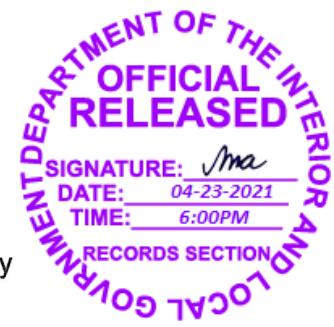




Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
DILG-NAPOLCOM Center, EDSA corner Quezon Avenue, Quezon City
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MEMORANDUM CIRCULAR
No. 2021-047

23 APR 2021

TO : ALL PROVINCIAL GOVERNORS, COASTAL CITY AND MUNICIPAL MAYORS INCLUDED IN THE MANILA BAY WATERSHED AREA, DILG REGIONAL DIRECTORS OF NCR, REGIONS III AND IV-A, AND ALL OTHERS CONCERNED

SUBJECT : FISHERIES COMPLIANCE AUDIT (FISHCA) VALIDATION PROCESS IN THE MANILA BAY WATERSHED AREA

1. Background

- 1.1. This Department issued Memorandum Circular (MC) No. 2018-059 on April 23, 2018, with subject: "Policies and Guidelines on the Regulation and Monitoring of Fishery Activities in Municipal Waters" stating that Local Government Units (LGUs) play an active role in monitoring and regulating fishery activities within their territorial jurisdiction, particularly their municipal waters.
- 1.2. By virtue of MC No. 2018-147, dated August 31, 2018, with subject: "Guidelines on the Implementation of the Fisheries Compliance Audit (FishCA)", the FishCA was developed and implemented to monitor compliance of LGUs to pertinent provisions of Republic Act (R.A.) No. 8550, otherwise known as the Philippine Fisheries Code of 1998, as amended by R.A. No. 10654.
- 1.3. The Manila Bay Sustainable Development Master Plan (MBSDMP) is an inclusive master plan which envisions to guide decision-makers in the assessment and approval of programs, activities, projects (PAPs) for implementation in the Manila Bay and in adjacent areas with significant influence on the bay. Two of the key

priority measures of the plan are on strategically boosting fish biomass, and conscientiously restoring a healthy and vibrant natural habitats and ecosystem.

2.Purpose

- 2.1. This Memorandum Circular is issued to support the implementation of DILG MC No. 2018-147, and to provide guidelines on the FishCA Validation Process in the Manila Bay Watershed Area.

3.Coverage

- 3.1. This Memorandum Circular applies to all Coastal LGUs within the Manila Bay Watershed Area (34 LGUs)

Region III (20 LGUs)	
<u>Province of Pampanga (4 LGUs)</u> 1. Municipality of Lubao 2. Municipality of Macabebe 3. Municipality of Masantol 4. Municipality of Sasmuan	<u>Province of Bulacan (5 LGUs)</u> 1. Municipality of Obando 2. Municipality of Bulacan 3. Municipality of Paombong 4. Municipality of Hagonoy 5. City of Malolos
<u>Province of Bataan (11 LGUs)</u> 1. Municipality of Samal 2. Municipality of Abucay 3. Municipality of Morong 4. Municipality of Hermosa 5. City of Balanga	 6. Municipality of Oran 7. Municipality of Bagac 8. Municipality of Orion 9. Municipality of Limay 10. Municipality of Mariveles 11. Municipality of Pilar

Region IV-A (9 LGUs)	
<u>Province of Cavite (9 LGUs)</u> 1. City of Cavite 2. City of Bacoor 3. Municipality of Ternate 4. Municipality of Tanza 5. Municipality of Rosario	 6. Municipality of Naic 7. Municipality of Marangondon 8. Municipality of Noveleta 9. Municipality of Kawit

NCR (5 LGUs)	
1. City of Las Piñas	4. City of Pasay
2. City of Navotas	5. City of Parañaque
3. City of Manila	

4. Definition of Terms

- a. **Department**- refers to the Department of the Interior and Local Government;
- b. **FishCA**- refers to the Fisheries Compliance Audit, an initiative formalized through the issuance of MC No. 2018-147;
- c. **National Validation**- refers to the process where the National Validation Team conducts table assessment and on-site inspection (as needed) to evaluate selected LGUs nominated as top performing and low performing;
- d. **Table Assessment/ Validation**- refers to the activity where the validation team reviews the documents and other materials presented by the LGU, as part of the process of gathering Means of Verification (MOVs) to properly assess the LGU; and
- e. **Terminal Report**- refers to the document which contains the overall compliance of the LGU, and the results of the Regional and National Validation.

5. General Provisions

- 5.1. Assessment Indicators:** The assessment indicators to be utilized shall be based on the revised FishCA Data Capture Form (DCF). The FishCA DCF and Indicators are herein attached as Annex "A" and "B" respectively.
- 5.2. National Validation Team.** The National Validation Team shall be composed of:

- a. Representative from the Department of the Interior and Local Government (DILG);
- b. Representative from the Department of Agriculture - Bureau of Fisheries and Aquatic Resources;
- c. At least one (1) Representative from a Non-Government Organization whose main purpose of organization is to assist, promote, and meet the objectives of the Fisheries Code, provided further that the same did not participate as a member of any Regional Validation Team; and
- d. Other members as may be deemed necessary.

