

Right of Way (ROW) Action Plan (RAP)
for the
**Project for Master Plan and Feasibility Study
On Flood Control and Drainage in Davao City
(Davao River)**



Final Report

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Unified Project Management Office (UPMO)
– Department of Public Works and Highways

Implemented by



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Acronyms and Abbreviations

A & D	Alienable and Disposable
ADB	Asian Development Bank
ADR	Alternative Dispute Resolution
AH	Affected Household
BIR	Bureau of Internal Revenue
BLGU	Barangay Local Government Unit
Brgy	Abbreviation of Barangay
BSP	<i>Bangko Sentral ng Pilipinas</i>
CABEARCO	Callawa Bonggan Employees Agrarian Reform Beneficiaries Cooperative
CAPEX	Capital Expenditure
CAR	Certificate Authorizing Registration
CASSO	City Assessor Office
CENRO	City Environment and Natural Resources Officer
CGT	Capital Gains Tax
CLOA	Certificate of Land Ownership Award
CLSP	Comprehensive Local Shelter Plan
CMO	City Mayor Office
CMP	Community Mortgage Program
CMV	Current Market Value
COD	Cut-off Date
COW	Cut-Off Work
CPDO	City Planning and Development Office
CRIC	City Resettlement Implementing Committee
CSO	Civil Society Organization
DAR	Department of Agrarian Reform
DBP	Development Bank of the Philippines
DED	Detailed Engineering Design
DENR	Department of Environment and Natural Resources
DEO	District Engineering Office
DLPC	Davao Light and Power Company
DO	Department Order
DOE	Department of Energy
DOLE	Department of Labor and Employment
DCPDO	Davao City Planning and Development Office
DPWH	Department of Public Works and Highways
DRAM	DPWH Right-of-Way Acquisition Manual
DSWD	Department of Social Welfare and Development
DTI	Department of Trade and Industry
DUPA	Detailed Unit Price Analysis

ECC	Environment Compliance Certification
EIA	Environment Impact Assessment
EIS	Environment Impact Assessment System
EMA	External Monitoring Agent
EP	Emancipation Patent
ESSD	Environmental and Social Safeguards Division
ESSO	Environmental and Social Service Office
FCMC	Flood Control Management Cluster
GAF	Grievance Action Form
GHC	Grievance Handling Committee
GIS	Geographic Information System
GOJ	Government of Japan
GOP	Government of the Philippines
GRM	Grievance Redress Mechanism
HH	Household
HHDD	Housing and Homesite Development Division
HIGC	Home Insurance and Guaranty Corporation
HLURB	Housing and Land Use Regulatory Board
HUDCC	Housing and Urban Development Coordinating Council
IFC	International Finance Corporation
IMA	Internal Monitoring Agent
IPAP	Indigenous Peoples Action Plan
IPDP	Indigenous Peoples Development Plan
IROW	Infrastructure Right of Way
IRR	Implementing Rules and Regulations
ISF	Informal Settler Family
JICA	Japan International Cooperation Agency
km	kilometer
Km ²	Square kilometer
kV	Kilo volt
LABEARCO	Lapuy-Battalion Employees Agrarian Reform Beneficiaries Cooperative
LAPRAP	Land Acquisition Plan and Resettlement Action Plan
LARRIP	Land Acquisition, Resettlement and Rehabilitation Policy
LGA	Local Government Agency
LGU	Local Government Unit
LHB	Local Housing Board
LRA	Land Registration Authority
M & E	Monitoring and Evaluation
m ³	Cubic meter
MCM	Million Cubic Meter
M/M	Minutes of Meeting
MRB	Medium Rise Building

NEDA	National Economic and Development Authority
NGCP	National Grid Corporation of the Philippines
NGA	National Government Agency
NGO	Non-Government Organization
NHA	National Housing Authority
NRIMP	National Roads Improvement and Management Project
OCM	Overhead, Contingencies, Miscellaneous
ODA	Official Development Assistance
OCT	Original Certificate of Title
OP	Operation Policy
PAP	Project Affected Person
PCM	Public Consultation Meeting
PCUP	Presidential Commission on Urban Poor
PNP	Philippine National Police
PWD	Person with Disability
R/D	Record of Discussion
RA	Republic Act
RAP	ROW Action Plan
RIC	Resettlement Implementation Committee
ROD	Registry of Deeds
ROW	Right of Way
ROWA	Right-of-Way Acquisition
RP	Retarding Pond
SEC	Securities and Exchange Commission
SHFC	Social Housing Finance Corporation
TCT	Transfer Certificate of Title
TESDA	Technical Education and Skills Development Authority
TOR	Terms of Reference
TWG	Technical Working Group
UDHA	Urban Development and Housing Act
UPMO	Unified Project Management Office
VAT	Value-Added Tax
WB	World Bank

