks and their associations.
- 3 To grant gratuitous exclusive fishery privileges as incentives to registered and licensed fisherfolks directly involved in the conservation, protection and management of Bahurang Aurora Marine Sanctuary and Looc Bay Managed Access Areas.
- To implement harvest regulations, catch monitoring and reporting, links to market and fish trading regulations, and
- To adopt administrative and penal sanctions in cases of violations thereof.

SECTION 4. SCOPE OF APPLICATION - This Ordinance shall be enforced in the declared Looc Bay Managed Access Areas Bahurang Aurora Marine Sanctuary, Buffer Zone and Looc Bay Manculture Park and in other areas within the municipal waters of Looc, which may hereafter be declared as additional Managed Access Areas and Marine Sanctuaries.

Article II Rules of Interpretation and Definition of Terms

SECTION 5. RULES OF INTERPRETATION - In the interpretation of this Ordinance, the following rules shall apply:

- Words and phrases embodied in this Ordinance but not specifically defined shall have the same meaning as in RA 8550, as amended by RA 10654, and in Fisheries Administrative Orders issued by the Department of Agriculture-Bureau of Fisheries and Aquatic Resources (DA-BFAR);
- In the resolution of controversies that may arise in the enforcement of this Ordinance where no legal provision or jurisprudence squarely applies, resort may be had to customs and traditions in the Municipality;
- In case of doubt in the course of implementation of this Ordinance as regards the
 priorities in the grant of privileges under this Ordinance, all doubts shall be resolved in
 favor of the registered and licensed fisherfolks of the Municipality of Looc; and
- 4. In case of conflict between the policy formulated by the municipality in connection with this Ordinance and those that may be adopted by the national government through BEAR, such conflict shall be harmonized so as to make them complementary with each other. Provided, that the efforts to harmonize failed, the doubts shall be resolved in favor of the municipality.

SECTION 6. DEFINITION OF TERMS - As used in this Ordinance the following words and phrases shall mean:

- Aquatic Resources all aquatic flora and fauna including, but not restricted to fish, algae, seaweeds, coelenterates, mollusks, crustaceans, echinodems and cetaceans;
- Artificial Reef any man made structure, deployed on a body of water to serve as coral recruitment, habitat and breeding areas of fish and other aquatic species.

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LBMAA+S Ordinance of the Municipality of Look, Occidental Mindoro

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- Auxiliary Invoice or Transport Permit Fee is a fee charged on fishery products brought outside of the Municipality of Looc. This is also a fee on the entry of fish from
- 4. BFARMC shall mean Barangay Fisheries and Aquatic Resources Management
- 5. Buffer Zone- is the designated area or body of water immediately surrounding the Sanctuary or NTZ properly delineated and marked with buoys:
- 6. Carrying Capacity is the ability of a designated area of water like manculture zone and marine park to sustain the maximum number of fishing operation such as fish cages or fish pens and tourism activity, without causing deterioration to the environment and damage to its ecosystems;
- Charges refer to financial liability, as rents or fees against persons or property.
- 8. Closed Season the period in which taking of specific fishery species by a specific period of time and fishing gear is prohibited in the specific area in the municipal waters of the Municipality of Looc;
- Coastal Zone is a band of dry and adjacent ocean space (water and submerged land) in which terrestrial processes and uses, and vice versa, its geographic extent may include area 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 two hundred (200) meters isobaths to include coral reefs, algal flats, sea grass beds and other soft-bottom areas.
- to. Commercial Fishing the taking of fishery species by passive or active gear for trade, business or profit beyond subsistence, or sports fishing, to be further classified as:
 - Small Scale Commercial Fishing fishing with passive or active gear utilizing fishing vessels of 3.1 gross tons (GT) up to twenty (20) gross tons (GT).
 - Medium Scale Commercial Fishing fishing utilizing active gear and utilizing fishing vessels of 20.1 gross tons (GT) up to one hundred fifty (150) gross tons (GT); and
 - Large Scale Commercial Fishing fishing utilizing active gear and vessel of more than one hundred fifty (150) gross tons (GT).
- Community Service means any service or activity that is performed for the benefit of the community or its institutions in lieu of payment of fine imposed as administrative or criminal penalty;
- 22. Compressor is a mechanical breathing device used by fishermen to stay longer underwater;
- 73. Coral Reef a natural aggregation of corals, occurring in inter-tidal and sub-tidal waters of Looc that serve as shelter, habital and breeding areas for fish and other aquatic resources;
- Docking Area a designated area where municipal fishing boats and fishing vessels are secured and protected:
- Ecosystem Overfishing this occurs when the decline of once abundant fish stock due to fishing results in an ecological imbalance and eventual changes in fishery.
- re. Electrofishing the use of electricity generated by batteries, electric generators and other source of electric power to kill, stuperly, disable or render unconscious fishery species, whether or not the same is subsequently recovered;

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- 17. Endangered, Rare or Threatened Species aquatic plants and animals including some varieties of coral and seashells in danger of extinction as provided for in existing fishery laws, rules and regulations, or by the Biodiversity Management Bureau (BMB) of the Department of Environment and Natural Resources (DENR) and in the Convention on the International Trade of Endangered Species of Flora and Fauna (CITES).
- 18. Fee means a charge fixed by law or ordinance for the regulation or inspection of a business or activity.
- Fine Mesh Net net with mesh size of less than three (3) centimeters measured between two (2) knots of a full mesh when stretched;
- 20. Fish Aggregating Device (Payao) is a device consisting of a floating raft anchored by a weighted line with suspended materials such as palm fronds to attract and aggregate pelagic schooling species common in waters;
- 21. Fish Cage refers to a floeting/submersible enclosure made up of nets or screens sewn or fastened together and installed in the water with opening at the surface or covered and held in place by wooden/bamboo/metal posts with anchors and floats;
- 22. Fish Corral or "Baklad" a stationary well or trap devised to intercept and capture fish consisting of rows of bamboo stakes, plastic nets and other materials fenced with split bamboo matting or wire matting with one or more enclosures and with or without leaders to direct the fish to the catching chamber, purse or bag;
- 23. Fish Fingerling a stage in the life cycle of the fish, measuring to about 6-13 centimeters, depending on the species;
- 24. Fish Fry a stage in the life cycle of fish usually with sizes from 1- 2.5 cm.
- 25. Fish Pot (Bobo, panak, salakab) a device made of bamboo splits, rattan or screen woven together for easy entrance and difficult exit of the fish;
- 26. Fisherfolk men or women indirectly and directly engaged in taking and/or culturing, processing, and vending of fishery and/or equatic resources of municipal waters of Looc;
- Fisherfolk Organization an organized group, association, federation, alliance or an institution of fisherfolk which has at least fifteen (15) members, a set of officers, a constitution and by-laws, an organizational structure and a program of action, accredited by the LGU and registered by the authorized agency;
- 24. Fisheries refer to all activities relating to the act or business of fishing, culturing, preserving, processing, marketing, developing, conserving and managing aquatic resources and the fishery areas, including the privilege to fish or take aquatic resources thereof.
- 20. Fishery Management Area A bay, gulf or any other fishery area that may be delineated for fishery resource management purposes;
- 40. Fishery/Aquatic Products include finfish, mollusks, crustaceans, echinoderms, algae, seaweeds, marine mammais and all other flora and fauna;
- 31. Fishing the taking of fishery species from their wild state or habitat, with or without the use of fishing vessels;
- 32. Fishing Boat/Gear License a permit to operate specific types of fishing boat/gear for specific duration in areas within the municipal waters of Loop.
- Fishing Gear any instrument or device and its accessories utilized in taking fish and other fishery species;

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- i. Active Fishing Gear is a fishing device characterized by the pursuit of the target species by towing, pushing the gears, surrounding, covering, dredging, and scaring the target species to impoundments, such as, but not limited to, trawl, purse seines. Danish seines, paaling and drift gill net.
- Passive Fishing Geer is characterized by the absence of pursuit of the target species; such as, but not limited to, hook and line, fishpots, traps and gill nets set across the path of the fish;
- Fishing Vessel any boat, ship or other watercraft equipped to be used for taking of fishery species or aiding or assisting one (1) or more vessels in the performance of any refrigeration, transportation and/or processing.
- others, mercury vapor, high pressure sodium vapor, standard tungsten, tungsten suspended underwater to attract both fish and members of the food chain to specific areas in order to harvest them,
- wi. Fishing with Explosives fishing with the use of explosives, which will kill, stupefy, disable or render unconscious any fish spacies.
- Fishing with Noxious or Poisonous Substances is the use of any substance, plant extracts or chemicals, which will kill, stupely, disable or render unconscious any fish species or aquatic resources;
- ### Fishpen an artificial enclosure constructed within a body of water for culturing fish and fishery/aquatic resources, made of poles closely arranged in enclosures with wooden materials, screen or nylon netting to prevent the escape of fish;
- 70. Fishworker is a person employed in commercial fishing, aquaculture, fish processing plants and other ancillary or related industries;
- 40. Foreshore Area is a strip of land fringing a body of water or the part of seashore between the low-water line usually at the seaward margin of a low tide terrace and the upper limit of wave wash at high tide, usually marked by a beach/scarp or berm;
- 11. Gill Net is a curtain-like net in which the fish is entangled in the actual meshes of the net;
- 42. Gross Tonnage is the product of boat length, depth, and breadth multiplied by a factor of 0.70 divided by 2.83;
- 33. Grievance is a written or verbal complaint concerning disputes between and among fisherfolks and their organization respecting the interpretation, application or compliance of the rules and regulations set in this ordinance;
- 44. Hook and Line (Tapon, kaskas bato, luglog, & pauntog.) fishing gear using hook, line, swivel and sinker,
- 45. Jigger (Tangkab) a fishing gear used in catching squid;
- 46 Juvenile Fish any species of fish, which does not reach its reproductive maturity stage and is less the average size in length as may be determined.
- Limited Access a fishery policy by which a system of equitable resources use and allocation is established by law through fishery rights granting and licensing procedures.
- 48. Local Government Unit or LGU refers to the Municipal Government of Look, unless it is used to mean other specific local government unit;

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- 40. Look Bay Mariculture Park identified area where other fishing, culture and tourism activity allowed in regulated bases, set to this ordinance,
- Management Zone is a defined area within the municipal waters delineated for specific management objectives;
- waters of Looc set aside by an ordinance in order to conserve and protect the habitat and species against destructive, exhaustive and other unsustainable fishing activities, where fishing is allowed to registered and licensed marginal fisherfolks subject to specific rules and regulations on harvest control, catch monitoring and reporting and their involvement in coastal and fishery law enforcement.
- 52. Marginal Fisherfolks refer to people engaged in any fishery activity for livelihood utilizing primitive or conventional method of fishing activities with gross income below the poverty threshold as declared by the authorized national agency of a given year.
- sa Marine Protected Area (IMPA) means a defined area of the sea established and set aside by law or ordinance in order to conserve and protect a part or entire enclosed environment through the establishment of management guidelines. It is considered a generic term that includes all declared areas governed by specific rules or guidelines in order to protect and manage activities within the enclosed area;
- Maximum Sustainable Yield (MSY) is the largest average quantity of fish that can be harvested from a fish stock/resources within a given period of time on a sustainable basis under existing environmental conditions:
- 55. MFARMC shall mean Municipal Fisheries and Aquatic Resource Management Council;
- se. Mooring Buoys a floating device or other buoyant material for docking purposes.
- 57. Monitoring, Control and Surveillance
 - Monitoring the requirement of continuously observing: (1) fishing efforts which can be expressed by the number of days or hours of fishing, number of fishing gears and number of fisherfolk; (2) characteristics of fishery resources; and (3) resource yields (catch);
 - ii Control the regulatory condition (legal framework) under which the exploitation, utilization and disposition of the resources may be conducted; and
 - iii. Surveillance the degree and types of observations required to maintain compliance with regulations.
- 58. Migratory Species refer to some fish species, which in the course of their life could travel from freshwater to marine water or vice versa, or any marine species which travel to great distances in waters of the ocean as part of their behavioral adaptation for survival and speciation;
- Municipal Fisherfolk refers to a person registered and licensed to fish within the municipal waters of Looc;
- Municipal Waters include not only streams, lakes, inland bodies of water and tidal waters within the municipality which are not included within the protected areas as defined under Republic Act No. 7586 (The NIPAS Law), public forest, timber lands, forest reserves or fishery reserves, but also manne waters included between two (2) lines drawn perpendicular to the general coastline from points where the boundary lines of the municipality touch the sea at low ticle and a third line parallel with the general coastline including offshore islands and fifteen (15) kilometers from such coastline.
- 67. Multiple Handline (Kaskas/cristalet) a single vertical line with a series of small baited hooks attached to its "spreaders" at regular intervals.

