



**THUA THIEN HUE PROVINCIAL FISHERIES ASSOCIATION  
VINH HIEN LAGOON FISHERIES ASSOCIATION  
VINH HIEN AQUACULTURE FISHERIES ASSOCIATION**



# **A PROJECT ON FISHING RIGHTS ALLOCATION FOR SEAWEED CONSERVATION AREA IN CAU HAI LAGOON, VINH HIEN COMMUNE**

**Agencies requesting fishing rights allocation:**

**Vinh Hien Lagoon  
Fisheries Association**  
*(Sign and stamp)*

**Vinh Hien Aquaculture  
Fisheries Association**  
*(Sign and stamp)*

**Relevant commune authority:**

**Vinh Hien Commune People's Committee**  
*(Sign and stamp)*

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## **PART 1: LEGAL STATUS AND CAPACITY OF THE FISHERIES ASSOCIATIONS**

### **1.1 Organization of the Fisheries Associations.**

There are two Fisheries Associations (Vinh Hien Lagoon FA, LFA and Vinh Hien Aquaculture FA, AFA) in the seaweed (*Gracilaria sp.*) conservation area of Vinh Hien Commune.

#### **1.1.1 Organization of Vinh Hien Lagoon FA**

Vinh Hien Lagoon FA was established on 29 September 2006 pursuant to Decision 12/QD on the establishment of Vinh Hien Lagoon FA issued by the Provincial Fisheries Association (Annex 1). The charter of the Vinh Hien Lagoon FA was endorsed by the Commune People's Committee pursuant to the Decision 07-QD/UB, dated 27 February 2008 (Annex 2).

Vinh Hien Lagoon FA mainly covers capture fisheries. Currently the FA has 192 members (as of 31 December 2009) with a seven-member Executive Board (Annexes 3 and 4). There are 5 sub-groups divided based on their activities and geographical distribution.

#### **1.1.2 Organization of Vinh Hien Aquaculture FA**

Vinh Hien Aquaculture FA was established on 19 October 2007 pursuant to the Decision 26/QD on the establishment of Vinh Hien Aquaculture FA issued by the Provincial Fisheries Association (Annex 1). The charter of Vinh Hien Lagoon FA was endorsed pursuant to Decision 08-QD/UB dated 27 February 2008 (Annex 2).

Vinh Hien Aquaculture FA mainly covers aquaculture. Currently, the FA has 96 members (as of 31 December, 2009) with a five-member Executive Board (Annexes 3 and 4). There are 3 sub-groups divided based on their activities and geographical distribution.

### **1.2 Activities of the FAs to date**

#### **1.2.1 Activities of Vinh Hien Lagoon FA to date**

- Organization of FA congress on 6 January 2009
- Development of the regulation and lagoon management strategy
- Election of a patrolling team with 18 members including the Executive Board, sub-group heads and vice-heads
- Patrolling and lagoon protection: The FA has mobilized commune fishermen and outsiders not to violate the FA regulations. In 2009, 7 cases were detected and handled without causing any conflicts and violating the FA regulation; in particular, 1 electrical fishing case was captured and transferred to the Vinh Hien CPC for management
- Training and awareness raising: 2 training classes were organized to improve the awareness for members on the lagoon management and 3 classes on the capacity building for the FA
- Organization of lagoon cleaning and other environmental protection events on the Earth Day, 22 April 2009

- Definition of functional zones of the seaweed conservation area
- Demarcation of the water surface under the seaweed conservation area: the FA together with Vinh Hien Aquaculture FA installed 18 concrete poles in the conservation area
- Organization of traditional festivals like boat racing and fishing praying day and so on
- Rearrangement of gears: support the CPC in stake trap re-arrangement

### **1.2.2 Activities of Vinh Hien Aquaculture FA to date**

- Organization of the congress on 16 February 2009
- Construction of aquaculture regulation of the FA
- Definition of cage zoning for FAs
- Training and awareness raising: organization of 10 training classes to raise the awareness of the FA members in the aquaculture techniques, 2 classes on the capacity building for the Executive Board
- Organization of lagoon cleaning and other environmental protection events on the Earth Day, 22 April 2009
- Demarcation of seaweed conservation area
- Organization of traditional festivals like boat racing and fishing praying day and so on
- Organization of interim evaluation meeting to evaluate and consolidate all activities of the FA and separation meeting for the Vinh Hien Aquaculture FA (split into Vinh Hien aquaculture FA and cage culture FA)

## **1.3 Financial status of the FAs**

### **1.3.1 Financial status of Vinh Hien Lagoon FA (as of 31 December 2009)**

	<b>14,890,000</b>
<b>Total income:</b>	
<i>Of which:</i>	
Loan and interest:	6,600,000
Remaining budget:	1,030,000
Extraction from the water surface user fee in 2009:	2,600,000
Membership payment in 2009:	4,660,000
<b>Total expenditure:</b>	<b>4,660,000</b>
(Congress, meeting, stationeries, patrolling)	
<b>Remaining budget of 2009:</b>	<b>10,230,000</b>
<i>(Unit: VND)</i>	

### **1.3.2 Financial status of Vinh Hien Aquaculture FA**

<b>Total income:</b>	<b>16,890,000</b>
<b>Total expenditure:</b>	<b>13,310,000</b>
<b>Remaining budget:</b>	<b>7,580,000</b>
	This includes:
Remaining budget:	3,580,000
Loans given to members:	4,000,000
(which will be returned on the due day)	
<i>(Unit: VND)</i>	

After the separation meeting from the former Vinh Hien Aquaculture FA into current Aquaculture FA and cage culture FA, the remaining budget is VND2,700,000.

#### **1.4 Establishment of the lagoon Co-Management Body**

The Lagoon Co-Management Body (CMB) was established in Vinh Hien Commune on 18 January 2010 to function as a coordination body between local FA and the authorities. The detail of the CMB is attached as Annex 5.

## **PART 2: STATUS OF WATER SURFACE EXPLOITATION IN THE SEAWEED CONSERVATION AREA**

The area of the seaweed conservation area is 87.5ha. The lagoon extends from the boundary of Vinh Giang and Vinh Hien to the new market of Vinh Hien. The conservation consists of the core area of 43ha and the buffer area with the area of 42ha and the fish cage culture with the area of 2.5ha. The conservation area includes also the buffer zone with the area of 200-500m around Tuy Van Mountain.

In the seaweed conservation area, there are 16 stake traps, consisting of 4 large units and 12 smaller units, totally or partially located in the conservation area. There are also 26 bamboo *chuom* (fish aggregating device, abbreviated as FAD) encroaching the conservation area.

