



Republic of the Philippines
Department of Agriculture
Bureau of Fisheries and Aquatic Resources IV-A
Fisheries Management Area 12 Management Board
Purok 3, Barangay Bambang, Los Baños, Laguna



1 **MINUTES OF THE 1st QUARTER MEETING OF THE MANAGEMENT BOARD (MB) OF**
2 **FISHERIES MANAGEMENT AREA (FMA) 12**

3 Date : February 23, 2024

4 Time : 8:55 A.M.

5 Location: Hotel Dominique, Tagaytay City

6 MB Members Present:

Chairperson : BFAR Region 4A - **Sammy A. Malvas**

Co-chairperson Local Chief Executive **Hon. Matt Erwin V. Florido**

Sectoral-

Representatives : Municipal Fishing Sector - **Rodrigo A. De Jesus**

Commercial Fishing Sector - **Melanie P. Catapang**

Academe - **Dr. Yasmin H. Primavera-Tirol**

NGO - **Rosalie G. Recaro**
Pacifico D. Beldia II (alternate)

IFARMC - **Wilfredo A. Hernandez** (Balayan Bay)
Edy P. De Mesa (Tayabas Bay)

PNP-Maritime Group - **PLTCOL Joseph Adornado B. Santos**

Philippine Coast Guard - **CG LT Pedmar A. Maldora and**
CG ENS Sherra Eyne C. Rodriquez

DILG - **Engr. Michael Casto A. Ras, II**

PFDA **Custodio L. Balaoing Jr.**

Region MIMAROPA - **Brenda S. Samadan**

Region VI - **Ryan E. Doronilla**

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8 Absent:

9 Aquaculture Sector - **Atty. Immanuel L. Sodusta**

10 PAMB - **Dir. Nilo B. Tamoria, CESO III**

11 Marketing/Trading/Processor - **Dyna V. Bonites**

12 Indigenous People Representative - **Oliver S. Tamboon**

13 Region V - **RD Ariel U. Pioquinto**

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FMA 12 Secretariat (BFAR Region 4A)

1. Allan U. Castillo, Head Secretariat
2. Edmundo M. Amican, III, OIC - FRMS/ FMA Coordinator
3. Gemaica C. Moloboco, FMA Secretariat
4. Jesreel M. Narido, FMA Secretariat

BFAR Region 4A

1. Aljon S. Andrade, PFO Batangas
2. Donna Fe Banzuela, PFO Batangas
3. Trazarah Hanoof E. Argarin, NSAP4A
4. Edmark A. Serrano, NSAP4A
5. Trina Mae B. Amparo, NSAP4A
6. Rosalie L. Abreu

Other Participants:

- Dr. Augustus Rex F. Montebon, SAG Chairperson
- Ramelyn H. Creag – OIC, Fisheries Management Officer, LGU Balayan

Business arising from the minutes of the previous meeting: MB Deliberation and Adoption of SAG Resolution No. 2 for the management of *Selar crumenophthalmus*, *Auxis rochei*, and *Decapterus tabl* in Tayabas Bay and SAG Resolution No. 3 for the management of *Sardinella lemuru* in Calatagan/Balayan Bay and Batangas Bay

Agenda:

1. Presentation of Accomplishments of FMA 12 for the submission of FMA 12 Annual Report to the Department of Agriculture
2. Other matters – Selection Process for the replacement of the Traders/ Processors and Market Organizations Sector and Indigenous People Sector Representatives



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The 1st quarter meeting of FMA 12 MB was conducted face-to-face on February 23, 2024, starting at 8:55 A.M with the presiding officer Sammy A. Malvas calling the meeting to order. The session began with an Audio-Visual Presentation (AVP) of the prayer, followed by the rendition of the Philippine National Anthem and the BFAR hymn. Gemaica C. Moloboco, FMA 12 Member-Secretariat, called the roll, and with the majority of the members present, a quorum was declared.

After presenting the Calendar of Business and Agenda, the Chair sought comments from the board. It was noted that there were business matters arising from the previous meeting, specifically the MB Deliberation and Adoption of SAG Resolution No. 2 for the management of Big Eye Scad (Matambaka) *Selar crumenophthalmus*, Bullet Tuna [*Auxis rochei*], and Redtail Scad (Galunggong) [*Decapterus tabl*] in Tayabas Bay, and SAG Resolution No. 3 for the management of *Sardinella lemuru* in Calatagan/Balayan Bay and Batangas Bay. The primary agenda item was the Presentation of Accomplishments of FMA 12 for the submission of the FMA 12 Annual Report to the Department of Agriculture.

