



REPUBLIC OF THE PHILIPPINES
Province of Eastern Samar
MUNICIPALITY OF GUIUAN

- OFFICE OF THE SANGGUNIANG BAYAN -

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG
BAYAN OF GUIUAN, EASTERN SAMAR HELD ON December 19, 2016 AT THE
MUNICIPAL SESSION HALL.

PRESENT:

HON. SUSANA LOURDES B. GAYLON	Vice-Mayor Presiding Officer
HON. JOSUE P. SISON	SB Member
HON. MANUEL L. VELASCO	SB Member
HON. PEDRO M. MACABOCSIT	SB Member
HON. FLORIAN Y. PEREZ	SB Member
HON. CORNELIO CARLO A. SISON	SB Member
HON. DOMINADOR G. CHUA	SB Member
HON. JOSE ERIC C. CORDERO	SB Member

ABSENT:

HON. VERONICA C. RAMIREZ	SB Member
HON. MARK POL P. GONZALES	SB Member

Ordinance No. 13. Series of 2016

AN ORDINANCE

DECLARING THE VICINITY OF ENATRABAN REEF IN NGOLOS AS A MARINE
PROTECTED AREA (MPA) OF THE MUNICIPALITY OF GUIUAN, EASTERN SAMAR
PROVIDING FOR ITS MANAGEMENT AND FOR OTHER PURPOSES.

WHEREAS, with the destruction wrought by Super typhoon Yolanda to the reefs of Guiuan including the Enatraban Reef in Ngołos, and the similar damage inflicted by human activities such as destructive fishing and the like, there is a need to establish more Marine Protected Areas in the Municipality;

WHEREAS, the current state of the reefs in Guiuan shall be aggravated if the government and other concerned stakeholders will not initiate efforts to address the distress status of the reefs and the degradation of the marine resources;

WHEREAS, the municipality with the support of the Zoological Society of London (ZSL) and Catholic Organization for Relief and Development Aid (CORDAID) has to adopt certain measures to allow the regeneration of fish stocks and the preservation of their habitat and provide sustainable fishery for its fisherfolk in the next generations;

WHEREAS, the underwater assessment of the Enatraban Reef and its peripheries revealed poor live coral cover, which is an indication of its bad state. The state of live

coral cover can be attributed to the impacts of long standing illegal fishing practices, coupled by the destruction brought about by Supertyphoon Yolanda;

WHEREAS, the Brgy. Council of Brgy. Ngolos and its constituents including existing POs in the area and other coastal barangays in the municipality expressed support for the establishment of a fish sanctuary at this area during a series of barangay consultations conducted for the purpose;

BE IT ORDAINED by this Sangguniang Bayan in its Session assembled, that –

Section 1. Title. This Ordinance shall be known as “An Ordinance Declaring the Vicinity of Enatraban Reef as Marine Protected Area (MPA) of the Municipality of Guiuan, Eastern Samar, Providing for its Management and for other Purposes.”

Section 2. Purpose. The Enatraban Reef Marine Protected Area when strictly protected will serve as larval source to replenish its core zone, the buffer zone and the surrounding fishing grounds and adjoining habitats like seagrass beds, mangrove, beaches. The area will be protected and managed to enable it to serve as a critical habitat, a feeding, breeding and spawning ground of fish and other marine species. By protecting it from disturbance, the MPA will function as replenishment site for the adjoining fishing ground.

Section 3. Declaration of Policy. It is hereby declared the policy of the municipality:

1. To manage the coastal and fishery resource of the municipality, in a manner consistent with the principle of coastal resource management;
2. To protect and manage the municipal waters, its coastal and fishery resources for the enjoyment and benefit of the municipal fishers in the future; and
3. To enhance people’s participation in the coastal and fishery resources of the municipality.

Section 4. Objective. The objectives of the MPAs, particularly the Core Zone are as follows:

- Preservation of biodiversity and genetic diversity
- Conserving ecosystems and maintaining ecological processes
- Replenish depleted stocks for current and future generation
- Sustainable use of resources
- Protecting commercially valuable species
- Education and research
- Protection from natural hazards
- Recreation and tourism
- Minimize illegal and destructive means of extraction and uses

Section 5. Definition of Terms. The following terms, as used in this ordinance, shall mean:

1. Fishery Reserve – a designated area where activities are restricted for specific purposes.
2. MFARMC – shall mean Municipal Fisheries and Aquatic Resources Management Council.
3. MPA – Marine Protected Area, the general term to describe the fishery reserve identified in this ordinance.