Capture fisheries in the seaweed area include *lu* and gill net. There are 14 households practicing only *lu*, 54 households practising both gill net and *lu*, and 21 household operating both *lu* and stake trap with around 8,010 *lu* units and 1,080 gill nets with the estimated length of 108 km. Besides, there are 50 fishermen that are not FA members operating mainly *lu* and gill net with the specific number that has not been reflected.

Aquaculture has direct or indirect impacts on the growth and development of seaweed. There are about 47 ha of shrimp farming. There are 326 cages of which 60 ones from Hien Van I, 167 ones from Hien Van II and 99 ones from Hien Hoa II. Cages from Hien Van I distribute here and there in the seaweed area and cages from Hien Hoa II violate the traffic ways.

Seaweed mainly distributes in two areas: one is near shrimp ponds of Ha Na and Hien Van I villages; the second is along canals to Vinh Hien Market.

The discharge from market and domestic activities are directly released into the seaweed area.

Some difficulties to be solved include:

- This is the nursing ground but poor attention is paid to the rehabilitation of the resources and creation of a nice view for the Tuy Van Mountain
- Specific regulations for seaweed conservation and functional areas have not been available
- The overexploitation of seaweed without an appropriate calendar has negatively impacted the growth of aquatic resources and water quality of the water body
- Conflicts happen regularly among seaweed harvesting farmers and among different gear owners
- Small-sized stake traps and *chuom* develop in an uncontrolled manner, increasing the conflicts and obstructing the water circulations in supply canals to shrimp ponds
- The growth of stake traps and FADs has increased the conflicts of fishing communities, and obstructed currents of water supply and discharge canals of shrimp ponds
- No specific regulations for cage culture area are available, impacting the water way traffic and disease infection
- The rapid expansion of *lu* in terms of the number of households, *lu* scale/household, *lu* small net mesh size leading to the overexploitation and impacting the growth of seaweed.
- No regulation on the management of the waste discharge is available

- Patrolling facilities are still limited
- The fishing rights has not been allocated to the FA
- Income from the seaweed harvest (partly as the income for the FA budget) has not been effectively managed

The status map of fisheries and aquaculture (without zoning) is attached as Annex 6.

## **PART 3: GEOGRAPHICAL AREAS PROPOSED FOR FISHING RIGHTS ALLOCATION AND OVERALL MANAGEMENT DIRECTIONS**

### **3.1 Legal background**

This lagoon fisheries co-management regulation under fishing rights was made pursuant to:

- the Decision 347/QD, dated 23 May 1992, by the Government Committee for Sciences on standards for technical classification of inland waterways
- the Circular 02/2006/TT-BTS, dated 20 March 2006, by the MOFI, guiding the implementation of the Government's Decree 59/2005/ND-CP of 4 May 2005, on production and business conditions of a number of fisheries trades
- the Circular 15/2009/TT-BNN, dated 17 March 2009, by the MARD on the lists of medicines, chemicals and antibiotics which are abandoned or restricted from use in fisheries production and business
- the Decree 31/2010/ND-CP, dated 29 March 2010, by the Government on sanctioning of administrative violations in the fisheries domain
- the Circular 20/2010/TT-BNNPTNT, dated 2 April 2010, by the MARD on amendment and supplementation of some items of the Circular 15/2009/TT-BNN, dated 17 March 2009, by the MARD on the lists of medicines, chemicals and antibiotics which are abandoned or restricted from use in fisheries production and business
- the Decision 3677/QD-UB, dated 25 October 2004, by the People's Committee of Thua Thien Hue Province on the approval of master plan of fisheries management in Thua Thien Hue lagoon to 2010
- the Decision 4260/2005/QD-UBND, dated 19 December 2005, by the People's Committee of Thua Thien Hue Province on enactment of the Regulation on management of capture fisheries in Thua Thien Hue Lagoon
- the Guideline 159/HD-STTS, dated 26 April 2006, by the Department of Fisheries of Thua Thien Hue Province on the implementation of fisheries exploitation management in Thua Thien Hue lagoon
- the Letter 4818/UBND-NN, dated 15 October 2009, by the People's Committee of Thua Thien Hue Province on the enhancement of inspection, monitoring and management of *lu* in the lagoon
- the Decision 1135/QD-UBND, dated 17 June 2010, by Thua Thien Hue Provincial People's Committee on the plan of removal and rearrangement of stake traps in the lagoon of Phu Loc District in 2010
- the Plan 31/KH-UBND, dated 24 February 2010, by People's Committee of Phu Loc District on stake trap rearrangement in Cau Hai Lagoon, Phu Loc District, Thua Thien Hue Province
- the Plan 18/UBND-BCD, dated 29 June 2010 by the stake trap removal and rearrangement Steering Committee on the removal and rearrangement of stake traps in Cau Hai Lagoon of Phu Loc District, phase II, 2010

### **3.2 Objective**

**3.2.1 General objective:** establish and operate the conservation area in order to preserve the lagoon resources, especially to protect the seaweed and fish nursing ground in the area and to control fisheries and encourage the community participation in seaweed exploitation activities in accordance with its ecological and lagoon view requirements.

### 3.2.2 The specific objectives:

- a. To do the experiment of zoning the fisheries protection areas, capture fisheries and aquaculture according to the plan and community-based management in the regulated water areas. To restore and maintain the overall health of the aquatic environment and aquatic resources in and around the conservation area
- b. To promote the growth of seaweed and regeneration as well as its environmental improvement functions
- c. To create a safer habitat for aquatic animals to enhance its reproduction
- d. To restore the nursing ground for valuable species
- e. To maintain natural water flow in the lagoon to promote better delivery of nutrients and oxygen in the water
- f. To control the discharge of wastes and waste waters from aquaculture, market and domestic activities
- g. To regenerate the values of natural view, cultural and historical integrity, and opportunities for entertainment, tourism and boat transport
- h. To raise awareness on urgent need of the seaweed area management among local resource users, and
- i. To ensure easier boat navigation on the lagoon.

### 3.3 Geographic coordinates, area and project of fishing rights allocation

This section provides exact coordinates and/or maps defining the area to be under fishing rights. Coordinates are provided in longitude/latitude in decimal degree under WGS84 unless otherwise noted. See the zoning map in Annex 7.