Executive Summary

The Right-of-Way Action Plan (RAP) Study is commissioned by the JICA Study Team (JST) as one of two components of the Environmental and Social considerations of the feasibility study of the Project for the Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (Davao River). The two components are (a) the Environment Impact Study (EIS) in compliance to the Environment Impact System of the Philippine Government and (b) the RAP Plan Study in compliance to the Right Of Way (ROW) Act and the Urban Development and Housing Act (UDHA).

The RAP study aims to meet requirements on Environmental and Social Considerations of the feasibility study of the Project for Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (Davao River) and to prepare the Right-Of-Way Action Plan for the priority projects. The RAP Study provides the relocation plan to ensure that the affected households and Informal Settler Families (ISFs) residing inside the Right of Way to-be-acquired lands needed in the implementation Master Plan are appropriately relocated and their rights justly protected.

The RAP Study focuses on the two of the three project components of the Project for the Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (Davao River); namely, the component on Retarding Ponds (RP) 8, 9 and 11, in Barangays New Valencia, Callawa, and Mandug, respectively, and the component on the Cut Off Works (COW) in Barangay Ma-a and Barangay 19-B. The component on Dredging is excluded from the RAP Study because there are no persons and lands to be affected in this component.

Extent of Affected Lands and Affected Informal Settler Families

There is a total of about 212.48 hectares of affected lands for acquisition for the project and 104 Informal Settler Family (ISF) that are eligible for relocation. All affected families are ISFs.

Components	Project Sites	Estimated Affected Land Area (ha)	Number of Affected Properties	Number of Affected ISFs
Retarding Ponds (RPs)	RP 8, New Valencia	76.60	26 land parcels with property documents	0
		1.53	2 land parcels with no reference documents of ownership	
	<i>Sub-total in RP8</i>	<i>78.13</i>	<i>28</i>	<i>0</i>
	RP 9, Callawa	28.61	21 land parcels with property documents	0
		11.71	3 land parcels with no reference documents of ownership	
	<i>Sub-total in RP9</i>	<i>40.32</i>	<i>24</i>	<i>0</i>
	RP 11, Mandug	66.03	27 land parcels with property documents	1
		5.26	4 land parcels with no reference documents of ownership	
	<i>Sub-total in RP11</i>	<i>71.29</i>	<i>31</i>	<i>1</i>

Cut Off Works (COW)	Brgy. Ma-a & Brgy. 19-B	22.74	22 land parcels with property documents	103
	<i>Sub-total in COW</i>	<i>22.74</i>	<i>22</i>	<i>103</i>
Total Area		212.48	105	104

Source: JICA Study Team

Of the 212.48 hectares affected by the project, around **18.5 hectares** with no documentary references of ownerships. According to DENR-X1, these parcels of lands with no documents of ownership are certified as Alienable and Disposable Land (A & D). These areas should be excluded from acquisition payment during the ROWA implementation in the DED stage. These should be secured by the DPWH during the ROWA implementation in order that acquisition cost of land will be substantially reduced.

Estimated Land Area of Affected Property with Ownership Documents

Components	Project Sites	Estimated Affected Land Area with Ownership Documents (ha)	Number of Affected Properties
Retarding Ponds (RPs)	RP 8, New Valencia	76.60	26 land parcels
	RP 9, Callawa	28.61	21 land parcels
	RP 11, Mandug	66.03	27 land parcels
	<i>Sub-total in RPs</i>	<i>171.24</i>	<i>74 land parcels</i>
Cut Off Works (COW)	Brgy. Maa & Brgy. 19-B	22.74	22 land parcels
	<i>Sub-total in COW</i>	<i>22.74</i>	<i>22 land parcels</i>
Total Area		193.98	96 land parcels

Source: JICA Study Team

The project will affect 183.03 hectares (ha) of agricultural lands, 7.81 ha of commercial lands, and 3.14 ha of residential lands.

