



Republic of the Philippines
Province of Guimaras

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF GUIMARAS HELD AT THE SP SESSION HALL, PROVINCIAL CAPITOL ON FEBRUARY 4, 2015.

PRESENT:

<i>Hon. Vicente B. de Asis</i>	-	<i>Vice Governor/Presiding Officer</i>
<i>Hon. Cyril C. Beltran</i>	-	<i>SP Member/Majority Floor Leader</i>
<i>Hon. David G. Gano</i>	-	<i>SP Member</i>
<i>Hon. John Edward G. Gando</i>	-	<i>SP Member</i>
<i>Hon. Josefina G. de la Cruz</i>	-	<i>SP Member</i>
<i>Hon. Dan Elby C. Habaña</i>	-	<i>SP Member</i>
<i>Hon. Diosdado G. Gonzaga</i>	-	<i>SP Member</i>
<i>Hon. Rex G. Fernandez</i>	-	<i>SP Member</i>
<i>Hon. Nelly S. Rentoy</i>	-	<i>Ex-Officio Member (PCL Fed. President)</i>
<i>Hon. Fred C. Gamayao</i>	-	<i>Ex-Officio Member (LNB Fed. President)</i>

OFFICIAL BUSINESS:

N o n e

ABSENT:

<i>Hon. Roy P. Habaña</i>	-	<i>SP Member (Leave)</i>
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RESOLUTION NO. 14

RESOLUTION AUTHORIZING GOVERNOR SAMUEL T. GUMARIN, MD, MPH, TO SIGN FOR AND IN BEHALF OF THE PROVINCIAL GOVERNMENT OF GUIMARAS, THE LETTER OF AGREEMENT WITH KOREAN INSTITUTE OF OCEAN SCIENCE AND TECHNOLOGY (KIOST), KOREA FOR THE IMPLEMENTATION OF THE PROJECT ENTITLED: "PROVINCIAL DISASTER RISK REDUCTION AND MANAGEMENT FRAMEWORK OF GUIMARAS PROVINCE III

WHEREAS, before this honorable body is the request of the Honorable Governor for an authority to sign for and in behalf of the Provincial Government of Guimaras the Letter of Agreement with Korea Institute of Ocean Science and Technology (KIOST), Korea for the implementation of the Project entitled: "Provincial Disaster Risk Reduction and Management Framework of Guimaras Province III;

WHEREAS, attached to the Letter of Agreement, is the Terms of Reference (TOR) where the proposed work areas of the Provincial Government of Guimaras are being specified, the target Marine Protected Areas include Tumulitinan Point Fish Sanctuary (TP), Nadulao-Gakit Gakit Shaol (NG) in San Lorenzo and Pamangkulan Fish Sanctuary (PK) in Sibunag;

WHEREAS, Mr. Gualberto G. Galia, ENRO of the Province of Guimaras was invited to shed light on the matter and explained to the Body that KIOST will finance the project and aside from some incidental expenses, there will be no counterpart on the part of the Provincial Government of Guimaras;

WHEREAS, this Honorable Body is convinced that the project will be beneficial to the Provincial Government of Guimaras and the Letter of Agreement is in order;

NOW, THEREFORE, on motion of Hon. Dan Elby C. Habaña, unanimously seconded;

THE SANGGUNIANG PANLALAWIGAN IN SESSION DULY ASSEMBLED;

RESOLVED, to authorize Governor Samuel T. Gumarin, MD, MPH to sign for and in behalf the Provincial Government of Guimaras, the following:

**LETTER OF AGREEMENT
REGARDING COOPERATION ON THE YEOSU PROJECT "PROVINCIAL DISASTER RISK
REDUCTION AND MANAGEMENT FRAMEWORK OF GUIMARAS PROVINCE III:
IMPLEMENTATION OF MPA MANAGEMENT IN GUIMARAS, PHILIPPINES"
BETWEEN
PROVINCE OF GUIMARAS, PHILIPPINES
AND
BIOLOGICAL OCENOGRAPHY AND MARINE BIOLOGY DIVISION, THE KOREA INSTITUTE OF
OCEAN SCIENCE AND TECHNOLOGY (KIOST), KOREA**

AGREE TO THE FOLLOWING:

The Context

I. Expected Outputs

Under the LOA, KIOST will provide financial assistance to the Province of Guimaras, Philippines, for the implementation of the Yeosu Project entitled "Provincial Disaster Risk Reduction and Management Framework of Guimaras, Province III: Implementation of MPA Management in Guimaras, Philippines", as outlined in Terms of Reference (TOR) in Annex I. The Province will undertake the project activities in line with the TOR.