4. MMC – Multi-Sectoral Management Council
5. Municipal Waters – the Municipal Waters of Guiuan, Eastern Samar as defined and determined in the Municipal Fishery Ordinance.
6. People’s Organization – a bona-fide association of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership and structure. Its members belong to sector who voluntarily band themselves together to work for and by themselves for their own upliftment, development and greater good.
7. Artificial Reef – any structure of natural or man-made materials placed on a body to serve as shelter and habitat, source of food, breeding place, shoreline protection and deterrence to active fishing gears.
8. Coral – a hard calcareous substance made up of the skeleton of marine coenlenterate polyps, which includes reefs, shelves and atolls or any of the marine coententerate animals living in colonies where their skeletons form a stony mass.
9. Multiple Use Zone (MUZ) – a designated area in the MPA where certain identified activities may be allowed as specified in the ordinance.
10. Strict Protected Zone (SPZ) – a designated area where fishing or other form of activities, which may be destructive to the ecosystem of the area, is prohibited and access may be restricted.

Section 6. Site and Coverage. The Enatraban Reef Marine Protected Area has a Core Zone (or Sanctuary) that is 187 hectares where all activities and entry are prohibited. This area is intended as replenishment area for marine flora and fauna where they reproduce, graze, grow and where habitats can regenerate without or less disturbance to ensure faster recovery. Around it is the buffer zone that intends to protect the core zone from direct intrusion with a width of 100 meters from the core zone boundaries and an estimated total area of 100 hectares that makes a total area of 287 hectares as MPA.

Thus, the Enatraban Marine Protected Area shall be bounded as follows:

Desc	Longitude	Latitude
NG NTZ 1	125 ⁰ 48' 23.568" E	10 ⁰ 56' 53.136" N
NG NTZ 2	125 ⁰ 47' 41.399" E	10 ⁰ 58' 2.256" N
NG NTZ 2	125 ⁰ 47' 23.664" E	10 ⁰ 57' 55.777" N
NG NTZ 4	125 ⁰ 47' 33.802" E	10 ⁰ 57' 14.983" N
NG NTZ 5	125 ⁰ 48' 7.401" E	10 ⁰ 56' 46.164" N
N7	125 ⁰ 48' 1.557" E	10 ⁰ 57' 29.216" N
N8	125 ⁰ 47' 51.295" E	10 ⁰ 57' 46.037" N
N6	125 ⁰ 48' 13.381" E	10 ⁰ 57' 9.835" N
N9	125 ⁰ 47' 51.762" E	10 ⁰ 56' 59.578" N
N10	125 ⁰ 47' 28.713" E	10 ⁰ 57' 35.461" N

Section 7. Creation of the Fish Sanctuary Multi-Sectoral Management Council. There is hereby created the Enatraban Reef Multi-Sectoral Management Council which will manage the Enatraban Reef Marine Protected Area. The Barangay Council of Brgy. Ngolos will be tasked to support and assist the Management Council.

Section 8. Membership. The People's Organizations principally tasked to oversee the management of the MPA and other fisherfolk concerned and the members of the Multi-Sectoral Management Council shall constitute its membership.

Section 9. Organizational Composition. There shall be creation of a Multi-Sectoral Management Council of Ngolos (MMC-Ngolos) whose juridical personality shall be conferred by the PAMB and the Municipal Local Government of Guiuan upon their respective approval of the Enatraban Reef MPA.