**Areas under Each Sub-Zone  
For the Vinh Hien Seaweed and Fish Nursing Ground  
(as of 14 January 2010)**

Sno.	Zone	Number of Zones	Total Area (ha)
<b>1</b>	<b>Conservation zone</b>	<b>2</b>	<b>85</b>
	<ul style="list-style-type: none"> <li>• Core conservation sub-zone</li> <li>• Buffer conservation sub-zone</li> </ul>		43 42
<b>2</b>	<b>Fish cage sub-zone</b>	<b>3</b>	<b>2.5</b>
	<ul style="list-style-type: none"> <li>• Sub-zone 1</li> <li>• Sub-zone 2</li> <li>• Sub-zone 3</li> </ul>		0.8 0.7 1.0
	<b>Waterway</b>		<b>17.5</b>
<b>4</b>	<b>Total</b>		<b>87.5</b>

\* Note: the waterway is not under the fishing rights.

#### 3.3.1 The seaweed conservation area

The total seaweed conservation area has 87.5ha. The seaweed conservation area is defined as the area surrounded by the following points and the natural shore lines and dykes of

aquaculture ponds between the points 1 and 10. The conservation area has been demarcated by concrete poles.

Point	ID	Longitude	Latitude	Note
1	1	107.877779	16.344382	Point on land
2	2	107.877083	16.343414	
3	3	107.881402	16.342268	
4	4	107.885123	16.341280	
5	5	107.887376	16.338985	
6	27	107.889378	16.338091	
7	6	107.891970	16.338250	
8	7	107.894803	16.339838	
9	8	107.899012	16.341594	
10	9	107.899578	16.343660	Point on land (corner of a pond)

The actions are specified for core and conservation areas. The generally prohibited activities in the seaweed conservation area are a) disposal of litter or discharge of harmful and poisonous substances, b) use of poisons, explosives, and electric devices for fishing, c) destructive and illegal fishing gears, d) actions that causes damage to the lagoon bed, e) unregistered or unreported harvesting of resources, and f) unregulated operation of motorized boats.

Seaweed harvesting in this area is regulated to 4 households per day, and 300kg (wet amount) per household. The harvesters shall be the member of either Lagoon or Aquaculture FAs. Two entrances from each FA/per day are allowed to undertake the exploitation of seaweed and the maximum productivity shall not exceed 1.2 ton/day. Only racket and/or rake are allowed as harvesting tools. The allowed harvesting season is from February to May. Prior notice shall be made to the shrimp culture groups in advance (see Chapter V of the management regulation).

### **3.3.2 Waterways and lagoon shore buffers**

- Waterways of 17.5ha in area are defined based on the official coordinates provided by the Waterway Division of the Provincial Department of Transport. The width of national waterways is 120m, and that of local waterways is 100m in Cau Hai. Those widths include both core and buffer areas for waterways in accordance with the national regulation (367/QD dated 23 May 1992). Installation of fixed fishing gears are prohibited in this area.
- Lagoon shore buffers are defined in accordance to the provincial and district regulations, which require 200-500m buffer from lagoon shore in Vinh Hien (4260/2005/QD-UBND dated 19 December 2005 and Project 809/DA-UBND dated 8 December 2006 by Phu Loc DPC)<sup>1</sup>. Installation of stake traps is prohibited in this area.

<sup>1</sup> This buffer zone is not shown in this conservation area regulation as the most of the buffer zone falls within the conservation area. The regulation of conservation area reflects the provincial and district regulations on lagoon coastal buffer zone.

### 3.3.3 Core conservation zone

There are two levels of conservation sub-zones, namely core and buffer conservation sub-zones. The core conservation area has 43ha (with the exclusion of two fish cage sub-zones). Core conservation sub-zone is defined as the area surrounded by the following points and the natural shore lines and dykes of aquaculture ponds. This sub-zone has been demarcated by concrete poles.

Core Conservation sub-zone

Point	ID	Longitude	Latitude	Note
1	1	107.877779	16.344382	Point on land
2	2	107.877083	16.343414	
3	3	107.881402	16.342268	
4	4	107.885123	16.341280	
5	19	107.888742	16.341167	
6	18	107.889967	16.341134	
7	15	107.894199	16.341512	
8	14	107.893842	16.345497	
9	24	107.893005	16.345642	Point on land

In the core conservation sub-zone, all fixed fishing gears are prohibited to protect the seaweed bed. The registered members of the Vinh Hien Lagoon FA are allowed undertake mobile fishing upon gear registration and payment of resource exploitation fee. Only two types of fishing gears (gill net and flashing) are allowed in this sub-zone with the fishing season of June-November. Minimum mesh size should be 40 mm (2a) with maximum length of 500 m/household and with maximum permitted entry of 10 households/night. The mobile fishing should also be at least 15m away from fish cage sub-zone to avoid damage to the fish cages. The expansion of culture ponds is prohibited. See the Chapter III of the management regulation for more detail.

### 3.3.4 Buffer conservation sub-zone

Buffer conservation sub-zone area has 42ha (with the exclusion of one cage sub-zone). Buffer conservation sub-zone is defined as the area surrounded by the following points and the natural shore lines and dykes of aquaculture ponds. This sub-zone has been demarcated by concrete poles.

Buffer Conservation sub-zone

Point	ID	Longitude	Latitude	Note
1	24	107.893005	16.345642	Point on land
2	14	107.893842	16.345497	
3	15	107.894199	16.341512	
4	18	107.889967	16.341134	
5	19	107.888742	16.341167	
6	4	107.885123	16.341280	
7	5	107.887376	16.338985	
8	27	107.889378	16.338091	
9	6	107.891970	16.338250	
10	7	107.894803	16.339838	
11	8	107.899012	16.341594	
12	9	107.899578	16.343660	Point on land (corner of a pond)

In the buffer conservation sub-zone, all fixed fishing gears are prohibited except *chuom* with the maximum 30 units in total (size $\leq$ 120 m<sup>2</sup>). The owners shall be a member of Vinh Hien Lagoon FA and is allowed to undertake maximum 3 times of harvest per year.

There are three types of mobile fishing gears allowed in this sub-zone shall include gill net, flashing, and *lu*. The former two gears are regulated as in the core conservation sub-zone while the maximum length of *lu* shall be 360m per household with unit length of less than 9 m. The mesh size shall be increased to 2a=18 mm; the allowed season is between June and November; and maximum 10 households per night.

See the Chapter IV of the management regulation for more details.

**3.3.5 Zones for cage and raft culture**

There are three sub-zones for cage culture. Each cage sub-zone is defined as the area surrounded by the following points.