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- 62. Non-Government Organization (NGO) an agency, institution, a foundation or a group of persons whose purpose is to assist people's organizations/associations in various ways including but not limited to organizing, educating, training, research and/or resource accessing.
- 63. No Take Zone or NTZ is a defined area of the municipal waters declared by ordinance and known as Marine Protected Area (MPA) or Marine Sanctuary whereby no fishing is allowed and access thereto is strictly limited to research, assessment and for law
- rd. Open Season means of allowing fisher to capture fish after implementation of Close
- 65. Penalties sanctions imposed to those found violating this ordinance:
- 66. People's Organization a bona fide association of citizens with demonstrated capacity to promote public interest and with identifiable leadership, membership and structure. Its members belong to a sector and who voluntarily bond themselves together to work for and by themselves for their own upliftment, development and greater good;

62. Person - natural or junctical entity such as individuals, associations, partnership,

- res. Post-harvest Facilities these facilities include, but are not limited to, fish port, fish landing, ice plants and cold storage, fish processing plants,
- 6a. Recreational Zone includes all existing beach resorts, dive sites and all other establishments along the coastline of the municipal waters of Looc
- 70. Rights-based Management is fishery management strategy anchored on the promotion and strengthening of the preferential use rights of marginal fisherfolks over near shore fishenes commonly known as municipal waters.
- 71. Sabalo is a full grown "bangus" (milkfish) scientifically known as Chanos chanos Forskal, and refers to both male and female measuring more than sixty (60) centimeters long from the tip of the mouth to the extreme end of the caudal peduncle caught in the
- 72. Scuba refers to the self-contained underwater breathing apparatus,
- 73. Serious Violations mean any of the following violation of the provisions of this Ordinance.
 - i. Fishing without a valid registration and license, authorization or permit.
 - II. Fishing without reporting the catch or misreporting the catch;
 - iii. Fishing in closed area or during closed season whenever such is being declared in this or other ordinances.
 - hv. Fishing of prohibited species,
 - v. Fishing with the use of prohibited gear or methods,
 - vi. Falsifying concealing or tampering with vessel markings, identity or registration to conceal vessel identity or tack of registration,
 - vii. Assaulting, resisting, intimidating, harassing, seriously interfering with, or unduly obstructing or delaying a fisheries law enforcer, deputized Fish Warden or Bantay Dagat or duly authorized government officer, and
 - viii. Committing multiple violations which taken together constitute a serious disregard of this Ordinance.

- 24. Snorkeling refers to swimming with the use of snorkel and mask observing or sightseeing or viewing the beauty of naturel wonders of marine and aquatic life
- 75. Snorkeling Area refers to the designated area for snorkeling:
- 76. Superlight also called magic light, refers to a type of light using halogen or metal halide bulb, which may be located above the sea surface or submerged in the water. It consists of a ballast, regulator, electric cable and socket. The source of energy comes from a generator, battery or dynamo coupled with the main engine;
- 77. Troll Line (Pahila-hila, bahan.) a line with hooks and bait attractants or jiggers being towed by a boat;
- refers to a grant of exclusive fishery privileges to individual or community of fishers by ordinance, to fish within a designated special fisheries management area (SFMA) with an undertaking to be responsible for the conservation and protection of fisheries and aquatic resources and to comply with the harvest regulations, fish catch monitoring and reporting, and participate in coastal and fishery law enforcement.
- Pollution is the introduction of substances or energy to the aquatic environment which results or is likely to result in such deleterious effects as to harm living and non-living aquatic resources, pose potential and/or real hazard to human health, hindrance to aquatic activities such as fishing and navigation, including dumping/disposal of waste and other marine litters, discharge of petroleum or residual products of petroleum or carbonaceous materials/substances, and other radioactive, noxious or harmful liquid, gaseous or solid substances, from any water, land or air transport or other human-made structure. Deforestation, unsound agricultural practices such as the use of artificial fish feed, and welland conversion, which cause similar hazards and deleterious effects, shall also constitute aquatic pollution;

Article III The Municipal Waters and Zoning

SECTION 7. LOOC MUNICIPAL WATERS - The delineation of the municipal waters of Looc pursuant to Municipal Ordinance No. 70, series of 2017 (is hereby adopted in this Ordinance). For the purpose of this ordinance, the map of the Municipality of Looc marked as Annex "A" hereof, shall serve as the official reference map.

Article IV

Declaration of Looc Bay Managed Access Areas and Marine Sanctuary (LBMAA+S)

SECTION 8. DECLARATION OF LOOC BAY MANAGED ACCESS AREA AND SANCTUARY (LBMAA+S) - There is hereby declared a Managed Access Area within the municipal waters of Looc consisting of the marine waters within the Looc Bay, which shall be known and cited as the Looc Bay Managed Access Area and Sanctuary or LBMAA+S, starts at Tumbaga Point to Balakbalak Point as shown in the map hereunder and delineated as follows:

LEMAN-S	数数据 数字 (1996) 1999	THE PARTY OF
Point	Latitude	Longitude
Annual contraction of the contra	120.2717724	13.7272749
2	120 2793102	13.7251630

Generically, the Looc Bay Managed Access Areas and Sanctuary (LBMAA+S) is a marine protected area that shall be utilized, managed and protected, exclusively by and for the registered and licensed fisherfolks and their organizations, which are residing in Looc.

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SECTION 9. ZONING OF LBMAR+S - The municipality hereby subdivide the marine waters comprising the LBMAR+S into different management zones based on the uses and conservation objectives to sustain the fisheries, improve habitats and productivity of the site, as follows:

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Municipality of Look

Looc Bay Managed Access Areas, No Take Zone and Mariculture Park

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Bahurang Aurora Marine Sanctuary – is that part of marine waters within the LBMAA+S declared as Marine Sanctuary containing an area of forty one (41) hectares and bounded by the following coordinates:

Bahurang Abrora Mari	half ancoraries to a prosession	
Point	Latitude	Longitude
1	120.2717724	13.72727484
2	120.2793102	13.72516301
3	120.2783969	13.72067162
4	120.2711987	13.72291846

b. Buffer Zone – is that designated area of body of water immediately surrounding the Bahurang Aurora Manne Sanctuary with two hundred (200) meters surrounding all sides delineated as follows:

and the second s	Committee of the Commit	
Point	Latitude	Longitude
1	120 2705058	13.72849219
2	120.2696826	13.72540714
3	120 28 106 12	13 72557617
4	120.2759798	13.72786173
5	120.2797039	13.71943230
6	120.2806654	13.72249092
7	120.2694526	13.72245942
8	120.2740761	13 72017991





C. Looc Bay Municipal Maric Iture Park - There is hereby established as Looc Bay Municipal Mariculture Park, an area for sustainable mariculture activities such as fish cages, and other mariculture activities which shall be identified and delineated by the Management Board containing an area of thirty seven (37) hectares and bounded by the

Point	Latitude	Longitude
The second secon	120.27212930300	13,71864287690
2	120.27707395100	13.71880477900
3	120.27820274700	13.71291347930
4	120 27367451100	13.71197161660

General Managed Access Area - is that part of LBMAA+S comprising the areas outside of the Bahurang Aurora Marine Sanctuary, Buffer Zone and Looc Bay Municipal Manculture Park

SECTION 10. MARKING AND MAINTENANCE OF BUOYS - For management and enforcement efficiency of different sets of rules and regulations in every Zone herein established, it is hereby mandated that the zones shall be distinctly marked and planted with visible buoys. The cost and maintenance of buoys shall be the responsibility of the Management Board and the particular committee or organization assigned for the purpose. Provided, however. That it shall be unlawfull for any person to remove, destroy or otherwise condemn the buoys without authority from the LMAA+S Management Board; and likewise unlawful to keep in his possession the lost or detached buoys for a period of forty eight hours (48) without reporting or returning it to the MAO/Fishery Section or law enforcement team and/or a fisherfolk

Article V Access to LBMAA+S

SECTION 11. ACCESS TO LBMAR+S - The municipality hereby adopts the policy of limited access to fisheries and aquatic rescurces within the LBMAA+S primarily for the exclusive use and enjoyment of registered and licensed fisherfolks of Poblacion Barangays and other interested eligible and licensed fisheriolis from other Barangays.

Provided. That in the approval of applications for registration of fisherfolks and license to fish, strict regulation must be observed on the number, size or length of the fishing gears per fisherfolk, taking into consideration the maximum sustainable yield (MSY) and carrying capacity of the LBMAA+S under existing environmental conditions. It shall be planned and monitored through the mechanism to be established by the LMAA+S Board duly concurred by the Sangguniang Bayan and approved by the Mayor

SECTION 12. FISHERFOLK REGISTRATION - It shall be unlawful for any person to capture or gather or to cause the capture or gathering of fish, fry or fingerlings of any fishery species or fishery products inside the LBMAA+S without being registered as a municipal fisherfolk. For this purpose, no person shall be eligible for registration unless he/she meets the following requisites:

- a) A Filipino citizen;
- b) At least eighteen (18) years of age;
- c) A bonafide resident of Barangay Bonbon, Guitna and Kanluran; Provided, however, that fisherfolks residing in other Barangays may be allowed to register for as long as he/she is willing to undertake all duties and responsibilities required by the LMAA+S Board;
- d) Accomplished application form containing the undertaking that he/she shall get involved in the conservation and protection activities and comply with the harvest regulations, fish catch monitoring and reporting, and participate in coastal and fishery law enforcement,
- Pay the registration fee for his fishing gears.
- Submit a Barangay clearance; and
- Submit fisherfolk ID



SECTION 13. FISHING BORT REGISTRATION - It shall be unlawful for any person. natural or juridical, to own fishing boat(s) to be used in LBMAA+S and in the municipal waters of Looc without being registered in accordance with the guidelines of DA-BFAR on Boat Registration or Boat-R and pursuant to this ordinance. For this purpose, in addition to the requirements stated in the preceding Section 12, and other Ordinances issued for this purpose. the boat owner applying for boat registration shall be required to submit the following

a) Proof of ownership of the boat(s) sought for registration.

b) Payment of boat registration fee:

c) Compliance of the color-coding of boat/vessel identification scheme;

d) In case of sale or transfer of ownership of registered boaf or vessel, the owner shall notify the Municipal Agriculture Office (MAO) within a period of thirty (30) days from such sale or transferor, otherwise, the transferee & transferor may be held liable for violation

e) Attach deed of sale and transfer of ownership that must be notarized by a lawyer, notary public and/or by the LCE

SECTION 14. FISHING GEAR REGISTRATION - It shall be unlawful for any person to use fishing gear or gears to capture or gather fish, try or fingerlings of any fishery species or fishery products in the LBMAA+S without registering the fishing gear/s. The concerned fisherfolk shall be required to submit the gear permitficense issued by the LGU - Look and pay minimal registration fees, which shall specify to what particular fishery area those gears can and will be used. The LMAA+S Board in coordination with the Municipal Agriculture Office and, in consultation with the M/BFARMC, shall set the guidefines for the purpose.