II. Budget and Finance

Upon signing of the LOA, KIOST shall provide Guimaras Province with a total of KRW108,800,000 (One Hundred Eight Million and Eight Hundred Thousand Korean Won funded by Yeosu Project) to cover the cost of activities as agreed upon and described above, to the following bank account:

Name of Bank	:	Land Bank of the Philippines, Guimaras Branch
Bank Address	:	San Miguel, Jordan, Guimaras
Telephone	:	033-237-1419/033-581-3234
Fax	:	2371419/5813234
Account Holder/Account Name:	:	Province of Guimaras-Trust Fund
Account Number	:	1922-1000-35
Swift Code	:	TLBPPHMMAXXX

The financial provision will be made according to the following schedule:

- first payment of KRW 52,894,000 by the end of April 2015.
- second payment of KRW 55,906,000 by the end of February 2016.

III. General Provisions

All rights and title to any intellectual property generated in the course of activities under the LOA, which includes but is not limited to copyright, shall be held jointly by both parties. However, in such a case where the information is procured or obtained solely by the effort initiated by or originated from one of the Parties, then that Party shall have the right to retain and use the same for its benefits and purposes. In any publication of that work arising from the project, both Parties to this Agreement shall be acknowledged.

In cases where the materials are created or produced solely by, or on behalf of one Party, then that party shall hold exclusive IP rights over such materials, including the right to register the said materials in its name, to retain and use the same for its own purposes and to exclude others from deriving benefits there from without its prior written consent.

Nothing in this Agreement or in the relationship between the Parties shall constitute or be construed as an employer-employee relationship between the parties.

IV. Waiver

Nothing contained in the LOA shall constitute a waiver, expressed or implied, of any privilege or immunity which the parties may enjoy, whether pursuant to the Convention on Privileges and Immunities of the Specialized Agencies or any other convention or agreement, law, order or decree of any international or national character. In addition, the LOA shall not preclude both parties from implementing other environmental projects that would prove to be beneficial to the party concerned and its stakeholders, and without prejudice to the agreements entered into by the Parties to the LOA.

V. Dispute Settlement

Any controversy or claim arising out of, or any breach of this LOA, shall be settled amicably.

VI. Entry into Force, Amendment, Extension and Termination

The LOA shall enter into force upon signature of the Parties and will expire on January 31, 2017.

The LOA may be terminated by communication in writing sent by the interested Party and received by the other Party at least 30 days before the proposed date of termination.

This LOA may only be amended if extended in writing and reached agreement between the Parties, and only before the expiration of the LOA.

In accordance with the above, the representatives of the Parties sign this LOA, in two originals in English.

YOUN-HO LEE, Ph.D.
Project Manager
Biological Oceanography & Marine Biology
Division, KIOST
Republic of Korea
Date: 4 March 2015
Place: Jordan, Guimaras, Philippines

SAMUEL T. GUMARIN, MD, MPH
Governor
The Province of Guimaras
Philippines
Date: 4 March 2015
Place: Jordan, Guimaras, Philippines

TERMS OF REFERENCE

REGARDING COOPERATION ON THE YEOSU PROJECT "PROVINCIAL DISASTER RISK REDUCTION AND MANAGEMENT FRAMEWORK OF GUIMARAS PROVINCE (III): IMPLEMENTATION OF MPA MANAGEMENT IN GUIMARAS, PHILIPPINES"

Background

As a part of Yeosu project, according to the request of Guimaras Province, the project "Provincial Disaster Risk Reduction and Risk management Framework of Guimaras Province, Philippines I" was first implemented by Korea Maritime Institute (KMI). KMI estimated the vulnerability of the region to disaster, made a map of it, and proposed four critical areas of management target for the second phase of the project. The government of Guimaras Province selected "protecting critical coastal habitat" and "capacity building and awareness enhancement" as the

second phase of the project which was conducted by KIOST with the project title of "Strengthening Disaster Preparedness through Critical Habitat Conservation in Guimaras Province, Philippines" based on the outcome of the project, the third phase of the project with the subtitle of "Implementation of MPA management in Guimaras, Philippines" has been approved by Yeosu Foundation.