Fish Cage sub-zone 1 (0.8ha)

Point	ID	Longitude	Latitude	Note
1	20	107.887161	16.342818	
2	21	107.887912	16.343356	
3	22	107.887467	16.343936	
4	23	107.886716	16.343398	

Fish Cage sub-zone 2 (0.7ha)

Point	ID	Longitude	Latitude	Note
1	26	107.891635	16.341893	Point on land (corner of a pond)
2	17	107.891588	16.341713	
3	16	107.893898	16.341892	
4	25	107.893476	16.342118	Point on land (corner of a pond)

Fish Cage sub-zone 3 (1ha)

<b>Point</b>	<b>ID</b>	<b>Longitude</b>	<b>Latitude</b>	<b>Note</b>
1	10	107.897237	16.342619	
2	11	107.897048	16.343032	
3	12	107.895338	16.342301	
4	13	107.895527	16.341889	

The cage and raft sub-zones in conservation sub-zones (core and buffer) will be managed by the Aquaculture FA as follows:

Fish cages have to be allocated in the defined area for cages (two sub-zones) with the area of 1.5ha. The minimum number of two sub-zones is 350 units and the standard size is 2x3x1.5m.

There is one fish cage sub-zone (1ha) in the buffer conservation sub-zone. The cage owner has to register their membership in Vinh Hien Aquaculture FA. The maximum number of cages shall be 250 units.

## **PART 4: REGULATION ON LAGOON RESOURCES MANAGEMENT**

### **CHAPTER I – GENERAL STIPULATIONS**

#### ***Article 1. Background***

1. The seaweed area has been providing significant benefit to the local population and aquatic ecosystem in Vinh Hien Commune for a long time. Seaweed area not only provides an income source for the local people through its direct exploitation, but also a critical habitat for lagoon fish species. The area has been functioning as an important nursing ground to maintain the fish reproduction in the Cau Hai Lagoon. The area therefore plays a critical role to enhance the fish stock in the Lagoon, contributing to the maintenance and stability of livelihoods of fisherfolk households.

2. Environmentally, seaweed area also plays significant roles. The seaweed traps organic pollutants to the bottom, and through its growth, consumes some of the pollutants.

3. Ecologically, seaweed provides ideal shelter for juvenile fishes from their predators. Some herbivorous and omnivorous fish species such as orange-spotted (*cá dĩa*) and white-spotted rabbitfishes (*cá kình*) are directly fed on seaweed. Small crustaceans grown in the seaweed area are also important food sources for carnivorous fish species in the lagoon.

In sum, the seaweed area is beneficial in terms of maintenance of water environment, lagoon ecosystem, fisheries resources, and livelihoods of local people. However, the seaweed area has not been managed well to date with unregulated exploitation of fish and seaweed resources that have degraded the area and reduce the resource availability significantly. Therefore, the development and implementation of seaweed and conservation area management regulation in Vinh Hien is a necessity.

#### ***Article 2. Objectives***

**1. General objective:** establish and operate the conservation area in order to preserve the lagoon resources, especially to protect the seaweed and fish nursing ground in the area and to control fisheries and encourage the community participation in seaweed exploitation activities in accordance with its ecological and lagoon view requirements.

**2. The specific purposes:**

a. To do the experiment of zoning the fisheries protection areas, capture fisheries and aquaculture according to the plan and community-based management in the regulated water areas. To restore and maintain the overall health of the aquatic environment and aquatic resources in and around the conservation area

b. To promote the growth of seaweed and regeneration as well as its environmental improvement functions

c. To create a safer habitat for aquatic animals to enhance its reproduction

d. To restore the nursing ground for valuable species

- e. To maintain natural water flow in the lagoon to promote better delivery of nutrients and oxygen in the water
- d. To control the discharge of wastes and waste waters from aquaculture, market and domestic activities
- e. To regenerate the values of natural view, cultural and historical integrity, and opportunities for entertainment, tourism and boat transport
- f. To raise awareness on urgent need of the seaweed area management among local resource users
- g. To ensure easier boat navigation on the lagoon.

### ***Article 3. Geographic Scope of the Regulation***

1. The geographic extent of the conservation area is 105ha of which the seaweed conservation area has 87.5ha and the water way area has 17.5ha; the lagoon water extending from the Vinh Giang-Vinh Hien communal boundary to the new Vinh Hien Market (see Annex 7 for more detail).
2. The conservation area is composed of the core conservation sub-zone of 43ha and buffer conservation sub-zone of 42ha and the fish cage sub-zone of 2.5ha. The conservation area generally covers the 200-500 meter buffer zone around Tuy Van Hill as stipulated in the regulation by the Phu Loc DPC. The core conservation and fish cage sub-zones are demarcated with the concrete poles of different colors for easy recognition by local resource users.

### ***Article 4. Subject of Regulation***

#### **1. This regulation is applicable for:**

- a. All aquatic resource exploitation activities within the conservation area of Vinh Hien. Specific terms of regulation for each type of exploitation activity are stipulated in the following chapter.
- b. All aquaculture activities within the conservation area that have impacts on; are detrimental to the physical, chemical, or biological conditions of its water; or degrade the habitat of seaweed and fish species.
- c. All non-fisheries activities within, near, or around the conservation area, having an impact on or detrimental to the area. For instance, market activities or the discharge of waste matters from markets or domestic activities.

## **CHAPTER II – GENERAL RULES ON FISH EXPLOITATION ACTIVITIES IN THE CONSERVATION AREA**

### ***Article 5. General Rules for the Conservation Area***

- a. The conservation area with its natural resources under good management will enjoy an enhancement of values and natural diversity, and will generate an air of solemnity for the historical relic of Tuy Van pagoda. Therefore, unless permission by an authority of due competence is proved, certain activities shall be restricted or forbidden.
- b. It is forbidden to litter or discharge harmful and poisonous substances that are sources of environmental pollution into the conservation area.
- c. It is forbidden to store, or use harmful substances, explosive, and electricity devices in harvesting aquatic resources, raising domestic cattle, and agriculture farming
- d. It is forbidden to harvest aquatic animals by means of destructive fishing gears such as boat push net (*te quệu*), bottom trawl (*giã cào*), eel raking (*cào lươn*), sein (*lưới kìm*), mollusk raking boat (*nạo hén*), and electricity hovering devices (*xiếc điện*)
- e. It is forbidden to dredge the lagoon floor to harvest resources; activities that dump the lagoon floor, and constructions that encroach the conservation area are also forbidden. Construction of devices for aquaculture and domestic cattle raising must be agreed by both FAs in Vinh Hien and licensed by a competent local authority
- f. Behaviours of stealing and stealthy harvesting of seaweed and fishes in the conservation area are forbidden
- g. Junks and motorized boats used for trafficking are required to navigate in the regulated routes and to park in the right places
- h. The water ways will be under the management of the State while the FA will be in charge of ensuring no violations of capture and aquaculture activities on the water ways

## **CHAPTER III – REGULATION ON EXPLOITATION ACTIVITIES IN THE CORE CONSERVATION AREA**

1. The core conservation sub-zone is under the management of the Lagoon and Aquaculture FAs. The capture activities will be under the monitoring of the Lagoon FA and capture fishing activities shall not be allowed from December to May (solar calendar). Aquaculture FA is in charge of monitoring aquaculture activities including cage and pond culture in and around the conservation areas. However, both FAs get the profit from the exploitation of seaweed (see Chapter V for specific regulations).