SECTION 15. ESTABLISHMENT OF REGISTRY OF MUNICIPAL FISHERFOLKS AND FISHING BOATS AND GEAR LICENSED - The LMAA+S Board shall submit the list of registered municipal fisherfolks and their corresponding licensed gear/s to MAO/Fishery Section. for posting in the Social Halls of all parangays and other conspicuous places frequented by the fisherfolks or their organizations. Provided, That any person in possession or use of any fishing boat or gear within the declared LBMAA+S and whose name is not found in the LBMAA+S registry shall constitute a prima facie presumption that the person is in violation of the provisions

SECTION 16. ANNUAL RENEWAL OF REGISTRATION AND LICENSE OR PERMIT - II is hereby declared mandatory to renew annually on or before January 20 of the ensuing year or at the date set by the Municipality of Looc, the registration of fisherfolks and their boats and fishing gears license at the MAO/Fishery Section. The application for renewal shall be subject to evaluation of their compliance to the specific harvesting regulations, catch monitoring and reporting, and their involvement in coastal and fishery law enforcement. Subject to the observance of due process of law, the LMAA+S Eoard shall have the power to recommend for suspension or revocation of license or permit and for renewal or disapproval of application for registration, license or permit, in the event the concerned fisherfolks or their organizations failed to abide by the existing regulations embodied in this ordinance and other ordinances and lawful orders and policies being implemented in the Municipality of Looc.

Article VI Conservation and Protection of LBMAA+S

SECTION 17. CONSERVATION AND PROTECTION OF THE SANCTUARY - To carry out the objectives of establishing the Bahurang Aurora Marine Sanctuary, the following activities are hereby declared prohibited inside the Core Zone.

- To catch fish in any form or gather seaweeds, sand, rocks, shells, coral or anything within the habital for breeding and culture of fish and other marine resources: Provided, that biophysical assessment, catching or culturing for purposes of research/study shall be allowed upon issuance of permit by the Municipal Mayor,
- To enter inside the sanctuary without permit to do so or authority from the deputized BANTAY DAGAT duly designated to secure and protect the MPA, except in cases of force majeure or due to accident or emergency; and

c. The discovery of any person whether or not in possession of a fishing gear or operating a fishing boat in the abovementioned area without permit or authority shall constitute a prima facie presumption (evidence) that the person is in violation of this Section.

Consistent to the objectives of the Bahurang Aurora Marine Sanctuary, no fishing and other extractive activities shall be allowed, except for diving and snorkeling in relation to ecotourism purposes and subject to strict regulations. However, in the buffer zone, fishing activities shall be limited to licensed fisherfolks who must be directly involved in the conservation/protection of the Bahurang Aurora Marine Sanctuary and person/s or groups i.e., tourist authorized by the LBMAA+S Management and limited to hook and line fishing gear only. The MAO/Fishery eligible to fish in the buffer zone. The said fishers shall be required to record and report their designated Enumerator. Provided also, That, the discovery of any person in possession of any registration or license shall constitute a prima facie presumption that the person is in violation of this Section.

Provided, furthermore, That the LBMAA+S upon completion of the management plan of LBMAA+S shall allow and regulate eco-tourism activities with corresponding rates for users' fees, as prescribed in the Looc Tourism Code.

Board in close coordination with the MAO/Fishery Section and the deputzed Peoples Organization/s (PO/s) with the participation of representative from M/BFARMC, by virtue of this ordinance, is hereby authorized to formulate and adopt the LBMAA+S Management Plan to conserve and protect the entire enclosed environment through the establishment of management guidelines and secure funding from the government, private institutions and the protected area.

Article VII Utilization of General Managed Access Area (GMAA)

SECTION 2C. UTILIZATION OF GENERAL MANAGED ACCESS AREA (GMAA) — The municipality hereby declares the utilization and fishing rights over GMAA shall be granted exclusively to the registered fisherfolks who are residents of Looc Municipality only. The fishers licensed to fish in GMAA shall be held responsible and accountable, individually and collectively, in the conservation and protection of the fisheries and habitat therein from illegal and unsustainable fishing practices. They shall be bound to comply with the harvest regulations, catch monitoring and reporting as provided in this ordinance.

SECTION 21. ALLOWED FISHING GEARS IN GIMAA – Except in the Buffer Zone, only the following gears are allowed in the GMAA.

Type of Gear	Mesh / hook size (cm)	Length of Gears
Panamaral	8.5	100 meters (2 Bantasan)
Panlumahan/panti/taksay	7	250 meters (5 Bantasan)
Pangatsawang sa malalim	9	150 meters (3 Bantasan
Pamusit	11	100 meters (2 Bantasan)
Pambuntog	7	100 meters (2 Bantasan
Paninihi		error (1990) - Service
Bobc/bintol		
Pana/pana na may ilaw		
Bingwit o tapon		
Kaskas/pahila-hila, kitang or dahan		
Pauntog, hulog, di lawas, at batu-bato		
Rentik for parmuyo (kristalet)		

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Provided, that the use of bagnet inside the GMAA shall be banned. Provided, further, That any person in possession or use of any fishing gear not listed above inside the GMAA shall constitute a prima facie presumption (evidence) that the person is in violation of the provisions of this section.

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SECTION 22. CLOSED SEASON - Closed season for rabbit fish capture is declared every three (3) days before full moon, and three (3) days after full moon, for the spawning period. And after the closed season, the legitimate/qualified fishers are allowed to fish within the GMAA. using the net with mesh size of 8.5 centimeter (cm.) only. It shall be unlawful to any fisher to engage in fishing during the CLOSED SEASON for the rabbit fish/siganid (samaral) capture.

SECTION 23. ADMITTANCE OF MORE FISHERS AND INTRODUCTION OF NEW FISHING GEARS/TECHNOLOGY IN GMAA - The LMAA+S Board in close coordination with the CRMO/MAO and the concerned fisherfolks organizations, and M/BFARMC of Looc, by virtue of this ordinance, shall have the sole authority to determine the feasibility of allowing more fishers and the introduction of new fishing gears/technology in the declared GMAA, subject however to the concurrence of the Sangguniang Bayan and approval of the Municipal Mayor.

SECTION 24. PUBLICATION OF THE LEST OF REGISTERED FISHERS - The CRMO/MAO shall publish the list in the Barangay Hall of all barangays and in conspicuous places frequented by the fisherfolks the list of registered fishers and the corresponding licensed fishing gear in the GMAA and update the same annually. Among others, the following are the obligations, duties and responsibilities of registered fishers:

- a) Record and report periodically (weekly) their catch through the use of catch monitoring forms and submit the same to the CRMOMAO or designated enumerator in their Barangay;
- b) Participate in the conservation and protection of LBMAA+S and the entire municipal waters of Looc, Occidental Mindoro:
- c) Attend meetings, seminars, workshops and other activities in furtherance of effective fisheries and aquatic resources management of LBMAA+S and Look Bay Municipal Mariculture Park:
- d) Pay the required fees whenever required by this ordinance; and
- e) Report illegal fishing activities and participate in the coastal and fishery law enforcement activities

SECTION 25. GOVERNING MODY OF LIMMAR+S - There is hereby constituted a governing body to be known and cited as LWAA+S Board, who shall oversee and direct the overall operations, and management of all MAA+S established

SECTION 26. MAO/FISHERY SECTION - As designated implementing arm of the Local Government Unit, the MAO/Fishery Section shall exercise relevant powers, duties and functions under the supervision of Office of the Mayor.

SECTION 27. MULTI-SECTORAL COMMITTEES - The LMAA+S Board shall organize different relevant committees such us composed of its members to act as the multi-sectoral implementing bodies for various concerns, such as but not limited to: (a) Committee on Coastal and Fisheries Law Enforcement: (b) Committee on Habitat, Protected Zones & Fisheries Management; (c) Committee on Catch Monitoring & Reporting; (d) Committee on Local Monitoring and Evaluation; (e) Committee on Livelihood Development and Market Linkaging, Information, Education and Social Marketing.

SECTION 28. OPERATIONALIZATION - The municipality hereby mandates the operationalization of the organizational structure of LBMAA+S within the period of six (6) months from the effectivity of this ordinance.

Article IX

Role of the Poblacion Barangays

SECTION 29. ROLE OF THE POBLACION BARANGAYS – In the implementation of this Ordinance, the role of the Poblacion Barangays is hereby strengthened to be the primary implementing entities in their respective territorial jurisdictions and shall exercise the following powers and functions:

- a) In particular, the Poblacion Barangays in coordination with the MAC/Fishery Section and LMAA+S Board, will lead the campaign for comprehensive registration of all fisherfolks and accreditation of fisherfolks organizations in the Barangays, including registration of fishing boats, licensing of fishing gears and other related fishery permits;
- Mainstreaming of the coastal and fisheries management and law enforcement activities in their Barangay development plans and programs;
- Allocate budget and deploy manpower in support to the programs and projects of LMAA+S Board;
- d) Establish community fish landing and trading center/s in strategic locations within the Poblacion Barangays, more particularly in Barangay Bonbon, and collect fishery fees and charges and remit the same to the Municipal Treasurer;
- e) Participate in fish catch monitoring and reporting, link to markets, and assessment activities; and
- f) Perform such other functions as may be necessary, appropriate, or incidental for its efficient and effective governance.

SECTION 30. REVENUE SHARING SCREME — The Municipality of Looc in coordination with the LMAA+S Board shall formulate the sharing scheme on all revenues collected from the registration, license and permit fees, including the administrative fines and penalties, in accordance with the participation and roles of the respective parties, as a consequence of the implementation of this ordinance.

Article X

Role of the BFARMC and Fisherfolks Organizations

SECTION 31. ROLE OF THE BEARING — Pursuant to Section 73 of R.A. 8550 there is hereby organized Barangay Fisheries and Aquatic Resources Management Councils (BFARMC) in each Poblacion Barangays of Looc which shall federate into an umbretla organization herein after called Poblacion FARMC, whose main function is to serve in advisory capacity to the MLGU and LMAA+S Board. In consonance thereto, it shall act as the Grievance Body to settle amicably, as far as practicable, disputes between and among fisherfolks and their organization as herein below provided.

SECTION 32. ROLE OF FISHERFOLKS ORGANIZATIONS – The fisherfolks are hereby encouraged to organize and strengthen themselves to play an active role in bringing to fruition the preferential use rights of its members over the municipal waters. It shall act as a partner of LMAA+S Board in the implementation of this ordinance especially in the conservation and protection, coastal and fisheries law enforcement, and the harvest regulations, catch monitoring and reporting.