The Secretariat shared that Dyna V. Bonites, the representative for the Traders/Processors and Market Organizations Sector, sent a letter stating she could no longer perform her duties due to multiple responsibilities. Additionally, it was noted that the Indigenous People Sector Representative, Oliver S. Tamboon, had recently deceased. The Chair proposed discussing these matters later under "Other Matters." With no other comments or objections, the agenda, including "Other Matters," was moved for approval by the DILG representative Engr. Michael Casto A. Ras II and duly seconded by the IFARMC Balayan Bay Sector Representative Mr. Wilfredo Hernandez.

The meeting then proceeded with the reading and approval of the previous minutes. The Chair directed that the minutes be displayed on the screen page by page for members to provide comments or corrections. The corrections suggested were as follows:



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- On page 3, line 72, Dr. Yasmin H. Primavera-Tirol, the Academe Sector Representative, noted that the term "BGI" should be spelled out.
- On page 4, the term "IFIT" should be spelled out as "IUU Fishing Index and Threat Assessment Tool."
- The Chair instructed that scientific names of fish species should be accompanied by their common/local names and English names in parentheses, with scientific names in brackets.
- On page 9, line 235, Dr. Montebon requested the omission of his name.
- The Vice-Chair remarked that the presiding officer of the previous meeting should approve the previous meeting's minutes.

With no further comments, the minutes of the previous meeting were moved for approval by the FMA 12 MB Co-Chairperson, Mayor Florido Erwin V. Florido and duly seconded by Ms. Rosalie G. Recaro, NGO Sector Representative.

Business Arising: MB Deliberation and Adoption of SAG Resolution No. 2 for the management of *Selar crumenophthalmus*, *Auxis rochei*, and *Decapterus tabl* in Tayabas Bay and SAG Resolution No. 3 for the management of *Sardinella lemuru* in Calatagan/Balayan Bay and Batangas Bay

The Chair initiated the discussion by inquiring about the availability of a PowerPoint presentation regarding the topic. Mr. Edmundo M. Amican III, FMA 12 Coordinator/ Secretariat, responded that National Stock Assessment Program (NSAP) 4A was invited to present the data and performance indicators of the mentioned species for the scientific basis of the resolutions. The Chair sought clarification on the actions required from the Management Board. The Secretariat clarified that the board's action required is the deliberation and adoption of the endorsed SAG Resolutions.

Mr. Edmark A. Serrano, NSAP4A Data Analyst, proceeded to present the preliminary results of the analysis of Big Eye Scad (Matambaka) [*Selar*



crumenophthalmus], Bullet Tuna (Tulingan) [*Auxis rochei*], and Redtail Scad (Galunggong)[*Decapterus tabl*] caught in Tayabas Bay-Quezon side for the Calendar Year 2003-2022. He first provided a recap, stating that NSAP4A previously presented the preliminary results of analysis of Bali Sardinella (Tamban) [*Sardinella lemuru*] caught in Tayabas Bay Quezon Side. He added that the results of the analysis underwent a series of consultations, and in March 2023, NSAP4A presented the results for deliberation and adoption of the SAG Resolution. He highlighted that five out of seven performance indicators for *Sardinella lemuru*, the top species in Tayabas Bay, breached the limit reference points, while two were within trigger reference points.

Mr. Serrano presented the catch production of Tayabas Bay in all species from 2003-2014 before and during expansion. He explained that the NSAP data is divided into two periods: before expansion and during expansion, with the addition of landing sites during expansion. He highlighted the contribution of the commercial sector, accounting for a significant portion of the catch percentage.

The Chair inquired about the recommendations of the SAG, to which Mr. Serrano responded that Dr. Augustus Rex F. Montebon, FMA 12 Science Advisory Group Chairperson would present the recommendations through SAG Resolution No. 2.

After thanking NSAP4A and Dr. Montebon for their presentations, the Chair acknowledged the recommendations of the SAG, based on the data and information presented, for the consideration of the Management Board (MB). He emphasized the responsibility of the MB to determine which recommendations would be adopted, underlining the importance of considering the presented data, information, and recommendations by the SAG. Additionally, he highlighted the limitation of the available data, as it only covered the Quezon-side of Tayabas Bay, stressing the need for actions encompassing the entire bay area. The MB was encouraged to deliberate on measures that were most appropriate, feasible, and practical for implementation in Tayabas Bay.



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Ms. Melanie P. Catapang, the Commercial Fishing Sector Representative, suggested omitting the reduction of fishing trips. She explained that there are times when the sea is turbulent, and further reducing fishing trips might not be beneficial. She emphasized that the implementation of the resolution will be strict and closely monitored. Therefore, she believes that the reduction of fishing trips should not be included.