5.3. Regional Validation Team. The Regional Validation Team shall be composed of:

- a. Representative from the Department of the Interior and Local Government;
- b. Representative from the Department of Agriculture - Bureau of Fisheries and Aquatic Resources; and
- c. At least one (1) Representative from Non-Government Organizations whose main purpose of organization is to assist, promote, and meet the objectives of the Fisheries Code, provided further that the same organization operates within the concerned Region; and
- d. Other members as may be deemed necessary.

5.3.3. Designation of Principal and Alternate Representatives.

Agencies and NGOs which comprise the National and Regional Validation Teams shall be asked to designate permanent and alternate representatives from their respective offices, to ensure the effective and uniform flow of the assessment from the initial to the final deliberation of LGUs. In line with this, all agencies and NGOs shall also be asked to furnish this Department copies of their Department Order or Special Authority designating the permanent and alternate representatives.

5.3.4. Role of DILG Local Government Operations Officers (LGOOs): Municipal/ City LGOOs assigned in the regional/field offices shall be mobilized to provide necessary assistance in the collection of LGU-related documents.

6. FishCA Validation Process

6.1. FishCA Regional Validation

6.1.1. Objectives of the Regional Validation:

- a. To provide further details on LGU performance, supported by the data in the FishCA DCF that they have accomplished;
- b. To assess compliance of LGUs in the management of municipal waters and aquatic resources;
- c. To identify top-performing coastal LGUs to receive recognition and incentives pursuant to Section 7 of this policy; and
- d. To recommend possible legal action for LGUs that may be found to have violated the provisions of the Fisheries Code, and other related laws.

6.1.2. Schedule and Coverage. The validation proper at the Regional Level shall be conducted on the second (2nd) Quarter of the year, to assess the compliance of LGUs in the previous calendar year.

6.1.3. Convening the Regional Validation Team. The Regional Validation Team shall be convened by the Regional Office, through the Manila Bay Clean-up, Rehabilitation, and Preservation Program (MBCRPP) Program Management Team (PMT), for the orientation of its members and discussion of the assessment details and procedures.

6.1.4. Table Assessment

- a. **Submission of Means of Verification (MOVs).** Based on the indicators developed, the concerned LGUs, through the C/MLGOO and MBCRPP-PMTs, shall submit the necessary MOVs to the Regional Validation Teams, to prove or show their level of assessed compliance based on the data in their respective FishCA DCF. Late documents shall be inadmissible, hence all MOVs must be presented or submitted on or before the Regional Validation.
- b. **Document Compliance Check.** The Regional Validation Team, upon receipt of the MOVs submitted, shall assess and

validate the compliance of LGUs based on the FishCA DCF (Annex A) accomplished by the LGUs, and the FishCA Indicators (Annex B).

6.1.5. On-site Inspection. An on-site inspection may be conducted by the Regional Validation Team, considering the state of public health emergency in the areas to be inspected. This activity may be necessary to further the assessment for exemplary LGUs or for LGUs that may have standing or possible violations of R.A. No. 10654, as may be determined by a tool that will be developed.

6.1.6. Post-Regional Validation.

- a. Deliberation.** After the Table Assessment and On-site Inspection (if applicable), the Regional Validation Team shall convene and deliberate on the findings and observations during the entire validation.
- b. Submission of Terminal Report, Minutes of the Meeting, and List of Presented and/or Submitted MOVs.** Findings and observation, including recommendations, shall be reported by the Regional Validation Team, through the MBCRPP-PMT, in the Regional Terminal Report with attached Minutes of the Meeting or Deliberation. Terminal Report for each LGU shall also be drafted, with attached List of Presented and/or Submitted MOVs per indicator.
- c. Feedback to LGUs and Request for Catch-up Plan.** The Regional Validation Team shall furnish the LGUs the results of the Validation, and shall direct the concerned LGU to submit a Catch-up Plan for indicators that the LGU failed to get a score of five (5). The Catch-up Plan shall include the LGU's commitments, Programs, Projects, and Activities (PPAs) to be conducted to improve its compliance. LGUs shall be given thirty (30) days upon receipt of the letter to send their respective catch-up plans to the Region Offices.

6.2.FishCA National Validation

6.2.1.Objectives of the National Validation

- a. To analyze and deliberate on the results of the Regional Validation for the determination of LGU top performers in the Manila Watershed Bay Area; and
- b. To verify the lack of actions and efforts of low-performing LGUs for the provision of necessary assistance and interventions, or the possible filing of cases, if found to have violated the Fisheries Code.

6.2.2.Schedule and Coverage. The validation proper at the National Level shall be conducted on the third (3rd) quarter of the year, to further assess the identified LGUs based on the results of the Regional Validation.