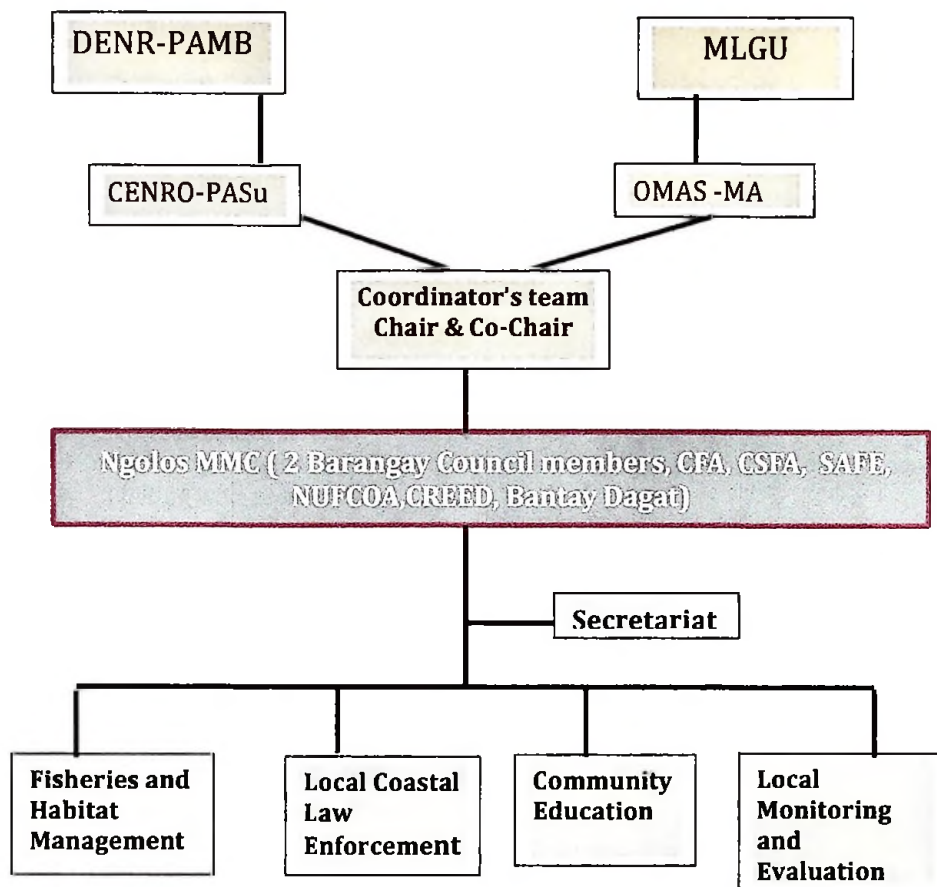


Figure 1: Implementing organizational structure

The MMC-Enatraban is inherently a formation of various sectoral organizations operating in Barangay Ngolos. The organizations listed below are the members of the MMC and their respective task in the council:

1. Combers (Comverse) Fishery Association
2. Combers (Comverse) Seaweeds Farmers Association
3. Cabanian Women and Agriculture and Fishery Association
4. Sapao Agriculture and Fishery Entrepreneurs
5. Ngolos United Fish Corral Association
6. Community Resilient Entrepreneurs for Development CREED
7. Barangay Council
8. Bantay Dagat Team

Section 10. Functions of the Council. The current and future committees shall have the following general functions:

Overall Direction: PAMB and MLGU

- Build capabilities of the MMC leader and implementing teams in managing their respective program of activities.
- Technical & Advisory Capacity
- Direction by facilitating through initiating programs of monitoring, planning, sharing of learning
- Policies harmonization and development
- Integrating the MPAs management in the mainstream program for coastal and marine conservation.

Technical Partners: (PASu & OMAS)

- Provide both technical and financial assistance
- Oversee coordination
- Technical assistance in Fisheries and Habitat Management & Development
- Linking with resources

Coordinator's team

The Coordinator's team will be composed of the Staff In-Charge to oversee the management implementation of the MPA program of activities. The team members will be coming from the MLGU and CENRO which include the PASu and the CRM Officers from the MLGU. One of them will be selected as Chair and the other is a Co-Chair.

Chair of the Coordinating Team:

- Establish and develop collaboration with the Technical & Advisory partners
- Lead in the coordination in achieving its Vision and Mission of the MMC
- Oversee the implementation of General & Committee plans
- Collaborate and coordinate with members organization in the implementation of the Annual work and financial plans

Co-Chair of Coordinating Team

- Act as chair in the absence of the chairman
- Support and lead in the development of the management and development plans
- Oversee the implementation of General & Committee plans
- Ensure collaboration of the MMC Member Organization

The MMC shall take action with the following:

- Define and agree on the structure for coordination, levels of authority and implementation of plans;

- Formulate and agree on a standard procedure for information and resource sharing, monitoring and feedback and process problem resolution and public information release using complete bases.
- Formulate and implement plans, policies for immediate response and effective resolution of issues and concerns raised by any or among stakeholders;
- Ensure adherence to the policies and guidelines of the NIPAS – PAMB – General Management Plans.
- Organize advocacy initiatives and facilitate community education.
- Motivate and build awareness of the constituents, members of the communities to gain expected support and participation in the planning, monitoring and implementation of the plans.