In response, the Chair acknowledged the suggestion, noting that if the board adopts the measure to reduce fishing trips, it will require significant effort and extensive discussion. He highlighted that the current inventory of boats and gear is incomplete, and determining the prescribed number of fishing days for each boat compared to their existing trips will be challenging. However, he acknowledged that, similar to other FMAs, the reduction of fishing trips is a measure worth considering in addition to implementing a fishing closure or closed season.

Pacifico D. Beldia II, the NGO Sector Alternative Representative, suggested that the Board consider adopting the resolution, noting that the SAG had recommended in previous meetings that the MB should ultimately decide on specific management actions. He emphasized that reducing fishing effort is a valid and effective management approach for stock management. Therefore, prioritizing the implementation of feasible measures, even without detailed plans, is advisable. For instance, seasonal closures already contribute to reducing fishing effort. Further reductions can be achieved through enforcement measures. Additionally, implementing restrictions on catching juveniles also helps reduce fishing effort. He proposed that FMA 12 could qualify as having implemented management actions based on the SAG's recommendations through these measures.

Dr. Tirol noted that this topic has been previously discussed. To ensure alignment, she emphasized the importance of understanding how management actions are implemented on the ground. Specifically, she asked whether these actions take the form of barangay ordinances, municipal ordinances, provincial ordinances, or Fisheries



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Administrative Orders (FAO). She pointed out that the implementation levels might vary and requested clarification on this matter.

Furthermore, Dr. Tirol raised a concern regarding the recommendation to create a multi-agency task force to evaluate the recommendations. She questioned the necessity of another evaluation, noting that the MB already functions as a multi-agency task force. Dr. Tirol expressed her confidence in the SAG's presentation and suggested that instead of another round of evaluations, they should focus on gathering any additional details needed to draft recommendations for the LGUs or the NFARMC. She stressed the urgency of preparing local actions for immediate implementation, as the situation has reached critical levels (indicated by the red limit reference). Dr. Tirol emphasized that there is no time to waste.

The Chair concurred that the board already functions as a multi-agency task force, eliminating the necessity for an additional layer or group. He clarified that while the recommendations of the SAG are acknowledged, it is the responsibility of the MB to prioritize and select which recommendations to pursue. If the selected recommendations are already addressed by existing policies, the suggestion will be for LGUs to fully enforce these policies. However, if new policies are identified, they will be submitted to the NFARMC for approval to establish a new Fisheries Administrative Order. The Chair then reiterated the importance of determining which recommendations are covered by existing policies or ready for implementation.

Engr. Ras suggested that the contents of the resolution should outline an action plan as specific as possible. For instance, recommendations could specify actions for the Department of the Interior and Local Government (DILG) to undertake. However, recommendations such as conducting studies are redundant since the Technical Working Group (TWG) or Scientific Advisory Group (SAG) already handle such tasks. It is the responsibility of the TWG or SAG to recommend and prepare proposals specifying who will undertake what actions. For example, if the goal is to reduce fishing, the resolution



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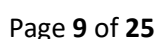
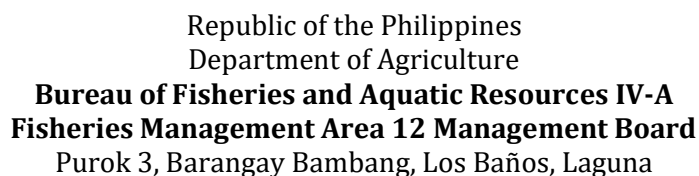
should define specific targets, such as a 50% reduction, as determining such figures falls outside the board's purview. Engr. Ras suggested that the resolution take the form of adopting an action plan, with details enumerated in an annex, allowing for critique of the plan's feasibility by board members.

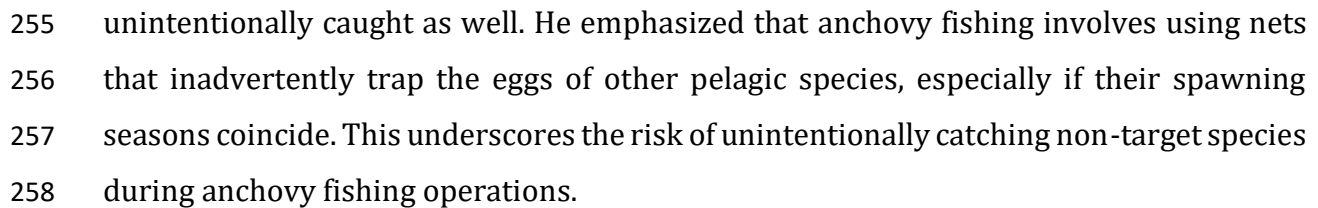
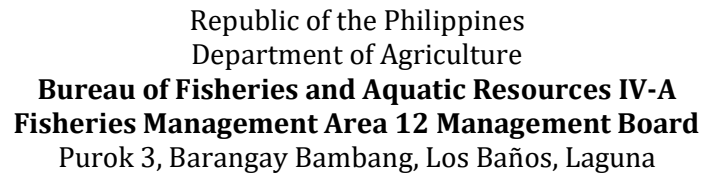
Mayor Florido emphasized the need for specific actions to be taken and proposed formulating an urgent action plan to outline concrete steps. These steps included the approval of a provincial ordinance for the province of Quezon, with draft contents amending the fisheries code of the province and the adoption of municipal ordinances by municipalities within the jurisdiction of Tayabas Bay to expedite regulations at the local level. He stressed the importance of having a legal basis for policies at the local level, as any policy formulated by the board would need to be enforced through ordinances.

