



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
Provincial Environment and Natural Resources Office

DENR MIMAROPA
RECORDS SECTION
RECEIVED

JUN 05 2023

☐ INCOMING ☐ OUTGOING

BY: _____ DATE: _____

May 18, 2023

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region

ATTENTION: The Chief
Licenses, Patents and Deeds Division

FROM : The OIC-PENRO

SUBJECT : **LETTER DATED DECEMBER 27, 2021 OF HON. MARLON L. LOPEZ, OIC-MUNICIPAL MAYOR OF PUERTO GALERA, ORIENTAL MINDORO**

Forwarded is the Memorandum dated May 02, 2023 from CENRO Socorro regarding the letter of OIC-Municipal Mayor Marlon L. Lopez of Municipality of Puerto Galera clarifying the issue on the on-going reclamation in Barangay Balatero, Puerto Galera, Oriental Mindoro.

Please be informed that as per report of CENRO Socorro, the reclamation project in Balatero, Puerto Galera is within the Multiple Use Zone as per Municipal Ordinance No. 2021-11 of Puerto Galera. Further, there is already an Environmental Compliance Certificate (ECC) permit issued by the DENR-EMB for the said project, however, DENR Area Clearance is still in process.

Considering that issuance of Area Clearance is lodged to the Regional Office, may this Office recommend for the conduct of investigation and inspection by the Area Clearance Committee and Enforcement Division.

Please see attached CSW report submitted by CENRO Socorro for your reference.

For information and reference.


ALAN L. VALLE

Tracking Nos.: 2305000736

TSD/RPS

Ilang-ilang St., Sitio II, Suqui, Calapan City, Oriental Mindoro
DENR Contact Nos. (043) 288-3017, Tel. Fax No. 288-3006



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
Provincial Environment and Natural Resources Office

May 18, 2023

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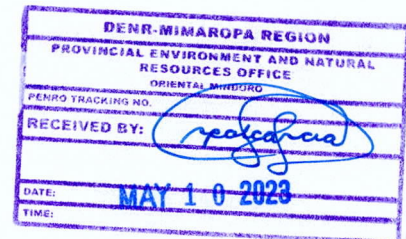


Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

May 02, 2023

MEMORANDUM

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THRU : The OIC, PENR Officer
FROM : The CENR Officer
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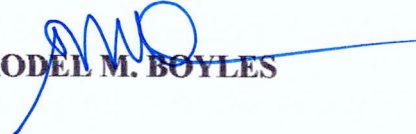
This pertains to the letter of OIC-Municipal Mayor Marlon L. Lopez of the Municipality of Puerto Galera, Oriental Mindoro clarifying the issue on the on-going reclamation in Barangay Balatero, Puerto Galera, Oriental Mindoro.

Relative thereto, please be informed that based on the result of the data gathering activities conducted by the Regulation and Permitting Section (RPS) personnel of this Office, the reclamation site in Balatero Port area is within the Multiple Use Zone as per Municipal Ordinance 2021-11. The management of the existing port in Balatero Bay was transferred to the Philippine Ports Authority (PPA) by the Puerto Galera Municipal Local Government Unit as stated in the Resolution No. 2013-048 of the Sangguniang Bayan of Puerto Galera. An Environmental Compliance Certificate (ECC) was issued already by the Environmental Management Bureau (EMB) on the said project.

Further, this Office initiated a meeting with the PPA Mindoro on February 01, 2023 to discuss this matter. It was agreed on the said meeting that the PPA will religiously comply with the provisions of the DENR Administrative Order (DAO) 2018-14 (Guidelines on the issuance of Area Clearance for reclamation projects and Proclamation/Special Patents over reclaimed lands) which states that the ECC shall form part of the requirements for the issuance of the Area Clearance and DAO 2022-11 (Amending Section 9.6 of DAO No. 2018-14 or the Guidelines on the issuance of Area Clearance for reclamation projects and Proclamation/Special Patents over reclaimed lands) that gives emphasis on the simultaneous submission of the project description for scoping and a copy of the duly received application for area clearance to obtain the required area clearance the soonest time possible and implore the facilitation of our Office.

Attached herewith is the copy of the Completed Staff Work (CSW) and other pertinent documents relative to the above-cited subject.

For information and reference.


RODEL M. BOYLES

Tracking No. (RPS) 2205000736



COMPLETED STAFF WORK

Subject : CLARIFICATION ON THE RECLAMATION PROJECT IN BARANGAY BALATERO, PUERTO GALERA, ORIENTAL MINDORO BY HON. MARLON L. LOPEZ

References :

1. Letter of OIC-Mayor Marlon L. Lopez of Puerto Galera, Oriental Mindoro to Regional Executive Director (RED) Maria Lourdes G. Ferrer of DENR MIMAROPA dated December 27, 2021;
2. Memorandum from RED Lormelyn E. Claudio of DENR MIMAROPA dated May 20, 2022 pertaining to the letter of OIC-Mayor Lopez;
3. DENR Administrative Order (DAO) 2018-14, "Guidelines on the issuance of Area Clearance for reclamation projects and Proclamation/Special Patents over reclaimed lands"; and
4. DENR Administrative Order 2022-11, "Amending Section 9.6 of DAO No. 2018-14 or the Guidelines on the issuance of Area Clearance for reclamation projects and Proclamation/Special Patents over reclaimed lands"

Date : February 02, 2023

FACTUAL BACKGROUND

A letter from OIC-Mayor Marlon L. Lopez of Puerto Galera, Oriental Mindoro dated December 27, 2021 was forwarded to this Office by the Provincial Environment and Natural Resources Office (PENRO)-Oriental Mindoro on January 31, 2022. Hon. Lopez informed this agency through his letter that the reclamation project in Barangay Balatero, Puerto Galera adjacent to the port is part of the Marine Protected Area (MPA) of Puerto Galera as classified under the Municipal Ordinance No. 05-10. Hence, he wants to clarify this issue to prevent any major implications in the future as stated in his letter.

On January 10, 2022, a meeting regarding this matter was conducted at PENR Office, Calapan City. It was attended by the representatives from the Philippine Ports Authority (PPA), Provincial Environmental Management Unit (PEMU), PENRO Oriental Mindoro and CENRO Socorro as stated in the Memorandum dated February 09, 2022. On the said meeting, it was clarified that the reclamation project location is not within the MPA of Puerto Galera as shown in the Foreshore Development and Management Plan of Oriental Mindoro.

ACTIONS TAKEN

On May 27, 2022, this Office received the Memorandum from the DENR MIMAROPA Regional Executive Director (RED), Lormelyn E. Claudio pertaining to the abovesited letter. Hence, a coordination was conducted with the Puerto Galera Municipal

Local Government Unit (MLGU) through Municipal Environment and Natural Resources Office (MENRO) in response to the RED's Memorandum. It was agreed that a joint meeting would be conducted to discuss this matter and other environmental issues and concerns within the Municipality of Puerto Galera. On June 29, 2022, at the Mayor's Office Conference Hall, the planned meeting was carried out. It was agreed that a joint ocular inspection would be conducted as part of the validation activity while all the pertinent documents are being gathered.

Hence, the ocular inspection at the Balatero Port was conducted on July 07, 2022 with the assistance of the Puerto Galera Municipal Engineering Office. Likewise, the copy of the Municipal Ordinance regarding the MPA of Puerto Galera was followed up at the Office of the Mayor.

On July 19, 2022, the copy of the Municipal Ordinance No. 05-10, an ordinance establishing the Puerto Galera MPAs was received by this Office along with other documents pertaining to Balatero Port.

Based on the submitted duplicate copy of the Municipal Ordinance No. 05-10, the coastline of Barangay Balatero is included in the declared MPAs of Puerto Galera. Portion of the Balatero Bay is part of an Open Access area as illustrated in the Puerto Galera MPA map below:

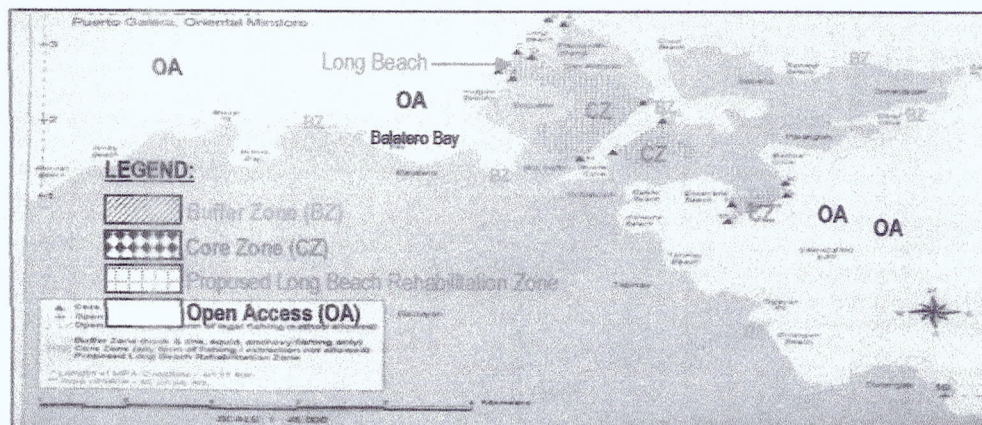


Illustration 1. Puerto Galera MPA

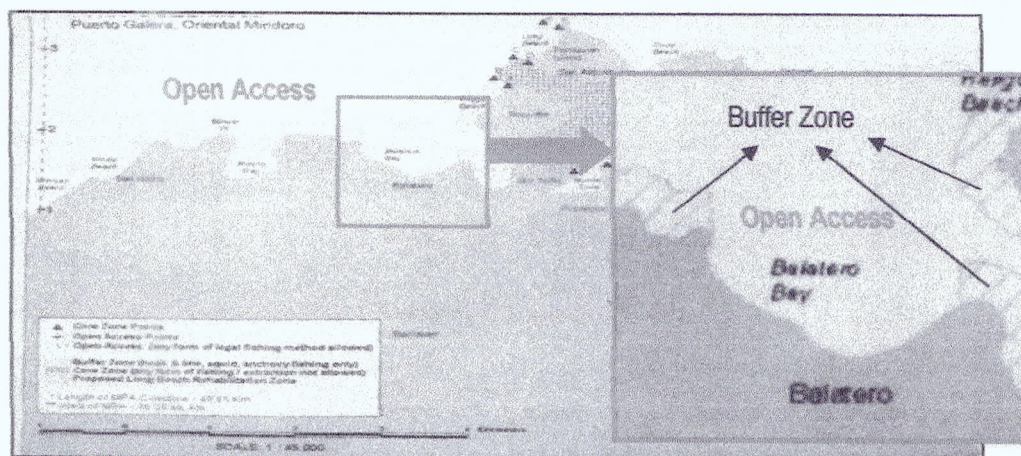


Illustration 2. Area showing the Balatero Bay

Municipal Ordinance No. 05-10 described the Open Access as follows:

“The area within the MPA where all legal fishing methods and tourism related activities are allowed.”

Upon knowing that the Balatero Bay is part of the Puerto Galera MPA, the MLGU of Puerto Galera through the MENRO was informed of the findings. However, they insisted that the Balatero Port area is no longer part of their MPA. Consequently, another meeting was set to clarify the issue. Unfortunately, due to conflicts on schedules of both agencies, several attempts to hold meetings were postponed.

Likewise, a meeting with the personnel from the Philippine Port Authority (PPA) Calapan was conducted at this Office on July 19, 2022 to discuss the issues on PPA projects in Balatero, Puerto Galera. It was found that the PPA has still no Area Clearance yet for their project in Balatero but they have secured already their Environment Compliance Certificate (ECC). Despite such, it was reiterated to them that they are still required to secure the Area Clearance for their reclamation project pursuant to DENR Administrative Order (DAO) No. 2018-14 (Guidelines on the issuance of Area Clearance for reclamation projects and Proclamation/Special Patents over reclaimed lands). The PPA personnel mentioned during the meeting that they would relay to their superiors all the issues and concerns that were discussed in the said meeting, specifically the required Area Clearance. It was also agreed that the PPA would furnish this Office with the reclamation project documents, ECC, development plan and other pertinent documents.

Early this year, this Office and the Puerto Galera MLGU agreed to meet on the 3rd week of January 2023 to discuss and settle the issues and concerns regarding Balatero Port and the Puerto Galera MPAs. The agreed schedule of meeting was realized on January 17, 2023 at the Organic Trading Post, Poblacion, Puerto Galera, Oriental Mindoro as shown in the picture below:



FINDINGS /RECOMMENDATIONS

During the meeting on January 17, 2023, it was clarified that the Municipal Ordinance No. 05-10 was already superseded by the Municipal Ordinance No. 2021-011 or the *Ordinansang Pampangisdaan ng Puerto Galera 2021*. Municipal Ordinance No. 2021-011 was enacted on September 06, 2021 and testified by Hon. Marlon L. Lopez as the Vice Mayor of Puerto Galera. Based on the said ordinance, Section 6, the Municipal Water of Puerto Galera was divided into three zones as follows:

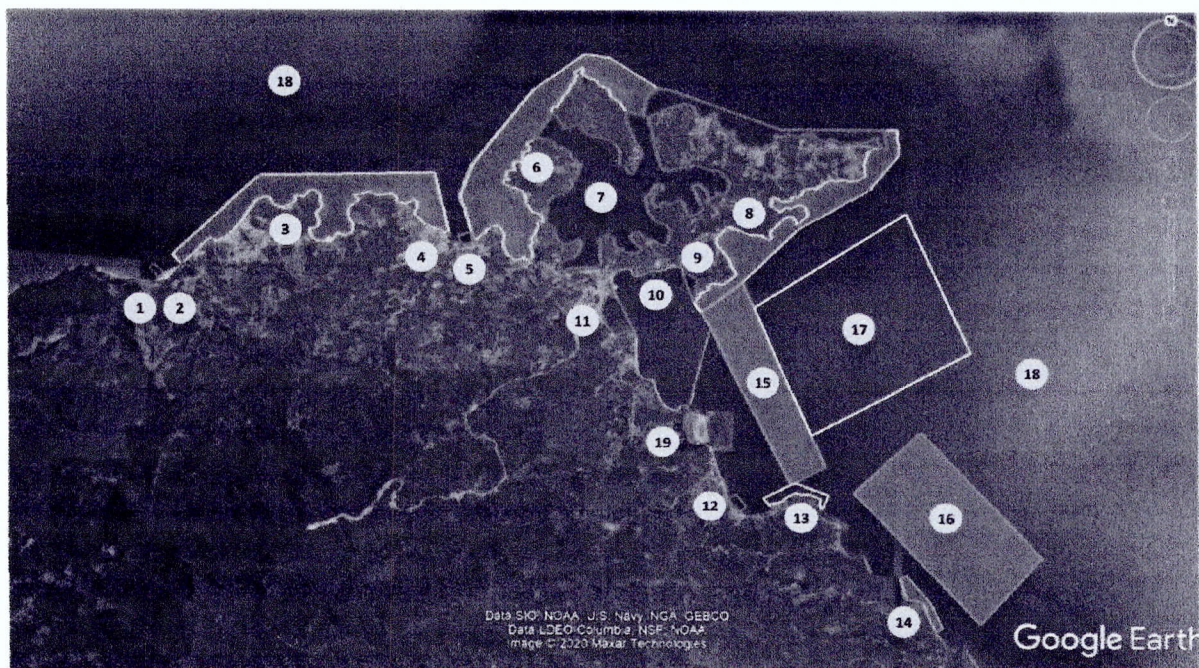
1. Municipal Fishing Zone (*Section 6.1.1*)
2. Aquaculture/Mariculture Zone (*Section 6.1.2*)
3. Sanctuary, Fishery Management and Protected Area (*Section 6.1.3*)

Likewise, the Sanctuary, Fishery Management and Protected Area was classified into following:

1. Core Zone
2. Turtle Nesting Zone
3. Sustainable Use Zone
4. Beach Seine Zone
5. Light Fishing Zone
6. Payao Management Zone
7. Large Vessel Anchorage Zone
8. Multiple Use Zone
9. Puerto Galera Mangrove Conservation and Ecotourism Area
10. Puerto Galera Mangrove Forests

The Puerto Galera Marine Management Zones was also presented during the meeting:

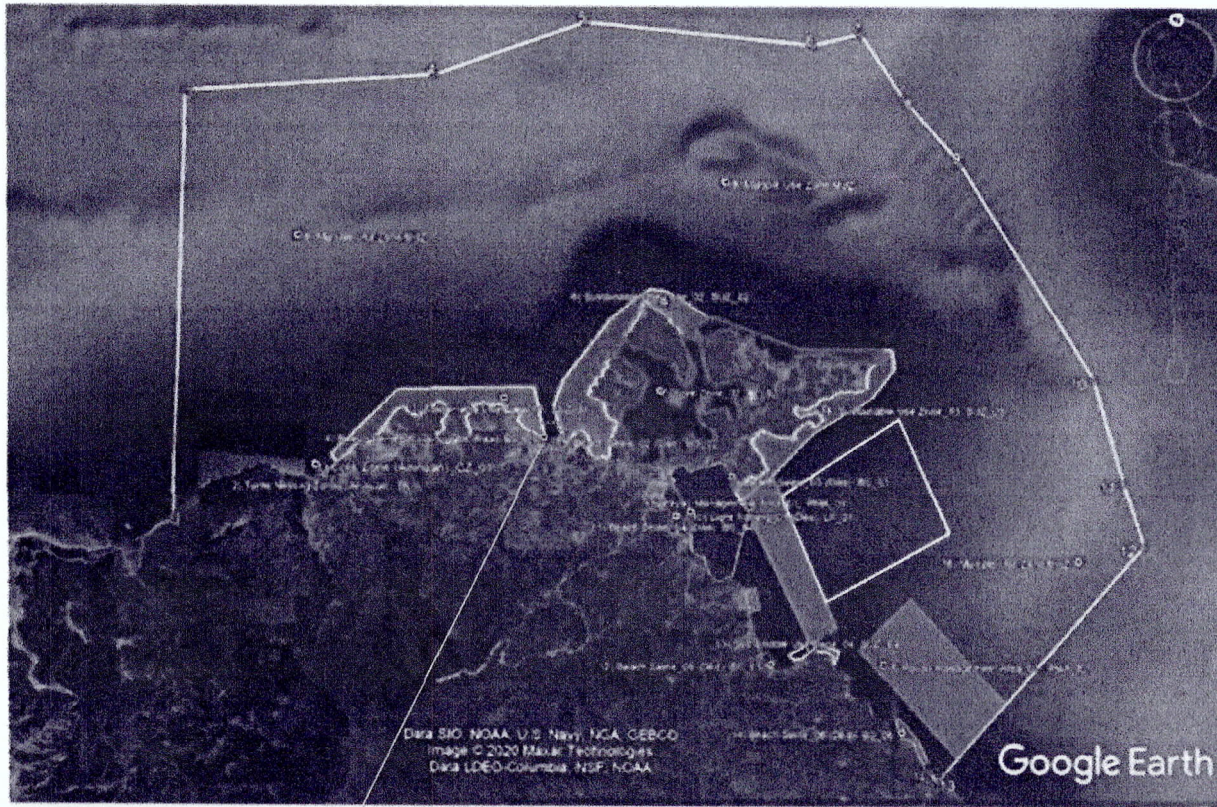
Pahina 30 ng 34 na Pahina
KAUTUSANG PAMBAYAN BLG.2021-011
Ordinansang Pampangisdaan ng Bayan ng Puerto Galera



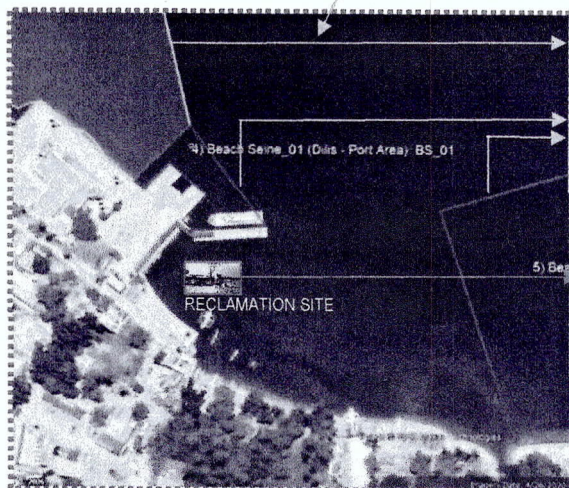
Puerto Galera Marine Management Zones
Puerto Galera, Oriental Mindoro

Management Zone	Area in Hectares
1) Core Zone (Aninuan): CZ_01	2.00
2) Turtle Nesting Zones (Aninuan): TN	3.84
3) Sustainable Use Zone_01: SUZ_01	203.00
4) Beach Seine_01 (Dilis - Port Area): BS_01	0.18
5) Beach Seine_02 (Dilis): BS_02	3.12
6) Sustainable Use Zone_02: SUZ_02	253.00
7) Core Zone_02: CZ_02	421.80
8) Sustainable Use Zone_03: SUZ_03	148.00
9) Beach Seine_03 (Dilis): BS_03	4.74
10) Light Fishing_01 (Dilis): LF_01	204.00
11) Beach Seine_04 (Dilis): BS_04	17.50
12) Beach Seine_05 (Dilis): BS_05	4.10
13) Sustainable Use Zone_04: SUZ_04	14.20
14) Beach Seine_06 (Dilis): BS_06	14.90
15) Payao Management Zone_01 : PMA_01	210.00
16) Payao Management Zone_02 : PMA_02	396.00
17) Large Vessel Anchorage Zone_01 : LVAZ_01	620.00
18) Multiple Use Zone (MUZ)	12,788.80
19) Puerto Galera Mangrove Conservation and Ecotourism Area	
19-a Sustainable Use Zone (Hook and Line Area - Kawilan)	9.1
19-b Sustainable Use Zone (Gleaning Area - Panihian)	4.72
19-c Mangrove Forest Conservation Zone	3.98
total area of Core Zone	423.80
total area of Sustainable Use Zone	632.02
total area of Turtle Nesting Zone	3.84
total area of Beach Seine Zone	44.54
total area of Light Fishing Zone	204.00
total area of Payao Management Zone	606.00
total area of Large Vessel Anchorage Zone	620.00
total area Multiple Use Zone	12,788.80
Total area of Municipal Waters (estimate as of 21Oct20)	15,323.00
Puerto Galera Mangrove Forests	29.44

Dr. Joan Margareth A. Yap, Puerto Galera MENR Officer, clarified that the **reclamation site in Balatero Port area is outside the Marine Protected Area of Puerto Galera** as shown in the ordinance map and geo-tagged picture below:



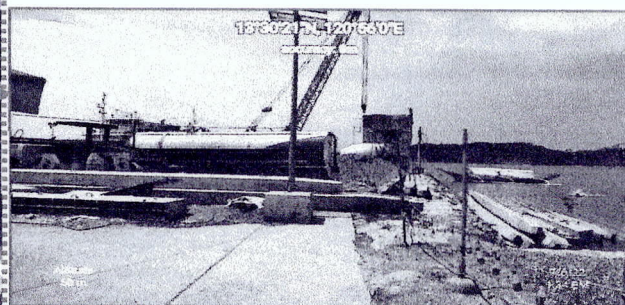
Map 1. Puerto Galera Man and Biosphere Reserve Coastal and Marine Management Zones



Map 2. Balatero Area (Page 32 of MO 2021-011)

Sustainable Use Zone (MO No. 2021-011, Section 6.1.3.3, Page 8)

Beach Seining Zone (MO No. 2021-011, Section 6.1.3.4, Page 8)



Picture 1. Reclamation Site in Balatero

The MENR Officer also mentioned that since **the reclamation area is situated within the Multiple Use Zone**, any development in the Port Zone Area should be assessed by the MLGU of Puerto Galera.

Moreover, Dr. Yap expressed that the issues and concerns of the Honorable OIC-Mayor had already been settled with the PPA Mindoro who currently supervises and manages the Balatero Port.

Based on the Resolution No. 2012-03 of the Sangguniang Bayan (SB) of Puerto Galera, the PPA was authorized to undertake the construction, rehabilitation and repair of the Balatero Port on 2011. The take-over of the Balatero Port by the PPA was acknowledged on 2013 by the Sangguniang Bayan of Puerto Galera through Resolution No. 2013-048. The said resolutions were both unanimously approved wherein Hon. Lopez was included as one of the Municipal Councilors.

Through coordination with the PPA Mindoro on November 18, 2022, the PPA Mindoro informed this Office through a letter dated November 23, 2022 that the Balatero Port is included in the Port Zone Delineation (PZD) application of the PPA to the Office of the President as stated in the duplicate copy of application letter dated July 12, 2017.

Further, this Office initiated a meeting with the PPA Mindoro on February 01, 2023 to discuss this matter. They mentioned that the Balatero reclamation project has the ECC already but they do not have Area Clearance yet. Therefore, it was agreed that the PPA would still secure the Area Clearance for their reclamation projects pursuant to DENR Administrative Order (DAO) 2018-14.

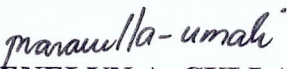
After gathering the salient information regarding this matter, the undersigned hereby recommends that the PPA Mindoro should secure an Area Clearance to comply with the DAO 2018-14. The DENR MIMAROPA Regional Office, likewise, should be furnished with this result in response to the Memorandum they issued to this Office.

For his information, reference and record.

Prepared by:


WALTER L. TOLENTINO
Special Investigator I

Reviewed by:


MARIA ALVA RENELYN A. CULLA-UMALI
Land Management Officer III/RPS Chief

Noted by:


RODEL M. BOYLES
CENR Officer



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources Office

February 02, 2023

MEMORANDUM

FOR : The CENR Officer

THRU : The RPS Chief

FROM : The Special Investigator I

SUBJECT : **LETTER DATED DECEMBER 27, 2021 OF HON. MARLON L. LOPEZ, OIC-MUNICIPAL MAYOR OF PUERTO GALERA, ORIENTAL MINDORO**

This pertains to the letter of OIC-Municipal Mayor Marlon L. Lopez of Puerto Galera, Oriental Mindoro regarding the reclamation activity at the Balatero Port which he mentioned that it is a part of the Marine Protected Area (MPA) of Puerto Galera.

On May 27, 2022, this Office received the Memorandum from the DENR MIMAROPA Regional Executive Director (RED), Lormelyn E. Claudio pertaining to the abovesited letter. Hence, a coordination was conducted with the Puerto Galera Municipal Local Government Unit (MLGU) through Municipal Environment and Natural Resources Office (MENRO) in response to the RED's Memorandum. It was agreed that a joint meeting would be conducted to discuss this matter and other environmental issues and concerns within the Municipality of Puerto Galera. On June 29, 2022, at the Mayor's Office Conference Hall, the planned meeting was carried out. It was agreed that a joint ocular inspection would be conducted as part of the validation activity while all the pertinent documents are being gathered.

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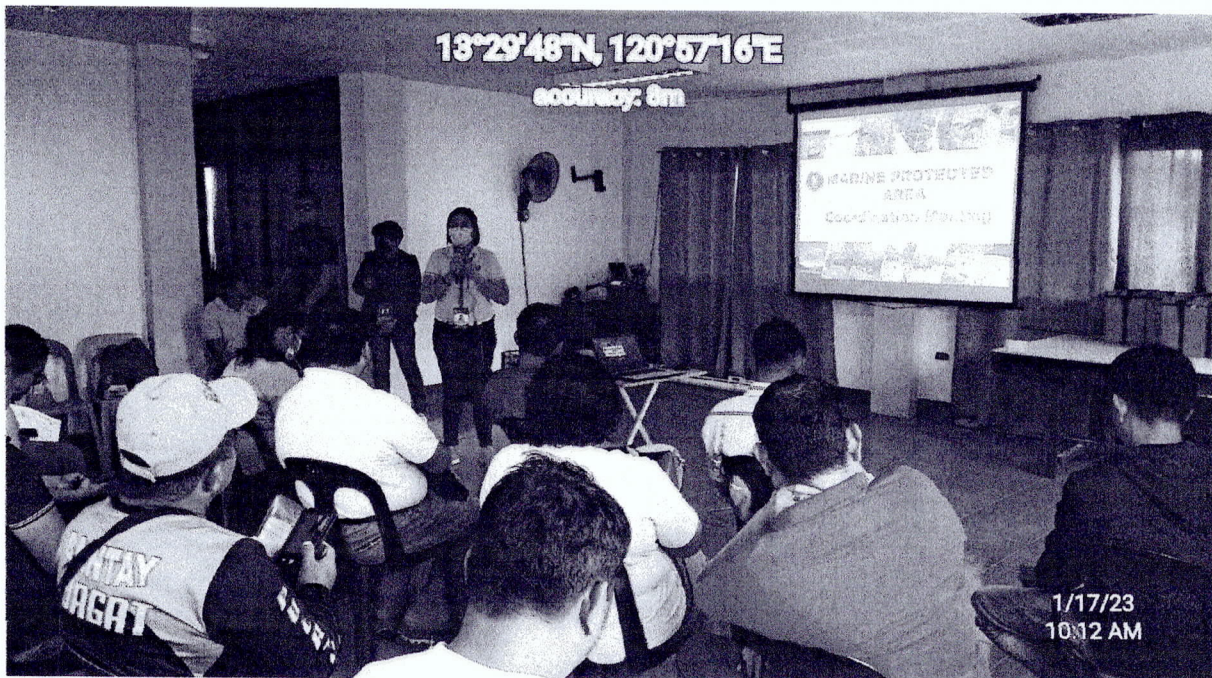
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"The area within the MPA where all legal fishing methods and tourism related activities are allowed."

Environment Compliance Certificate (ECC). Despite such, it was reiterated to them that they are still required to secure the Area Clearance for their reclamation project pursuant to DENR Administrative Order (DAO) No. 2018-14 (Guidelines on the issuance of Area Clearance for reclamation projects and Proclamation/Special Patents over reclaimed lands). The PPA personnel mentioned during the meeting that they would relay to their superiors all the issues and concerns that were discussed in the said meeting, specifically the required Area Clearance. It was also agreed that the PPA would furnish this Office with the reclamation project documents, ECC, development plan and other pertinent documents.

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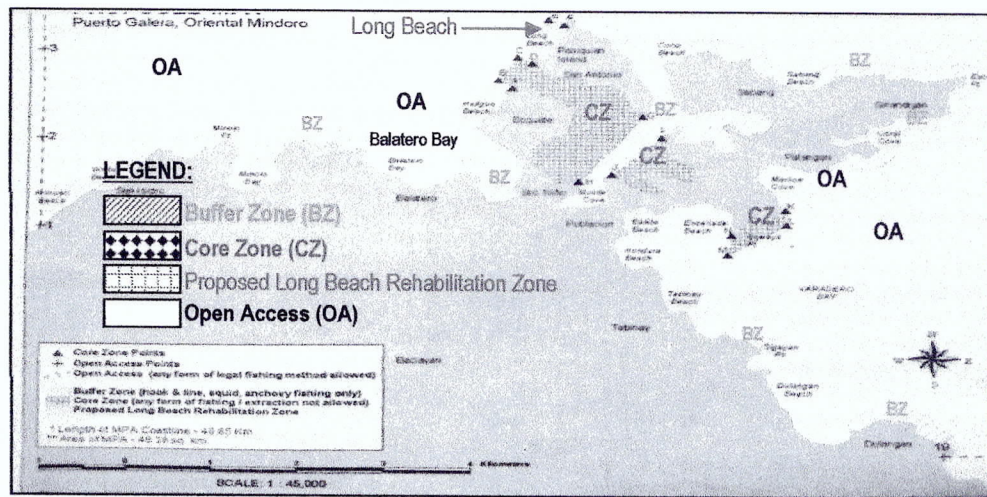


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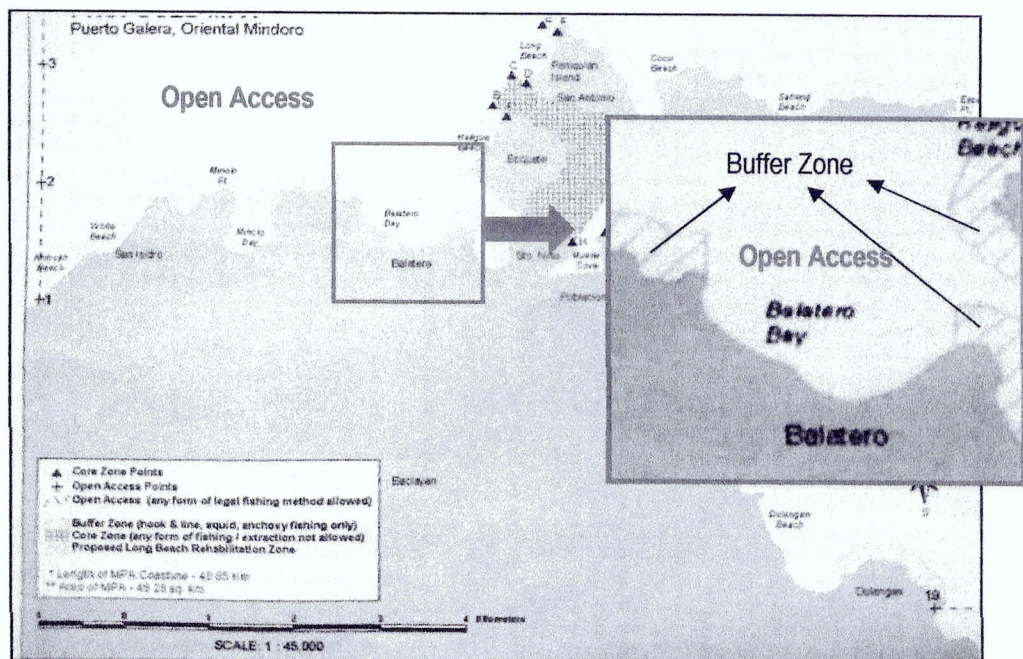