6.2.3.Levelling-off meeting. A levelling-off meeting shall be conducted by the MBCRPP-PMO, to convene the National Validation Team, with the following objectives:

- a. To present the results of the Regional Validation. Presentation shall be done by the MBCRPP-PMTs;
- b. To deliberate and finalize possible actions and next-steps for LGUs deserving of Recognition and Awards and for low-complying LGUs to be recommended for interventions, provision of technical assistance, or filing of cases;
- c. To develop or amend the validation tool and guidelines to be utilized for the National Validation; and
- d. Discuss other matters, as may be deemed necessary.

6.2.4.National Validation for Top Performing and Low-Complying LGUs

- a. **Table Assessment:** Based on the developed tools and guidelines during the levelling-off meeting, a Table Assessment will be conducted to assess the performance of: 1) High performing LGUs with best practices, that may be given recognition and awards; and 2) LGUs that may need further assistance, intervention, or possible legal action.

b. **On-site assessment** may be conducted, considering the state of public health emergency in the areas to be further assessed, in case marginal differences of exemplary LGUs are indistinguishable through the submitted and validated documents.

6.2.5. Post-FishCA National Validation

- a. **Deliberation.** After the Table Assessment and On-site Inspection (if applicable), the National Validation Team shall convene and deliberate on the findings and observations during the entire validation, for the declaration of FishCA National Awardee, and for finalization of action for low-complying LGUs.
- b. **Terminal Report.** Findings, observations, and result of the National Validation shall be included in the Terminal Report. Results and communicated to the LGUs, through the MBCRPP-PMO.

6.3. Timeline

Activity	Timeline
FishCA Regional Validation <ul style="list-style-type: none">● Convening the Regional Validation Team● Regional Validation (Table Assessment and On-site Inspection) Post-Regional Validation	2nd Quarter
Provision of Awards to FishCA Regional Awardees	2nd Quarter
FishCA National Validation <ul style="list-style-type: none">● Levelling-off Meeting● National Validation (Table Assessment and On-site Inspection)● Post-National Validation	3rd Quarter
Provision of Award to FishCA National Awardee	3rd Quarter

7. FishCA Awardees

7.1. FishCA Regional Awardees

7.1.1. Qualifications:

- a. The LGU must be one of the five (5) LGUs that garnered the highest score in the Manila Bay Watershed Area (in case of a tie, the National Validation Team shall develop additional indicators to further assess the subject LGUs); and
- b. The LGU must, at the minimum, garner a passing mark of 70%.

7.1.2. **Cash incentives.** Cash incentives will be awarded to the FishCA Regional Awardees, which shall be utilized for LGUs' implementation of programs, projects, and activities (PPAs) that contribute to enhancing its management of municipal waters/ coastal areas.

7.1.3. **Project Proposal and Accomplishment Report.** As a prerequisite to the release of fund, the LGU shall submit to the Regional Office a project proposal for the purpose of utilizing the cash incentive. Further, the LGU shall provide an accomplishment report to the Regional Office, providing for details of the completed project, including photo documentation and other related documents as proof. All projects must be completed a year upon receipt of the incentives.

7.2 FishCA National Awardee

7.2.1 **Qualification:** One (1) LGU will be declared as the FishCA National Awardee, based on the results of the National Validation.

7.2.2 **Cash incentive.** A cash incentive amounting to One Million Pesos (Php 1,000,000) will be awarded, which shall be utilized for LGU's implementation of PPAs that contribute to enhancing its management of municipal waters/ coastal areas.

7.2.3 Project Proposal and Accomplishment Report. As a pre-requisite to the release of fund, the LGU shall submit to the Central Office, through the respective DILG Regional Office, a project proposal for the purpose of utilizing the cash incentive. Further, the LGU shall provide an accomplishment report to the Central Office, providing for details of the completed project, including photo documentation and other related documents as proof. All projects must be completed a year upon receipt of the incentives.

8. Attachments

8.1. All Annexes of the Memorandum Circular can be accessed through the link: <http://tiny.cc/manilabayfishca> or <http://tinyurl.com/manilabayfishca>

Annex A: FishCA Data Capture Form (revised as of March 2021)

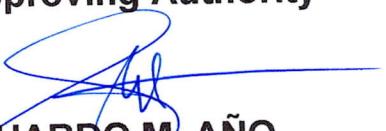
Annex B: Indicators for the FishCA Regional Assessment

Annex C: Revised Guidelines in Filling-out the FishCA DCF

9. Effectivity

9.1. This Memorandum Circular shall take effect immediately.

10. Approving Authority



EDUARDO M. AÑO
Secretary

11. Feedback

Inquiries or concerns regarding this MC should be directed or addressed to the Bureau of Local Government Supervision, through any of the following: telephone no. (02) 8876-3454 local 4201, email at dilg.manilabaypmo@gmail.com or through mail at 25th Floor, DILG-NAPOLCOM Center, EDSA corner Quezon Avenue, Quezon City.