Additionally, Mayor Florido suggested addressing the shortage of enforcers, citing examples like General Luna where efforts to combat illegal fishing were hindered by a lack of personnel. He emphasized the importance of focusing on fundamental issues and maintaining clarity in the direction of actions to be taken, ensuring that goals are achievable.

Dr. Tirol emphasized the importance of incorporating specific recommendations from the SAG into the board's deliberations, particularly regarding mesh size for each species. She suggested focusing on species like Tulingan, Matambaka, and Galunggong, and determining their catch composition per month, especially for purse seines, which account for over 90% of the catch. Dr. Tirol urged caution and thorough enforcement measures for purse seines, as their effectiveness could significantly impact fisheries sustainability.

Dr. Tirol also proposed considering spawning months for management interventions, such as gear restrictions, reducing the number of fishing trips, adjusting mesh size, and regulating gear types. She highlighted the importance of understanding





The Chair noted that exemptions exist for those catching anchovies because they typically use finer mesh nets. Additionally, he reiterated Dr. Montebon's recommendation to strictly enforce fishery laws, particularly prohibiting commercial fishing vessels from operating in municipal waters unless permitted by local ordinances within the designated zones, typically between 10.1 and 15 kilometers from the coast. Secondly, the Chair emphasized considering a potential reduction in the effort of purse seine fishing.

The representative from the PNP-Maritime Group, PLTCOL Joseph Adornado B. Santos, emphasized the need to enhance the capacity of law enforcement personnel. While policies and restrictions are in place, there is often a lack of capability to enforce them effectively, particularly in remote areas. For instance, they may lack the necessary vessels to access these locations. Additionally, law enforcement personnel need adequate resources and logistics support to carry out their duties effectively. Therefore, there is a recommendation to provide them with maritime assets such as boats or vehicles to improve their enforcement capabilities.

The Chair acknowledged the importance of incorporating this recommendation into the action planning, particularly the need for logistics support. They highlighted the current challenge wherein law enforcement personnel are unable to effectively address violations due to the lack of resources and assets. With sufficient assets, they can strategically target areas with violations based on solid data, improving their ability to enforce regulations.

Mayor Florido emphasized the need for a legal team within the group to craft proposed local ordinances. He highlighted the importance of ensuring that these



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ordinances are consistent with national laws, particularly regarding crucial matters such as adjusting the size of fish nets. Without alignment with national laws, local ordinances may be deemed inconsistent and invalid. Therefore, the urgent requirement is for a legal team dedicated to drafting proposed ordinances at the local level and potentially Fishery Administrative Orders as well.

Mr. Aljon S. Andrade, FRO II, reminded the group about Section 16, emphasizing that Tayabas Bay is considered a single resource system, requiring integrated management. He pointed out that relying solely on local ordinances may not be applicable, especially considering the existence of commercial waters within Tayabas Bay. Therefore, management efforts must be integrated across the entire bay, recognizing its status as a single resource system.

The Chair clarified the jurisdiction regarding commercial vessels catching fish in municipal waters. He explained that in terms of enforcement, these vessels fall under the jurisdiction of the municipality or local government unit (LGU). As a result, they have the authority to apprehend these commercial fishing vessels if they are found operating within municipal waters.

Mr. Ryan E. Doronilla, FMA 12 Focal from BFAR Region 6, clarified that anyone can conduct an arrest under citizen's arrest if there is a violation of national law. However, when it comes to regulations imposed by the LGU on commercial fishing activities, the authority lies with the waters or the fishing grounds, not with the LGU. Even if the LGU grants authority or exemptions within a certain area, such as the 10.1 to 15 kilometers zone, it does not diminish their authority elsewhere. Therefore, anyone witnessing a violation of the law, as specified by the national regulations, has the right to conduct a citizen's arrest. It's crucial to ensure that the arrest is conducted properly. Additionally, LGUs have police powers and can deputize individuals such as barangay officials or "bantay dagat" to conduct arrests, even outside municipal waters, if they witness illegal activities. This is stipulated by law.