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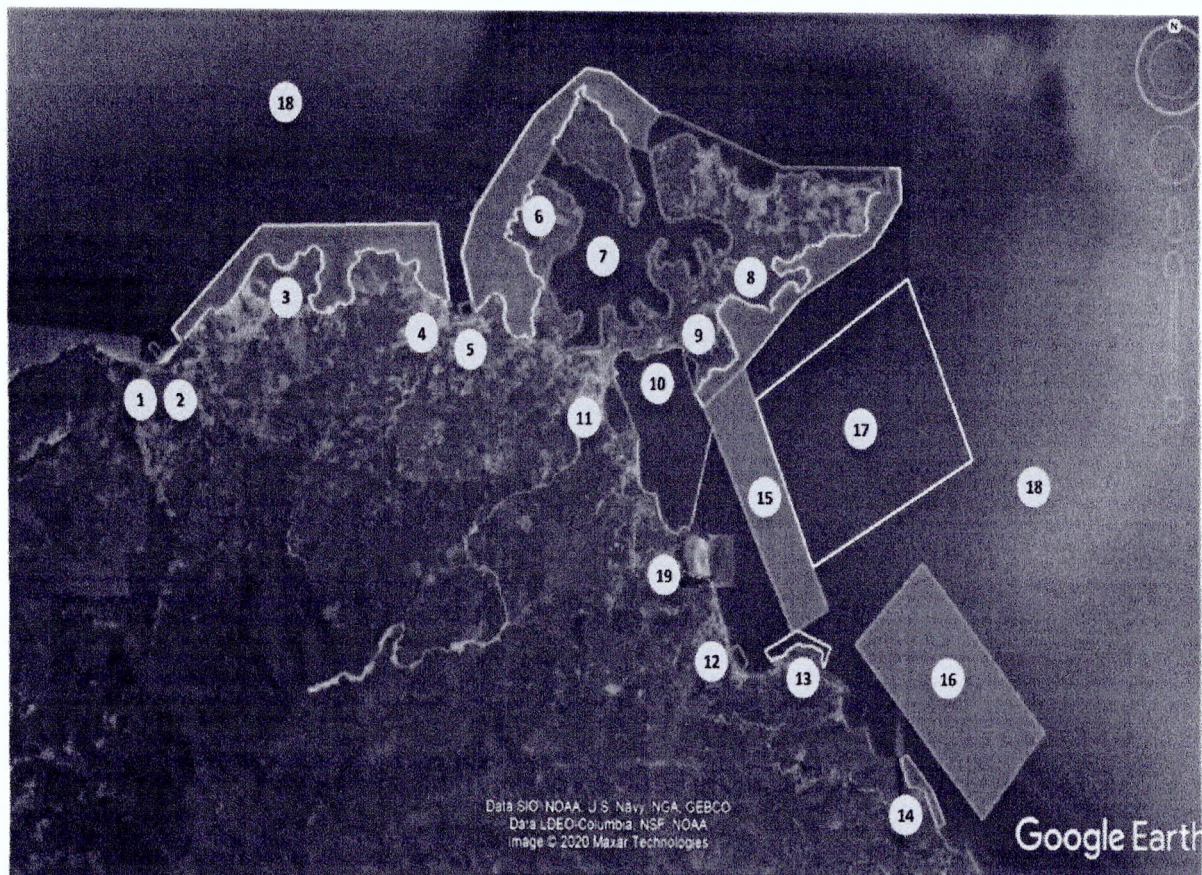
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The Puerto Galera Marine Management Zones as shown below and on the next page was also presented during the meeting:

Pahina 30 ng 34 na Pahina
KAUTUSANG PAMBAYAN BLG.2021-011
Ordinansang Pampangisdaan ng Bayan ng Puerto Galera



Puerto Galera Marine Management Zones
Puerto Galera, Oriental Mindoro

Management Zone	Area in Hectares
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Puerto Galera Mangrove Forests	29.44

Data SIO, NOAA, U.S. Navy, NGA, GEBCO
 Image © 2020 Maxar Technologies
 Data LDEO-Columbia NSF, NOAA

Google Earth

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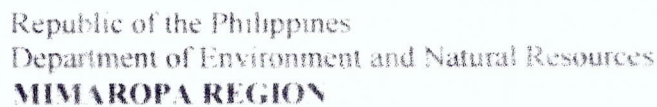
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After gathering the salient information regarding this matter, the undersigned hereby recommends that the PPA Mindoro should secure an Area Clearance to comply with the DAO 2018-14. The DENR MIMAROPA Regional Office, likewise, should be furnished with this result in response to the Memorandum they issued to this Office.

For his information, reference and record.


WALTER L. TOLENTINO



TO : MARY JUNE F. MAYPA
PENR Officer-Oriental Mindoro

ATTENTION : RODEL M. BOYLES
CENR Officer-Socorro

FROM : THE REGIONAL EXECUTIVE DIRECTOR

SUBJECT : LETTER DATED DECEMBER 27, 2021 OF MARLON L.
LOPEZ, OIC-MAYOR OF THE MUNICIPALITY OF
PUERTO GALERA

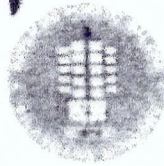
DATE : MAY 20 2022

It was observed that Mayor Lopez who is the complainant in the instant case was not present during the meeting. Further, he claimed that the area was declared as a Marine Protected Area (MPA) in Puerto Galera per Municipal Ordinance Number 05-01, whilst it is not included under the Foreshore Management Plan of Puerto Galera.

LORMELYN E. CLAUDIO, CESO IV

DocID: 77164

DE NICH is the Ray Hild, 1418 Avenue Commercial, Laguna Mariner
 101 NW 100th, 1218248, 3 mi. W of 24th Ave, Road 2704
 5.5 mi. S of 32nd Ave
 101 NW 100th, 1218248, 3 mi. W of 24th Ave, Road 2704



Republic of the Philippines
Province of Oriental Mindoro

MUNICIPALITY OF PUERTO GALERA

OFFICE OF THE MAYOR

December 27, 2021

MARIA LOURDES G. FERRER, CESO III
Regional Executive Director
DENR MIMAROPA

Thru **MARY JUNE F. MAYPA**
PENR Officer

Re : Inquiry

Dear **RED Ferrer**,

Greetings!

We have learned that there is an ongoing project for reclamation of a portion of the sea adjacent to the port in Brgy. Balatero, Puerto Galera and the eventual construction of a new building and vessel ramp in the reclaimed area. In this regard, we are inquiring whether the necessary Environmental Compliance Certificate (ECC) for such project was duly applied for by the contractor and approved by your Office. Further, the proposed reclamation area is part of the Marine Protected Areas of Puerto Galera as classified under Municipal Ordinance number 05-10. We believe that any reclamation is highly prohibited in any of the Marine Protected Areas. Hence, we would like to request your good Office to clarify this persisting issue in order to prevent any major implications in the future.

Thank you and we hope to hear from you at the earliest possible opportunity.

Sincerely,

MARLON L. LOPEZ
OIC - Municipal Mayor



#Serbisyoag **RDI**



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF PUERTO GALERA



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF PUERTO GALERA, ORIENTAL MINDORO HELD ON APRIL 26, 2006 AT THE SANGGUNIAN SESSION HALL

PRESENT:

Hon. Juan S. Ascan, Jr.	-	Municipal Vice-Mayor/Presiding Officer
Hon. Rafael C. Cataquis	-	Municipal Councilor
Hon. Robertito C. Macatangay	-	Municipal Councilor
Hon. Joseph L. Andal	-	Municipal Councilor
Hon. Daniel T. Enriquez	-	Municipal Councilor
Hon. Isidro C. Bunquin	-	Municipal Councilor
Hon. Luzminda C. Justiniano	-	Municipal Councilor
Hon. Gabriel D. Ilagan	-	Municipal Councilor
Hon. Edwin C. Suzara	-	Ex-Officio Councilor (LIGA)

ABSENT:

Hon. Florendo P. Candava	-	Municipal Councilor
Hon. Christine M. Manongsong	-	Ex-Officio Councilor (SK)

MUNICIPAL ORDINANCE NO. 05-10

AN ORDINANCE ESTABLISHING THE PUERTO GALERA MARINE PROTECTED AREAS (MPAs) AND DEVELOPMENT OF APPROPRIATE MANAGEMENT PLAN THEREOF

WHEREAS, the Local Government Code of 1991 (R.A. 7160) empowers Local Government Units (LGUs) to adopt measures to safeguard and conserve natural resources;

WHEREAS, the Philippines Fisheries Code of 1998 mandates all coastal LGUs to enact ordinances that will address the sustainable planning and management of their municipal waters and coastal resources, including the target that 15 percent (%) of their municipal waters should be declared and managed as MPAs;

WHEREAS, the Sangguniang Bayan of Puerto Galera recognizes the unique environmental, economic and recreational importance of these coastal resources, including for sustainable coastal tourism;

WHEREAS, the Sangguniang Bayan of Puerto Galera further recognizes that there is critical and immediate need to properly plan and manage coastal resources to ensure their sustainable use and protection in accordance with prevailing policies, laws and regulations;

WHEREAS, Barangay Sinandigan through Barangay Resolution No. 4 S. 2005 expressed the favorable endorsement of this ordinance through its Sangguniang Barangay and its constituents;

WHEREAS, the Coastal Resources Management Board (CRMB) through Resolution No. 06-01, endorsed the establishment of marine protected areas in Puerto Galera;

NOW THEREFORE, on joint motion of Hon. Daniel Enriquez and Hon. Rafael Cataquis;

Section 1. **Title**

This ordinance shall be known as the Puerto Galera Marine Protected Areas (MPAs) ordinance of 2005

Section 2. **Definition of Terms:**

As used in this ordinance, the following terms and phrases shall mean as follows:

- a. Marine Protected Areas (MPAs) - shall mean all designated coastal waters, reefs and tidal areas within the administrative boundaries of the Municipality of Puerto Galera where some form of coastal resource management, regulation, control and enforcement will be formulated and applied to facilitate its protection and sustainable use.
- b. Destructive activities - shall mean those activities that bring and cause damage or destruction to the marine life, habitat and/or established facilities within the MPA.
- c. Scuba Diving - includes those activities involving the use of self-contained underwater breathing apparatus (SCUBA).

Section 3. **Objectives.**

- a. To protect and manage the coastal and fishery resources of the Municipality of Puerto Galera to ensure their sustainable use, for the enjoyment and benefit of its people;
- b. To formulate, through a process of consultation and participatory planning, a zoning and management framework for the Puerto Galera MPA to address the multiple uses of these coastal waters and resources, including sustainable coastal tourism;
- c. To establish the means and sources of funding to enforce, control and regulate the activities of visitors, tourists, divers, snorkelers, swimmers, boats and other resource users within the MPA in accordance with the approved management plans and ordinances; and
- d. To enhance the educational, recreational and economic value of this coastal area, and to improve its potential attraction for sustainable coastal tourism as an important source of livelihood and economic development of the municipality of Puerto Galera.

Section 4. **PHYSICAL DESCRIPTION OF THE PUERTO GALERA MARINE PROTECTED AREA**

The Puerto Galera MPAs are located along the irregular 48.85 kilometer coastlines of Barangays Balatero, Palangan and portions of Tabinay, Aninuan, San Isidro and Dulangan with a total area of 48.28 sq.km. or 4,828 hectares and with the following technical descriptions, as depicted in the herein attached map of the proposed MPA.

The proposed core zone and its coordinates are hereby described:

Longtitude	GPS Reading	Latitude
A. 120.94502		13.52103
B. 120.94351		13.52236
C. 120.94554		13.52585
D. 120.94717		13.52490
G. 120.95888		13.51662
H. 120.95195		13.50658
I. 120.96075		13.51342
J. 120.95545		13.50775
K. 120.97360		13.50236
L. 120.97364		13.50017
M. 120.96740		13.49569
N. 120.96784		13.49859

The rehabilitation zones and its coordinates are hereby described:

Longtitude	Latitude
C 120.94554	13.52585
D 120.94717	13.52490
E 120.94884	13.531358
F 120.95049	13.53073

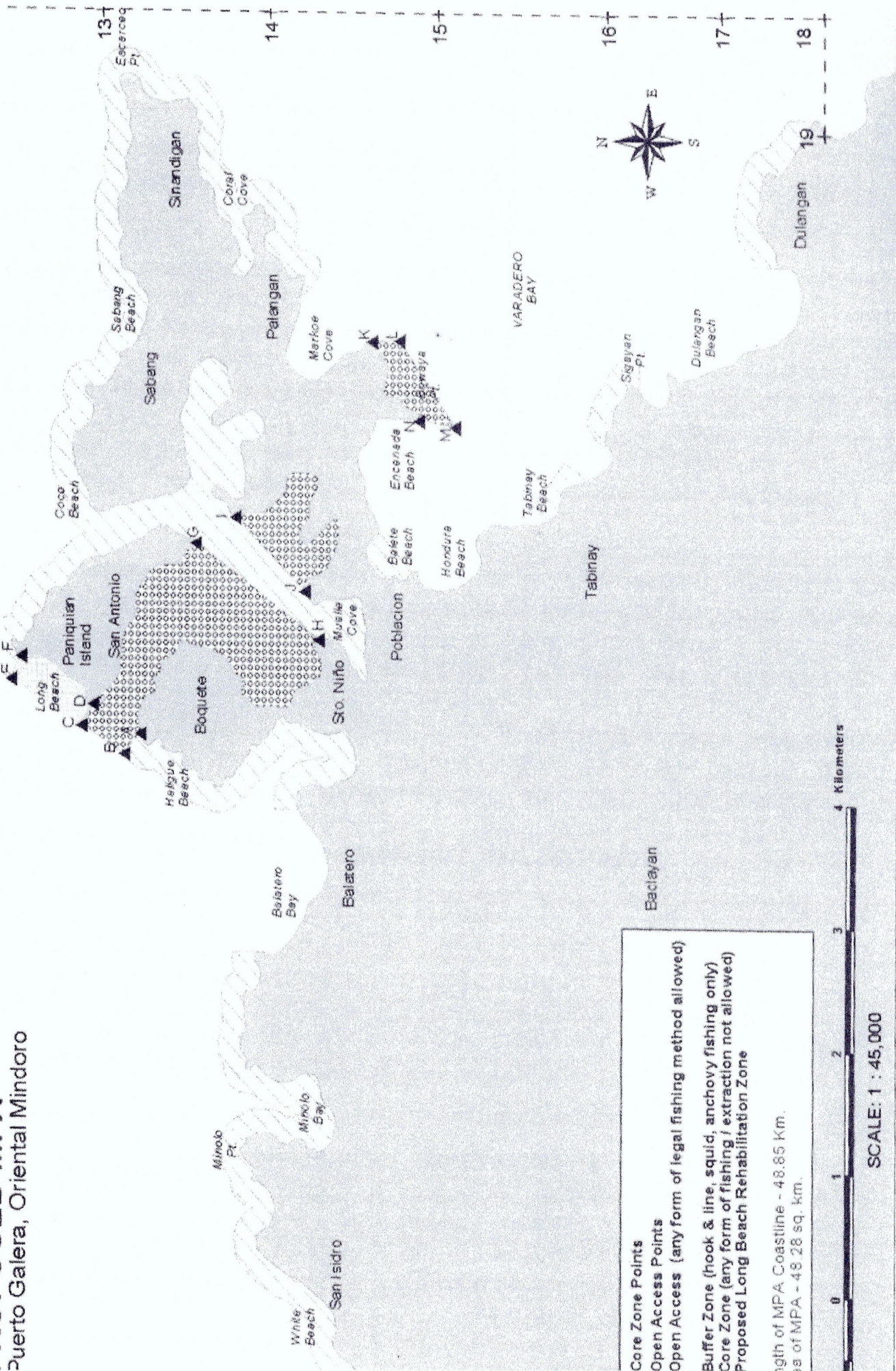
The open access zones and its coordinates are hereby described:

Longtitude	Latitude
1. 120.89509	13.49965
2. 120.89509	13.51312
3. 120.89509	13.52668
4. 120.89509	13.53789
5. 120.90899	13.53790
6. 120.92326	13.53790
7. 120.93707	13.53790
8. 120.95091	13.53790
9. 120.96477	13.53790
10. 120.97866	13.53789
11. 120.98784	13.53790
12. 120.99730	13.53790
13. 120.99732	13.52432
14. 120.99733	13.51075
15. 120.99733	13.49717
16. 120.99730	13.48353
17. 120.99730	13.47432
18. 120.99736	13.46592
19. 120.98885	13.46592

Included within the Puerto Galera MPA are the following popular dive sites and tourist destination:

a. Hibo Reef	t. Skydive
b. Tamaraw Rocks	u. Ernie's Point and Cave
c. The Missing Anchor	v. Monkey Wreck
d. Bayanan Reef	w. Dungeon Wall
e. Minolo Stairs	x. Twin Wreck
f. Haligi Rocks	y. Escarceo Point

Puerto Galera, Oriental Mindoro



HALAW SA KATITIKAN NG IKA-35 NA REGULAR NA PAGPUPULONG NG SANGGUNIANG BAYAN NG PUERTO GALERA, SILANGANG MINDORO PARA SA TERMINONG 2019-2022 NA GINANAP NOONG IKA-6 NG SETYEMBRE, 2021 SA BULWAGAN NG SANGGUNIANG BAYAN

MGA DUMALO:

Kgg. Marlon L. Lopez	-	Pangalawang Punong Bayan/ Punong Tagapangulo
Kgg. Joanna Mae N. Arago	-	Konsehal
Kgg. Harold N. Marquez	-	Konsehal
Kgg. Joseph L. Andal	-	Konsehal
Kgg. Ricardo B. Ilagan	-	Konsehal
Kgg. Divina Gracia D. Paguio	-	Konsehal
Kgg. Editha D. Armamento	-	Konsehal
Kgg. Miko Mark Francis P. Atienza	-	Konsehal
Kgg. Mario B. Reyes	-	Presidente: Liga ng mga Punong Barangay
Kgg. Radencio S. Banaag	-	Kinatawan ng mga Katutubong Mangyan

DUMALO SA PAMAMAGITAN NG ONLINE PLATFORM:

Kgg. Joemer M. Sandoval	-	Konsehal
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NASA OPISYAL NA LAKAD:

Kgg. Norman D. Serrano, Jr.	-	Presidente: Sangguniang Kabataan
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KAUTUSANG PAMBAYAN BLG.2021-011

ISANG KAUTUSANG NAGTATAKDA NG MGA ALITUNTUNIN SA PAGPAPAUNLAD, PANGANGALAGA, PAGSOSONA, AT PAMAMAHALA NG PANGISDAAN YAMANG-PANGKATUBIGAN NG BAYAN NG PUERTO GALERA AT PARA SA IBA PANG MGA LAYUNIN

**May Akda: Samahan ng mga Mangingisda sa Bayan ng Puerto Galera /
MALAMPAYA Foundation/MFARMC/MAO/Provincial Fisheries and Agriculture Office**

Sa Pagpapakilala at Paglalahad ni: Kgg. Miko Mark Francis P. Atienza

Iponsor: Komite ng Batas, Ordinansa at mga Ligal na Usapin

Tagapangulo: Kgg. Joemer M. Sandoval
Pang. Tagapangulo: Kgg. Divina Gracia D. Paguio
Mga Miyembro: Kgg. Joseph L. Andal
Kgg. Editha D. Armamento
Kgg. Ricardo B. Ilagan

Komite ng Agrikultura

Tagapangulo: Kgg. Miko Mark Francis P. Atienza
Pang. Tagapangulo: Kgg. Ricardo B. Ilagan
Mga Miyembro: Kgg. Editha D. Armamento
Kgg. Joseph L. Andal
Kgg. Harold N. Marquez

KUNG SAAN, ang Bayan ng Puerto Galera ay isang Man and Biosphere Reserve na itinalaga noong 1977 ng *UNESCO's Man and the Biosphere (MAB) Programme*;

KUNG SAAN, ayon sa Executive Order No. 578, o ang National Policy on Biological Diversity, na nag aatas upang protektahan, pangalagaan at sustenableng palaguin ang samo't saring buhay sa Verde Island Passage Marine Corridor (VIPMC) at ang teritoryo ng Pilipinas sa loob ng Sulu-Sulawesi Marine Ecoregion (SSME) upang makatulong na siguraduhin ang pangangailangang pangkalusugan ng mga kasalukuyan at darating pang henerasyon ng mga Filipino;

KUNG SAAN, ang Puerto Galera Man and Biosphere Reserve ay kasama sa mga bayang bumubuo sa Oriental Mindoro Marine Protected Area and Fishery Law Enforcement Network na naglalayong mapangalagaan ang samo't saring buhay ng Verde Island Passage Marine Corridor;

KUNG SAAN, ayon sa Seksyon 16, Batas Pambansa Blg. 8550, na sinusugan ng Batas Pambansa Blg. 10654, ay naggagawad sa mga pamahalaang bayan/lungsod ng kapangyarihan sa mga katubigang

thence 4	13° 34' 15"	120° 54' 39"	
thence 5	13° 34' 51"	120° 56' 15"	
thence 6	13° 34' 41"	120° 58' 42"	
thence 7	13° 34' 49"	120° 59' 12"	
thence 8	13° 34' 09"	120° 59' 41"	
thence 9	13° 33' 30"	121° 00' 18"	
thence 10	13° 31' 17"	121° 01' 48"	
thence 11	13° 30' 13"	121° 02' 09"	
thence 12	13° 29' 34"	121° 02' 23"	
Point 12_b	13°27'1.91"	121° 0'24.07"	12 and 13 land intercepts
thence 13	13° 27' 03"	121° 00' 15"	Coastal terminal point Known as Villaflor
thence following the coastline to 1			

ARTIKULO 3: DEKLARASYON NG POLISIYA AT KAHULUGAN NG MGA KATAWAGAN

SEKSIYON 3. Deklarasyon ng Polisiya. – Magiging pambayang polisiya ng Puerto Galera ang mga sumusunod:

- Siguruhin ang lubusang pagpapatupad ng Kodigo ng Batas Pangisdaan upang mangyari ang mga layunin nito sa nasasakupan ng bayan ng Puerto Galera at ng Man and Biosphere Reserve;
- Maitaguyod ang pagsasakatuparan ng mga pananaw, mithiin, at layunin ng Puerto Galera Man and Biosphere Reserve;
- Maitaguyod ang wastong pamamahala, pangangalaga, pagpapaunlad, paggamit ng lahat ng yamang pangkatubigan at pangisdaan ng Bayan ng Puerto Galera bilang pamamaraan ng tuloy-tuloy na kaunlarang panlipunan, ekonomiya, at ekolohiya;
- Limitahan at kontrolin ang paggamit ng pangisdaan at yamang-tubig ng bayan upang mapanatili ang balanseng ekolohiya at mapag-ibayo ang kalidad ng kalikasan sa baybayin para sa kapakinabangan ng lahat;
- Pangalagaan at itaguyod ang karapatan ng mga maliliit na mangingisda sa nasasakupan ng bayan na lubos na naapektuhan ng ilegal na paggamit ng pangisdaan at yamang-tubig, upang sila ang pangunahing makagamit nito;
- Itaguyod ang tungkulin at pananagutan sa paggamit ng pangisdaan at yamang-tubig;
- Pamahalaan ang pangisdaan at yamang-tubig sa pangkalahatan at magkakaugnay na pamamaraan;
- Itaguyod ang pagkamakatarungan, pagbawas sa kahirapan, at pagsiguro ng pagkain sa mga pamayanan, lalong higit sa mga nasa baybaying dagat;
- Patibayin at gawing produktibo ang baybayin at katubigan ng Puerto Galera Man and Biosphere Reserve upang maibsan ang mga epekto at bantang dulot ng climate change o pagbabago ng klima;
- Paunlarin ang papel ng Pamahalaang Bayan bilang katiwala, tagapagtanggol, at tagapangalaga ng pangisdaan at yamang-tubig para sa kasalukuyan at susunod na salinlahi.

SEKSIYON 4. Kahulugan ng mga Katawagan. – Sa paggamit ng kautusang ito, ang kahulugan ng mga salita ay ang mga sumusunod:

- "Aktibong Palakaya (active fishing gear)"** - gamit Pangisda na ginagamit sa pamamagitan ng pagpapakilos ng kabuuan o mga bahagi nito upang habulin o hulihin ang mga pinapaksang isda o mga katulad nito sa pamamagitan ng paghihila, pag-aangat, pagtutulak, paghuhukay, pagbomba, o pananakot at pagpapa-ikot patungo sa isang kulungan o isang bahagi ng gamit pangisda kung saan ang mga ito ay hindi na makakatakas.

pangitluran ng mga isda at iba pang lamang katubigan na pinangangalagaan ng pamahalaan. Ipinagbabawal ang pangngisda at pagdaan ng lahat ng uri ng sasakyang pandagat o anumang gawain na makakaligalig sa lugar na idinidiklarang Fish Sanctuary.

- t) **"Fishing Light Attractor"** – Tumutukoy sa kagamitang pangisda na gumagamit ng ilaw na tulad ng mercury vapor, high pressure sodium vapor, standard tungsten halogen, fluorescent, o kaya'y light-emitting diode (LED) na nakakabit sa isang lalagyan na maaaring nasa ibabaw o ilalim ng tubig upang maakit at palapitin ang mga isda at iba pang yamang-dagat sa isang partikular na lugar at doon ang mga ito hulihin.
- u) **"Kapandra"** – Isang kagamitang ginagamit sa pangngisda na binubuo ng isang makina, air compressor at isa o higit pang mahabang hose na tinatangay ng sumisisid upang makahinga ng mahabang oras sa ilalim ng tubig.
- v) **"Kawilan"** – Tumutukoy sa mga lugar itinalaga para lamang sa mga mangngisdang gumagamit ng kawil, biwas, at/o bingwit na kung saan ang ibang uri ng palakaya ay ipinagbabawal.
- w) **"Kawil"** – Tumutukoy sa isang uri ng palakaya na gumagamit ng kawil o biwas. Tinatawag din itong "pangawil" o kaya'y "ug-og" kapag maraming nakakabit ng kawil/biwas sa isang linya ng nylon o tansi.
- x) **"Kayakas"** – Lumang modelo ng lampornas na ang ginagamit na pantaboy o pantakot sa mga isda, kalimitan yari sa dahon ng niyog na may pabigat at siyang kumakayud sa guso o corals upang maitaboy ang mga isda sa isang hugis bulsang lambat.
- y) **"Kitang"** – Tumutukoy sa isang uri ng palakaya na gumagamit ng maraming kawil na mayroong pain.
- z) **"Komersyal Pangisda (Commercial Fishing)"** – Pangisdang Komersiyal – tumutukoy sa pagkuha ng anumang yamang pangisdaan sa pamamagitan ng aktibo at di-aktibong palakaya para sa kalakalan, negosyo, at pagkakakitaan na higit sa sapat na ikabubuhay, laro o isport. Ito ay maaaring iklasipika sa sumusunod na uri:
 - a) Maliitang Pangkomersyong Pangisda – pangngisda gamit ang aktibo at di-aktibong palakaya gamit ang bangkang may sukat na 3.1 grosa tonelada (GT) hanggang dalawampung (20) grosa tonelada;
 - b) Katamtamang Pangkomersyong Pangisda – pangngisda gamit ang aktibo at di-aktibong palakaya gamit ang bangkang may sukat na 20.1 grosa tonelada (GT) hanggang isandaan at limampung (150) grosa tonelada;
 - c) Malakihang Pangkomersyong Pangisda – pangngisda gamit ang aktibo at di-aktibong palakaya gamit ang bangkang may sukat na mahigit sa isandaan at limampung (150) grosa tonelada (GT).
- aa) **"Kooperatiba"** – isang Samahan na binubuo ng maliliit na mangngisda, boluntaryong sumapi upang makapagtatag ng kalakalang pangkabuhayan na kanilang pamamahalaan at tatangkilikin ayon as itinatadhana at alituntunin ng Batas Republika Blg 6938 o ang Kodigo ng Kooperatiba ng Pilipinas.
- bb) **"Kompresor (compressor)"** – Tumutukoy sa isang uri ng kagamitang makina na ginagamit upang makahinga sa ilalim ng tubig. Kasama sa aparatu ng kompresor ang makina, pressure tank, guage, hose, at iba kagamitan nito.
- cc) **"Lampornas"** – Lambat na may supot o bulsa, may pangsarado, pantaboy o pantakot sa isda na yari sa lubid at may pabigat na tingga o bakal na tanikala na siyang lumalapad sa guso o coral.
- dd) **"Large Vessel Anchorage"** – Tumutukoy sa mga lugar kung saan lamang pinahihintulutan ang pag-angkla ng mga malalaking sasakyang pandagat, bangkang panghakot, at/o komersyal na bangkang pangisda.
- ee) **MAB** – Man and Biosphere Reserve – isang intergovernmental scientific na programa na

sa lahat ng yamang katubigan sa dagat. Ang maaari lamang pahintulutan ay mga gawaing pananaliksik at pang-edukasyon sa mga bahaging naitalaga.

- uu) **"Sona"** – Tumutukoy sa mga bahagi ng baybayin at katubigang pambayan na itinalaga para sa partikular na paggamit, gawain, at/o pamamahala.
- vv) **"Sosyohan"** – Isang maliit na grupo o tambalan ng mga taong karaniwang nagsasama-sama ng kanilang kapital at kakayahan para sa isang negosyo.
- ww) **"Sudsud"** (Motorized push net) – Tumutukoy sa isang uri ng palakaya na gumagamit ng pinong lambat na ititutulak pasulong o pasudsud gamit ang bangka at makina.
- xx) **"Superlight (Magic Light)"** – Isang uri ng ilaw na gumagamit ng di-pangkaraniwang bombilyang halogen o metal halide na maaring matagpuan sa ibabaw ng tubig o nakalubog sa tubig. Ito ay binubuo ng ballast, regulator, electric cable at saksakan (socket). Ang karaniwang pinagmumulan ng enerhiya ay ang generator, baterya o dinamo kasama ang makina.
- yy) **"Sport/ Recreational Fishing"** – Panlibang o pangingsidang libangan sa pamamagitan ng bingwit, pana, spear gun, at iba pang tulad nito, sa pasubaling ito ay hindi pang benta.
- zz) **"Trawl (Galadgad)"** – Pamalakayang gumagamit ng lambat na sadyang ginawang hugis bag na pinanatiling nakabukas kapag hinihila sa ilalim ng tubig sa pamamagitan "board" na yari sa kahoy o bakal, nakakabit ito sa mahabang lubid o kable at ang buong kagamitan ay inilulubog at hinihila upang makahuli ng mga isda at iba pang uri nito.
- aaa) **"UNESCO (United Nations Educational, Scientific and Cultural Organization)"** – isang ahensiya ng United Nations na naglalayon ng pandaigdigang kapayapaan at seguridad sa pamamagitan nang pagkakaisa ng mga bansa sa larangan ng edukasyon, agham at kultura.

ARTIKULO 4: PAGGAMIT, PAGPAPAUNLAD, PAMAMAHALA, PANGANGALAGA AT PAGBABAHAGI NG GAMIT NG KATUBIGANG MUNISIPAL

SEKSYON 5. Pahintulot Pampangisdaan. –

5.1 Labag sa batas ang manghuli o kumuha, magtipon ng mga lamang tubig sa tubigang bayan ng Puerto Galera, Lalawigan ng Oriental Mindoro sa pamamagitan ng lambat, bitag o iba pang mga kagamitan sa pangingsida o klase/uri ng pamalakaya ng walang balidong lisensiya o pahintulot na iginawad ng Punong Bayan sa layuning ito. Gayundin, labag sa batas ang magtayo ng mga baklad, patubuan ng talaba, tahong at iba pa; magpatakbo o magtipon ng similya ng bangus, hipon o iba pang uri ng lamang dagat nang walang balidong pahintulot o permiso mula sa Lokal na Pamahalaan, para dito.

