



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. 12, Series of 2016

AN ORDINANCE
DECLARING THE VICINITY OF SULANGAN SHOAL (BURUNAYAN REEF)
IN SULANGAN AS A MARINE PROTECTED AREA (MPA) OF THE
MUNICIPALITY OF GUIUAN, EASTERN SAMAR PROVIDING FOR ITS
MANAGEMENT AND FOR OTHER PURPOSES.

WHEREAS, the aftermath of STY Yolanda disturbed most of the existing reefs in the municipal waters of Guiuan, Eastern Samar;

WHEREAS, the situation of the fishery resources is aggravated by the continued practice of illegal fishing and use of active gears that impacts on the current state of coral reef covers;

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 Burunayan Reef and its surrounding area revealed poor live coral cover which, is an indication of its bad state.

Received: 26 May 17
Rommel L. GOLIBERUE / ZSL

Such conditions are attributed to impacts of long standing illegal fishing practices, which have been aggravated by the destruction brought about by Super Typhoon Yolanda;

WHEREAS, the Brgy. Council of Brgy. Sulangan 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 and fishery reserve 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 Burunayan 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 Burunayan Reef Marine Protected Area (MPA) will provide protection for the area and its immediate vicinity, preserve the same and allow the regeneration of depleted fishery resources and the rehabilitation of the degraded reef environment. The area will be protected and preserved to enable it to serve as a critical habitat and a feeding, breeding and spawning area of fish and other marine species. By protecting it from disturbance, the MPA will function as replenishment site for the adjoining fishing ground. The fishery surrounding the Burunayan Reef will function as the buffer to the sanctuary. There will be a designated area for Strict Protected Zone (SPZ) and Multiple-Use Zone (MUZ).

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 SPZs are to regenerate depleted resources, conserve resources, protect the marine habitat and breeding ground for fish and other organism from all forms of fishing and other activities, and support fish population in adjacent area where fishing effort in the immediate and act as buffer to the sanctuary.

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. MMC – Multi-Sectoral Management Council
4. MPA – Marine Protected Area, the general term to describe the fishery reserve identified in this ordinance.

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 coenelenterate 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 Burunayan Reef Marine Protected Area is that body of marine water consisting of more or less 831 has., situated in the vicinity of Sulangan within the jurisdiction of the Municipality of Guiuan, Eastern Samar, and enclosed by imaginary lines drawn and connecting the following points:

Point	Latitude	Longitude
1	10°55' 41.426"N	125°47' 42.195"E
2	10°55' 50.109"N	125°47' 31.676"E
3	10°55' 58.699"N	125°47' 21.270"E
4	10°56' 8.211"N	125°47' 9.735"E
5	10°56' 17.240"N	125°46' 58.810"E
6	10°56' 27.434"N	125°46' 46.460"E
7	10°56' 37.755"N	125°46' 33.955"E
8	10°56' 48.642"N	125°46' 20.766"E
9	10°56' 59.297"N	125°46' 7.856"E
10	10°57' 0.370"N	125°45' 54.761"E
11	10°57' 1.386"N	125°45' 42.364"E
12	10°57' 2.441"N	125°45' 30.548"E
13	10°57' 3.308"N	125°45' 18.895"E
14	10°57' 4.404"N	125°45' 5.508"E
15	10°57' 5.826"N	125°44' 52.660"E
16	10°57' 17.664"N	125°44' 41.080"E
17	10°57' 31.144"N	125°44' 27.894"E
18	10°57' 46.350"N	125°44' 13.020"E
19	10°58' 1.233"N	125°43' 58.470"E
20	10°57' 54.472"N	125°43' 51.967"E
21	10°57' 46.986"N	125°43' 44.757"E
22	10°57' 37.413"N	125°43' 53.550"E
23	10°57' 27.733"N	125°44' 2.442"E