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The Chair emphasized that while existing policies cover certain aspects like mesh size regulation, there is currently no specific regulation for a closed fishing season in Tayabas Bay. He noted that for the declaration of a closed fishing season, there should be reproductive biology study to support it. He questioned whether the data presented earlier is adequate to recommend to the National Fisheries and Aquatic Resources Management Council (NFARMC) to issue a Fisheries Administrative Order (FAO) declaring a closed fishing season, for example, from December to February.

Dr. Montebon explained that previous seasonal fishing closures have been based on spawning grounds. However, in the case of Tayabas Bay, there is currently no specific study for these species regarding their spawning in that area. However, proxy measures, such as monitoring the sizes of fish over their monthly growth sizes, can be utilized. By considering growth rates and sizes, it's possible to track back and impose a closed seasonal fishing period.

The Chair asked if the NSAP data could justify implementing a closed seasonal fishing closure in Tayabas Bay. Dr. Montebon confirmed that it could. Further, when asked about determining the months for the closure, Dr. Montebon reaffirmed that the data could indeed facilitate this determination.

The Chair highlighted that the data supports the policy recommendations, including the proposed closed fishing season. He noted that existing policies and FAOs already prohibit commercial fishing vessels in municipal waters. However, there's a gap in specific measures for reducing purse seine effort, especially in Tayabas Bay. The Chair raised whether to issue an immediate recommendation or pursue measures to facilitate a reduction in purse seine fishing effort.

Dr. Montebon noted that the data can support the policy recommendation for a 10% reduction because there is existing data on the number of fishing vessels. RD



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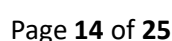
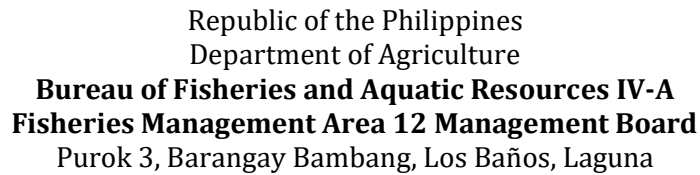
inquired about the rationale behind choosing 10% instead of higher percentages like 15% or 20%, and if any simulations were conducted to assess the impact of a 10% reduction in purse seine effort. Dr. Montebon explained that the 10% reduction is based on computed exploitation rates to ensure the fishery remains sustainable, although this is an assumption that correlates with the 10% reduction in fishing effort.

Ms. Catapang suggested focusing on implementing a closed fishing season first in Tayabas Bay before tackling other measures. He emphasized the importance of taking immediate action, especially considering the alarming situation indicated by the red status. Ms. Catapang proposed prioritizing the closed fishing season because Batangas already has a similar measure in place, providing a model for emulation without the need for extensive justification.

The Chair additionally emphasized that the implementation of a closed fishing season can be initiated by the LGU, as permitted by the law.

Mr. Beldia mentioned that achieving the 10% reduction proposed by the SAG is feasible. For instance, with a four-month seasonal fishing closure, this already constitutes a 33% reduction in effort. Additionally, reduction of commercial fishing operations in the area within 0 to 10.1 km of municipal waters would result in over an 80% reduction for the entire year.

The Chair pointed out that it's not necessarily required to recommend numerous measures. For instance, advocating for a closed fishing season would inherently affect other aspects such as reducing fishing effort. This approach is comprehensive as it encompasses various aspects. If, for instance, the closed season spans three months, it translates to a substantial reduction in fishing activity within that period. Additionally, strictly enforcing the prohibition of commercial fishing operations within, let's say, 0 to 10.1 kilometers in municipal waters, would significantly decrease fishing mortality. Therefore, focusing on a couple of key measures can suffice. Furthermore, implementing





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404 Mayor Florido raised a point regarding the data presented earlier, highlighting
405 that the majority of the catch is commercial, while the municipal catch remains low. He
406 proposed the idea of increasing the municipal catch to empower fishermen and enhance
407 their livelihoods. Mayor Florido suggested providing technical assistance to LGUs to
408 ensure a scientific approach, capacitate local fishermen, and guide interventions in
409 livelihood programs.

411 The Chair sought clarification on how to address this issue, whether through a
412 resolution or other means.

414 Mr. Custodio L. Balaoing Jr., the representative of Philippine Fisheries
415 Development Authority, provided insights into the limitations faced by municipal
416 fishermen due to the type of boat and fishing gear they use. He emphasized the need to
417 improve their equipment to reach further distances, especially in deep and rough areas
418 where their current boats may be inadequate.