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Article XI Grievance Mechanism

SECTION 33. GRIEVANCE BODY – There is hereby established a Grievance Body in Poblacion Barangay to settle disputes between and among fisherfolks and their organizations with regards to the interpretation application or compliance of the rules and regulations set in this ordinance, specifically on registration and licensing, catch monitoring and reporting, and involvement in coastal and fishery law enforcement. The LMAA+S Board may adopt locally appropriate term to identify such body. For this purpose, the Grievance Committee shall be composed of the Chairman of Poblacion FARMC, as Chairperson and the two (2) Chairperson of the other two (2) BFARMC as members. The Secretary of the Poblacion FARMC shall act as the Secretary of the Grievance Committee.

SECTION 34. DISPUTES FOR SETTLEMENT – Except for the violation of RA 8550, as amended by RA 10654, and existing environmental laws, the LMAA+S Board in close coordination with the MAO/Fishery Section and after consultation with the Poblacion FARMC, shall come up with a list of particular disputes falling under the authority of the Grievance Committee.

SECTION 35. GRIEVANCE PROCEDURE - Vithout prejudice to the guidelines on grievance handling that the LMAA+S Board may hereafter promulgate, the following procedure shall be observed:

- a) A written or verbal complaint or grievance may be filed or brought to the attention of the Chair of the Grievance Committee;
- b) The Chair shall record the complaint or griavance in chronological order taking note of the nature and cause of the grievance and the person against whom it is filed.
- If the complaint falls within the jurisdiction of the grievance committee the Chair issues a written or verbal invitation to the complainant and respondent for conciliation meeting;
- d) If the amicable settlement is reached, the terms of settlement shall be put in writing and strictly monitored;
- e) However, even after exhausting all avenues no settlement is reached, the Grievance Committee shall issue a certification of no settlement and refer the dispute to the MAC/Fishery Section for adjudication of the Municipal Adjudication Board.

SECTION 36. CAPACITY BUILDING - For this purpose, the MAO/Fishery Section in coordination with the concerned Committee under the LMAA+S Board shall conduct seminars, workshops and other capacity building activities to enhance the capacity of all members of the Grievance Committee in the discharge of their duties and responsibilities.

Article XII Bantay Dagat

SECTION 37. LBMAA+S BANTAY DAGAT — There is hereby constituted as Looc Bantay Dagat, which shall be composed of the following: The Deputized Bantay Dagat member by the Bureau of Fisheries and Aquatic Resources, Accredited and Recognized by the LGU and mandated to enforce all National Laws. Fisheries Administrative Orders and Local Ordinances.

SECTION 38. DUTIES AND RESPONSIBILITIES - The Look Bantay Dagat Enforcement Team/s herein constituted shall carry out the following duties and responsibilities:

 Effect the full implementation of this Ordinance taking into consideration the specific objectives of different management zones;

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- Undertake sea-borne and land-based patrols and enforcement of market-denial policy against illegally caught fish and illegally gathered rare, threatened and endangered lishery species, including wildlife resources and exotic species;
- 3. Formulate operation and implementation plans for effective fishery law enforcement;
- Conduct trainings, seminars and workshops for the enhancement of skills and capabilities of the deputized fish wardens or Bantay Dagat,
- Perform such other duties and functions as may be necessary and relevant to achieve the purposes for its creation.

SECTION 39. BUDGET – The MAO/Fishery Section shall be responsible in the preparation and submission of the work and financial plan for the operation of Looc Bantay Dagat Enforcement Team/s for its inclusion in the annual budget. It shall also be responsible in the processing of vouchers for the utilization of the Trust Fund for fishery management.

SECTION 40. DEPUTATION OF FISH WARDENS OR BANTAY DAGAT – No person shall be eligible for deputation as Fish Warden or Bantay Dagat unless he undergoes and successfully completed a three-day (3) Fishery Law Enforcement Training Course as prescribed by the Bureau of Fisheries and Aquatic Rescurces (BFAR). The deputation papers and identification cards shall be issued by the Local Chief Executive after such training.

Article XIII Registration Fees, License Fees and Other Charges

SECTION 41. REGISTRATION FEES, LICENSE FEES AND O'THER FISHERY FEES AND CHARGES – The provisions of Section I. Art. I., Municipal Ordinance No.37-Series of 2011, is hereby adopted to govern the registration of fisherfolics, and provisions of Art. G. Regulatory & Rental Fees for the use of Municipal Water & other than Fishing or Catching of Fish, Art. H. Fees on Fishing Privileges, Art. I. Berthing Charges on Vessel and Art. J. Registration/Permit Fee on Fishing Boats, Motor Boats and Water Crafts of Chapter V of Revised Tax Revenue Code of 2016. Provided, however, the LBMAA+S in the future may recommend for approval of the Mayor and concurrence of the Sangguniang Bayan the fixing of registration and renewal fees.

Article XIV Special Trust Fund for LBMAA+S

SECTION 42. SPECIAL TRUST FUND FOR LEMAR+S – There is hereby created a special trust fund which shall be known and cited as Special Trust Fund for LBMAA+S for all the monies received as subsidy from the LGU and from other sources in accordance with Section 43 of this ordinance.

SECTION 43. FUND FOR LBM:AA+S – Based on the submitted work and financial plan, the municipality shall provide appropriate assistance to sustain the efficient operations of the LBMAA+S by way of direct allocation from the annual budget and solicitations from donors and other contributors.

Article XV Prohibitions and Penalties

SECTION 44. PROHIBITED ECTS KND PINKLITES – In addition to the prohibited acts and their corresponding penalties as provided in Chapter VI of the Fisheries Code of 1998 (RA 8550), as amended by RA 10654, and the existing Environmental Laws, and those offenses defined and penaltized, the following acts and omissions are hereby considered offenses and punishable under this Ordinance, as follows:

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OFFENSES

Violation of Section 10 – for removing of damaging or stealing or keeping the marker buoys established in LBMAA+S

Violation of Section 12 for fishing within the declared LBMAA without being registered as a municipal fisherfolk of Look

Violation of Section 14 – for using fishing gear or gears without securing registration and license at the MAO/Fishery Section.

Violation of Section 16 – for failure to renew registration of fisherfolk, boat, fishing gear license, and permit to operate MAA+S

Violation of Sec 22- for fishing during the declared Closed Season.

PENALTY

All the offenses listed in the left column shall have uniform penalties depending on the frequency of the commission of the offense

Fine of Two Thousand Five Hundred Pesos (Php2.500.00) and/or imprisonment of six (6) months or at the discretion of the Court.

Any fisherfolk who had been found guilty for more than three (3) times of one (1) or a combination of two (2) or more offenses berein listed and those offenses listed in Municipal Ordinance No. 37, series of 2011, shall no longer be eligible to avail of administrative adjudication allowing payment of fines. Instead, he/shall be prosecuted criminally and be made to pay the maximum penalty of fine and imprisonment.

Provided. That in case of failure to pay the fine the violator shall be required to render community service equivalent to his penalty computed at One Hundred Pesos (Php100.00) per day.

Article XVI Miscellaneous Provisions

SECTION 45. OVERSIGHT COMMITTEE - There is hereby created a Joint Oversight Committee to oversee the implementation of this Ordinance, which shall composed of the Chairmen of the SB Committee on Agriculture, Fisheries and Good Governance Public Ethics & Accountability, and their respective Members.

SECTION 46. IMPLEMENTING RULES AND REGULATIONS - The Municipal Mayor is hereby authorized to issue an Executive Order that will promulgate the Implementing Rules and Regulations to provide the details and to carry cut the purposes of this Ordinance within sixty (60) days from approval of this Ordinance

SECTION 47. TRANSITORY PROVISION – The duly designated Fishery Officer/SB Committee Chair on Fishery of the Municipality shall act as the Coastal Resources Management Officer (CRM Officer).

SECTION 48. SEPARABILITY CLAUSE – If any provision of this Ordinance or the application of such provision to any person or circumstances is declared invalid, the remainder of the Ordinance or the application of such provision to other persons or circumstances shall not be affected by such declaration.

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SECTION 49. REPEALING CLAUSE - All ordinances, executive orders, rules and regulations or parts thereof which are inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 50. EFFECTIVITY - This Ordinance shall take effect immediately upon its approval.

I hereby certify to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Bayan of Loos, Occidental Mindoro during its regular session held on March 09, 2020.

CONCURRED:

SABINO S. VALDERAS

RUPERTO M. JUANO
Municipal Councilor

WILMER T. VALLES Municipal Councilor

OBLANDO T. ZUBIRI

NICKBRYAN R VIANA Sanggunang Kabataan NOEL L. DIZON
Secretary to the Sanggunian

RICHARD S. QUINONES

ABELARIDOF, TRIA R.
Municipal Councilor

ORYANDO D. TORRELIZA

SAMUEL P. TERRAÑA
Luss President

ATTESTED AND CERTIFIED:

ALFREDITO B. ACPITAR
Presiding Officer De Tempore
Municipal Gouvestor

APPROVED:

BENJAMIN MAZRIA

ed -





CO DESCRIPTION OF THE PARTY OF

REPUBLIC OF THE PHILIPPINES

PROVINCE OF OCCIDENTAL MINDORO MUNICIPALITY OF LOOC

Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN OF LOOC, OCCIDENTAL MINDORO HELD AT THE MUNICIPAL SESSION HALL ON MARCH 09, 2020

Present & Attested

(On Official Business) MARLON V. DELA TORRE Municipal Vice-Mayor

ALFREDITO B. ACCHAR Presiding Officer Pro-Tempore Municipal Councilor

Regular Members:

SABINOS VALDERAS Alympicipal Councilor

RIGHARD'S, QUINONES Munkipal Councilor

At a he RUPERTO M. JUAÑO Municipal Councilor

AD THE ABEKARDO F. TRIN JR. Mulnicipal Councilor

Hallur WILMEIST, VALLES Municipal Councilor

Lovorale ORLANDO D. TORRELIZA Municipal Councilm

OBSENDO 4 ZUBIRI Mudicipal Councilor

Ex.-Officio Members:

SAMUEL P. TERRAÑA Crop President

pionogray on NICKBRYAN H. YIANA Sandaumond Kabataan

MUNICIPAL ORDINANCE NO. 83

Series of 2020 Sponsored by Councilor Wilmer T. Valles

AN CRDINANCE CREATING LOOC MANAGED ACCESS AREA + SANCTUARY BOARD (LMAX+SB), MUNICIPAL ADJUDICATION BOAFD (MAR), AND MUNICIPAL BOARD OF APPEALS (MBA) AS GOVERNING BODIES, PRESCRIBING DUTIES AND FUNCTIONS FOR THE EFFECTIVE AND EFFICIENT IMPLEMENTATIONS OF MAA+S ORDINANCES, AND OTHER MUNICIPAL FISHERY ORDIVANCES IN LOOG OCCIDENTAL MINDORO

Be it enacted by the Sangguniang Bayan in a regular session assembled.

ARTICLE General Provisions

SECTION 1. SHORT TITLE - This Ordinance shall be known and cited as Look Managed Access Area + Sanctuary Board (LMAA+S B), Municipal Adjudication Board (MAB) and Municipal Board of Appeals (MBA) as governing bodies ordinance.

SECTION 2. DECLARATION OF POLICY. It is hereby declared the policy of the Municipality of Look to:

- 1. To observe effectiveness and efficiency on the management of MAA+S Ordinances and other Fishery Ordinances,
- 2. To act as oversight committee in all established MAA+S for the whole municipality
- 3. To hand'e cases which are covered by their functions;
- 4. To assist Fishery Section in improving coastal resource management in relation to MAA+S implementation.
- To provide assistance in legislating necessary measures and guidelines that leads to improvement of the ordinances and plans;
- 6. To acquire knowledge and enhance capacity through trainings and seminars for the betterment of each roles.
- 7. To handle grievances in each established MAA+S referred to it by Grievance Committee.