### ***Article 6. Capture Fisheries in General***

1. Only LFA members are allowed to conduct capture fishing activities in the core conservation area upon registration of their fishing gears or activities and full payment of resource exploitation fee to the LFA.

2. The harvestable sizes of economically valuable species in the conservation area are as follows:

<b>Fish Species</b>	<b>Minimal Body Length (mm)*</b>
Ca hong (Lutianus spp.)	260
Ho ca song (Epinephelus spp., Cephalopholis spp., Serranus spp.)	250
Ca day	160
Ca kinh	100
Ca dia	200
Ca nau	200
Ca ong	200
Ca chem/vuoc	260
Ca doi	250
Tom dat	85
Tom su	140
Tom ran	120
Other species not listed on this table	200

(Partly adopted from Circular 02/2006/TT-BTS dated 20 March 2006)

\* From tip of the mouth to end of caudal fin, laid flat on the ruler.

#### **Article 7. Fixed Gears**

1. All fixed gears are forbidden in the core conservation area.

#### **Article 8. Mobile Gears**

1. Only two types of mobile gears, namely gill net (*lưới rê*, or *lưới bén*) and flashing (*soi*), are allowed in the core conservation area. All other mobile gears are forbidden. The specific rules for these mobile gears are as follows:

- a. Harvest season shall be from June to November on a solar calendar
- b. The minimum mesh size of mobile gears shall be  $2a=40\text{mm}$
- c. Harvesting shall take place at least 15 meters away from fish cage sub-zones
- d. The maximum length of gill net shall be 500 m/household
- e. The maximum entry with gill net shall be 10 households per night.

#### **Article 9. Aquaculture in General**

1. Only AFA members are allowed to conduct aquaculture activities in the allocated area upon registration of their aquaculture facilities or activities and full payment of aquaculture fee to the AFA.

#### **Article 10. Cages (cage sub-zones 1 and 2)**

1. Two exclusive fish cage zones are allocated in the core area with the total area of 1.5ha (See Annex 7 for more details). Fish cage sub-zone 1 has 0.8ha while fish cage sub-zone 2 has 0.7ha. Fish cage operation is subject to the following conditions:

- a. Cage owners/operators shall be FA member and register themselves under the AFA
- b. Cages shall be located within the designated cage sub-zones by the AFA
- c. The maximum number of cages allowed in each cage sub-zone shall be 200 for cage sub-zone 1 and 150 for cage sub-zone 2; one household is allowed to undertake 5 cages. If the number of cage farmers increases, the FA will reduce the number of cages/household appropriately
- d. The standard size of the cage shall be 2(d) x 3(w) x 1.5(h) m
- e. The minimum distance between two adjacent cages in a same row shall be 1 m
- f. The minimum distance between two adjacent cage rows shall be 5m
- g. Fish cages shall be designed and installed to minimize the negative impacts on lagoon floor, particularly existing seaweed
- h. Introduction of new species shall be approved by both AFA and CPC in advance
- i. Cage operators shall not throw waste into the lagoon water bodies.

#### **CHAPTER IV – REGULATION ON FISH EXPLOITATION ACTIVITIES IN THE BUFFER CONSERVATION AREA**

##### ***Article 11. Capture Fishing in General***

1. The same general rules shall apply to the buffer conservation area as the core conservation area (see Article 6)
2. The buffer conservation area includes 42ha allocated to the Lagoon FA and 1ha of the cage sub-zone allocated to the Aquaculture FA. Fishers that undertake any activities in this sub-zone shall be registered as members of the Lagoon FA

##### ***Article 12. Fixed Gears***

1. All fixed gears are forbidden in the buffer conservation area except *chuom*. Each FA is allowed to install 15 units of *chuom*, and members of Aquaculture FA shall register if they want to install *chuom* and become members of the Lagoon FA. The detailed regulations are as follows:
  - a. Only FA members shall be allowed to own and install *chuom*
  - b. All *chuom* owners shall register their *chuom* and obtain permission from the LFA upon the full payment of necessary fees before their installation and operation
  - c. The maximum number of *chuom* that can be installed in the area shall be 30 units; in case the number of *chuom* households exceed 30 households, two or three households shall undertake 1 unit of *chuom*
  - d. *Chuom* shall not block boat navigation routes and water channels for aquaculture ponds
  - e. Size of each *chuom* shall not exceed 120 m<sup>2</sup>
  - f. The minimum distance between two adjacent *chuom* shall be 100m
  - g. The minimum mesh size of net used for harvesting *chuom* shall be 2a=18mm
  - h. The harvesting season for *chuom* in the buffer area shall be throughout a year
  - i. *Chuom* in the buffer area shall be harvested three times per year at maximum
  - j. The minimum frequency of *chuom* harvest shall be every four months
  - k. Harvest shall be subject to supervision by the Executive Board of the LFA and the representative of the CPC
  - l. Harvestable fish size shall follow the Article 6.

### **Article 13. Mobile Gears**

1. Only three types of mobile gears, namely gill net (*lưới rê*, or *lưới bén*), flashing (*soi*), and *lu*, are allowed to fish in the buffer conservation area. Gill net and flashing are regulated in Article 8. *Lu* is regulated as follows:

- a. Harvest season shall be from June to November on a solar calendar
- b. 10 households per night shall be allowed in the area
- c. Total length of all gears per household shall be 360m
- d. Total length per unit shall be less than 9 m
- e. Minimum mesh size of lù shall be  $2a=18$  mm
- f. Harvesting shall take place at least 15 meters away from any *chuom* or fish cage.

### **Article 14. Aquaculture in General**

1. Only AFA members are allowed to conduct aquaculture activities in the allocated area upon registration of their aquaculture facilities or activities and full payment of aquaculture fee to the AFA.