420 Mayor Florido agreed with the need for scientific guidance for LGUs, citing past
421 experiences where interventions were not aligned with the actual needs of fishermen. He
422 stressed the importance of tailoring interventions based on local resources, such as
423 providing boats suited for specific types of catch.

425 RD Malvas proposed highlighting this issue as a recommendation of the MB,
426 possibly through a resolution encouraging government entities to improve livelihood
427 interventions for municipal fishermen.

429 RD Malvas also mentioned BFAR's ongoing initiative to provide larger boats and
430 expand livelihood interventions, emphasizing the shift towards supporting associations
431 of municipal fisherfolk and scaling up initiatives like seaweed farming. He assured Mayor
432 Florido that BFAR would consider his recommendation in their future endeavors to
433 support municipal fishermen.



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At 12:16 p.m., the Chair called for a recess for the lunch break.

At 1:30 p.m., the meeting resumed. With RD having to attend another meeting, the Vice Chair assumed the presidency of the meeting. Before proceeding to the presentation and deliberation of SAG Resolution number 3, the secretariat reminded everyone that the deliberated recommendations should be decided on whether they are to be adopted.

Engr. Ras commented that the temporal banning lacks exact details; otherwise, it seems open-ended. He suggested specifying when and where the temporal banning will take place.

Mr. Beldia requested to display on the screen the figures and data related to the seasonality of juvenile catch and the size composition of the catch in Tayabas Bay.

Mr. Amican highlighted that the SAG recommends a closure period from January to March for the species of Matangbaka, Galunggong, and Tulingan. Mr. Montebon clarified that January to March is the season for small fish. He further explained that based on the growth rate equation discussed earlier, the closure period is recommended for the last quarter of the year. Essentially, the closure is proposed for the last quarter of the year. The SAG Chair added that the months could be adjusted slightly, moving it further to November to January, similar to the closed season in Batangas.

Mr. Balaoing asked if the proposed closure would be a one-time event for a certain duration or if it would recur annually, similar to the Davao Gulf in Zamboanga. Mr. Montebon explained that initially, the closure could be for a few years, and through yearly monitoring by the NSAP, they could assess if the fisheries or stocks are recovering. If they are, there could be flexibility with the closure. The SAG Chair also mentioned that it could be similar to what Batangas is doing, where an ordinance is approved every year to implement the closure.



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With the Mr. Montebon's explanation of the recommendation for a closed season from November to January, the Chair asked the board for approval of the recommendation.

Ms. Catapang suggested aligning the closed season with Batangas, which is from December to January. She proposed having simultaneous closed seasons in Batangas and Tayabas Bay.

Mr. De Jesus pointed out that since San Juan, Batangas is part of Tayabas Bay, if the closure is for 3 months in Tayabas Bay while Batangas has only a 2-month closure, there might be confusion in the area. He emphasized the need for clarity to avoid confusion among stakeholders.

The Chair shared that he discussed with RD Malvas the idea of conducting a Fisheries Summit, inviting all stakeholders involved, including the Local Chief Executives, Vice Mayors, and the whole Sangguniang Bayan, within the jurisdiction of Tayabas Bay. The purpose of the summit would be to present and discuss all information and data for them to take action. The objective is to establish a unified stand or recommendation to be submitted to authorities like BFAR at the national level for the drafting of the Fisheries Administrative Order. Mayor Florido stressed that this approach is the fastest way to make progress. Without a venue to convene and consolidate efforts, there will be no progress. Therefore, the recommendations should be finalized before the Fisheries Summit for Tayabas Bay.

Dr. Tirol expressed difficulty in agreeing for the FMA 12 MB to adopt SAG Resolution number 2 without further clarifying the specific amendments to be adopted by the board. She suggested adopting the SAG resolution as revised and then for the FMA 12 MB to issue its own resolution indicating the agreed-upon amendments to the SAG Resolution. The Chair clarified that the resolution would be adopting the



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recommendation of the SAG to the Management Board regarding the Harvest Control Rules, Harvest Control Measures, and Specific Actions.

Engr. Ras suggested that for future SAG recommendations, a resolution should be drafted for adoption by the board. This resolution could have a title like "A Resolution Implementing Harvest Control Measures," for example. Within this resolution, specific details should be outlined, such as where the closure will be implemented, the duration, the targeted species, and other relevant factors. Engr. Ras emphasized the importance of providing clear and specific guidelines for implementation so that the LGUs can understand how to execute the policies effectively. He also stressed the need to consider the impact on fisherfolks who may lose their livelihoods due to the implementation of these policies.

The Chair clarified with RD Malvas that the closed season will only apply to commercial fishing and the crew of commercial fishing vessels, while local or municipal fisherfolks will not be affected.

