

Excerpts from the Minutes of the 81st TPAMB Meeting

La Terrasse Café, Rizal Avenue, Puerto Princesa City

27 February 2020

Present:

1.	Atty. Adelina Villena, PCSD	Presiding Officer
2.	Atty. Vicente V. Escala, Office of the Governor	Member
3.	Mr. John Sebastian B. Fabello, 2nd District	Member
4.	Hon. Sergio Tapalla, LGU Cagayancillo	Member
5.	SB Jerry Buncag, ENR Committee Cagayancillo	Member
6.	PENRO Eriberto B. Saños, DENR	Member
7.	Marilyn Cruz, Committee on Appropriations	Member
8.	LTC Charlie Domingo PN (M), Western Command	Member
9.	LCDR Wayne M Felizarte PN, Phil Navy	Member
10.	LCDR Severino Destura PCG, PCG	Member
11.	Ma. Elena A Basaya, B FAR	Member
12.	Dr. Roger Dolorosa, WPU	Member
13.	Dr. Ronald Edilberto A. Ona, PSU	Member
14.	Jeanne G. Tabangay, CI-Phils	Member
15.	Marivel P. Dygico, WWF-Phils	Member
16.	Ptr. Jehu P. Cayaon, Tambuli ta mga Kagayanen	Member

TPAMB Resolution No. 20-03

**'Approving Administrative Order No.4, Series of 2020,
'Establishing the Reef Crest and Fore Reef of Tubbataha
as No Wake Zones''**

WHEREAS, the Tubbataha Reefs Natural Park Act of 2009, also known as Republic Act (RA) No.10067 aims to ensure the protection of the globally significant economic and other values of the Tubbataha Reefs;

WHEREAS, the Tubbataha Protected Area Management Board (TPAMB) was established pursuant to Section 10 of RA No. 10067 to be the sole policy making and permit-granting body for the Tubbataha Reefs;

WHEREAS, Section 13 (e) of R.A. 10067 mandates the TPAMB to 'promulgate rules and regulations and impose penalties for violations thereof';

WHEREAS, it has been observed by diving professionals and marine park rangers that some dinghy operators operate their vessels at high speed over the reef crest/platforms in order to pick up their guests after a dive;

WHEREAS, boat managers/captains/dive masters have been repeatedly called upon by TMO to remind their dinghy operators to refrain from speeding over the reef crests and fore reef for reasons of safety, but the practice still persists among dinghy operators;

WHEREAS, in the interest of public safety, to foster safe and efficient operation of vessels, and minimize the potential negative impacts of unnatural wave energy on the reefs and wildlife, it is necessary to regulate boating activities in the waters of the Tubbataha Reefs;

NOW THEREFORE, be it resolved, as it is hereby resolved that the TPAMB approves, as it is hereby approved, Administrative Order No. **4**, Series of 2020, 'Establishing the Reef Crest and Fore Reef of Tubbataha as a No-Wake Zone';

RESOLVED FURTHER, that all dive operators shall be provided with a copy of this Resolution and Administrative Order No. **4**, which shall take effect immediately.

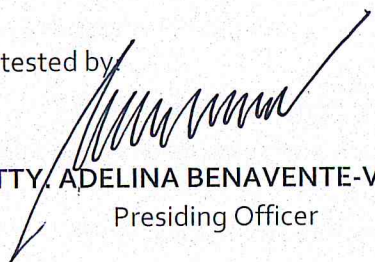
ADOPTED AND APPROVED this 27th day of February 2020 at Puerto Princesa City.

I hereby certify to the correctness and accuracy of the above – quoted resolution.

Prepared by:


ANGELIQUE M. SONGCO
Secretary

Attested by:


ATTY. ADELINA BENAVENTE-VILLENA
Presiding Officer

Republic of the Philippines
TUBBATAHA PROTECTED AREA MANAGEMENT BOARD
Puerto Princesa City, Palawan

TPAMB ADMINISTRATIVE ORDER NO. 04, SERIES OF 2020

**AN ORDER ESTABLISHING THE REEF CRESTS AND FORE REEFS
OF THE TUBBATAHA REEFS NATURAL PARK AS A NO – WAKE ZONE**

WHEREAS, the Tubbataha Reefs Natural Park Act of 2009, also known as Republic Act (RA) No.10067 aims to ensure the protection of the globally significant economic and other values of the Tubbataha Reefs;