### **Article 15. Cages (cage sub-zone 3)**

One exclusive fish cage sub-zone (fish cage sub-zone 3) is allocated in the buffer area with the total area of 1ha (See Annex 7 for more detail). The maximum number of cages allowed in fish cage sub-zone 3 is 250. Fish cage operation is subject to the conditions as stipulated in Article 10.

## **CHAPTER V – REGULATION ON SEAWEED EXPLOITATION**

### **Article 16.**

1. The seaweed concentrates mainly in the core area and the two FAs will coordinate for management and getting benefit. A seaweed group (patrolling team) including 10 members of which there is 1 head, 1 vice head and 8 members; there will be 5 members from each FA to join this patrolling team.

2. The task of the group is to issue the user certificate, collect fees, regulate the number of harvesters, undertake patrolling and finalize the financial activities.

3. Specific regulations of the *seaweed* exploitation:

- a. Only LFA and AFA members shall harvest seaweed
- b. The harvest season shall be 3 months from February to May on a solar calendar
- c. The harvesting effort shall not exceed 4 households per day, two households/FA
- d. The maximum daily harvest shall be 300 kg (wet amount) per household
- e. Harvesting tools shall be racket (*vợt*) and/or rake (*dùi*)
- f. Harvesting shall be conducted under the supervision by the LFA and AFA via the management group.

## CHAPTER VI – REGULATION ON WASTE MANAGEMENT

### **Article 17.**

#### **1. For the FA**

Biannual clean up in the area will be undertaken with the involvement of all stakeholders to remove the garbage from the area and to raise the awareness of the local populations. Involvement of local people; especially, school children shall be promoted as a part of environmental awareness raising and education.

#### **2. For Vinh Hien CPC**

The CPC announces and gives guidance for lagoon households to collect waste discharged in order to reduce the environmental pollution.

The CPC establishes groups for collecting and treating waste and deploys waste collecting vehicles and rubbish bins to residential areas

## CHAPTER VII – USER FEE COLLECTION, TICKET ISSUANCE, AND INCOME SHARING FOR THE AREA MANAGEMENT

### **Article 18. Resource Exploitation and Aquaculture Fees**

1. The conservation area is property of the members of all local communities including lagoon resource harvesters and non-harvesters who are entitled to enjoy benefits from the conservation area. However, to manage sustainably the conservation area, organizations or individuals intending to use the water surface for capture fisheries or aquaculture in the conservation area are required to:

- a. Register their harvest and aquaculture activities at appropriate FAs in Vinh Hien (see the attached registration form)
- b. Pay specified user fee(s) to the FA in charge as management fee
- c. Carry and wear tickets (issued by FA upon the payment of the above user fee) on the arm, which indicates type(s) of activity allowed, harvest season, validity of ticket, and other information (see the attached ticket format and armband design)
- d. Follow the resource management regulation strictly.

2. User fees in the conservation area shall be paid on an annual basis based on the following system:

<b>Type of Gear/Facility</b>	<b>Fee (VND/year)</b>	<b>Payee</b>
<i>Chuom</i> (unit)	50,000	LFA
Gill net (unit)	60,000	LFA
Flashing (unit)	20,000	LFA
<i>Lừ</i> (line up to 360m/household)	100,000	LFA
Cage: Large (unit)	10,000	AFA
Seaweed harvesting (every 300 kg)	50,000	LFA/AFA

\* The fee system is subject to revision every year by LFA and AFA.

### ***Article 19. User Ticket Issuance and User Obligation for Carriage and Presentation***

1. The ticket shall be immediately issued to each resource user upon the full payment of user fees to the respective FAs. The user ticket shall be always worn on the arm of the resource users whenever they undertake resource exploitation or aquaculture activities so that the tickets are visible to the FA members in charge of monitoring. The FAs have rights to ask the presentation of the user tickets at any time, and the failure of the presentation might cause the imposition of fines. The ticket shall show the following information at least:

- a. Name of ticket issuing FA with a valid stamp
- b. Full name of the ticket holder
- c. Permitted activities
- d. Duration of the ticket

### ***Article 20. Collection, Management, and Use of User Fees***

1. User fees for the conservation area shall be collected by either LFA or AFA under the authorization of the CPC depending on the type of activities (see fee system table above)

2. The user fees collected by the FAs shall be shared with the CPC in the following way:

- a. Fees collected by LFA: 80% for LFA, 20% for CPC
- b. Fees collected by AFA: 80% for AFA, 20% for CPC
- c. Fees for seaweed harvesting collected by LFA and AFA: 40% for LFA, 40% for AFA, and 20% for CPC

3. The calculation of amount shall be done on biannual basis in June and December (solar calendar) by respective FA based on the user fee collection record, and shall be informed to the CPC by the end of the month.

4. The share of the user fee for the respective FA shall be managed and used by the respective FA Executive Boards for FA operation and lagoon management activities such as fish stocking, biannual lagoon clean-up, patrolling, replacement of concrete poles, and other activities.

5. The share of the user fee for the CPC shall be managed and used by the CPC cashier for activities to support the FAs and lagoon management activities such as deployment of the police to the lagoon patrolling and other activities.

## **CHAPTER VIII – DUTIES OF FA EXECUTIVE BOARDS AND MEMBERS**

### ***Article 21. Duties of the FA Executive Boards***

1. FA Executive Boards are responsible for the following:

- a. To raise awareness of their members on the conservation area and extermination of illegal fishing and destructive gears in the conservation area through training and awareness raising campaigns
- b. To collect user fees for the seaweed conservation area

- c. To design, make, and issue harvesting tickets to their members
- d. To maintain and update precise record of user registration and fee payment (including the date, type of fees collected, name of payers, expiration date of tickets, etc.) for management of tickets and accounting
- e. To organize monitoring and surveillance for the conservation area in collaboration with Sub-DECAFIREP and the CPC
- f. To keep record of violations and be submit it to the CPC for further action
- g. To resolve conflicts concerning resource exploitation and aquaculture activities in the conservation area under their competence and capacity
- h. To maintain and, if necessary, newly install the poles for area demarcation in and around the seaweed conservation area
- i. To prepare a seaweed conservation area management report including comprehensive accounting annually.

***Article 22. Duties of FA Members***

1. Members of the two FAs in Vinh Hien shall fully comply with terms in this regulation and encourage this compliance among them. The members are also required to participate in monitoring and surveillance as well as lagoon management activities of the conservation area under the coordination of the FA Executive Boards and CPC.