Lahat ng bangkang pangisda na may timbang na tatlong (3) grosa tonelada pababa, at yaong may timbang na 3.1 hanggang 20 grosa tonelada, ay kailangang maiparehistro bago ito mabigyan ng kaukulang permiso o karapatan para magamit sa pangingsida sa katubigang bayan ng Puerto Galera.

SEKSYON 6. Pag-uuri at Paghahati ng Katubigan. –

6.1 Ang katubigan ng Puerto Galera sa layuning paggawad ng eksklusibong karapatan sa pangisdaan, ay paghahati-hatian at uuriin ayon sa mga sumusunod:

6.1.1 Sona ng Pangisdaang Munisipal: Ang sonang pangisdaan na binubuo ng katubigang munisipal ay maaari lamang gamitin ng mga rehistradong bangka at mangingsida ng Puerto Galera. Ang sonang ito ay sumasaklaw sa lahat ng lugar na hindi itinalaga sa mga sonang pang aquaculture/mariculture, reserbado, santwaryo at protektadong lugar, at mga lugar na inihiwalay para sa mga tiyak na gamit pangisda.

6.1.2 Sona para sa Aquaculture/Mariculture: Ang mariculture ay maaari lamang itayo at gawin sa mga itinalagang lugar tulad ng baybaying dagat, ilog, at lawa matapos kumuha ng kaukulang pahintulot para rito.

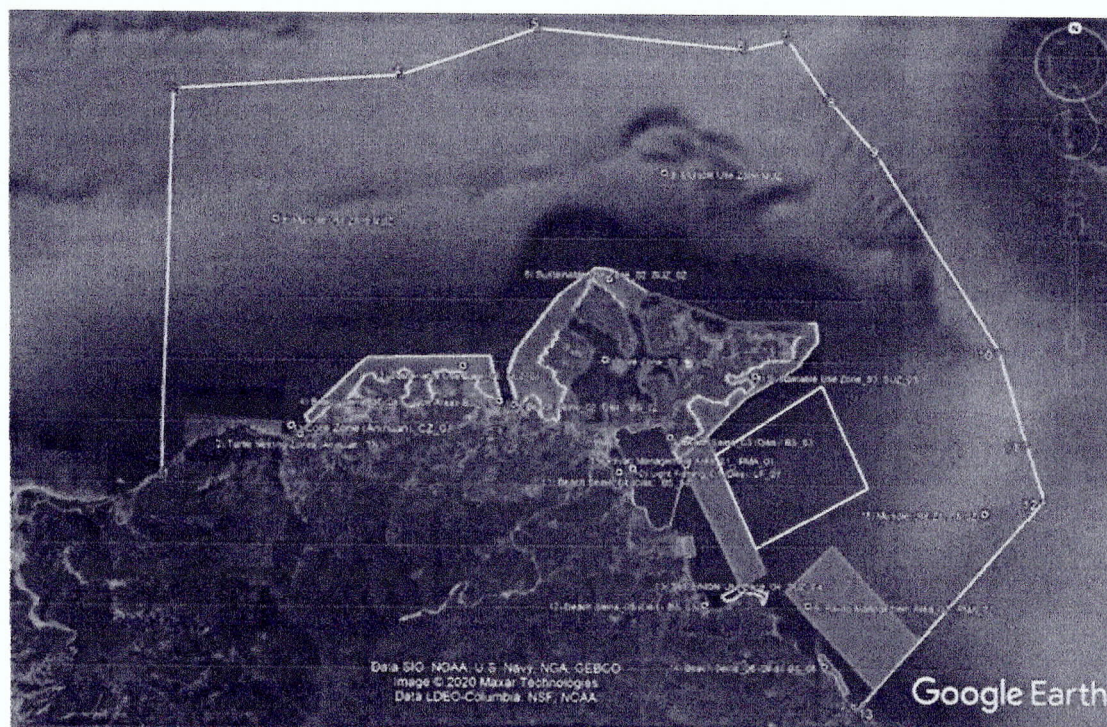


Figure 1. Puerto Galera Man and Biosphere Reserve Coastal and Marine Management Zones

5) Beach Seine_02 (Dilis): BS_02				
POINT	North	East	Notes	size in hectares
a	13°30'19.53"	120°56'7.22"	coastline to water	3.12
b	13°30'24.05"	120°56'5.69"		
c	13°30'25.94"	120°56'12.07"		
d	13°30'21.18"	120°56'13.53"	coastline to point BS2a	

6) Sustainable Use Zone_02: SUZ_02				
POINT	North	East	Notes	size in hectares
a	13°30'21.18"	120°56'13.53"	coastline to water	253
b	13°30'33.30"	120°56'9.74"		
c	13°30'44.56"	120°56'6.13"		
d	13°31'0.96"	120°56'11.57"		
e	13°31'40.94"	120°56'40.90"		
f	13°32'0.31"	120°57'5.81"		
g	13°31'58.66"	120°57'18.70"		
h	13°31'43.96"	120°57'43.18"		
i	13°31'37.86"	120°57'37.03"		
j	13°31'29.19"	120°57'36.10"		
k	13°31'31.38"	120°57'27.16"	coastline to SUZ_02L	
l	13°31'29.16"	120°56'50.94"		
m	13°31'15.05"	120°56'42.02"	coastline to point SUZ_02a	

7) Core Zone_02: CZ_02				
POINT	North	East	Notes	size in hectares
a	13°31'29.19"	120°57'36.10"	water	421.8
b	13°31'31.38"	120°57'27.16"	coastline to point CZ_02c	
c	13°31'29.16"	120°56'50.94"	coastline to water	
d	13°31'15.05"	120°56'42.02"	coastline to point CZ_2e	
e	13°31'16.53"	120°59'33.71"		
f	13°31'16.50"	120°59'38.12"		
g	13°31'26.19"	120°59'36.61"		
h	13°31'25.06"	120°58'44.19"		
i	13°31'35.60"	120°58'12.07"		
j	13°31'43.31"	120°57'49.03"		
k	13°31'43.96"	120°57'43.18"		
L	13°31'37.86"	120°57'37.03"		

13) Sustainable Use Zone_04: SUZ_04

POINT	North	East	Notes	size in hectares
a	13°28'9.64"	120°58'45.54"	coastline to water	14.2
b	13°28'13.69"	120°58'41.89"		
c	13°28'22.41"	120°58'57.48"		
d	13°28'16.33"	120°59'14.44"		
e	13°28'8.42"	120°59'11.28"	coastline to point SUZ_04a	

14) Beach Seine_06 (Dilis): BS_06

POINT	North	East	Notes	size in hectares
a	13°27'6.80"	121° 0'9.87"	coastline to water	14.9
b	13°27'8.76"	121° 0'13.44"		
c	13°27'22.13"	121° 0'6.63"		
d	13°27'35.88"	120°59'54.10"		
d	13°27'33.94"	120°59'50.85"	coastline to point BS_06a	

15) Payao Management Area_01 : PMA_01

POINT	North	East	Notes	size in hectares
a	13°28'21.14"	120°58'55.39"		210
b	13°28'30.77"	120°59'12.60"		
c	13°30'4.96	120°58'28.18"		
d	13°29'48.54"	120°58'8.10"		

16) Payao Management Area_02 : PMA_02

POINT	North	East	Notes	size in hectares
a	13°27'11.08"	121° 0'31.87"		396
b	13°27'46.64"	121° 1'1.87"		
c	13°28'51.31"	120°59'59.15"		
d	13°28'18.10"	120°59'26.75"		

18) Large Vessels Achorage Zone_01 : LVAZ_01

POINT	North	East	Notes	size in hectares
a	13°29'52.06"	120°58'34.27"		620
b	13°28'47.76"	120°59'4.86"		
c	13°29'32.82"	121° 0'22.58"		
d	13°30'42.97"	120°59'48.36"		

SEKSYON 7. Pagtatalaga ng Sea Grass Management Area at Beach Forest Protected Area. – Inaatasan ang opisina ng MAO at MENRO upang humanap at magrekomenda ng mga lugar sa bayan ng Puerto Galera na maaring maging Sea Grass Management Area at Beach Forest Protected Area na siyang magiging sentro nang pangangalaga ng mga uri ng sea grass, mga uri ng halamang tumutubo lamang sa mga baybay-dagat, at iba pang nabubuhay na organismo sa mga lugar na ito.

SEKSYON 8. Pangingisda sa Katubigang Munisipal. – Pinahihintulutan ang paggamit ng katubigang munisipal ng lahat ng rehistradong maliliit na mangingingisda at maging sosyohan na rehistrado sa bayan ng Puerto Galera sa pamamagitan ng lambat, bitag o iba pa mga kagamitan sa pangingisda o klase/uri ng pamalakaya kung may balidong lisensiya o pahintulot na iginawad ng Tanggapan ng Punong Bayan.

9.4 Ang pahintulot, sa pamamagitan ng permiso mula sa Punong Bayan, ay may bisa sa loob ng isang taon at may kasamang plakang may bilang na dapat ikabit sa nakikitang bahagi sa alinman sa mga bahagi ng fish cage.

9.5 Kailangang maglagak ang aplikante ng surety bond sa tanggapan ng ingat-yaman, na nagkakahalaga ng 10% ng kabuuang halaga ng puhunan para sa pagsasagawa ng fish cage, bilang katiyakan na kanyang maiaahon ang nasira o di na ginagamit na fish cage o namatay na mga isda kung masira ang cages o magkaroon ng fishkill/maramihang pagkamatay ng isda. Ang halagang ito ay maibabalik sa kanya kung titigil na siya sa pag-aalaga ng cages at maisusuko sa munisipyo ang materyales ng cage ngunit hindi na ito maibabalik kung hindi maaalis ang nasirang cages o namatay na isda. Kung maaaprubahan ang aplikasyon kinakailangang magbayad ang may-ari ng halagang limandaang (500) piso kada butas kada taon bilang taunang permiso sa lokal na pamahalaan.

SEKSYON 10. Mga Tadhana para sa Fishcages. – Itinatakda sa mga sumusunod ang sukat, kalalagyan at dami ng isda sa bawat butas na maaring payagan:

10.1 Materyales

-Ang pahihintulutan lamang na gagamiting pang-balangkas sa fishcages ay kawayan, kahoy, PVC at kauri nito.

10.2 Sukat

-Hindi dapat humigit sa 100 metro kwadrado (10x10 metro) at hanggang 6 metro ang ilalim ng bawat butas, at gumagamit ng lambat na di liliit sa sukat na 14 knots (23.44 mm). Maaari lamang magmay-ari ang bawat tao ng isang modyul na may apat na butas. Maaring magkakatabi ang apat na butas sa isang modyul na may layong isang metro mula sa lambat kada butas na may pagitan na 20 metro bawat modyul.

10.3 Maari lamang maglagay ng fishcages sa takdang sona at kailangang lampas ng 100 metro ang layo mula sa pampang at hindi hihigit sa 5% ng teritoryong tubig ng bawat bayan;

10.4 Magtatakda ng individual fishcage zone bawat sona kung saan ang lahat ng indibidwal na nagmamay-ari ng isang butas ng fishcage ay pagsasama-samahin sa isang lugar at isasaayos sa paraang modyular

10.5 Maari lamang maglagay ng kubol sa laot na may sukat na di lalampas sa 2x2 metro na yari sa kawayan at pawid;

10.6 Kailangan ding masunod ang mga tadhana ng FAO 214 (2002) at feed conversion ratio ay di lalagpas sa 1:1.8.

SEKSYON 11. Takdang Halaga ng Eksklusibong Karapatang maglagay ng Fishcage. – Ang lahat ng nagnanais magtayo ng fishcage ay kinakailangang magbayad alinsunod sa takdaan ng mga bayarin sa 9.5

SEKSYON 12. Pahintulot na Magbenta ng Pakain sa Isda na Nauukol sa Puerto Galera. – Bawat pagawaan ng pakain sa isda ay kailangang kumuha ng akreditasyon sa Municipal Agriculture Office upang matiyak na ang komposisyon ng kanilang ipinagbibili ay hindi lumalabag sa mga tadhana ng alituntuning ito. Ang rekisito sa pagpapa-akredit ng pagawaan ay ang sumusunod:

(Pagre-ehistro sa mga concerned government offices – example: Bureau of Animal Industries; Rehistrasyon sa SEC at/o DTI Pagpapatotoo mula sa BFAR na hindi lumalabag ang pakain sa takdang antibiotic residue sa ilalim ng DOH –BFAD Regulation at "DA–BAI Regulation on banned veterinary drugs used in all food producing animals".)

SEKSYON 13. Pagtatalaga ng Takdang Kulay at Bilang ng Bangka (Color Coding and Numbering). – Ang lahat ng bangka ginagamit sa pangangisda o pang turismo ay magkakaroon ng takdang kulay at bilang. Ang takdang bilang ay itatalaga ng Tanggapan ng Pambayang Agrikultura para sa mga bangka pangisda at Tanggapan ng Pambayang Turismo naman para sa mga bangka pang-turismo. Ang takdang kulay ay pagkakasunduan ng kasapian ng Municipal Fisheries and Aquatic Resources

SEKSYON 22. Batayan ng Pagkansela ng Lisensya. – Ang anumang lisensiya sa pangingisda at/o paggamit ng katubigang municipal ay maaaring kanselahin ng Punongbayan kung ito ay tatlo (3) o higit pang beses na lumabag sa batas pangisdaan, mga alituntunin at panuntunan, at maging sa ordinansang ito.

SEKSYON 23. Aquaculture/Mariculture Operator's License. – Maaaring pagkalooban ng Aquaculture/Mariculture Operator License ang sinumang nakatala sa Rehistro ng mga Mangingisda. Ang mga sumusunod ay ang mga rekisito:

- 23.1 Registration Form, kalakip ang mga sertipikasyon;
- 23.2 Valid Fishpond Lease Application (FLA)
- 23.3 Environmental Compliance Certificate (ECC) para sa fishpond activity, at
- 23.4 Endorsement mula sa MFARMC at kung organisado, sa BFARMC kung saan nakalagay o ilalagay ang naturang mariculture project.
- 23.5 Affidavit of Undertaking, na nakasumite sa MENRO at MAO, na nagsasaad ng sumusunod:
 - a. Na hindi puputol ng mangrove o kung merong sirang mangroves sa lugar, ay ang pagsasagawa ng rehabilitasyon nito.
 - b. Na magbabayad sa danyos dulot ng paglabag nito sa mga alituntunin at ordinansa ng bayan at mga tuntunin ng lisensya.
 - c. Na mangakong aalisin ang mga istruktura sa sandaling matapos na ang bisa ng Fishpond Lease Agreement (FLA)
 - d. Pagsusumite ng taong ulat sa Fisheries Management Office (FMO) bilang pagsunod sa ordinansang ito at sa Fisheries Administrative Order No. 218 Series of 2001 ng Bureau of Fisheries and Aquatic Resources (BFAR).
- 23.6 Pagbayad ng kaukulang bond para sa danyos o maaring masira.

SEKSYON 24. Bisa ng Lisenya. – Malibang mapawalang-bisa, ang permiso at lisenya sa aquaculture at mariculture ay bisa ng tatlong (3) taon.

SEKSYON 25. Closed Season. – Mahigpit na ipapapatupad, ipagpapatuloy, at palalawakin ang saklaw ng Seasonal Closed Season na isinabatas sa pamamagitan ng Municipal Ordinance No. 101-99 hinggil sa kabibe at iba pang uri ng ornamental shells (Annex ____). Palalawakin ang saklaw ng Closed Season at isasama ang paghuli ng galunggong at iba pang uri ng isda sa panahon ng pangingitlog ng mga nito, gayundin ang ilang uri ng gamit-pangisda o palakaya tulad ng buli-buli, trawl, at mga katulad nito. Sa pasubaling maaari ring ipapatupad ang iba pang uri ng gamit-pangisda o palakaya sa mga panahong kinakailangan at nararapat upang maparami ang mga isda at iba pang lamang-dagat. Ang pagpapatupad ng Closed Season ay itatakda at isasagawa sa pamamagitan ng isang executive order.