SECTION 3. OBJECTIVES - This Ordinance is enacted to attain the following objectives of the Municipality of Looc:

- 1. To oversee the implementations of MAA+S Ordinances and other fishery ordinances,
- To expedite resolutions on administrative issues which are also covered by their functions;
- To provide assistance in formulating fisheries management plan.
- 4 To effectively and efficiently managed the MAA+S ordinances and other fishery ordinances.

SECTION 4. SCOPE OF APPLICATION - This Ordinance shall be enforced in the whole municipality, which cover the implementation of all MAA+S Ordinances and other fishery ordinances in Looc Municipality.

ARTICLE II Rules of Interpretation and Definition of Terms

SECTION 5. RULES OF INTERPRETATION - In the interpretation of this Ordinance, the following rules shall apply:

- 1 Words and phrases embodied in this Ordinance but not specifically defined shall have the same meaning as in RA 8550, as amended by RA 10654, and in Fisheries Administrative Orders issued by the Department of Agriculture-Bureau of Fisheries and Aquatic Resources (DA-BFAR):
- In the resolution of controversies that may arise in the enforcement of this Ordinance where no legal provision or jurisprudence squarely applies, resort may be had to customs and traditions in the Municipality;
- 3 In case of doubt in the course of implementation of this Ordinance as regards the handling of cases the R.A 10654 shall refer first; and
- 4. In case of conflict between the policy formulated by the municipality in connection with this Ordinance and those that may be adopted by the national government through BFAR, such conflict shall be harmonized so as to make them complementary with each other: Provided, that should the efforts to harmonize falls, the doubts shall be resolved in favor of the municipality.

SECTION 6. DEFINITION OF TERMS - As used in this Ordinance the following words and phrases shall mean:

- FARMC The constituted FARMC shall act as grievance committee in their respective barangay to settle conflict among fishers;
- LMAA+S Board In the hierarchy, it is the top governing body that oversee the operations of MAA+S's at the whole municipality;
- Multi Sectoral Committee various committee who support the operations of MAA+S's;
- Municipal Adjudication Board A municipal adjudicating body which handles minor violations;

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- 5. Municipal Board of Appeals An appellate board which will handle the decision of the
- Serious violations means any of the following violation of the provisions of MAA+S Ordinance and other fisheries ordinances:
 - Fishing without a valid registration and license, authorization or permit;
 - Fishing in closed area or during closed season whenever such is being declared in MAA+S or other ordinances.
 - iii Fishing of prohibited species;
 - iv. Fishing with the use of prohibited gear or methods.
 - v. Falsifying, concealing or tampering with vessel markings, identity or registration to conceal vessel identity or lack of registration:
 - Assaulting, resisting, intimidating, harassing, seriously interfering with, or unduly obstructing or delaying a fisheries law enforcer, deputized Fish Warden or Bantay Dagat or duly authorized government officer, and
 - vii Committing multiple violations which taken together constitute a serious disregard of MAA+S Ordinance & other fisheries ordinances.
- Poblacion FARMC It is composed of three BFARMC who are federated and act as grievance committee in Looc MAA+S exclusively.

ARTICLE III Governing Body and Administration of LMAA+S

SECTION 7. GOVERNING BODY OF LMAA+5 - There is hereby constituted a governing body to be known and cited as LMAA+S Board. It shall be composed of the following officers and

OFFICERS:

- Municipal Mayor
- Municipal Fishery Officer
- SB Committee Chair on Fisheries
- Chaimerson
- Vice Chairperson
- Add. Co-vice Chairperson Will A You

MEMBERS:

- Municipal Treasurer
- Chairperson of MFARMC RICO De LUKO
- SB Committee Chair on Association & Cooperative ADC 4
- Principal/Head Teacher on TechVoc LNSF Fisherfolk Association Chairman (- Rico De Lurin)
- All Punong Barangay
 - President/Chairman People's Organization (Managing the Sanctuary)
 Representative from Local Fish Traders Virgie Valley to
- SB Committee Chairman on Tourism JP Judne
- 1 . Deputized Fish Wardens (DFW) or Bantay Dagat President Life Articule

- 20 0 Secretary:

Municipal Planning Development Coordinator (MPDC)

Creation of LMAA+S Board Ordinance of the Municipality of Look, Occidental Mindoro

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SECTION 8. POWERS AND FUNCTIONS — The LMAA+S Board by virtue of this ordinance is hereby vested with the following powers and functions:

- a. Act as the primary policy making and recommending Body of LMAA+S subject to the concurrence of the Sangguniang Bayan and approval by the Mayor.
- Formulate and develop overall management plan and special management plans for different management zones within the LMAA+S.
- c. Develop administrative system and manual of operations of LMAA+S Board and define the duties and responsibilities of different committees and bodies under its supervision;
- d. Come up with a list of disputes falling under the authority/responsibility of the Grievance Committee and the guidelines in grievance handling;
- e. Promulgate the Rules of Procedure of the Municipal Adjudication Board (MAB) and the Municipal Board of Appeal (MBA):
- f. Manage the special trus fund clerived from the funding support of the Municipality and its share from all the monies collected from payment of registration fees. licenses, permits, penalties and fines, as a consequence of coastal and fishenes law enforcement:
- g Hold regular and special meetings and thru the Chairman convene the initial meetings of different committees and bodies for them to elect and swom in their respective officers and members.
- h. Define the roles of various committees and stakeholders including fishers, fisherfolks associations, Barangay LGUs, BFARMO, national government agencies (NGAs), non-government organizations (NGOs) and the Academe in the implementation of the TURF+Reserve strategy in MAA+S.
- Develop project proposals for funding of its various programs and projects in MAA+S;
- Oversee the conservation and protection of protected zones, enforce the catch monitoring and reporting among the registered and license fishers, market linkaging, and the coastal and fisheries law enforcement operations within and around the MAA+S:
- k. Consuit with fishers regularly to get their feedbacks and inputs regarding the implementation of MAA+S strategy in the management of near shore fisheries;
- Establish a database and institutionalize data gathering to benchmark fisheries management control, monitoring and surveillance system for short and long term evaluation of the program;
- m. Undertake periodic assessment of the implementation MAA+S strategy in meeting its biological, economic and social goals;
- n. Link-up with NGAs, NGOs and Academe to avail of their technical assistance and network of scientists and experts in fisheries management at the national, regional and provincial levels.
- Perform such other functions as may be necessary, appropriate, or incidental for its efficient and effective governance of MAA+S's.

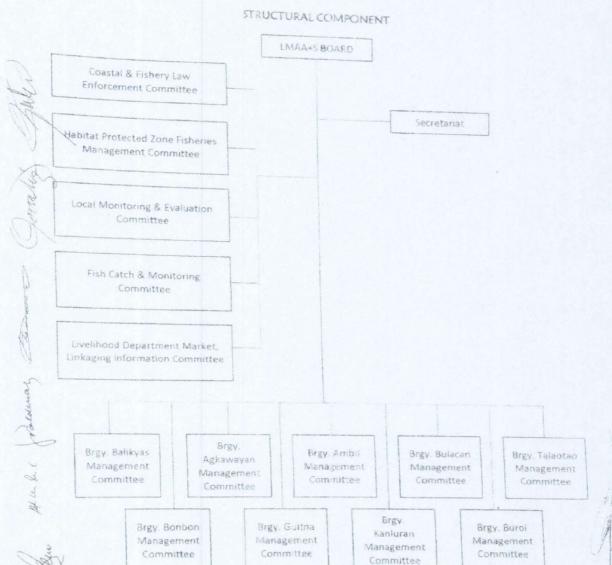
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SECTION 9. SECRETARIAT — There must be secretariat in LBMAA+S Board which shall be composed of Sangguniang Bayan Secretary as head and members coming from Municipal Agriculture Office (Fishery Staff). Municipal Planning and Development Coordinator Staff and Sangguniang Bayan Staff.



SECTION 10. MULTI-SECTORAL COMMITTEES — The LMAA+S Board shall organize different relevant committees such us composed of its members to act as the multi-sectoral implementing bodies for various concerns, such as but not limited to: (a) Committee on Coastal and Fisheries Law Enforcement; (b) Committee on Habitat, Protected Zones and Fisheries Management, (c) Committee on Catch Monitoring and Reporting; (d) Committee on Local Monitoring & Evaluation, and (e) Committee on Livelihood Development, Market Linkaging and Information, Education & Social Marketing, stating each committee, compositions, defining its proles, functions & qualifications, consisting the management committee in each Barangay in the municipality

Micholyan

"COASTAL AND FISHERIES LAW ENFORCEMENT COMMITTEE"

COMPOSITION:

Chairperson:

Vice Chairperson: Members.

Deputized PNP Fisher: Officer Bantay Dagat

Philippine Coast Guard

BFAR BFARMC Maritime Police

MFARMC Chair on Law Enforcement Respective Barangay Captain/ABC Chair

DUTIES AND FUNCTIONS:

- Effect the full implementation of the MAA+S
- Undertake sea borne and land patrolling.
- Formulate operation and implementation plans and budgets.
- Conduct trainings, seminars, workshop and other capacity building enforcement.
- Systematic documentation of monitoring and surveillance operations.
- Assist fisherfolks, boat and gear registration.
- Perform such other duties and functions as may be necessary.

QUALIFICATIONS:

- Eagerness to serve.
- Determined and passionate
- Willingness to serve.

"HABITAT PROTECTED ZONES AND FISHERIES MANAGEMENT COMMITTEE"

COMPOSITION:

Chairperson.

CRMO/Fishery Officer

Vice Chair

MAO

Members.

Tourism Officer Academe MENRO

SB Committee on Fisheries/Environment

DENR Rep. BFAR Rep

SB Committee on Ways & Means

DUTIES AND FUNCTIONS:

- To act as the consultative and recommending body for policy proposals pertaining to protected zones and habitat management plans and programs:
- Act as implementing arms of the MAA+S Board of its plans and program on Habitat and Fisheries Management;
- Oversee the Fisherfolk, Boat and Gear Registration,
- Oversee the operation of Granted Concession:
- Facilitate Habitat and Fisheries Monitoring (Yearly Assessment):
- Identify assessment and income generation activities on habitat and fisheries.
- Perform other functions.



QUALIFICATIONS:

Passionate on Environmental conservation, protection and preservation Willingness to serve

"LOCAL MONITORING AND EVALUATION COMMITTEE"

COMPOSITIONS:

Chairperson: Members

Jose M. Ambrocio Jovelito A. De Luna Sonny T. Villas Gomersindo Villamar Jr. Jomar A. Limioco

DUTIES AND FUNCTIONS:

- Preparation and inventory of logistics
- Recruitment of additional members.
- Conduct presentation of final results to Board meeting.
- Conduct regular monitoring survey.
- Ensure maintenance and safe keeping of equipments.
- Prepare budget for Looc Local Monitoring Tearn
- Conduct regular meeting
- Attend capacity buildings/trainings.