Proposed Work Areas of Guimaras Team

The target MPAs for the proposed work of Guimaras Team include Tumulitinan Point Fish Sanctuary (TP) and Nadulao-Gakit Shaul MPA (NG) in San Lorenzo and Pamangkulan Fish Sanctuary (PK) in Sibunag and the work areas are following:

1. Installation of management facilities
 - i. Purchasing and installation of MPA boundary marks (anchor, buoy, etc.)
 - ii. Construction and installation of the guard house and the foot bridge for TP and PK MPAs
 - iii. Construction and installation of the artificial reef for NG MPA
 - iv. Purchasing and installation of the patrol boat for TP, NG and PK MPAs
2. Operation of management facilities
 - i. Setting up and operation of MPA management committees
 - ii. Operation of the guard houses and the patrol boats
3. Restoration of habitats and pollution control
 - i. Mangrove planting
 - ii. Removal of coastal pollution
 - iii. Installation of sewage treatment facility
4. Monitoring and education
 - i. Monitoring the status and change of marine biodiversity in MPAs
 - ii. Evaluation of water quality
 - iii. Organization of campaign for sharing information on the MPAs and biodiversity conservation among stakeholders
5. Reporting, presentation and promotion of the activities
 - i. Preparation of the report and presentation on the results of activities conducted by Guimaras Team
 - ii. Arrangement and holding the meetings for the project activities
 - iii. Advertisement of the project activities and the results
 - iv. Joint preparation of presentation materials and the final report
6. Other relevant project activities

Guimaras Team will participate in other relevant project activities and support the KIOST team until the end of the project term for its successful performance of activities in Guimaras.

BUDGET PLAN

Division/Year	2015	2016
Stage	Installation of Management Facilities	Trial Operation of Management Facilities
Itemized Budget	(10 ³ KRW)	(10 ³ KRW)
1. Installation of Management Facilities	9,434	5,088
2. Operation of Management Facilities	2,120	2,120
3. Restoration of Habitats	530	1,060
4. Pollution Control	530	6,890
5. Monitoring and Education	21,200	21,200
6. Other Expenses	19,080	19,548
Total		108,800

Above budget itemization can be modified as Guimaras Team deems appropriate.

TENTATIVE WORK SCHEDULE

Year	Activities	Time Schedule by Month											
		1	2	3	4	5	6	7	8	9	10	11	12
2015	Consultation, Exchange of LOA												
	Establishment of Management Committee												
	Biodiversity Monitoring of MPAs												
	Installation of Management Facilities												
	Establishment of MPA Management Plan												
	Restoration of Habitats and Pollution Control												
	Mid-Term Reporting												
2016	Operation of Management Facilities												
	Operation of Management Committee												
	Restoration of Habitats and Pollution Control												
	Biodiversity Monitoring of MPAs												
	Education												
	Final Reporting												

Remarks: The above schedule might be changed according to the situation.


RESOLVED FURTHER, to send a copy of this resolution to the Honorable Governor, GENRO, KIOST and all other concerned offices for information and appropriate action.

APPROVED: February 4, 2015.

I hereby certify that the foregoing is a true and accurate copy of the resolution which was duly adopted by the Sangguniang Panlalawigan of the Province of Guimaras during its regular session held on February 4, 2015.


LORENA MINIERVA-ITUCAS
 Secretary to the Sangguniang Panlalawigan

Attested:


ATTY. VICENTE B. DE ASIS
 Vice Governor
 Presiding Officer

Approved:


SAMUEL T. GUMARIN, MD, MPH
 Governor