Point	Latitude	Longitude
24	10°57' 16.917"N	125°44' 12.377"E
25	10°57' 9.224"N	125°44' 19.443"E
26	10°57' 0.969"N	125°44' 27.025"E
27	10°56' 53.216"N	125°44' 34.147"E
28	10°56' 44.087"N	125°44' 42.531"E
29	10°56' 35.034"N	125°44' 50.846"E
30	10°56' 24.173"N	125°45' 0.821"E
31	10°56' 16.131"N	125°45' 8.207"E
32	10°56' 5.759"N	125°45' 17.733"E
33	10°55' 56.865"N	125°45' 25.900"E
34	10°56' 5.022"N	125°45' 35.157"E
35	10°56' 13.056"N	125°45' 44.274"E
36	10°56' 15.989"N	125°45' 59.785"E
37	10°56' 17.964"N	125°46' 13.639"E
38	10°56' 6.933"N	125°46' 25.999"E
39	10°55' 56.144"N	125°46' 38.088"E
40	10°55' 44.001"N	125°46' 51.836"E
41	10°55' 34.965"N	125°47' 1.817"E
42	10°55' 26.645"N	125°47' 11.139"E
43	10°55' 17.519"N	125°47' 21.364"E
44	10°55' 25.222"N	125°47' 28.076"E
45	10°55' 33.263"N	125°47' 35.082"E

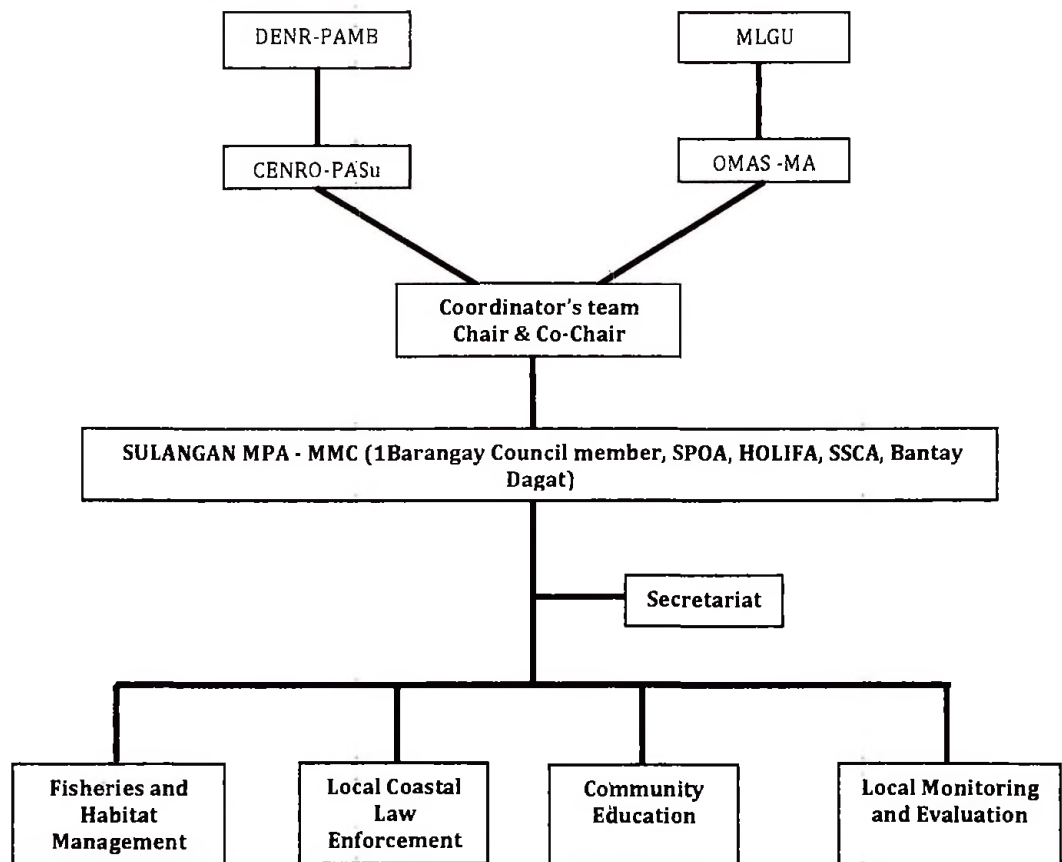
An area of 569.8 has. shall be designated as Strict Protection Zone where fishing and other forms of activities will be prohibited. A Multiple Use Zone (MUZ) with an area of 262 has. shall be designated in the Burunayan Reef to allow for other forms of activities such as recreation and non-destructive fishing activities. The MUZ however shall also be regulated and managed by the MUZ. Five years into the implementation of the Burunayan Reef MPA a management plan review may be done to assess the suitability for eco-tourism related activities and other non-destructive resource use. The metes and bounds of the zones inside the MPA shall be delineated through the installation of buoys. (Annex "A")