QUALIFICATIONS:

- Willing to undergo training on diving.
- Physically and mentally fit
- Willingness to serve

"FISH CATCH MONITORING AND REPORTING COMMITTEE"

COMPOSITION:

Chairperson: Vice-Chair Members:

Jovelito A. De Luna. Jomar A. Limioco All Brgy. Secretaries

DUTIES AND FUNCTIONS:

- Conduct training for fishers and enumerators.
- Monitoring of trained fishers and enumerators.
- Review data and finalize the report for the Board.
- Ensure that the target achieved.
- Ensure data are collected, encoded, consolidated and reported.
- Ensure credibility of all data reported.
 - Conduct Social Marketing (SM) activities to convey messages the importance on catch reporting.
- Ensure regular data collection.
- Monitor, and ensure that the enumerators are doing their tasks.
- Ensure all resources are available.
- Connect with academe for data analysis.
- Establish Local Monitoring Team (LMT).
- Ensure regular conduct of biophysical assessment, FishMARK and MEAT.



Creation of LMAA+S Board Ordinance of the Municipality of Looc, Occidental Mindoro

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"LIVELIHOOD DEVELOPMENT, MARKET LINKAGING, INFORMATION EDUCATION AND SOCIAL MARKETING COMMITTEE

COMPSEITON:

Chairperson. Vice-Chair: Members:

Leonardo D. Tristan Jomar A. Limioco Jocelyn Z. Villaflores Manlou P. De Lemos Mansilda V. Herher Zaldy V. Villarosa

DUTIES AND FUNCTIONS:

- Facilitate formulation and organization of savings club.
- Product development and access to markets.
- Scoping of feasible enterprise or alternative livelihood.
- Provide trainings on entrepreneurship and community enterprise.
- Ensure continuous of enterprise

ARTICLEIV

Municipal Adjudication Board (MAB) and Municipal Board of Appeals (MBA)

SECTION 11, CREATION OF MUNICIPAL ADJUDICATION BOARD (MAB) - The Municipal Adjudication Board (MAB) duly constituted in this section by this Ordinance is hereby composed

> Chairperson Vice Chairperson Members

Municipal Fishery Officer

Municipal Planning Development Coordinator

SB Committee Chairman on Fishery and Environment Conservations & Protections

MFARMC Cheirman

Priest/Pastor

Secretanat Secretary to the Sangguniang Bayan

For this purpose, the Municipal Mayor shall issue an Executive Order to constitute the MAB and the appointments of its officers and members, who shall sign/accept it in the same document. They shall commence discharging their powers and functions after taking their oath of office. In case of vacancy the Municipal Mayor has full authority to appoint person for his/her

The term of office of the MAB shall be for three (3) years co-terminus with the term of the incumbent Mayor, Provided, however, after the expiration of the term of the Mayor the MAB shall continue to discharge their duties until after new appointments are issued by the appointing authority. Any vacancy that may occur shall be filled up by appointment for the

SECTION 12. POWERS AND FUNCTIONS OF MAB - The MAB is hereby vested with the primary and original authority to hear and decide unsettled grievances referred to it by the Grievance Committee. It shall also exercise jurisdiction for adjudication of offenses in violation of this MAA+S Ordinances and other existing fishery laws and ordinances whereby the offender was apprehended and expressed willingness to admit his offense and pay the corresponding fine. Provided, that if the offender fails to pay the fine, he shall render community service. The MAB may, upon proper complaint or recommendation from LMAA+S Board, impose upon habitual offenders the penalty of suspension or revocation of license to fish or permit to operate and/or the denial of their application for renewal therefor. The resolution of the MAB shall become final and executory after the lapse of fifteen (15) days from receipt thereof and no appeal is taken to the Municipal Board of Appeals (MBA) as provided in the succeeding



SECTION 13. ADJUDICATION PROCEDURE - Within six (6) months from the effectivity of this ordinance the LMAA+S Board shall promulgate Rules of Procedure of the Municipal

A. For Unsettled Grievances:

- The Secretary to the Sangguniang Bayan shall act as the Secretariat of the MAB who shall be responsible in the recording of unsettled grievances referred to it by the Grievance Committee Thereupon, the MAO/Fishery Officer shall evaluate the facts and circumstances of the grievance whether or not there is a need to bring the matter to the MAB If in his/her capacity the grievance can be settled without resorting to administrative adjudication he may proceed to take appropriate action thereon. Provided, That he renders report to the Chairman of the MAB.
- The MAO/Fishery Officer decides to refer the grievance to the MAB for adjudication. he/she shall require the complainant to submit an affidavit-complaint containing the facts and circumstances showing the violation of the respondent and attaching therein the supporting documents or affidevits of witnesses. Within fifteen (15) days from receipt of the affidavit, the MAO/Fishery Officer shall issue summons to the respondent directing the latter to file his counter-affidavit or answer to complaint and informing him that he has the right to defend by himself or with the assistance of
- As soon as the issues are joined, the MAO/Fishery Officer shall notify the Chairman of the readiness of the gnevance for edjudication: Provided, in the event respondent fails to file his counter-affidavit or answer and his/her failure is unjustified the proceedings shall continue for as long as he/she has been duly notified.
- Within fifteen (15) days from receipt thereof, the Chairman shall convene the MAB on a particular date and time at the SB Session Hall for hearing of the complaint or
- in the adjudication process, the Head of the MAO/Fishery Officer shall read the complaint in a language or dialect known to and understood by the respondent and thereafter the Chairman shall ask the respondent of his plea whether he admits the fault or not if respondent admits the fault then the MAB shall determine the appropriate sanction; if not, the hearing shall proceed
- In the conduct of the proceedings, the MAO/Fishery Officer shall not be bound by the technical rules of procedure and evidence as prescribed in the Rules of Court, but shall proceed to hear and decide all gnevances and administrative cases in a most expeditious manner, employing all reesonable means to ascertain the facts of every case in accordance with justice and equity.
- In the interest of due process, all parties must be afforded ample opportunity to be heard and present his case or defense before a decision is rendered.
- 8. In its decision, the MAB may either (a) dismiss the grievance for lack of ment, (b) reprimand or require the respondent to perform an act or desist from doing or delivering something, and (c) impose administrative sanctions such as payment of fines or community service for failure to pay fine:
- The decision shall be served to the parties and become final and executory after the (apse of fifteen (15) days from receipt thereof and no appeal was taken within such
- 10. Appeal of the Decision to the MBA shall be done in the form of notice of appeal duly filed with the MAO/Fishery Officer within such reglementary period.



Creation of LMAA+S Board Ordinance of the Municipality of Loos, Occidental Mindoro

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B. For Violations of the Provisions of MAA+S Ordinance:

- Except for serious violations of the provisions of RA 8550, as amended by RA 10654, and other environmental laws, this rule shall apply only in cases of apprehension for violation of the provisions of this ordinance and other fishery ordinances of Looc Municipality and the offender expresses the willingness to admit his offense and pay the corresponding fines:
- Upon notice of such apprehension and intent of the offender, the Head of the MAO/Fishery Officer being the lead implementing officer of this ordinance and with the assistance of the Police Investigators from Looc MPS, undertake the documentation of the case and hericeforth notify the Chairman of the readiness of the case for adjudication;
- Within five (5) days from receipt thereof, the Chairman shall convene the MAB on a particular date and time at the SB Session Hall for hearing of the complaint;
- 4. In the adjudication process, the Secretary to the Sangguniang Bayan as designated Secretary shall read the complaint in a language or dialect known to or understood by the respondent and thereafter the Chairman shall ask the respondent whether he admits his guilt or not. If he admits his guilt, then the MAB shall relieve to hear the case further and decide at once the appropriate penalty for the offense committed.
- 5. The decision shall be in writing and furnished to the respondent, which shall serve as basis in the payment of fine at the Office of the Municipal Treasurer. Upon full payment of the fine the respondent shall submit his proof of payment to the MAB and the same shall serve as basis in declaring the case as terminated; and
- 6. The decision of the MAB shall not constitute a bar from prosecuting the offender should there be any serious offense committed thereby as a consequence of the acts or omissions he/she pleaded guilty thereof.

SECTION 14. MUNICIPAL BOARD OF APPEALS – To ensure that the rights of the respondents are fully safeguarded, the Municipal Board of Appeals is hereby duly created and constituted by this Ordinance. The MBA shall be composed of the following:

Chair

Municipal Mayor

Vice Chair Members Municipal Local Government Operations Officer S SB Committee Chairman on Agriculture & Fishery

MFARMC Chairman

NGO Representative

Secretariat

Secretary to the Sangguniang Bayan.

SECTION 15. POWERS AND FUNCTIONS OF MBA — The MBA shall have the exclusive appellate authority to review and decide appealed cases decided by the MAB, to determine whether or not the decision is in accord with law and evidence on record and within its delegated authority. It may affirm in its entirety, modify or reverse it. Although no hearings shall be required but the MBA thru the Chairman may require submission of position papers before decision is rendered. The decision shall be in writing and furnished to the parties and it shall be final and immediately executory. No further appeal shall be entertained or allowed.

SECTION 16. CAPACITY BUILDING – For this purpose, the LMAA+S Board in partnership with NGAs and NGOs shall conduct seminars, workshops and other capacity building activities for the members of the MAB and MBA in the discharge of their duties and responsibilities.





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Creation of LMAA+S Board Ordinance of the Municipality of Look, Occidental Mindoro

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ARTICLE VI PROHIBITED ACTS

SECTION 17. PROHIBITION – a. Disclosure of unsettled cases/issues to the public by any member of this governing bodies is strictly prohibited to avoid trial by publicity. b. Connivance with the apprehended persons also strictly prohibited. c. Received any thing in apprehended persons also strictly prohibited.

ARTICLE VII PENAL PROVISION

SECTION 18. PENALTY – Any member of governing bodies found violating SECTION 13 of this Ordinance shall be punished in accordance with the pertinent provision indicated in R.A. No. 6713 or "An Act Establishing a Code of Conduct and Ethical Standards for Public Officials and Employees."

I hereby certify to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Bayan of Look, Occidental Mindoro during its regular session held on March 09, 2020.

CONCURRED:

SABINO S. VALDERAS

A an Int

RUPERTO M. JUANO Municipal Councilor

WILMER T. VALLES
Municipal Councilor

Mydiopal Councilor

NIGH BRY AND VIAÑA Sangguniang Kabataan NOEL L. DIZON Secretary to the Sanggunian

RICHARD S. QUIÑONE

ABELARIO F. TRVA JR.

Municipal Councilor

ORLANDO D. TORRELIZA
Municipal Councilor

SAMUEL P. TERRAÑA Lus Bresident

ATTESTED AND CERTIFIED:

ALFREDITO D. SEUILAR Presiding Officer for Tempore Municipal auncilor

APPROVED:

BENJAMINA TRIA



Republic of the Philippines Province of Occidental Mindoro MUNICIPALITIES OF LUBANG AND LOOC

OFFICE OF THE SANGGUNIANG BAYAN

ORDINANCE ES	TABLISHING
THE MARINE	PROTECTED
AREAS IN THE N	MUNICIPALI-
TIES OF LUBAN	G, AND LOOC.
OCCIDENTAL	
AND FOR OTHE	

PRESENT:

Hon. Jaime T. Tardio, Sr. Hon. Wilbert T. Daulat Hon. Charles Z. Villas Hon. Florante I. Alegre Hon. Edgardo D. Morales Hon. Cecilito M. Valisno Hon. Pedro S. Rodrigo Hon. Erwin V. Anzaldo Hon. Arnel T. De Lara Hon. Marlon V. Dela Torri

AUTHORED BY:

Hon. Marlon V. Deia Torre Hon. Leonardo D. Tristan Hon. Diomisio T. Tividad Hon. Rommel T. Villar Hon Jose M. Ambrocio Hon. Ponciano V. Villas Hon. Marissa A. Gumandov

HON, ALFREDO T. TESALONA and HON, JOSE M. AMBROSIO

AESENT-

Hon. Alfredo T. Tesalona (Acting Mayor)
Hon. Apolinar F. Tria (Acting Mayor)
Hon. Reynaldo V. Trambulo
Hon. Edgardo L. Tria
Hon. Michael Ron. P. Tiatson
Hon. Johnsen Clyde T. De lemos

ORDAINED:

March 24, 2010

Joint Ordinance No. 01 - Series of 2010 -

Be it ordained by the Sangguniang Bayan of Lubang, and Looc, Occidental Mindoro, in session assembled:

Article One - Policy

Section 1. This Ordinance shall be known as "AN ORDINANCE ESTABLISHING THE MARINE PROTECTED AREAS (MPAs) in the Municipalities of Lubang, and Looc, Occidental Mindoro.