SEKSYON 26. Marine Protected Areas, Fish Sanctuaries, Reserves, at Refuge. – Ang mga sumusunod na marine protected area, fish sanctuaries, reserves at refuge sa mga sumusunod na barangay:

- a. (Refer to CLUP)

ARTIKULO 5: BAYARIN, OBLIGASYON AT LISENSIYA SA PAGGAMIT NG KATUBIGANG MUNISIPAL AT PANGISDAAN

SEKSYON 27. Karaniwang Lisensyang Nagpapahintulot. – Ang karapatan ng mangingisda, kumuha ng yamang-dagat/tubig, o gumamit ng baybaying dagat ng Puerto Galera sa pamamagitan pangingisda, aquaculture/mariculture, at/o turismo ay maaring pagkalooban ng angkop na lisensiya mula ng Tanggapan ng Pambayang Ingat-Yaman sa layuning ito, matapos mabigyan ng pahintulot ng Punong Bayan at magbayad ng kaukulang lisensyang butaw o upa sa halagang binabanggit sa ibaba:

27.1 Takdang Halaga ng Eksklusibong Karapatan (exclusive rights) sa Bawat Sona

27.2 Rehistro

- 27.2.1. Fisherfolk Permit: Php 250.00 kada ika-5 taon
- 27.2.2. Mangangawil (Non-motorized): Php 50.00/taon
- 27.2.3. Mangangawil (motorized): Php 200.00/taon
- 27.2.4. Mga rekisito:
 - a) Community Tax Certificate
 - b) Barangay Clearance

SEKSYON 28. Auxiliary Invoices. – Lahat ng isda, produktong isda, at iba pang yamang tubig o produktong galing sa yamang tubig na iluluwas o ibibiyahen mula sa bayan ng Puerto Galera ay kailangang kumuha ng auxiliary invoice upang maging legal ang naturang transportasyon.

SEKSYON 29. Pagkakaroon ng Eksklusibong Karapatan sa mga Prebilihing Pangpangisdaan.

29.1 Ang panghuhuli, pagkuha, o pagtitipon ng anumang lamang tubig at paggamit ng tubigang bayan ng Puerto Galera ay eksklusibong ibinibigay ang karapatan sa mga lihitimong mamamayan ng Puerto Galera.

29.2 Matapos ang masusing pag-aaral ng mga itinalagang ahensya ng Lokal na Pamahalaan (MENRO, MPDO, MAO), ang Sangguniang Bayan, sa pamamagitan ng isang resolusyon, ang tanging may kapangyarihang maggawad ng eksklusibong karapatan sa pangangisda, sa pagtatayo at pagpapatakbo ng baklad, tahong at talaba culture at pangunguha ng similya ng bangus o kawag-kawag at iba pang uri buhay sa tubigang bayan

29.2.1 Sa pasubali, na ang mga rehistradong organisasyon at kooperatiba ng maliliit na mangangisda ang may pangunahing karapatang mapagkalooban ng mga ito.

29.2.2 Sa pasubali pa rin, na dadaanin sa pampublikong subasta, sa pagitan ng mga rehistradong organisasyon at kooperatiba ng maliliit na mangangisda, alinsunod at batay sa ordinansang ito, ang pagkaloob ng ganitong karapatan.

29.2.3 Sa pasubaling pangwakas, na sa kawalan ng ganitong mga organisasyon o kooperatiba o pagkabigo ng pampublikong subasta kung saan ay walang gustong lumahok man lamang sa dalawang patawag ukol dito, ay maaring buksan ng Sangguniang Bayan ang subasta sa publiko.

29.3 May kapangyarihan din ang Sangguniang Bayan, matapos mabigo ang subasta, na magkaloob ng eksklusibong karapatan sa pangangisda sa sinuman na lihitimong mamamayan ng Bayan ng Puerto Galera, matapos makapagbayad ng kaukulang lisensiyang butaw para dito na hindi bababa sa itinakda sa ilalim nito.

SEKSYON 30. Maaring Mabigyan ng Pahintulot Mangisda at Karapatan sa mga Pribilehiyong Pangpangisdaan. – Ang mga sumusunod ang karapat-dapat para pagkalooban ng eksklusibong karapatan sa pangangisda o pangisdaan ng munisipyo.

Mga maliliit na mangangisdang mamayang Pilipino na lihitimong naninirahan sa Bayan ng Puerto Galera

- a) Mga rehistradong asosasyon at kooperatiba ng maliliit na mangangisda ng bayan ng Puerto Galera at;
- b) Mga sosyohan, samahan o korporasyon nang maliliit na mangangisda ng Bayan ng Puerto Galera.

SEKSYON 31. Aplikasyon hinggil sa Eksklusibong Karapatan sa mga Prebilihing Pangpangisdaan. – Ang aplikasyon ng eksklusibong karapatan sa pangangisda ay kailangang gawin sa mga proyekto, negosyo at operasyong may kaugnayan sa aquaculture o mariculture. Ito ay kailangang opisyal na pormal na aprobahan ng Sangguniang Bayan. Ang nasabing aplikasyon ay isusumite sa Punong Bayan kung saan titiyakin niya na ang pahintulot o lisensya na ibibigay ay hindi makakasama sa interest ng publiko at ang lugar na paksa ng nasabing aplikasyon ay hindi nasasaklaw ng anumang nananatili o dati ng mga pahintulot o lisensiya dito.

SEKSYON 32. Komitiba ng Pre-Kwalipikasyon, Subasta at Pagkaloob. – Ang nakakaalam ng subasta publikong ay ang lokal na komite sa pre-kwalipikasyon, mga subasta at mga pagkaloob, na itinatag sa pamamagitan ng kautusang ito. Ito ay binubuo ng Punong Bayan, bilang tagapangulo at ng mga sumusunod na miyembro:

- a.) Ang Tagapangulo ng Lupon ng Laang-gugulin sa Sangguniang Bayan;
- b.) Ang kinatawan ng partidong minorya sa Sangguniang Bayan, kung mayroon, kung wala, isa na pipiliin ng Sangguniang Bayan mula sa mga miyembro nito;

SEKSYON 39. Bumubuo sa Municipal FARMC. – Ang mga sumusunod ang bubuo sa Municipal Fisheries and Aquatic Resources Management Council (M/FARMC):

- a) Municipal Planning and Development Officer;
- b) Chairman, Sangguniang Bayan-Committee on Agriculture;
- c) Kinatawan ng Municipal Development Council;
- d) Kinatawan ng MENRO
- e) Kinatawan mula sa accredited non-government organization;
- f) Kinatawan mula sa private sector;
- g) Kinatawan ng Kagawaran ng Agrikultura;
- h) Kinatawan ng Kawanihan ng Pangisdaan at Yamang Katubigan (BFAR);
- i) Tig-isang kinatawan ng mga samahang mangingisda mula sa labindalawang (12) baybaying barangay ng Puerto Galera;
- j) Tatlong (3) kinatawan mula sa mga commercial fishers; at
- k) Tig-isang kinatawan mula sa mga manggagawa sa pangisdaan (1), kababaihan (1), at kabataan (1).

SEKSYON 40. Bumubuo sa Barangay FARMC. – Ang mga sumusunod ang bubuo sa Barangay Fisheries and Aquatic Resources Management Council (BFARMC):

- a) Chairperson ng Sangguniang Committee on Agriculture/Fisheries;
- b) Kinatawan ng Barangay Development Council;
- c) Kinatawan mula sa accredited non-government organization;
- d) Kinatawan mula sa private sector;
- e) Walong (8) kinatawan mula sa mga samahang mangingisda, mga manggagawa sa pangisdaan, kababaihan, at kabataan.

SEKSYON 41. Balangkas ng FARMC. – Alinsunod sa Fisheries Administrative Order No. 196, Serye ng 2000, ang balangkas ng Municipal at Barangay Fisheries and Aquatic Resources Management Council (FARMC) ay bubuho ng dalawang (2) antas: Ang unang antas ay ang advisory o lupong tagapayo at ang pangalawa naman ay tagapagpatupad ng batas at mga komite. Ang komite o task force sa pagpapatupad ng batas ay bubuho ng mga deputadong Bantay Dagat katuwang ang Philippine National Police, PNP Maritime Group, Philippine Coast Guard, Fisheries Law Enforcement Officers ng BFAR, at iba pang ahensyang nagpapatupad ng batas. Maaari ring magbuo ng iba pang mga komite ayon sa pangangailangan ng bayan ng Puerto Galera.

SEKSYON 42. Suporta sa FARMC. – Ang Pamahalaang Bayan ng Puerto Galera ay maglalaan ng pondo upang tustusan ang pangangailangan upang patakbuhin ang mga gawain ng FARMC. Ito ay magiging bahagi ng taunang alokasyon na kukunin sa kinita ng sektor ng pangisdaan.

SEKSYON 43. Suporta sa mga Mangingisda. – Ang Pamahalaang Bayan ng Puerto Galera ay maglalaan ng pondo upang tustusan ang mga programang pangkabuhayan ng mga mangingisda. Ito manggagaling sa mga pondong nalikom mula sa rehistro, lisensiya, permiso, kontrata, at mga kabayaran sa paggamit ng katubigang munisipal.

SEKSYON 44. Supplementary Application. – Ang mga alituntuning isinabatas ng Kawanihan ng Pangisdaan at Yamang Katubigan (BFAR) patungkol sa pagbubuo, pamamahala at pagpapalakas ng mga FARMC alinsunod sa Fisheries Administrative Order No. 196 at mga kaugnay ng probisyon ng Republic Act No. 10654 ay gagamitin dito bilang bahagi ng ordinansang ito.

ARTIKULO 7: KOMPRESIBONG PLANO PARA SA PAGPAPAUNLAD, PANGANGASIWA, KONSERBASYON AT PROTEKSIYON NG PANGISDAAN
(COMPREHENSIVE FISHERIES DEVELOPMENT, MANAGEMENT, CONSERVATION AND PROTECTION PLAN)

SEKSYON 45. Pangmatagalang Komprehensibong Planong Pampangisdaan. – Sa loob ng anim (6) na buwan matapos maipasa ang ordinansang ito, ang Pamahalaang Bayan ng Puerto Galera ay kailangang magbuo ng komprehensibong planong pampangisdaan para sa susunod na limang (5) taon. Ang pagpaplanong ito kinakailangang lahukan ng mga sektor na may kaugnayan sa pangisdaan at paggamit sa katubigang munisipal ng bayan.

- g) Magsampa ng mga kaukulang kaso laban sa paglabag ng mga batas pangisdaan, alituntunin at ordinansa;
- h) Magbuo ng pakikipagtulungan sa iba't ibang tagapagpatupad ng batas katulad ng Philippine National Police, Philippine Coast Guard, BFAR, Provincial MPA and Law Enforcement Network;
- i) Tumanggap at mamahala ng mga kasong pang-administratibo kaugnay ng paglabag sa ordinansang ito;
- j) Magmungkahi ng mga angkop at napapanahong polisiya at patakaran sa pangisdaan;
- k) Tumupad sa iba pang atas at gawaing ipag-uutos ng Punong Bayan kaugnay ng ordinansang ito.
- l) Pagmimintena ng mga MCS at MPA Stations, communication asstes at mga floating asstes gaya ng bangkang pampatrolya at iba pang mga gamit dito.

SEKSYON 57. Pagmamanman. – Ang lahat ng mga gawaing may kinalaman sa paggamit ng katubigang munisipal at pangisdaan ay regular na mamanmanan upang maitala at masukat ang antas ng pagsunod, kaganapan, mga suliranin at tagumpay sa pangangalaga at pagpapatupad ng batas.

ARTIKULO 9: IPINAGBABAWAL AT MGA KAPARUSAHAN

SEKSYON 58. Mga Pagbabawal:

- a. **Pangingisdang walang kaukulang pahintulot.** – Ipinagbabawal ang pangingisda ng walang kaukulang pahintulot o hindi rehistrado sa talaan ng mga mangingisda ng Bayan ng Puerto Galera. Ipinapalagay na ang sinumang mahuli na walang maipakitang papeles tulad ng rehistro, identification card, permiso, at/o lisensya sa oras ng inspeksyon ay ipapalagay na lumalabag sa ordinansang ito. Sa pasubaling ang mga rehistrado at lisensyadong mangingisda na nakalimot magdala ng kopya ng mga naturang papeles ay papatawan ng multang limandaang piso (P500).
- b. **Pangingisdang Gumagamit ng Malaking Bangka** – Labag sa batas ang mga bangkang komersyal o bangkang tumitimbang ng higit sa tatlong (3) tonelada ang manghuli ng isda o anumang lamang dagat sa mga bahaging nasa loob ng mga katubigan mula sa baybayin hanggang sampung (10) kilometro mula sa tabi. Ang sinumang lumabag sa kautusang ito ay ipagsasakdal at parurusahan sang-ayon sa itinatadhana ng Seksyon 86 ng Batas Republika Blg. 8550 o Batas Pangisdaan ng 1998, na sinusugan ng Batas Republika Blg. 10654. Sa pasubali, na maaari ring magpataw ng multang administratibo ang Pamahalaang Bayan ng Puerto Galera sa halagang P50,000.00 hanggang P100,000.00, o kaya'y limang beses ng halaga ng huling isda, kung alin man ang mas mataas, kung ang sangkot at maliit na komersyal na palakayang pangisda; P150,000.00 hanggang P500,000.00, o kaya'y limang beses ng halaga ng huling isda, kung alin man ang mas mataas, kung ang sangkot ay medium na komersyal na palakayang pangisda; at P1,000,000.00 hanggang P5,000,000.00, o kaya'y limang beses ng halaga ng huling isda, kung alin man ang mas mataas, kung ang sangkot ay malaking komersyal na palakayang pangisda.
- c. **Panghuhuli o Pangunguha ng pambihira at nanganganib na maubos/mawala na uri ng yamang dagat.** – Labag sa batas sa sinuman ang manghuli o manguha ng pambihira at nanganganib na maubos/mawala na uri ng yamang -dagat na nakatala sa Convention on International Trade on Endangered Species (CITES). Ang sinumang lumabag sa kautusang ito ay ipagsasakdal at parurusahan sang-ayon sa itinatadhana ng Seksyon 102 ng Batas Republika Blg. 8550 o Batas Pangisdaan ng 1998, na sinusugan ng Batas Republika Blg. 10654. Sa pasubaling, ang Pamahalaang Bayan ng Puerto Galera ay maaaring magpataw ng multang administratibo na katumbas ng limang beses ng halaga ng nakumpiskang pinangangalagaang mga uri ng hayop at yamang-dagat.
- d. **Paggamit ng Pinong Lambat** – Labag sa batas sa sinumang tao ang mangisda at gumamit ng lambat na may butas na maliit sa tatlong (3) sentimetro. Sa pasubali, na ang pagbabawal na ito sa paggamit ng may pinong lambat ay hindi sasaklaw sa pamamamante ng tawilis na maaring gumamit ng sukat na 12.5 mm at panghuhuli ng mga uri na likas na maliliit subalit magulang na tulad ng guno, apta, hipon at iba pa. Ang sinumang lumabag sa kautusang ito ay ipagsasakdal at parurusahan sa Seksyon 93 ng Batas Republika Blg. 8550 o Batas Pangisdaan ng 1998, na sinusugan ng Batas Republika Blg. 10654, sa pasubaling ang masasakdal sa paglabag nito ay makakanselahan rin ng pahintulot at ang mga gamit pampangisda, lambat at huli ay sasamsamin at ibabahagi sa nauuukol na paraan.
- e. **Pangingisda sa pamamagitan ng paputok, lason, at kuryente.** – Labag sa sinuman ang manghuli, manguha ng isda o anumang klase ng isda sa pamamagitan ng paggamit ng papuyok, lason at kuryente, magbenta ng mga ito, o kaya'y magtaglay nito, ayon sa nakasaad sa Seksyon 92 ng Batas

lamang-dagat na likas dito o sa ikinabubuhay ng mga residenteng mangingingisda, tatasahin ng mga itatalanang eksperto ang danos at sisingilin ito sa gumawa, sa pasubaling pinapayagan ang tilapia (*Oreochromis niloticus*) kahit hindi likas sa lawa doon lamang sa fish cages, sa huling pasubali na hindi maaaring magbigay ng pahintulot sa pagpapakawala ng mga hayop o halamang may binagong himaymay –buhay (genetically modified organism) odi kaya ay mga hayop o halamang di pa napapag-aralan ang epekto sa lawa. Papatawan 2500 multa at 6 na buwan pagkabilanggo ang lalabag rito.