***Article 23. Duties of the CPC***

1. CPC shall handle the violation cases promptly to allow smooth management of the conservation area.
2. CPC shall provide necessary facilities for FA conservation area management activities.
3. CPC shall assign and send appropriate officers upon the requests from the FAs.
4. CPC shall coordinate with district and provincial authorities on the management of the conservation area.

**CHAPTER IX – CONFLICT MANAGEMENT AND RESOLUTION**

***Article 24.***

1. Conflicts regarding resource exploitation shall be first referred to LFA while those regarding aquaculture shall be first referred to AFA to seek solution.
2. Any conflict that involves both resource exploitation and aquaculture shall be resolved through a joint effort of the two FAs.
3. Conflicts that rise beyond the competence and capability of the FAs shall be brought to the CPC for resolution.

## **CHAPTER X – HANDLING OF VIOLATIONS, COMPLAINTS AND ACCUSATIONS**

### ***Article 25. Violations within FA capacity of resolution***

1. FA issues warning to the violators of the management regulation. Repeated violations shall result in the exclusion from the conservation area and/or withdrawal of FA membership upon the decision by the Executive Board members.
2. The FA has the rights to temporarily confiscate gears, write the minutes, reports and collaborates with the co-management body of the CPC for handling violations
3. Repeated violators against this regulation shall be excluded from membership and have himself brought to the CPC for its disposal and fining in accordance with the government regulations depending on the nature of the violation.

### ***Article 26. Violations beyond FA capacity of resolution***

1. Persons involved in illegal fishing or violating this conservation area management regulation within the conservation area shall be brought to the CPC for its disposal and treated in accordance with the government regulations.
2. Non-complying attitude in conducting illegal fishing shall be reported even to the higher authority than the CPC.
3. Persons involved actively in actions resulting in the capture of violators against this regulation shall be rewarded with a monetary award from the FAs/CPC subject to the decision of the Executive Board members and/or CPC on case-by-case basis.

## **CHAPTER XI – ORGANIZATION FOR IMPLEMENTATION**

### ***Article 27.***

2. Any issues needed to be solved during the implementation shall be identified, discussed, and agreed jointly among Vinh Hien Lagoon FA, Vinh Hien Aquaculture FA, and Vinh Hien CPC.

### ***Article 28 Coordination with other FA regulations***

If there is any conflict or inconsistencies found between this regulation and the other existing FA regulations, this document supersedes the others.

### ***Article 29 Amendment to this regulation***

Any necessary amendment to this regulation can be proposed by the FAs, CPC, or any other relevant authorities. The amendment shall be made upon the agreement of four parties, namely Vinh Hien Lagoon FA, Vinh Hien Aquaculture FA, Vinh Hien CPC, and Phu Loc DPC.

## PART 5: ACTIVITY PLAN

This part provides the detail of the specific actions after the fishing rights is allocated to the FAs. This section includes specific, time-bound activities including initiation (registration and fee collection), monitoring and enforcement (patrolling), conservation efforts, promotion activities, and others.

### 5.1 General activity plan and implementation timeframe

The expected duration of fishing rights in Vinh Hien is 10 years according to the Decision 3677/QD-UB. The estimated timing of each activity (described in detail in the following sections) is as follows:

Activity	2010	2011	2012	2013	2014	Implementers
User registration and fee collection	12	1-12	1-12	1-12	1-12	FA
Accounting and financial reporting on user fee income	12	6,12	6,12	6,12	6,12	FA, CPC
Stake trap removal according to district regulation	8-12					FA, CPC, District DARD
Lu registration	12	1-12	1-12	1-12	1-12	FA
Cage rearrangement according to the FA zoning plan	12					FA
Lagoon water surface patrolling	12	1-12	1-12	1-12	1-12	FA, CPC
Lagoon clean-up		2/yr	2/yr	2/yr	2/yr	FA, CPC
Fingerling stocking into the lagoon (stock re-enhancement)		1/yr	1/yr	1/yr	1/yr	FA, CPC
Maintenance of conservation area	12	1-12	1-12	1-12	1-12	FA
Promotional activities	12	1-12	1-12	1-12	1-12	FA, CPC
FA economic activities	12	1-12	1-12	1-12	1-12	FA
Renewal of fishing rights						FA, CPC, District DARD

### 5.2 User registration and fee collection

The users will be initially registered under the respective FAs depending on the activities they are undertaking with the necessary user fee payment within 3 months from the fishing rights allocation although user registration is a continuous process being undertaken throughout a year. Upon the allocation of fishing rights, a large meeting will be organized to announce the user fee system to entire FA members for the promotion of registration and fee payment. The effort will be also made to inform non-members of the existence of and obligation for user registration and fee payment. Fee payers will be issued with fishing tickets.

### **5.3 Fishing gear and aquaculture rearrangement**

Stake trap rearrangement is foreseen in early 2010 according to the zoning plan as specified in this regulation, subject to the approval of the plan by the Province and the District. FAD, which is banned in the core conservation sub-zone, will be removed within 3 months from the allocation of fishing rights. The reduction and control of *lu* will be undertaken based on the Provincial and the District regulations. The cages located outside the designated cages areas will be reorganized into the cage sub-zones within 2010.

### **5.4 Lagoon water surface patrolling**

Lagoon water surface patrolling team of 12 members has been organized under the Vinh Hien Lagoon and Aquaculture FAs including 10 FA members, 1 police officer, and 1 military police officer. Upon the allocation of fishing rights, the team will undertake the patrolling twice per month on irregular basis with close collaboration with CPC. The patrolling schedule shall not be announced publicly to ensure the effectiveness of patrolling activities.

### **5.5 Conservation and protection activities**

Upon allocation of the fishing rights, the FAs will undertake biannual lagoon clean-up with full participation of FA members and the involvement of local schools as a part of their environmental education and awareness raising.

The FAs will also conduct fingerling stocking into the lagoon (fish stock re-enhancement) at least once a year to maintain the fish population in the lagoon. Fish species to stock will be determined every year in consultation with relevant parties. Exotic species shall be avoided for this purpose.

The management of conservation area will be tightened in the future with consideration of activities to further promote the effectiveness of the area. This may include the installation of artificial reefs.