Section 2. Declaration of Policy. (a) In support generally of the vision of the Verde Island Passage Marine Corridor (VIPMC) and in cognizance of the continuing climate change phenomenon, it is hereby declared the policy of the Municipality of Lubang and Looc to promote, protect, conserve and manage in responsible, effective and constructive ways its natural coastal, marine and aquatic resources, including mangrove forests, seagrass beds, coral reefs, and soft-bottom areas; to eliminate or control harmful, destructive or unlawful fishing practices consistent with the law to promote development, to advance food security, and to promote the sustainable use of said resources for the benefit of the municipality's populace, tourists and the future generation. Toward these ends, the Municipality commits itself to establishing climate-smart marine protected areas that are resilient to climate change impacts and to apply the "best effort principle of good governance" to secure and appropriate the funds required to achieve this declared policy of the Municipality.

(b) In the spirit of friendly neighborliness and recognizing the common interests of the Municipality of Lubang and the Municipality of Looc and their inhabitants who share

mutually beneficial agreements with the neighboring and sister municipality consistent with the provisions and spirit of this Ordinance, national laws, issuances, decrees, and circulars.

(c) The Municipality is open to any initiative to declare certain coastal, marine or aquatic territorial jurisdictions of the Municipality of Lubang and the Municipality of Looc as "marine protected areas or fishery reserve areas" or establish additional marine protected areas or fishery reserve areas subject to the agreements to be reached at inter-municipality stakeholders' consultative assemblies consistent with the provisions of this Ordinance, national laws, issuances, decrees, and circulars.

Section 3. Definition of Terms. - As used in this Ordinance, the following terms and phrases shall means as follows:

Bantay Dagat - The municipal Bantay Dagat brigade principally charged with the responsibility of protecting the marine protected areas or fishery reserve areas.

Basnigan – categorized under RA 8550 as small Scale Commercial Fishing Vessel, 3.1 to 20 Gross tons using bag net as fishing gear and maximum power generator of 20 kilowatt.

Bintolan – motorized fishing vessel, three (3) gross tons below using bag net as fishing gear and maximum power generator of 10 kilowatt.

Buffer Zone - The zone usually surrounding or enveloping the No Take Zone (NTZ) where certain activities are allowed but regulated.

Climate-smart Marine Protected Area – A sustainably managed, adaptive, and resilient Marine Protected Area. A marine protected area that has been selected with considerations of climate change vulnerabilities and that adheres to the principles of resilience in its design.

Common Fishing Ground – The marine area where the fisherfolks from the Municipality of Lubang and the Municipality of Looc enjoy the privilege to engage in non-illegal fishing activity under prescribed conditions. Such privilege is not extended to fisherfolks who are not residents of either municipality.

Fishery Management Area – a bay, gulf, lake or any other fishery are which may be delineated for fishery resource management purposes. It is a type of Marine Protected Area.

LLMPAB - Lubang-Looc Marine Protected Area Board.

Mayor's Permit to Catch - Allows the holder the privilege of engage in legal fishing activities within the designated municipal fisheries management areas or reserves. A fee is levied for the purpose.

MPAMC - Marine Protected Area Management Council

Marine Protected Area – An area of the sea established and set aside by law, administrative regulation or any other effective means, in order to conserve and protect a part or entire enclosed environment, through the establishment of management guidelines.

No Take Zone - A marine protected area or a specific area within a marine protected area established exclusively for the purpose of protecting habitats and species where all extractive activities are prohibited and where non-extractive activities are closely regulated. Synonymous "Marine Sanctuaries".

Patitig – Fishing method or device that requires diving, using compressor and long line with attached shinny plastic to scare target species to net impoundments. This method is similar to MURO-AMI.

Technical Descriptions and Coordinates of the Lubang & Looc Marine Protected Areas

— The official documentation, which is an integral part of this Ordinance showing the
technical descriptions and coordinates, and the geographic location of the marine profected
areas.

Article Two - Fishery Management Areas

Section 4. Municipal Marine Protected Areas. – The areas that are declared and established as Marine Protected Areas in the Municipality of Lubang, under this Ordinance constitute (a) Bahurang Vigo, (b) Cabra Island(Pangasnan), (c) Bahurang Malapad, and (d) Lubang Marine Park. The areas that are declared and established as Marine Protected Areas in the Municipality of Looc under this Ordinance constitute (a) Bahurang Malapad (b) Bahurang Otso (c) Bahurang Siete (d) Agkawayan/Ambil Pass, (e) Bahurang Bulacan, Butong Pandan (f) Bahurang Aurora, (g) Bahurang Tapat (Golo) and (h) Looc Marine park. The Geographical Location, Technical Descriptions and Coordinates of the LUBANG & LOOC MARINE PROTECTED AREAS" are shown in Annex A which shall be included as an integral part of this Ordinance.

Section 5. Permitted Fishing Gears. The fishing gears that are allowed, on strict and controlled basis, within the bounds of the Fishery Management Areas include the following:

(a) kawil, (b) lambat na lutang, panamaral, panglumahan, taksay, panti (di itinataboy, bintolan), (c) pamumugita na walang gamit na compressor, chlorine at bareta, (d) pahila-hila, (e) lambat palubog (panglumahan) sa putik o buhanginan na may sukat ang mata o mesh size na siete (7), (f) pamamana (na walang gamit na nakakatulong sa paghinga sa ilalim ng tubig tulad ng Compressor o SCUBA equipment o anumang gamit na nakakatulong sa pagpapatagal ng pagsisid), and (g) pambabalatan (na walang gamit na nakakatulong sa pagpinga sa ilalim ng tubig tulad ng Compressor o SCUBA equipment o anumang gamit na nakakatulong sa pagpapatagal ng pagsisid). Pinahiaintulutan ang pamamatakaya ng pagamit na nakakatulong sa pagpapatagal ng pagsisid). Pinahiaintulutan ang pamamatakaya ng pagamit na nakakatulong sa pagpapatagal ng pagsisid). Pinahiaintulutan ang pamamatakaya ng pagamit na nakakatulong sa pagpapatagal ng pagsisid). Pinahiaintulutan ang pamamatakaya ng pagamit na nakakatulong sa pagpapatagal ng pagsisid).

Section 6. Prohibited Fishing Gears. – Strictly prohibited in all MPAs are the following fishing gears: (a) basnigan, (b) pangalabaw (lubog na lambat), (c) gears covered by Chapter 6 of R.A. 8550, (d) aquarium fishing, (e) patitig (same as muro-ami pero walang bulsa), (f) pangatsawang na may pataraya, and ((g) mananamong.

Section 7. Suspension of Fishing in MPAs. - Whenever the condition of any MPA requires, any or all fishing activity and extraction of any marine resource shall be limited, prohibited or stopped, or the MPA may be closed, to allow the natural resources within the MPA to recover and flourish.

Section 8. Other Applications of MPAs. - Educational tours, scientific studies and research, tourist visitations, and other activities may be allowed within the MPA, on strict and controlled basis, provided such activity does not harm its health, security, growth and condition. At anytime the MPA condition warrants, any such activities shall be limited, regulated or stopped.

Section 9. Off-Limit Passage. – Except in emergencies, the No Take Zones (NTZs) shall be off-limit to (a) any marine transport vehicle with no justifiable reason to pass through or go around the MPA and (b) without any written authorization from the municipal chief executive or his authorized representative.

Section 10. Other Prohibitions.— The following activities are prohibited within the MPA: (a) Illegal fishing, (b) Wearing of gloves by anyone; (c) Entry of unregistered and non-accredited divers and dive shops or users, (d) Destruction of marine habitats and collection of any marine resource; (e) Boating, wave running, jet-skiing and use of motorized or non-motorized fishing vessel or equipment that causes destruction of marine habitats; (f) Disposal of any waste material and bringing anything that causes pollution or are detrimental to the health and development of the MPA; (g) Diving using compressor; and (h) Diving with destructive gears.

Section 11. Marine Resource Poaching. - Marine resource poaching are prohibited within the MPAs.

Article Three - No Take Zone

Section 12. No Take Zone. - The No Take Zone covers the contiguous marine area a part or side of which is under the territorial jurisdiction of the Municipality of Lubang and the other part or side is under the territorial jurisdiction of the Municipality of Looc and shown as the red-colored area (Part 1) in the "Technical Descriptions and Coordinates of the LUBANG & LOOC MARINE PROTECTED AREAS" (Armex A). The location (Part 2) of the No Take Zone is shown in the Technical Descriptions and Coordinates (Annex A).

Section 13. Prohibitions. — (a) No fishing, aquatic extraction activity and marine resource poaching shall be allowed within the No Take Zone (NTZ) at anytime except, and for the appropriate and prescribed length of time only. (i) when authorized by law or presidential executive order, (ii) in times of emergency and calamity and the general welfare requires the easing of the prohibition, and (iii) when the NTZ stock of marine or aquatic resources is at such level that strict and controlled fishing activity may be authorized by the municipal mayor or his representative. Unreasonable easing of the prohibitions is prohibited. (Mahigpit na ipinagbabawal ang pangingisda, pagkuha ng anumang bagay na may buhay o wata, at mgawata na maaaring makasira sa natural ng sistema ng likas yamang dagat na nasasakupan ng NTZ)

(b) The following activities are likewise prohibited within the NTZ: (i) Illegal fishing; (ii) Wearing of gloves by anyone; (iii) Entry of unregistered and non-accredited divers or users, (iv) Destruction of marine habitats and collection of any marine resource; (v) Boating, wave running, jet-skiing and use of motorized or non-motorized fishing vessel or equipment that causes destruction of marine habitats; (vi) Disposal of any waste material and bringing anything that causes pollution or are detrimental to the health, growth and development of the NTZ; (vii) Diving using compressor, and (viii) Diving with destructive gears. Unreasonable easing of the prohibitions is prohibited,

Article Four - Common Fishing Ground

Section 14. Common Fishing Ground - (a) The marine area surrounding, and limited to, the length of both sides of the No Take Zone is declared and established as Common Fishing Ground (CFG) for the small-scale fishers of Lubang and Looc under this Ordinance. The geographic representation and other technical information on the Common Fishing Ground (CFG) and the No Take Zone are shown in the Technical Joint Descriptions and Coordinates of the LUBANG & LOOC MARTINE PROTECTED AREAS" (Annex A).

Section 15.—Open to Local Fisherfolks—(a) The fisherfolks of the Municipality of Lubang and the Municipality of Looc shall have the privilege to carry on legal fishing activities within the CFG provided (i) they possess a mayor's permit to catch, (ii) their fishing boat carry and display the unique "municipal boat marker", and (iii) they are in compliance with this Ordinance and the law.