- l. **Pagtatayo ng salambaw.** – Pagtatayo ng salambaw o kauring istruktura nito sa natural na daluyan ng isda ay mapaparusan ayon sa FAO #217 series of 2001 pursuant to Seksyon 56 (Obstruction of Defined Migration Paths) at Seksyon 114 ng Batas Republika Blg. 8550 o Batas Pangisdaan ng 1998, na sinusugan ng Batas Republika Blg. 10654.
- m. **Pagtira sa laot.** – Ang pamamalagi sa o mga kubol na nakalaan para sa bantayan at imbakan ng pakain ng isda ay papatawan ng parusang P2500 at pagkabilanggo ng 6 na buwan.
- n. **Pagtatayo ng baklad ng walang pahintulot.** – Ipinagbabawal ang pagtatayo ng baklad ng walang pahintulot o kung ang lugar na pagtatayuan ay wala sa angkop o itinalagang sona para rito. Papatawan ng kaukulang multang pang-administratibo ang sinumang lalabag dito.
- o. **Paghadlang sa Nabigasyon.** – Mahigpit na ipinagbabawal ang paghadlang sa nabigasyon at mga lugar na dinaraan ng mga lamang-dagat na umaakyat o bumababa sa dagat upang mangitlog o manganak. Ang sinumang lumabag ay maaaring parusahan sa ilalim ng Seksyon 111 ng Batas Republika Blg. 8550 o Batas Pangisdaan ng 1998, na sinusugan ng Batas Republika Blg. 10654. Bukod dito, ang lumabag ay maaari ring patawan kakulang multang pang-administratibo.
- p. **Motorized Sports Activities.** – Ipinagbabawal ang pagsasagawa ng mga sports activities na gumagamit ng de-motor na bangka o makina sa labas ng mga itinalagang lugar para rito lalo na sa lugar na pangisdaan. Ang bawat paglabag ay papatawan ng multang administratibo sa halagang P2,500.00.
- q. **Pagbebenta at Pagmamay-ari ng mga Isdang Bawal Hulihin.** – Ipinagbabawal ang pagbebenta at pagmamay-ari ng mga isdang bawal hulihin tulad ng kares-kares, anak manamsi, ingles, burara, latoy, dulong, laplap at lumahita. Maliban sa pagkumpiska sa isda, ang mahuhuling nagbebenta o nagmamay-ari ng mga isdang bawal hulihin ay papatawan ng multa na nagkakahalaga ng dalawang libo't limang daang piso (P2500) at maaaring tanggalan ng Mayor's Permit sa pagtitinda. Kung galing sa ibang bayan ang mga isdang ipinagbabawal hulihin ito ay hindi maaaring papasukin o tanggapin sa Bayan ng Puerto Galera.
- r. **Paghadlang sa mga Nagpapatupad ng Batas Pangisdaan.** – Ang sino mang humadlang sa mga taong inatasan upang ipatupad ang batas na ito ay papatawan ng multa na nagkakahalaga ng dalawang libo't limandaang piso (P2500).

SEKSYON 58. Multang Pang-Administratibo. – Liban sa paggamit ng paputok, lason, kuryente sa pangisingisda, ang lahat ng paglabag na isinasaad sa Seksyon 57 at iba pang bahagi ng kautusang ito ay kikilalanin ding paglabag sa mga pang-administratibong tuntunin ng Munisipyo ng Puerto Galera na maaring patawan ng multang-pang-administratibo sa ilalim ng mga sumusunod na alituntunin.

- a. Na ang multang pang-administratibo na maaring ipataw ay katumbas ng dalawang beses na halaga ng nahuling isda o lamang dagat, sang-ayon sa tasa ng Tanggapan ng Pambayang Agrikultura, alinsunod sa gabay ng pagpapatupad. Sa pasubali na ang multang administratibo ay di kailan man bababa ng naman kung komersyal na bangkang pangisda, kung hindi tiniyak sa nilabag na seksyon ang halaga ng multang administratibo.
- b. Na ang lumabag na papatawan ng multang ito ay noon lamang nahuling lumabag sa batas pangisdaan sa Puerto Galera (*first offense*) at sa pag-uulit (*second offense*) ay isasakdal na sa kasong criminal at kukumpiskahin ang huling isda at sa pangatlong ulit (*third offense*) ay isasakdal na sa kasong criminal at kukumpiskahin ang huling isda, gamit pangisda pati na ang sasakyan gamit sa pangisda.

SEKSYON 65. Paraan ng Pangongolekta ng Multa. – Ang Pambayang Ingat-Yaman, sa pamamagitan ng Fisheries Management Office, ang mangongolekta ng kaukulang multang administratibo batay sa desisyon ng Administrative Adjudication Committee.

ARTIKULO 11: MEKANISMO NG PAGPAPATUPAD NG BATAS

SEKSYON 66. Mga Taong May Kapangyarihang Magpatupad ng Ordinansang Ito. – Opisyal ng Pamahalaang Lokal na binigyang kapangyarihan sa ilalim ng RA 7160, Philippine Coast Guard (PCG), PNP-Maritime Group (PNP-MG), Philippine National Police (PNP) at Deputized Fish Wardens at MFARMC. Sa pasubali na ang mga nabanggit na mga tao ay kailangang dumaan sa pagsasanay hinggil sa pagpapapatupad ng Batas Pangisdaan at mga alituntunin na naaayon dito. Maliban sa PCG, PNP-MG at Local PNP, ay itatalaga sa pamamagitan ng "Deputation Order" buhat sa kawanihan ng Pangisdaan at Yamang Dagat bilang mga Bantay Dagat o Deputy Fish Warden.

SEKSYON 67. Composite Fisheries Law Enforcement Group. – Ang Punong Bayan, sa pamamagitan ng Fisheries Management Office, ay binigyan ng kapangyarihang magbuo ng Composite Fisheries Law Enforcement Group (CFLEG). Ang mga plano ng CFLEG ay ipapatupad ng Municipal Composite Team at mga Barangay Teams sa lahat ng baybaying barangay ng Puerto Galera.

SEKSYON 68. Kapangyarihan at Tungkulin. – Alinsunod sa Seksyon 156 ng Kodigo ng Batas Pangisdaan Blg. 8550, na sinusugan ng Batas Republika Blg. 10654, ang kasapian ng CFLEG ay may kapangyarihang magpatupad ng lahat ng batas pangisdaan, patakaran at alituntunin, at mga ordinansang pampangisdaan sa buong nasasakupan ng katubigang munisipal ng Bayan ng Puerto Galera; Sa pasubali, na ang lahat mga kasapi nito, bago maging kasapi ng CFLEG ay nagawaran ng kaukulang deputasyon mula sa Punong Bayan o sa Kawanihan ng Pangisdaan at Yamang Katubigan (BFAR).

SEKSYON 69. Kasapian ng Composite Fisheries Law Enforcement Group. – Ang Composite Fisheries Law Enforcement Group (CFLEG) ay bubuohin ng Punong Bayan, pinuno ng Municipal Agriculture Office, Pinuno ng Fisheries Management Office, Hepe ng Municipal Police Station, Hepe ng Philippine Coast Guard na nakatalaga sa Puerto Galera ganundin ang hepe ng Coastguard Auxillary, hepe ng MFARMC, Fisheries Law Enforcement and Regulation Officer, hepe ng PNP Maritime Police at kinatawan ng isang lokal na non-government organization. Ang kasapian ng Barangay Composite Fisheries Law Enforcement Team (BCFLET) ay bubuohin ng mga sinanay na Bantay Dagat sa pamumuno ng Barangay Captain o sinumang itinalaga ng CFLEG, kung sakaling ang Barangay Captain ay hindi makakapmuno sa patrolya at operasyon sa baybaying dagat.

SEKSYON 70. Kaparaanan at Sistema ng Pagpapatupad. – Ang Composite Fisheries Law Enforcement Group (CFLEG) ay gagawa ng Enforcement Operations Protocol na magtatakda ng mga angkop na paraan ng pagpapatupad ng batas mula sa monitoring, surveillance, imbestigasyon, interdiksyon sa dagat, pag-aresto, paghahanda at pagsasampa ng kaso, pagdinig, at pagsubaybay sa mga kaso.

SEKSYON 71. Kagamitan at Suporta sa Operasyon. – Ang Pamahalaang Bayan ay maglalaan ng sapat na pondo at kagamitan upang maisagawa ang gawain ng CFLEG at maipatupad ang ordinansang ito. Kasama rito ang paglalaan ng sapat na gastusin sa pagsasanay ng mga kasapi ng CFLEG at mga alagad nito sa ilalim ng municipal at barangay teams.

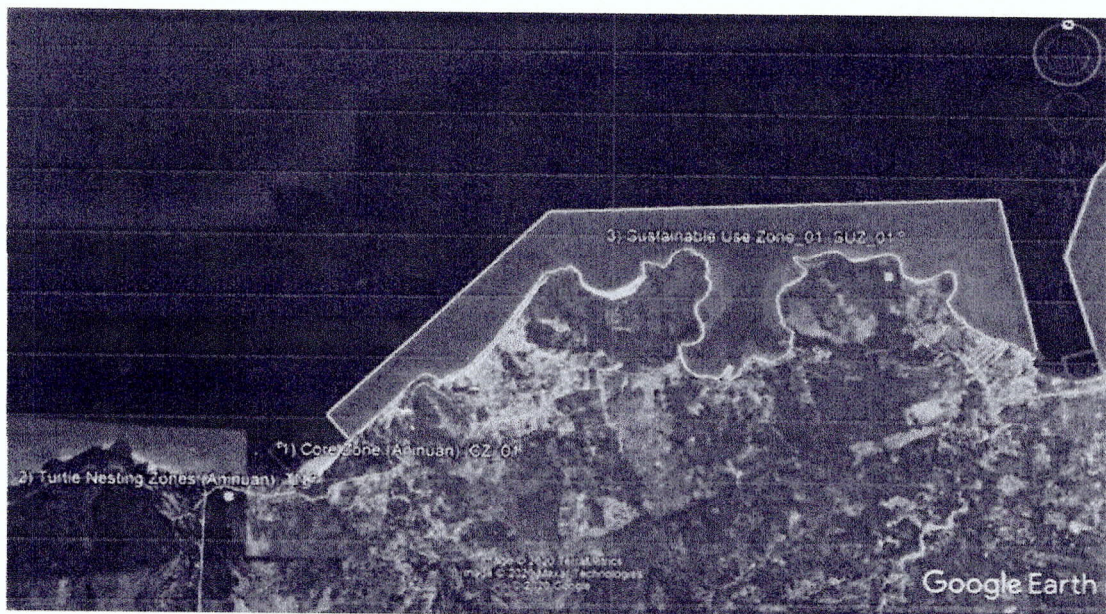
SEKSYON 72. Suporta sa Boluntaryong Bantay Dagat. – Ang lahat ng naitalagang magpatupad ng kautusang ito sang-ayon sa itinataadhana ng Seksyon 67 ay bibigyan ng insentibong katumbas ng tatlong bahagdan (30%) ng lahat ng multang malilikom kaugnay ng kanilang pagkakapagpatupad ng kautusang ito. Liban dito, ang mga naitalagang magpatupad na hindi regular na kawani ng pamahalaan, gaya ng Bantay Dagat, Composite Fisheries Law Enforcement Group (CFLEG) at iba pang boluntaryong mamamayan ay bibigyan ng pamahalaang bayan ng kaukulang benepisyo gaya ng pasiguro sa sakuna, serbisyong legal at iba pang naayong suporta.

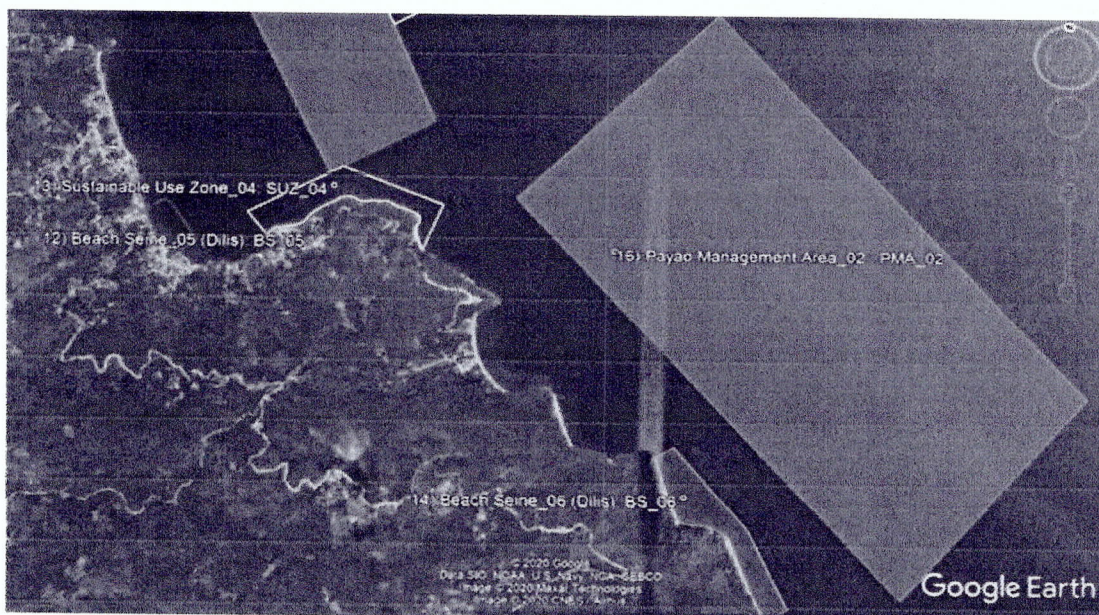
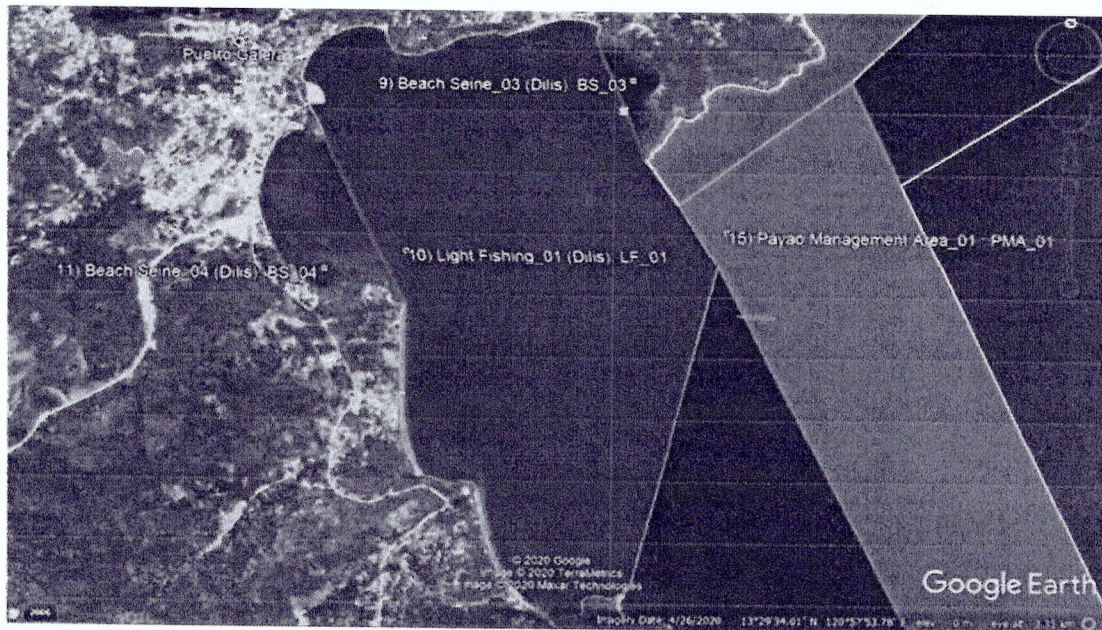
ARTIKULO 11: TRANSITORY PROVISIONS

SEKSYON 73. Pagpapatibay. – Ang Ordinansang ito ay pagtitibayin ng Sangguniang Bayan ng Puerto Galera, matapos ang konsultasyon at pagsangguni sa manga mangingisda, kasapian ng Municipal Fisheries and Aquatic Resources Management Council (MFARMC), at publiko.

