



# Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



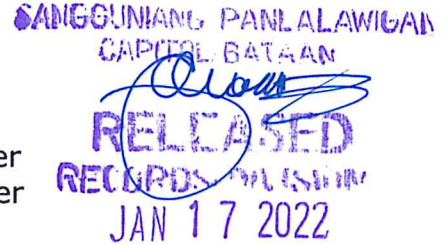
EXCERPT FROM THE MINUTES OF THE 28<sup>TH</sup> SPECIAL SESSION VIA ZOOM MEETING OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN HELD IN THE PROVINCE OF BATAAN ON DECEMBER 21, 2021

PRESENT:

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

FIRST DISTRICT:

- Hon. Benjamin C. Serrano, Jr., Board Member
- Hon. Jomar L. Gaza J.D., Board Member
- Hon. Reynaldo T. Ibe, Jr., Board Member
- Hon. Godofredo B. Galicia, Jr., M.D., Board Member
- Hon. Maria Khristine G. Dela Fuente, Board Member



SECOND DISTRICT:

- Hon. Maria Margarita R. Roque, Board Member
- Hon. Manuel N. Beltran, Board Member
- Hon. Edgardo P. Calimbas, Board Member
- Hon. Jose C. Villapando, Sr., Board Member
- Hon. Romano L. Del Rosario, Board Member
- Hon. Doroteo M. Austria, Board Member (FABC President)
- Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)
- Hon. Precious D. Manuel, Board Member (SKF President)
- Hon. Rosita N. Sison, Board Member (IPM Representative)

ABSENT:

None

**ORDINANCE NO. 30  
Series of 2021**

**AN ORDINANCE DECLARING THE PAWIKAN NESTING SITES IN THE MUNICIPALITY OF MORONG AS CRITICAL HABITAT.**

**Sponsored by: HON. MARIA MARGARITA R. ROQUE**

**WHEREAS**, the Province of Bataan is committed to promote the conservation and protection of endangered species;

**WHEREAS**, certain marine turtles, particularly the Hawksbill, Olive Ridley and the Green Turtle, faces extinction because of the activities of human beings that largely contribute to the decline of their population;

**WHEREAS**, the *pawikan* nesting sites in Morong, Bataan were evaluated and are deemed suitable for the establishment of critical habitat;

**WHEREAS**, these areas were potentially threatened by changing landscapes, encroachment, and climate change factors that are deemed to present serious risk to nesting turtles;

ALBERT S. GARCIA  
Provincial Governor

**"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"**

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**WHEREAS**, all the beaches where the *pawikan* would nest are included in the critical habitat declaration, as these may have different physical/geological characteristics that are known to affect sex ratios of hatchings. The critical habitat needs to include not only the beaches and immediate coastline but also the zone behind the beaches, so that threats such as bright lights can be avoided, or if this would not be feasible due to existing coastal development, at least controlled and minimized;

**WHEREAS**, there is a need to declare the assessed *pawikan* nesting sites in the Municipality of Morong as critical habitat.

**NOW THEREFORE, BE IT ORDAINED**, BY THE SANGGUNIANG PANLALAWIGAN IN SESSION DULY ASSEMBLED:

**SECTION 1. TITLE.** This Ordinance shall be known as the "Declaration of the Pawikan Nesting Sites in the Municipality of Morong, Bataan as Critical Habitat" and shall be hereinafter referred to as the "Ordinance".

**SECTION 2. MANDATED COVERAGE.** This Ordinance shall apply to all entities using the coastal and sea areas such as fisher, industrial, tourism, shipping and navigation communities, and institutions in Brgys. Nagbalayong, Poblacion, Sabang, and Mabayo in the Municipality of Morong, Bataan. The pawikan nesting sites in these areas are declared to be Critical Habitat.

**SECTION 3. PURPOSES.** This Ordinance is enacted for the following purposes:

- a) To provide a legal framework for the protection of beaches in the four coastal barangays with known nesting events - Mabayo, Sabang, Poblacion and Nagbalayong in the Municipality of Morong which serve as nesting site of the endangered Olive Ridley, Green Sea Turtle and Hawksbill from destructive resource uses and developmental activity; and
- b) To serve as legal basis for the conservation and protection of marine turtle nesting sites that will support and enhance the existing population of marine turtle and naturally occurring flora and fauna.

**SECTION 4. OBJECTIVES.** The objectives of this Ordinance are the following:

- a) To protect, conserve, and rehabilitate marine turtle habitats;
- b) To reduce direct and indirect causes of marine turtle mortality; and
- c) To help maintain healthy and productive coastal and marine ecosystems which support human well-being.