(b) Fisherfolks who are not residents of either the Municipality of Lubang or the Municipality of Looc and who do not possess a permit to fish from the municipal mayor of either Lubang or Looc are prohibited from engaging in any fishing or aquatic activity within the CFG.

Section 16. – Mayor's Permit to Catch. – (a) Fishermen from the Municipality of Looc are allowed to engage in any legal fishing activity in the Municipality of Lubang provided they have been granted and have paid the Mayor's Fermit to Catch.

- (b) The Mayor's Permit to Catch shall specify the fishing area and the fishing activity covered by, and allowed under, said permit. Violations of the conditions and requirements specified in the Mayor's Permit to Catch shall be subject to the penalties provided under this Ordinance.
- (c) The design of the Mayor's Permit to Carch, including the conditions and requirements for its issuance, shall be the responsibility of the MPA Management Council and shall be subject to the review and approval of the Sangguniang Bayan.

d) The corresponding fees for the Mayor's Permit to Catch shall be determined in the Implementing Rules and Regulations of this Ordinance.

Article Five - MPA Management

Section 17. MPA Management Council - There shall be created, under this Ordinance, a Marine Protected Area Management Council (MPAMC) with the following duties, powers and functions:

- (a) Manage the MPAs within the municipal territorial jurisdiction consistent with this Ordinance, national laws, and rules and regulations adopted by the MPAMC and approved by the Sangguniang Bayan.
- (b) Subject to the approval of the Sangguniang Bayan, formulate and implement the rules and regulations covering the imposition and collection of taxes, fees and charges for the privilege of fishing and engaging in authorized activities in the MPAs;
- (c) Subject to the approval of the Sangguniang Bayan, formulate and implement projects and programs on (i) revenue generation in the Marine Protected Areas and the No Take Zone, and (ii) the manner and sharing of the revenue among the local government units (municipality, barangay), MPAMC, and other qualified stakeholders.
- (d) Subject to the approval of the Sangguniang Bayan, formulate and implement the rules and regulations on the management, protection, conservation, rehabilitation, and development of the MPAs.

Section 18. The MPAMC shall be composed of the municipal agricultural or fishery officer (chairman), representative of the Sangguniang Bayan, president of the association of barangay captains, president of the pambayang sangguniang kabataan, representative of the Philippine National Police, representative of the Philippine Coast Guard, municipal planning and development officer, and representative of the fisherfolk sector.

Section 19, The MPAMC shall render an annual audited status report on the MPAMC operation to the Sangguniang Bayan not later than the third Monday of January.

Section 20. The MPAMC shall encourage and provide preferential support to marginal fisherfolks to enable them to benefit from the MPA and to improve their livelihood.

Section 21. The MPAMC shall endorse for prompt and proper disposition to the Lubang-Looc MPA Board problems, issues, and concerns on the MPA operation and management that affect the MPAs of the Municipality of Lubang and Looc.

Section 22. Fundraising. – The MPAMC may raise funds, receive donations, and financial or material assistance from any person(to be determined in the IRR of this ordinance), agency or institution, whether public or private, locally or internationally based, intended exclusively for the sustained improvement and development of the MPAs.

Article Six - Lubang-Looc MPA Board

Section 23. Lubang-Looc MPA Board. - Coincident with the approval of this Ordinance, there is hereby created a Lubang-Looc Marine Protected Area Board (LLMPAB) with the following duties, powers and functions:

- (a) As the MPA inter-municipality agency, study, investigate, conciliate, and decide on problems and conflicts on the condition, operation and management of the MPAs of the Municipality of Lubang and the MPAs of the Municipality of Looc; and
- (b) Provide assistance to the MPA Management Council on managing the MPAs.

Section 24. The LLMPAB shall be composed of the municipal mayors, municipal treasurers, municipal agricultural officers, and municipal planning & development officers of Lubang and Looc. The LLMPAB chairmanship shall be rotated every six (6) months between the mayors of Lubang and Looc. If needed, the winner in the toss-coin procedure shall serve as the first chairman.

Section 25. The LLMPAB shall render an annual audited status report to the respective Sangguniang Bayan of Lubang and Look not later than the first Monday of February.

Article Seven - Bantay Dagat

Section 26. The municipal mayor is authorized to organize, train and supervise the municipal Bantay Dagat brigade with the following duties and functions: (a) Provide guard and security services for the protection of the MPAs, including the No Take Zone and the Marine Park; (b) enforce the prohibitions on illegal fishing activity and unauthorized intrusion to, and use of, the MPAs, the No Take Zone and the Marine Zone; (c) observe and follow the laws and regulations on legal apprehensions of unauthorized users of the MPAs, the No Take Zone and the Marine Park; and (d) observe and follow lawful orders of the authorities.

Section 27. The remuneration and service benefit of the municipal Bantay Dagat brigade members shall be determined by the Sangguniang Bayan or by the Barangay Council of jurisdiction.

Section 28. The MPA Management Council shall define and determine the rules of operation of the municipal Bantay Dagat brigade, however, such rules of operation shall be subject to the review and approval of the Sangguniang Bayan.

Section 29. No person shall be appointed a member of the municipal Bantay Dagat brigade who has a criminal record or is engaged in illegal fishing activity.

Article Eight - Environmental Impact Studies

Section 30. - Environmental Impact Studies - No project or work activity inside or within the vicinity of any marine protected area or fishery management areas of the municipality shall be allowed or permitted without an environmental impact study being conducted by the initiator, organizer, operator or manager of said project or work activity, and approved by the Sanggunian Bayan. Any infrastructure or development project within the municipal territorial jurisdiction that affects the viability, condition life and sustainability of the marine protected areas shall not be allowed or permitted without an environmental impact study being conducted by the initiator, organizer, operator or manager of said infrastructure or development project and, approved by the Sanggunian Bayan.

Section 31. Mangroves (Bakawanan). - All mangrove forests or areas, also known as "bakawanan", within the municipal territorial jurisdiction of Lubang and Looc are declared as special marine protected areas. Any work activity or project (whether public or private) in said areas are prohibited unless otherwise authorized by law or ordinance. Also prohibited is the cutting of mangrove trees and any act that leads to the destruction of, and to the ecological imbalance in, the mangrove forest or area, including the mangrove habitats. The MPA Management Council shall take appropriate steps to rehabilitate the mangrove forests or areas and to promote their sustainable growth, and may declare them as "No Take Zones", subject to the approval by the Sangguniang Bayan.

Article Nine - Penalties

Section 32. Whoever is found guilty by a competent court of having violated any of the provisions of this Ordinance shall be fined in the amount of not less than TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00) but not more than FIVE THOUSAND PESOS (P5,000.00) or imprisonment of not more than ONE (1) YEAR, or both such fine and imprisonment, at the discretion of the court, provided, that if the MPA or NTZ requires rehabilitation or restoration as determined by the court, the offender shall also be required to

confiscation and forfeiture of the fishing boat and other paraphernalia used in the offense in favor of the Municipality of Lubang (Looc); and the cancellation of the mayor's permit or license or both.

Article Ten - Others

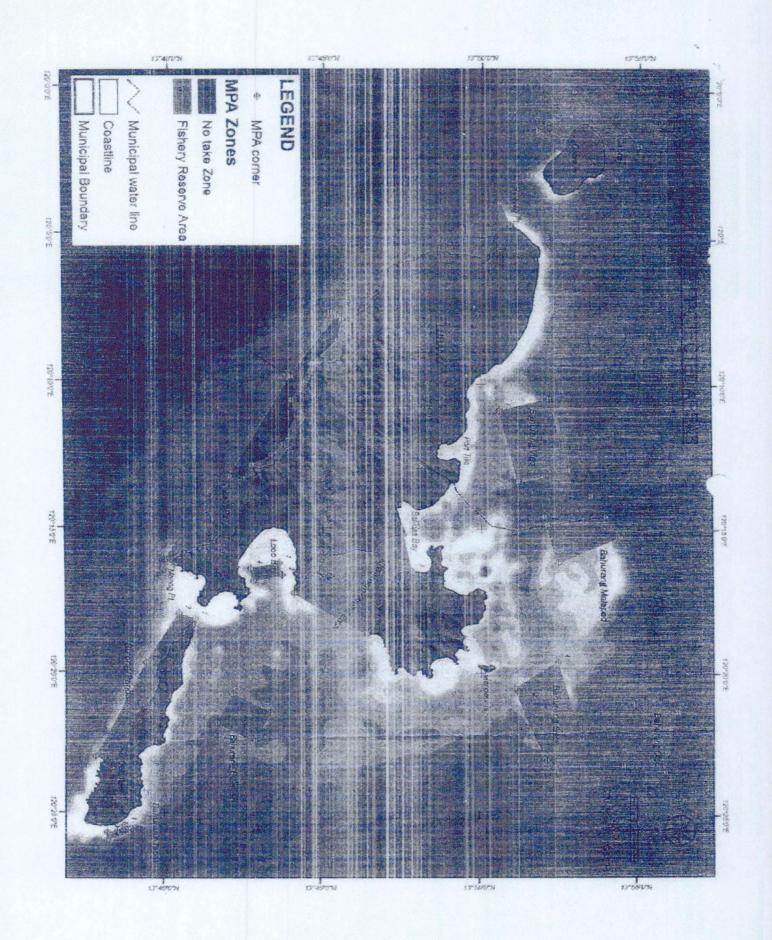
Section 33. Appropriation. – The initial amount of FIFTY THOUSAND PESOS (P50,000.00) from the 20% Development Fund is hereby appropriated as initial outlay for the implementation of this Ordinance. In succeeding years, the appropriation from the 20% development fund for the continuous implementation of this Ordinance shall be included in the annual budget or supplemental budget. For this purpose, this Ordinance shall be considered as an appropriation ordinance.

Section 34. Failure to Implement this Ordinance. — It is the duty the municipal mayor to implement this Ordinance once it is approved; otherwise, he is liable to the charge of neglect or dereliction of duty which is a violation of this Ordinance.

Section 35. Rules and Regulations. – The MPA Management Council shall formulate the implementing rules and regulations of this Ordinance, including the schedule of fees and charges, in coordination with the Lubang-Locc MPA Board, subject to the joint approval of the Sangguniang Bayan of Lubang and Sangguniang Bayan of Locc.

Section 36. Separability Clause. - If, for any reason, any part or provision of this Ordinance shall be held invalid by a competent court, the parts or provisions which are not affected shall continue to be in full force and effect.

Section 37 Effectivity Clause - This Ordinance shall take effect upon approval.
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Boundary Coordinates of Lubang and Look Marine Protected Areas

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June 13, 2022

HON. EDUARDO B. GADIANO

Provincial Governor Province of Occidental Mindoro

Attn: MR. ANTHONY DANTIS

Provincial Planning and Development Coordinator

Dear Governor Gadiano,

Greetings of peace!

This in relation to the target activity of DENR CENRO Sablayan under the Coastal and Marine Resources/ Areas to extend Technical Assistance to the Local Government Units (LGUs) concerned particularly for the Marine Protected Areas wherein the target area is the Verde Island Passage (VIP).

In connection to this, may we respectfully request for the result of the reef check conducted for the municipalities of Looc and Lubang last April 2022, these data will form part of the report that will be submitted to the Biodiversity Management Bureau (BMB).

For queries and other concern, kindly contact Mr. Alvin E. Sanico at +63917-301-1615 or at cenrosablayan@denr.gov.ph.

Hoping for your kind consideration regarding the matter. Thank you very much and more power.

Very truly yours,

FOR. ANASTACIO A. SANTOS, MPA

CENR Offic

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