Section 7. Creation of the Fish Sanctuary Management Council. There is hereby created the Burunayan Reef Multi-Sectoral Management Council which will manage the Burunayan Reef Marine Protected Area. The Barangay Council of Brgy. Sulangan 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 created a Multi-Sectoral Management Council of Sulangan Marine Protected Area (MMC-Sulangan) whose juridical personality shall be conferred by the PAMB and the Municipal Local Government of Guiuan upon their respective approval of the Burunayan Reef MPA.

Organizational Chart:



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

1. Sulangan Poultry Operators Association (SPOA). One member elected as Chairperson.
2. Barangay Council of Sulangan. One Barangay Kagawad elected as Co-Chairperson.
3. Hook and Line Fisherfolk Association (HOLIFA). Fisheries and Habitat Development Committee Member.
4. Sulangan Shellcraft Association (SSCA) Fisheries and Habitat Development Committee Member.
5. Sulangan Poultry Operators Association (SPOA). Fisheries and Habitat Development Committee Member.
6. Dolphin Warriors – Sulangan Bantay Dagat. In-charge for coastal law enforcement.

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

- Responsible for the implementation of the approved plans, programs and policies based on the MPA Management Plan.
- Propose new plans, programs, policies and strategies applicable for the smooth operation of the MPA management.
- Submit regular report on operations to the Chairperson and Co-Chairperson of the MMC-Sulangan.
- Regularly convene and conduct special assemblies when necessary.
- Recommend decisions on issues and concerns affecting the MPA.

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. (a) It shall be unlawful for any person, whether natural or juridical to conduct fishing operation, gather or collect fishery resources inside the Strict Protected Zone (core area), such as but not limited to:

Low:

1. Pagsulod o pag-istambay
2. Paglangoy / pagparigo
3. Pag-picnic / barakasyon
4. Pagpondo (anchoring)

Medium:

1. Pagkawil
2. Pamana
3. Pagbobo
4. Paglabog hin Basura
5. Pamokot / Pagtabog

High:

1. Dagnet/ Active Gear
2. Pagkuha /Pagtanggap hit Boya
3. Pagkuha hit kuragba (corals) (live or dead)
4. Pagbadil (Dynamite Fishing)
5. Pag-compressor or iba nga klase hin pangisda nga ginagamitan hin compressor
6. Pagkuha hit tilang (Giant Clam)
7. Use of poisonous or noxious substances (paggamit hin kuskos/tubli/lagtang/sosa (sodium cyanide) and other such substances
8. Bondol-Bondol
9. Electro fishing (pagkuryente)
10. Other such activities as maybe found in the prohibitions section of the Municipal Fishery Code.

(b) Fishing in the MUZ shall be allowed provided such fishing activities are not identified under the High category as well as number 3 and 4 of the Medium Category.

(c) Recreational activities such as snorkeling, diving, etc. may be allowed upon the declaration of the MCC that such activities may already be permitted inside the MUZ.

Section 13. Penalty. Any person violating the prohibition in any of the Sections defined hereof shall be penalized as follows:

First Offense:

- With fishing gears P500.00 per head
- No fishing gears – reprimand and sign on pledge not to violate again

Second Offense:

- P1,000.00 per head
- 2 days community service

Third Offense:

- P2,500.00 per head
- Confiscation of fishing gears and fish catch
- 2 days community service; and/or
- Imprisonment of not more than 6 months, at the discretion of the court

Section 14. 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 as prescribed in MFO 7, S-2010

Section 15. 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 16. 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 17. 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. JOSUE P. SISON
SB Member

HON. MANUEL L. VELASCO
SB Member

HON. PEDRO M. MACABOCSIT
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HON. DOMINADOR G. CHUA
SB Member

HON. JOSE ERIC C. CORDERO
SB Member

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

I hereby certify to the correctness of the foregoing Ordinance:

RECTITO A. MELQUIADES
Secretary to the Sangguniang Bayan