### **5.6 Promotional activities**

Vinh Hien Lagoon and Aquaculture FAs have been mobilizing people in the area and organizing a series of meetings and events to publicize the FAs, their activities, and regulations. Upon the fishing rights allocation, the following efforts will be made to increase the awareness of the local fishers and resource users:

- Organization of FA large meetings and training sessions
- Annual traditional fishers' festival
- Biannual lagoon clean up event
- Distribution of flyers for awareness raising for lagoon conservation and importance of FA
- Installation of sign boards and/or posters in strategic locations on banned chemicals, illegal fishing activities, protected species, harvestable fish size, and FA zoning and regulations
- Information dissemination through loud speakers and, if possible, through radio and/or TV

- As fishing activities, particularly mobile ones, are inter-communal activities, announcement of fishing rights allocation and management rules to neighboring communes will be a part of FA promotional activities.

### **5.7 Additional benchmarking**

All zones have been demarcated with concrete poles so no additional benchmarking is necessary. Maintenance of those concrete poles and signboards will be done when needed.

### **5.8 FA economic activities**

For the meantime, consolidating the income from membership and user fees should be the priority for the FAs to ensure the appropriate level of FA income to maintain their lagoon management activities.

FA-based economic activities will also be planned with specific timelines for each activity to enhance the income of the FA for lagoon management, and increase the benefit to the FA members.

## **ANNEXES**

1. PFA decision for FA establishment (for two FAs)
2. FA charter (for two FAs)
3. FA EB member list (for two FAs)
4. FA member list (for two FAs)
5. Signed agreement on Co-Management Body establishment
6. Status map of fishing gears and aquaculture
7. Zoning map of seaweed conservation area

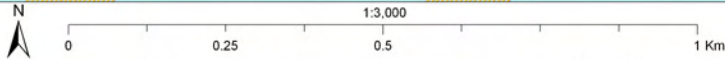


# Bản Đồ Cấp Quyền KTTT Khu Bảo Vệ Rong Cầu Đàm Cầu Hai Cho CHNC Đàm Phá Vinh Hiền và CHNC Nuôi Trồng Thủy Sản Vinh Hiền Xã Vinh Hiền

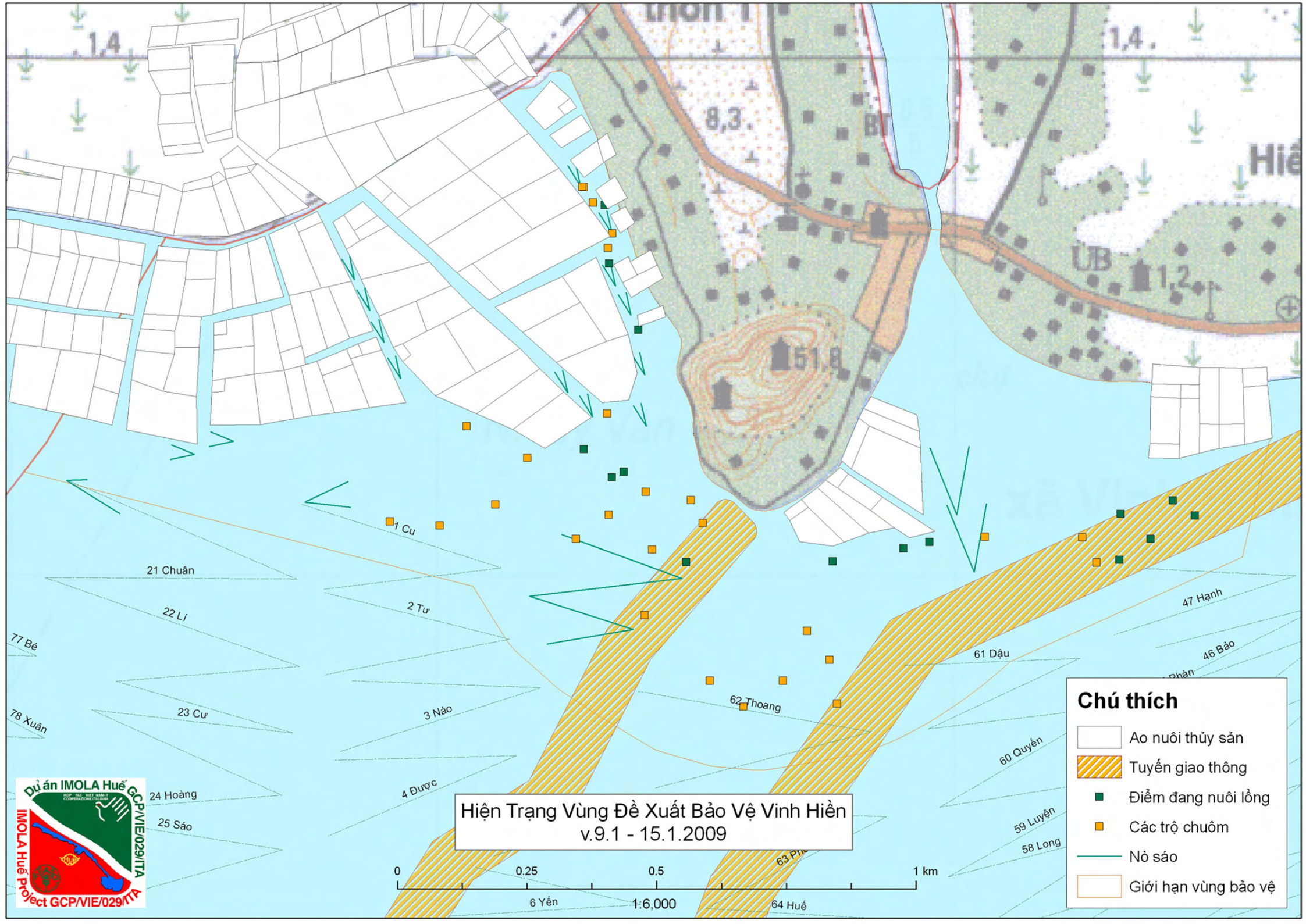


**Chú thích**

▲	Mốc vùng bảo vệ
■	Vùng đệm bảo vệ
■	Lõi vùng bảo vệ
■	Vùng nuôi lồng
■	Tuyến giao thông
■	Ao nuôi thủy sản



CHNC Đàm Phá Vinh Hiền      CHNC Nuôi Trồng Thủy Sản Vinh Hiền      UBND Xã Vinh Hiền      Phòng NN&PTNT Huyện Phú Lộc      Phòng TN&MT Huyện Phú Lộc      UBND Huyện Phú Lộc



Hiện Trạng Vùng Đề Xuất Bảo Vệ Vinh Hiền  
v.9.1 - 15.1.2009

- Chú thích**
-  Ao nuôi thủy sản
  -  Tuyến giao thông
  -  Điểm đang nuôi lồng
  -  Các trô chuôm
  -  Nò sáo
  -  Giới hạn vùng bảo vệ