**Puerto Galera Marine Management Zones
 Puerto Galera, Oriental Mindoro**

Management Zone	Area in Hectares
1) Core Zone (Aninuan): CZ_01	2.00
2) Turtle Nesting Zones (Aninuan): TN	3.84
3) Sustainable Use Zone_01: SUZ_01	203.00
4) Beach Seine_01 (Dilis - Port Area): BS_01	0.18
5) Beach Seine_02 (Dilis): BS_02	3.12
6) Sustainable Use Zone_02: SUZ_02	253.00
7) Core Zone_02: CZ_02	421.80
8) Sustainable Use Zone_03: SUZ_03	148.00
9) Beach Seine_03 (Dilis): BS_03	4.74
10) Light Fishing_01 (Dilis): LF_01	204.00
11) Beach Seine_04 (Dilis): BS_04	17.50
12) Beach Seine_05 (Dilis): BS_05	4.10
13) Sustainable Use Zone_04: SUZ_04	14.20
14) Beach Seine_06 (Dilis): BS_06	14.90
15) Payao Management Zone_01 : PMA_01	210.00
16) Payao Management Zone_02 : PMA_02	396.00
17) Large Vessel Anchorage Zone_01 : LVAZ_01	620.00
18) Multiple Use Zone (MUZ)	12,788.80
19) Puerto Galera Mangrove Conservation and Ecotourism Area	
19-a Sustainable Use Zone (Hook and Line Area - Kawilan)	9.1
19-b Sustainable Use Zone (Gleaning Area - Panihian)	4.72
19-c Mangrove Forest Conservation Zone	3.98
total area of Core Zone	423.80
total area of Sustainable Use Zone	632.02
total area of Turtle Nesting Zone	3.84
total area of Beach Seine Zone	44.54
total area of Light Fishing Zone	204.00
total area of Payao Management Zone	606.00
total area of Large Vessel Anchorage Zone	620.00
total area Multiple Use Zone	12,788.80
Total area of Municipal Waters (estimate as of 21Oct20)	15,323.00
Puerto Galera Mangrove Forests	29.44







Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF PUERTO GALERA



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF PUERTO GALERA FOR THE TERM YEAR 2010-2013, ORIENTAL MINDORO, HELD ON JANUARY 10, 2011 AT THE SANGGUNIAN SESSION HALL

PRESENT:

Hon. Jaime V. Delgado	-	-	-	Municipal Vice Mayor/ Presiding Officer
Hon. Marlon L. Lopez	-	-	-	Municipal Councilor
Hon. Graciela M. Magbuhos	-	-	-	Municipal Councilor
Hon. Melchor J. Arago	-	-	-	Municipal Councilor
Hon. Policarpio C. Lopez	-	-	-	Municipal Councilor
Hon. Emmanuel L. Lineses	-	-	-	Municipal Councilor
Hon. Mark Garry V. Evangelista	-	-	-	Municipal Councilor
Hon. Edwin C. Axalan	-	-	-	Municipal Councilor
Hon. Juan V. Ascan III	-	-	-	Ex-Officio Member (Liga)
Hon. Joanna Mae N. Arago	-	-	-	Ex-Officio Member (SK)

ABSENT:

Hon. Edwin C. Suzara	-	-	-	Municipal Councilor
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RESOLUTION NO. 2012-03

RESOLUTION AUTHORIZING THE PHILIPPINE PORTS AUTHORITY (PPA) TO UNDERTAKE THE CONSTRUCTION, REHABILITATION AND REPAIR OF BALATERO PIER LOCATED AT BARANGAY BALATERO, PUERTO GALERA, ORIENTAL MINDORO

NOW THEREFORE BE IT RESOLVED, to authorize, as it is hereby authorizing the Philippine Ports Authority (PPA) to undertake the construction, rehabilitation and repair of Balatero Pier located at Barangay Balatero, Puerto Galera, Oriental Mindoro;

RESOLVED FURTHER, that copies of this resolution be given to all concerned offices and agencies for their information and guidance;

RESOLVED FINALLY, on MASS MOTION, said resolution was..

APPROVED UNANIMOUSLY.

CERTIFIED CORRECT:

SGD. ALLAN KRISTIAN A. ALDOVER
Secretary to the Sangguniang Bayan

ATTESTED:

SGD. JAIME V. DELGADO
Municipal Vice Mayor/
Presiding Officer

CERTIFIED TRUE COPY



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF PUERTO GALERA



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE JOURNAL OF THE 4th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF PUERTO GALERA FOR THE TERM YEAR 2013-2016, ORIENTAL MINDORO HELD ON JULY 24, 2013 AT THE SANGGUNIAN SESSION HALL

PRESENT:

Hon. Robinhood D. Ylagan	-	-	Municipal Vice-Mayor/ Presiding Officer
Hon. Marlon L. Lopez	-	-	Municipal Councilor
Hon. Miko Mark Francis P. Atienza	-	-	Municipal Councilor
Hon. Edwin C. Suzara	-	-	Municipal Councilor
Hon. Mark Garry V. Evangelista	-	-	Municipal Councilor
Hon. Melchor J. Arago	-	-	Municipal Councilor
Hon. Edwin C. Axalan	-	-	Municipal Councilor
Hon. Juan V. Ascan III	-	-	Ex-Officio Member (Liga)
Hon. Joanna Mae N. Arago	-	-	Ex-Officio Member (SK)

ABSENT:

Hon. Graciela M. Magbuhos	-	-	Municipal Councilor
Hon. Joseph L. Andal	-	-	Municipal Councilor

RESOLUTION NO. 2013-048

A RESOLUTION ACKNOWLEDGING THE TAKE-OVER OF BALATERO PIER BY THE PHILIPPINE PORTS AUTHORITY (PPA) SUBJECT TO CONDITIONS SET FORTH BY THE SANGGUNIANG BAYAN OF PUERTO GALERA, ORIENTAL MINDORO

WHEREAS, Section 30 and Section 40 of Presidential Decree No. 857 and Section 110 of PPA General Port Rules and Regulations, have vested PPA the power of supervision, regulation and jurisdiction over the administration, development and operation of Municipal Ports for the purpose of implementing and integrated program of port planning, maintenance, development and operation of all ports through the country;

WHEREAS, the LGU Puerto Galera recognizes the importance of the Port of Balatero as an economic booster for the movement of passengers, cargoes and consider as a tourist hub of the municipality and as a vital infrastructure in its bid to be the site of the 2014 World Congress and live up to its billing and aspiration of making the municipality as "The Heart of Asia in 2020";

WHEREAS, on June 11, 2012 the Local Chief Executive forwarded to the Sangguniang Bayan Memorandum of Agreement between the LGU and the PPA for the Sangguniang Bayan's comments;

WHEREAS, on June 13, 2012 the said communication was first read during the 22nd Regular Session, it was then referred to the Committee on Rules, Privileges and Legal Matters & Committee on Infrastructure, Public Works and Public Utilities;

WHEREAS, on July 10, 2012 the Committee on Rules, Privileges and Legal Matters, Committee on Infrastructure, Public Works and Public Utilities & Committee on Finance, Budget and Appropriations rendered Joint Committee Report No. 058-2012 forwarding to the Office of the Municipal Mayor the comments and clarificatory questions of the Sangguniang Bayan to the Memorandum of Agreement furnished by Philippine Ports Authority;

WHEREAS, on October 16, 2012 the Sangguniang Bayan during the Special Session passed **Resolution No. 2012-112**, entitled "A RESOLUTION AUTHORIZING HON. HUBBERT CHRISTOPHER A. DOLOR, M.D., M.P.A., MUNICIPAL MAYOR TO NEGOTIATE WITH THE PHILIPPINE PORTS AUTHORITY, GENERAL MANAGER ATTY. JUAN C. STA. ANA, THROUGH ASSISTANT GENERAL MANAGER FOR CORPORATE AFFAIRS AND SPECIAL PROJECT/PORT DISTRICT MANAGER FOR SOUTHERN LUZON, MR. HECTOR E. MIOLE, FOR THE REHABILITATION AND EXPANSION OF BALATERO PIER";

CERTIFIED TRUE COPY

211

WHEREAS, on December 7, 2012 the Sangguniang Bayan thru a special session passed Resolution **No. 2012-126**, A RESOLUTION INTERPOSING **OBJECTION TO THE TAKE OVER OF BALATERO PORT ON DECEMBER 10, 2012 BY THE PHILIPPINE PORTS AUTHORITY (PPA) UNTIL PROPER NEGOTIATIONS HAS BEEN DONE**, in response to the streamers & tarpaulins posted in Balatero Pier and Calapan City informing the public that the PPA will take over Balatero Pier;

WHEREAS, on December 19, 2012 the Sangguniang Bayan received a letter from Mr. Victor A. Arellano, Calapan Port Manager signifying their agreement for a dialogue with the Sangguniang Bayan en banc on December 21, 2012 regarding the turnover of Balatero Pier;

WHEREAS, on December 21, 2012 the Sangguniang Bayan and the Philippine Ports Authority met for the first time and discussed the issues wherein the parties concluded there will be another meeting and the stake holders will be invited;

WHEREAS, on January 16, 2013, the Committee Transportation and Communication & Committee on Infrastructure, Public Works and Public Utilities reported to the Sangguniang Bayan **Joint Committee Report No. 003-2013** scheduling a forum on January 21, 2013 to be attended by the PPA and the stakeholders (Shipping Line Operators, PGTODA, NEGAVODA, Association of Barangay Captains and Resort Owners) to discuss the issue of the possible takeover of Balatero Pier by the PPA;

WHEREAS, on January 21, 2013 the forum which was attended by the PPA and the stakeholders (Shipping Line Operators, PGTODA, NEGAVODA, Association of Barangay Captains and Resort Owners) was successfully concluded and majority of the attendees signified their overwhelming acceptance to the takeover. The PPA also reported in the forum that they will be having a meeting with the LVL-CYA Foundation, Inc. on January 23, 2013;

WHEREAS, on January 23, 2013 the PPA and the LVL-CYA Foundation, Inc. met and the foundation signified their non-objection of the PPA of Balatero Pier as long the natural façade of the pier is not change;

NOW, THEREFORE BE IT RESOLVED to acknowledge the take-over of Balatero Pier by the Philippine Ports Authority (PPA) subject to conditions set by the Sangguniang Bayan of Puerto Galera, Oriental Mindoro;

RESOLVED FURTHER that copies of this resolution be forwarded to the Philippine Ports Authority thru the General Manager, Calapan City, Oriental Mindoro for his information and guidance;

RESOLVED FINALLY on mass sponsorship by the Comm. on Transportation and Communications, upon motion made by of Coun. Mark Garry V. Evangelista, jointly duly seconded by Coun. Edwin C. Axalan and Coun. Melchor J. Arago, said resolution was . . .

APPROVED UNANIMOUSLY.

CERTIFIED CORRECT:

(SGD.) **ALLAN KRISTIAN A. ALDOVER**
Secretary to the Sangguniang Bayan

ATTESTED AND CERTIFIED
TO BE DULY ENACTED:

(SGD.) **ROBINHOOD "RDY" D. YLAGAN**
Municipal Vice-Mayor/
Presiding Officer

PPA resolution

CERTIFIED TRUE COPY

23 November 2022

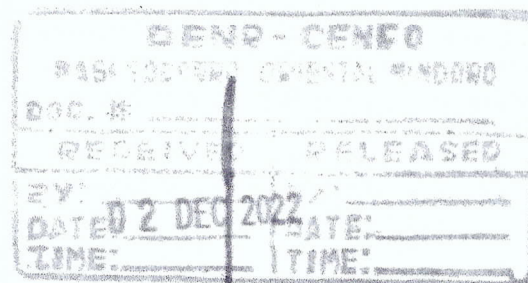
MR. RODEL M. BOYLES

CENRO

CENRO Socorro

Pasi II, Socorro, Oriental Mindoro

Email: cenrosocorro@denr.gov.ph



Dear Sir:

This refers to the official visit of your staff on November 18, 2022 regarding our application for Area Clearance for the reclamation project in the Port of Calapan.

In this regard, please be informed that we are waiting for the documents from our head office to facilitate our application of the said Area Clearance. We have sent them a follow-up memorandum regarding the same.

Also, as agreed upon with your staff, we are furnishing you with the following documents regarding the Port Zone Delineation (PZD) in different ports under our jurisdiction in the Province of Oriental Mindoro:

Port	Status of PZD
1. Port of Calapan, Calapan City, oriental Mindoro	The proposed PZD was forwarded to Sangguniang Panglungsod of Calapan for favorable resolution. This was after the Sangguniang Barangay of San Antonio favorably endorsed the said PZD per Sangguniang Barangay Resolution No. 04 Series of 2022 passed on April 16, 2022.
2. Port of Puerto Galera, Balatero, Puerto Galera, Oriental Mindoro	The PZD of Puerto Galera is in the Office of the President as per attached letter dated 12 July 2017
3. Port of Roxas, Brgy. Dangay, Roxas, Oriental Mindoro	The PZD was approved on 14 February 2014 per Executive Order No. 158
4. Port of Mansalay, Mansalay, Oriental Mindoro	The PZD was approved on 07 March 2005 per Executive Order No. 411
5. Port of Bulalacao, Brgy. Poblacion, Bulalacao, Oriental Mindoro	The PZD was approved on 14 February 14, 2014 per Executive Order No. 159

For your reference.

ELVIS R. MEDALLA

Port Manager

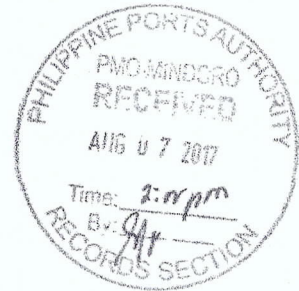
End: As stated

**PHILIPPINE PORTS
AUTHORITY**

Bonifacio Drive, South Harbor, Port Area, Manila 1018, Philippines, P.O. Box 436, Manila, Philippines
Tel. No. (0632) 527-8356, Fax No. (0632) 527-4855, <http://www.ppa.com.ph>

July 12, 2017

ATTY. SALVADOR C. MEDIALDEA
Executive Secretary
Office of the President of the Philippines
Malacañang
Manila



SUBJECT : Port Zone Delineation (PZD) Applications

Dear Executive Secretary Medialdea:

In line with the PPA's mandate to implement an integrated program for the planning, development, financing and operation of ports under its jurisdiction, the approval of Port Zone Delineation (PZD) is needed in the determination of the exact area within which PPA can operate particularly for port master planning.

In this regard, we are pleased to submit the following PZD applications including the complete supporting documents, i.e. draft Executive Order, PZD plan duly signed by a licensed Geodetic Engineer, RDC and LGU Resolutions, for the President's approval and issuance of the corresponding Executive Order:

- | | |
|--------------------------|---|
| 1. Port of Bataraza | - Brgy. Buliluyan, Bataraza, Palawan |
| 2. Port of Puerto Galera | - Brgy. Balatero, Puerto Galera, Oriental Mindoro |
| 3. Port of Sibunag | - Brgy. Sebaste, Sibunag, Guimaras |
| 4. Port of Hinoba-an | - Hinoba-an, Negros Occidental |
| 5. Port of Tacloban | - Tacloban City, Leyte |
| 6. Port of Del Carmen | - Del Carmen, Surigao del Norte |
| 7. Port of Jubang | - Brgy. Jubang, Dapa, Surigao del Norte |
| 8. Port of Lipata | - Brgy. Lipata, Surigao City, Surigao del Norte |
| 9. Port of Sta. Monica | - Sta. Monica, Surigao del Norte |
| 10. Port of Davao | - Davao City, Davao del Sur |
| 11. Port of Tagbilaran | - Tagbilaran City, Bohol |
| 12. Port of Alegria | - Brgy. Alegria, Buruanga, Aklan |

Said PZD applications are in accordance with Executive Order No. 410, dated 03 July 1990, entitled, "Providing for New Guidelines for the Processing of Applications for Port Zone Delineation" issued by then President Corazon C. Aquino (copy attached).

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VISION
"By 2020, PPA shall have provided port services of global standards"

- MISSION
1. Provide reliable and responsive services in ports, sustain development of communities and the environment, and be a model corporate agency of the government.
 2. Establish a mutually beneficial, equitable and fair relationship with partners and service providers.
 3. Provide meaningful and gainful employment while creating a nurturing environment that promotes continuous learning and improvement.
 4. Establish a world-class port operation that is globally competitive adding value to the country's image and reputation.

170507-340

Furthermore, it is worth mentioning that the PPA is withdrawing the PZD application of Timaco Port due to the revision of Survey Plan brought about by the realignment of the proposed rock causeway and affected private property. We will resubmit the said application once our Port Management Office (PMO) in Cotabato City acquires the endorsement from the concerned LGU and RDC.

We hope you find everything in order.

Sincerely,



JAY DANIEL R. SANTIAGO
General Manager

CC: The Port Managers;

PMOs – Palawan, Mindoro, Panay/Guimaras, Negros Occidental, Eastern Leyte/Samar, Surigao, Davao, Bohol, and Cotabato

- **MR. FELIPE A. JUDAN**, Undersecretary for Maritime
Department of Transportations