Mr. Amican reiterated that there is already an existing FMA 12 MB Resolution adopted in March 2023, which includes specific management actions for Bali Sardinella in Tayabas Bay. This resolution established a seasonal closure from November 1 to January 1 of each year, along with the banning of the use of beach seines in municipal waters from January 1 to March 1 of each year. He suggested considering a similar approach for the three species currently under discussion, aligning with the previous resolution's timeframe.

Engr. Ras raised a question regarding the implementation of the previous resolution for Bali Sardinella in Tayabas Bay.

Mr. Amican explained that the Technical Working Group (TWG) is responsible for developing the action plan. He mentioned that there is already a series of activities



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prepared by the TWG. However, for the three species currently being discussed, separate Harvest Control Measures (HCMs), Harvest Control Rules (HCRs), and specific management actions might be needed to avoid conflicts with the adopted measures for Bali Sardinella in Tayabas Bay.

Engr. Ras emphasized that the responsibility should lie within the TWG to conduct studies and make recommendations to the board, rather than the board instructing the TWG to conduct specific actions.

Mr. Amican explained that in order to pass a Fisheries Administrative Order (FAO), a series of consultations must be conducted as part of the action plan. The TWG will then draft the policy for the Management Board (MB) to decide upon and elevate to the National Fisheries and Aquatic Resources Management Council (NFARMC). This is the usual process for policy implementation.

The Chair clarified that while the board can adopt certain policies, they cannot enforce them without a legal basis. The board's role is recommendatory, and the final recommendation aims to become a policy by elevating it to the appropriate authorities. This could involve bringing it to the attention of the Provincial Board or elevating it to the National Level for the BFAR to issue another FAO. Therefore, the focus should be on agreeing on the recommendations to be made, with clarity on the subsequent actions to be taken by the relevant authorities.

Ms. Catapang suggested aligning the closure for the next three species with the impending action plan for Bali Sardinella, emphasizing the difficulty in selectively catching specific species while fishing, drawing from her experience as a commercial fishing vessel operator.

Dr. Tirol raised a point regarding the specificity of the dates for the seasonal closure, seeking clarification on whether they could be identified. Mr. Serrano and Dr.



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Montebon confirmed that based on the data, the closure period would be from November to January. Dr. Montebon further explained the rationale behind these dates, linking them to growth rate equations and small sizes observed from February to March.

The Chair then emphasized the need for the Management Board (MB) to decide whether to adopt the recommendations of the Scientific Advisory Group (SAG). He outlined the specific management actions previously discussed and instructed the Secretariat to conduct a nominal voting, with each representative from various sectors indicating their approval or disapproval.

All representatives from each sector voted in favor of adoption. Ms. Catapang, Mr. Hernandez and Mr. Balaoing expressed agreement with the recommendations but emphasized the need for alternative livelihood options during the implementation of the specific management actions.

With unanimous approval from all representatives, the Chair instructed the Secretariat to draft a resolution adopting the Management Actions, HCMs, and specific management actions for the three species.

The meeting then moved on to the deliberation of SAG resolution no. 3. Rosalie L. Abrue presented the preliminary analysis results of *Sardinella Lemuru* caught in Calatagan, Balayan, and Batangas bays, including fishing ground profiles, fish landing centers, fishery demographics, catch composition, production data, and commercial fishing vessels' catch data.

Dr. Montebon subsequently presented the recommended HCRs, HCMs, and specific management actions for *Sardinella Lemuru* in Balayan, Calatagan, and Batangas bays. He highlighted that indicators showed a critical situation, with over 90% of the catch being small. The prescribed recommendations were similar to those of the previous resolution.



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The Chair then opened the floor for discussion on the recommended specific management actions.

Mr. Hernandez raised concerns about the potential impacts of coastal developments, such as resorts and industries, on the fish in Balayan Bay. Dr. Montebon reiterated this sentiment, emphasizing the potential impact of pollution on fish mortality and the insufficient data regarding the ecological consequences of pollution from resorts and industries.

The Philippine Coast Guard representative, CG LT Pedmar A. Maldora, sought clarification on whether the banning of commercial fishing vessels would apply to commercial or municipal waters. Dr. Montoben clarified that the banning would apply to municipal waters, where commercial fishing vessels are already prohibited by existing policies.

Ms. Catapang mentioned a municipal ordinance in Balayan allowing commercial fishing vessels to operate within 10.1 to 15 kilometers of municipal waters. She suggested that this ordinance could serve as an exemption to the proposed banning.

The Chair expressed concern about the validity of municipal ordinances that contradict national laws and highlighted the importance of legal review to ensure compliance with national regulations. He emphasized the need to enforce existing laws and regulations rather than recommending new policies if they are already covered by national laws.