Secretariat

- Ensure Collaboration and Coordination among the member organizations
- Prepare reports for the documentation of the status of the marine sanctuary
- Collate and keep all records, documents and reports to be submitted to MMC
- Funds holder, management and control
- Act as Secretariat in all MMC engagement and implementation activities

Committees of the MMC and their function

Fisheries Management Committee

- Effective management of the Strict Protection Zone or Fish Sanctuary
- Establish structure and develop management and development plans
- Coordination and networking with external technical, financial or organizational support

Coastal Law Enforcement

- Structure and develop Operation Plan and Manual of Operation
- Developed and Implement Operation Plan (2-3 years)
- Enforcement of Coastal Laws in two (2) areas – SPZ and PA
- Regular conduct of Patrolling, Surveillance, Apprehension

Monitoring and Evaluation

- Evaluation of MPAs on habitat condition; research on measures for fisheries management
- Information and Education campaigns

Section 11. Appropriation. The municipal government shall allocate funds under the Coastal Resource Management Office for the implementation of this Ordinance. The Sangguniang Bayan shall provide for the appropriation for the management of the sanctuary for the succeeding years to be included in the annual budget of the municipality.

Section 12. Prohibitions. It shall be unlawful for any person, whether natural or juridical to undertake the following activities inside the Strict Protected Zone (core area), such as but not limited to:

- Entering and staying inside the core and buffer zones without permits from the MMC
- Wading inside the coral reef areas, algal beds and disturbance of the area.
- Any kind of extraction of living and non-living organisms
- Alterations of habitats through infrastructure or biological manipulation e.g. planting mangrove on seagrass beds, seeding of marine organisms that were not originally resident species.
- Anchoring of boats on reef areas, beds of algae, seagrass.
- Stealing, vandalism of signages and buoys.

Section 13. Allowed activities. As part of the management routing some activities are expected to be undertaken however needing permission form the MMC which are:

- Conduct of research and monitoring with permission from the MMC
- Crossing or traversing by boat.
- Enhancement of previous resident stocks e.g. giant clams found appropriate within the area but should be based from scientific assessments.

Section 14. Penalty. Any person violating the prohibition in any of the Sections defined hereof shall be penalized as follows:

- P2,500.00 per head
- Confiscation of fishing illegal collecting gears, fish catch and/or boat as provided by law.
- 2 days community service; and/or
- Imprisonment of not more than 6 months, at the discretion of the court

Section 15. Operational Funds. An amount shall be appropriated for the purpose of the immediate implementation of this Ordinance and shall be the regular item in the annual appropriations of the barangay. Fines collected shall also be used for operation and maintenance of the MPA.

Section 16. Repealing Clause. All previous ordinances, executive orders, rules and regulations or parts thereof, which are inconsistent with this ordinance are hereby repealed and modified accordingly.

Section 17. Separability Clause. If, for any reason or reasons, any part of or provision of this ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected hereby shall continue to be in full force and in effect.

Section 18. Effectivity Clause. This Ordinance shall take effect ten (10) days after a copy of it is posted in a bulletin board at the entrance of the municipal hall and in at least two (2) other conspicuous places in the municipality.

ENACTED AND APPROVED: December 19, 2016, at Guiuan, Eastern Samar.

HON. VERONICA C. RAMIREZ
SB Member

HON. MANUEL L. VELASCO
SB Member

HON. FLORIAN Y. PEREZ
SB Member

HON. DOMINADOR G. CHUA
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HON. CORNELIO CARLO A. SISON
SB Member

HON. JOSE ERIC C. CORDERO
SB Member

HON. MARK POL B. GONZALES
SB Member
ABC Federation President

I hereby certify to the correctness of the foregoing Ordinance:

RECTITO A. MELQUIADES
Secretary to the Sangguniang Bayan

Attested by:

HON. SUSANA LOURDES B. GAYLON
Vice-Mayor & Presiding Officer

Approved:

HON. CHRISTOPHER SHEEN P. GONZALES
Municipal Mayor