**SECTION 5. DEFINITION OF TERMS.** Whenever used in this Ordinance, the following terms shall have the respective meanings herein set forth:

- a) Critical Habitat - habitat area essential to the conservation of a listed species, through the area need not actually be occupied by the species at the time it is designated.
- b) Fauna - all the animals in an ecosystem. It also refers to the animal life or classification of animals of a certain region, time period, or environment.

ALBERT S. GARCIA  
Provincial Governor

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ALBERT S. GARCIA  
Provincial Governor

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c) Flora – all plant life in an ecosystem.

**SECTION 6. CONSERVATION OF THE CRITICAL HABITAT.** The following acts shall be observed for the conservation of the Critical Habitat:

- a) The marine turtles' nests shall be left where they are in low nesting incident beaches. Minimal disturbance should take priority all the time;
- b) The marine turtles' nests in areas that are prone to inundation and erosion shall be transferred to safer locations;
- c) Nightly patrols shall be conducted during nesting season to deter poachers from operating in the nesting beaches;
- d) There shall be designated navigational lanes away from known marine turtle habitats and feeding areas; and
- e) The Critical Habitat Area shall be cleared of wastes and facilities.

**SECTION 7. PROHIBITED ACTS AND PRACTICES.** The following acts, behaviors, and practices are deemed banned and prohibited in the Critical Habitat:

- a) Capturing or killing (direct harvest), and domestic trading of marine turtles, their eggs, parts or products;
- b) Holding, playing, touching, moving or taking selfies of the marine turtles, eggs, parts or products. A respectful distance of at least two (2) meters to the side shall be observed;
- c) Taking light or flash photography of marine turtles, their eggs, parts or products;
- d) Turning on artificial lights in nesting beaches;
- e) Littering and dumping of garbage;
- f) Constructing amusement or any other facility that requires destroying or decimating portion of the nesting site; and
- g) Illegal anchoring of foreign or domestic vessels and fishing boats;
- h) Other analogous acts.

**SECTION 8. PENALTY.** Any person whether natural or juridical found in violation of this Ordinance shall be fined with Five Thousand Pesos (P5,000.00) without prejudice to the imposition of penalties under RA 8550 as amended by RA 10654, RA 9147, RA 11038 or the Expanded NIPAS Act of 2018.

**SECTION 9. ADOPTION OF MUNICIPAL ORDINANCE.** The Municipality of Morong is hereby encouraged to enact an ordinance ensuring that existing ecosystems in the Critical Habitat are maintained and preserved, and are kept in condition that will support the perpetual existence of marine turtles and associated naturally occurring fauna and flora. The Municipality is likewise encouraged to ensure the enforcement of all applicable environmental laws.

  
ALBERT S. GARCIA  
Provincial Governor

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Turtle  
Gumamang Calicoy

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Person  
life guard  
M  
Baldwin  
M.A.M.

**SECTION 10. CRITICAL HABITAT MANAGEMENT PLAN.** The Municipality of Morong, through their Municipal Environment and Natural Resources Office (MENRO) in coordination with the Provincial Government Environment and Natural Resources Office (PGENRO), is encouraged to develop Critical Habitat Management Plan for the habitat protection, conservation, rehabilitation, community organization, ecotourism and other developmental activities towards the sustainable development of the area

**SECTION 11. SEPARABILITY CLAUSE.** If any section or subsection of this Ordinance is, for any reason, held to be invalid or unconstitutional by a competent authority, the remaining portions shall not be affected and shall remain in full force and effect.

**SECTION 12. REPEALING CLAUSE.** Any ordinance or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

**SECTION 13. EFFECTIVITY.** This Ordinance shall take effect in compliance with days of posting as provided in the Local Government Code of 1991.

APPROVED UNANIMOUSLY."

We hereby certify to the correctness of the above-quoted resolution.

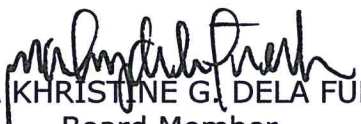
  
MARY ANN R. DE JESUS, MPA  
OIC Secretary to the SP

  
BENJAMIN C. SERRANO, JR.  
Board Member

  
JOMAR L. GAZA J.D.  
Board Member

  
REYNALDO T. IBE, JR.  
Board Member

  
GODOFREDO B. GALICIA, JR., M.D.  
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MARIA KRISTINE G. DELA FUENTE  
Board Member

  
MARIA MARGARITA R. ROQUE  
Board Member

  
ALBERT S. GARCIA  
Provincial Governor

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(PCL President)

*P.D.M.*  
PRECIOUS D. MANUEL  
Board Member  
(SKF President)

*R.N.S.*  
ROBITA N. SISON  
Board Member  
(IPM Representative)

ATTESTED:

*M.C.M.G.*  
MA. CRISTINA M. GARCIA  
Vice Governor  
(Presiding Officer)

APPROVED:

*A.S.G.*  
ALBERT S. GARCIA  
Provincial Governor  
Date: 01-14-2022

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