Mr. Andrade pointed out that Balayan Bay falls under municipal waters, where commercial fishing is prohibited according to Section 86 of the amended fishery code. He suggested that what may be needed is the strict implementation of fishery laws.



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Ms. Catapang shared that Balayan Bay's ordinance underwent a series of consultations before being finalized and elevated to the province for approval. She emphasized that if there were violations or if it were not permissible, it wouldn't have been approved.

The Chair suggested that the Fisheries Management Area 12 Management Board revisit the applicable laws in the area.

Mr. Doronnila explained the legal dynamics, mentioning the presumption of regularity in laws. He emphasized that while a law is presumed valid until declared otherwise, in cases where both national and municipal laws are invoked, the national law will supersede the municipal ordinance. He clarified that municipal ordinances are subordinate to national laws and cannot override them.

Mr. De Jesus mentioned Calatagan's municipal ordinance, which only allows commercial fishing for residents of Calatagan. He also noted ongoing efforts in Calatagan to push for water delineation.

Ms. Rodriquez brought attention to the issue of waste dumping in the sea and requested information on resorts illegally dumping waste be shared with the PCG for appropriate action. She also emphasized the lack of data on water quality monitoring and proposed collaboration between the PCG's marine environmental protection force and BFAR's regional fisheries laboratory to address this concern effectively.

The Chair emphasized the need for strict enforcement of the law regarding commercial fishing vessels in the area and proposed an inquiry at the national level to determine whether commercial fishing is allowed in the municipal waters. He asked if the TWG is capable of identifying areas where commercial fishing should not be allowed, to which Dr. Tirol and Mr. Amican responded affirmatively.



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Dr. Tirol emphasized that regardless of delineation or LGU ordinances, the SAG's recommendation is based on data indicating overfishing and the need for conservation measures. She suggested focusing on the SAG's findings rather than getting caught up in legal intricacies. The discussion highlighted the need to balance legal considerations with scientific evidence in making decisions about fisheries management.

The meeting progressed with a focus on enforcing existing laws and regulations regarding commercial fishing in municipal waters. Mayor Florido suggested enforcing the law strictly, emphasizing the need to rectify any discrepancies between local ordinances and national laws. The discussion also addressed concerns about the term "banning" and proposed alternative phrasing such as "strict implementation" of relevant sections of the fishery law.

Dr. Montebon highlighted Section 95 of RA 10654, which prohibits fishing in overfished areas and during closed fishing seasons. He emphasized that Balayan Bay is overexploited based on the parameters analyzed, warranting the application of Section 95.

After deliberation, the Board agreed on alternative phrasing and adopted the various measures recommended by the SAG, including reviewing and validating fishing vessel lists, implementing technology-based systems, and requesting the National Fisheries Research and Development Institute to conduct studies on reproductive biology and seasonal distribution of fish.

Dr. Tirol moved for the adoption of the agreed-upon measures, which were seconded by Ms. Recaro.

Agenda 1: Presentation of Accomplishments of FMA 12 for the submission of FMA 12 Annual Report to the Department of Agriculture



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The Chair instructed the Secretariat to circulate the presentation and draft annual report to the board members for review and comments. Members were given a week to provide feedback before final submission to the Department of Agriculture.

For other matters, regarding the Selection Process for the replacement of the Traders/ Processors and Market Organizations Sector and Indigenous People Sector Representatives, the Chair referred to the FMA 12 Management Board's Internal Rules and Procedures (IRP). The Secretariat was tasked with facilitating the selection process, including the nomination of qualified representatives from each region. A meeting will be convened online to allow each sector to select among themselves their representatives to the FMA 12 MB.

Dr. Montebon raised concerns about the SAG IRP, specifically regarding the rule that restricts the SAG Chairmanship to NSAP Project Leaders from BFAR 4A, MIMAROPA, Regions 5, and 6, and requires that it be rotated among them. Mayor Florido motioned to amend section 7.1 of the SAG IRP, proposing a three-year term for the Chairperson of the FMA 12 SAG, concurred by the FMA 12 Management Board and shall be elected among its Members. The motion was seconded by Ms. Rosalie Recaro.

The Chair emphasized that the election took place prior to the amendment to the IRP. Dr. Montebon concurred and affirmed conducting a new election in accordance with the amended IRP. Additionally, he mentioned the intention to revise the IRP accordingly.

Mayor Florido moved to dispense agenda item 1 and circulate the draft document of the FMA 12 Annual Report to the Department of Agriculture among MB members for their review and comments. Following this, he suggested adjourning the meeting. The motion was unanimously approved.

The meeting was adjourned at 4:55 p.m.



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