WHEREAS, the Tubbataha Protected Area Management Board (TPAMB) was established pursuant to Section 10 of RA No. 10067 to be the sole policy making and permit-granting body for the Tubbataha Reefs;

WHEREAS, Section 13 (e) of R.A. 10067 mandates the TPAMB to 'promulgate rules and regulations and impose penalties for violations thereof';

WHEREAS, in the interest of public safety, to foster safe and efficient operation of vessels, and minimize the potential negative impacts of unnatural wave energy on the reefs and wildlife, it is necessary to regulate boating activities in the waters of the Tubbataha Reefs;

WHEREAS, pursuant to Section 13 (a), (e) and (l) of Republic Act No. 10067 or the TRNP Act of 2009 and consistent with other environmental laws relevant to the TRNP, this Administrative Order is issued through TPAMB Resolution 20-03 dated 27 February 2020.

Section 1. Title. This Order shall be known as the 'No-Wake Zone in TRNP.'

Section 2. Declaration of Policy. It shall be the policy of the TPAMB to protect and conserve the globally significant economic, biological and socio-cultural values of the Tubbataha Reefs Natural Park into perpetuity for the enjoyment of present and future generations. This shall be pursued by prohibiting all extractive and destructive activities within the park. Participatory and collaborative management shall be pursued and public awareness and concern for TRNP heightened through education and information activities.

In line with this, it is then responsibility of the TPAMB to institute measures in the interest of public safety, to foster safe and efficient operation of vessels, and minimize the potential negative impacts of unnatural wave energy on the reefs and wildlife.

Section 3. Scope. This Order shall apply to all dive operators and private boat owners entering the Tubbataha Reefs Natural Park for tourism or other purposes.

Section 4. Definition of Terms

4.1 'No-wake zone' refers to an area where vessels are expected to travel at slow (idle) speeds of no more than 3 knots to minimize, if not eliminate, the wake.

4.2 'Reef Crest' is the highest point of the reef where waves break.

4.3 'Fore Reef' is found at the furthest distance from shore sloping downward and extending almost straight down to the drop-off.

4.4 'Wake' refers to the waves created behind a vessel as it travels through the water.



Figure 1. Cross-section of reef showing reef crest and fore reef.

Section 5. Prohibition. It shall be prohibited to navigate the shallow waters and reef crests of Tubbataha at a speed higher than three (3) knots or at a speed that creates a wake.

Section 6. Compliance and Monitoring. Marine park rangers and TMO staff shall monitor the operation of watercraft in the reef crests and fore reef of TRNP to determine compliance with this Order. Tourists and boat operators, managers, and diving professionals may file a report for the violation of this Order with TMO. Marine park rangers shall submit an Incident Report with the TMO against non-compliant Park users for the filing of appropriate administrative/criminal charges.

Section 7. Penalties. Without prejudice from those mentioned in Rule 31 of Administrative Order No. 1, as amended, namely: the boat operators/owners, and/or managers and top three (3) officers of any vessel violating this Order, the concerned boat operator shall suffer administrative penalty for the violation of the provision of Section 5, stated as follows:

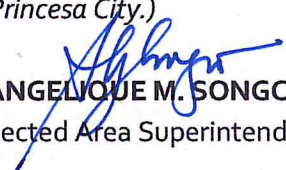
- First Offense – Warning/Citation
- Second Offense – A fine of Ten Thousand Pesos (PhP10,000.00)
- Third Offense – A fine of thirty Thousand Pesos (PhP30,000.00)
- Fourth Offense – Ban from entering TRNP for two (2) years

Section 8. Repealing Clause. All orders, rules and regulations or parts thereof which are inconsistent with this order are hereby deemed repealed, amended or modified accordingly.

Section 9. Effectivity. This Order shall take effect fifteen (15) days after its publication in the Official Gazette through the Office of the National Administrative Register at the UP Law Center or in a newspaper of national circulation.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ of _____ 2020 at the City of Puerto Princesa, Philippines.

(I hereby certify that the above-quoted Administrative Order has been duly approved and adopted on 28 February 2019 through TPAMB Resolution No. 19-03 at Puerto Princesa City.)


ANGELIQUE M. SONGCO
Protected Area Superintendent