Project Components	Location	Agricultural Land		Commercial Land		Residential Land		Total (ha)
		AH	ha	AH	ha	AH	ha	
RP8	New Valencia	26	76.60	0	0.00	0	0.00	76.60
RP9	Callawa	21	28.61	0	0.00	0	0.00	28.61
RP11	Mandug	27	66.03	0	0.00	0	0.00	66.03
COW	Maa & 19-B	8	11.79	3	7.81	11	3.14	22.74
Project Total		72	183.03	2	7.81	8	3.14	193.98

Source: JICA Study Team

Level of Impacts

Applying the guidelines on the severity of the impact of the project, the total land for compensation is 275.05 ha.

Project Components	Location	Marginally Affected		Severely Affected		Total Land Area for Compensation (Hectares)
		AH	Land Area for Compensation (Hectares)	AH	Land Area for Compensation (Hectares)	
RP8	New Valencia	1	0.1	25	112.95	113.05
RP9	Callawa	4	1.14	17	44.45	45.59

Project Components	Location	Marginally Affected		Severely Affected		Total Land Area for Compensation (Hectares)
		AH	Land Area for Compensation (Hectares)	AH	Land Area for Compensation (Hectares)	
RP11	Mandug	3	1.96	24	76.62	78.58
COW	Ma-a & 19-B	9	9.13	13	28.7	37.83
Project Total		17	12.33	79	262.72	275.05

Source: JICA Study Team

Number of Permanent Crops and Trees Affected by the Project.

Type of Trees	Barangay				Total
	New Valencia (RP8)	Callawa (RP9)	Mandug (RP11)	Ma-a (COW)	
Banana (Local)	11,468	12,350	38,501	3,985	66,304
Banana (Cavendish)		4,674			4,674
Cacao	292				292
Coconut	1,223			20	1243
Fruit Trees (RP8)	1,185				1,185
Fruit Trees (COW)				24	24
Trees (Lesser Used)	216	757	936		1909
Trees (Premium)	400				400

Source: JICA Study Team

Structures and Improvements that would be affected by the Project

Type of Structures	Barangays				Total
	New Valencia (RP8)	Callawa (RP9)	Mandug (RP11)	Ma-a (COW)	
Electric Post			11		11
Quarry Facility		1			1
Agricultural Facility	1	3		1	5
Dwelling Units			4	133	137
Water Facility			1	1	2
Transmission Tower		2			2
Commercial				4	4
Covered Court				1	1
Madrasah				2	2
Mosque				2	2

Source: JICA Study Team

Relocation

There are 104 ISFs who are eligible for relocation; 1 ISF in RP 11 (Mandug) and 103 ISFs in COW (Maa).

The candidate relocation site for the lone ISF in Barangay Mandug is a 300 square meter lot integrated in the center of Sitio Lapuy which is right beside the RP 11 in Mandug.

The relocation for the 103 ISFs in COW has only been limited to the identification of 3-candidate near-site relocation areas. The priority candidate sites are private lands near Purok 27, Barangay Ma-a. Because of the space limitations of the identified sites, and the prohibitive cost of urban land in and around the COW area, land spatial optimization is suggested by using the medium rise buildings (MRB)

as housing structures. Each MRB is conceptually planned for 20 families. About 6 MRBs may be needed to be established in the private land as priority relocation site.

Total Cost for RAP Implementation

The total cost for implementation of land acquisition and resettlement is estimated to be approximately **PhP 12,193,895,404.89**. This amount covers the costs for compensating affected lands, replacement costs for structures and improvements, cost for the development of the resettlement site, cost for implementing the livelihood restoration program, resettlement and assistance for vulnerable groups, and the cost for monitoring.

No.	Items	Amount (PhP)	Remarks
1.	Compensation Cost for Land	10,064,247,200.00	
2.	Compensation Cost for Trees and Crops	33,613,265.00	
3.	Compensation for HH Dwelling Units	40,740,899.00	
4.	Compensation for Other Structures	21,525,000.00	
5.	Compensation for DLPC Electric Posts	660,000.00	
6.	Compensation for Electric Transmission Towers	80,840,148.05	
6.	Cost for Development of Resettlement Site in Mandug	250,678.67	
7.	Cost for Development of Resettlement Site in Maa-Phase 1	191,809,998.70	
8.	Cost for Development of Resettlement Site in Maa-Phase 2	140,595,119.18	
9.	Cost for Resettlement and Assistance to Vulnerable Groups	4,105,000.00	
10.	Cost for Monitoring	25,000,000.00	
SUB-TOTAL		10,603,387,308.60	
11.	Administrative & Contingency	1,590,508,096.00	15 %
TOTAL		12,193,895,404.89	

Source: JICA Study Team

1. Introduction

1.1 Brief Background

The Government of Japan (GOJ) has granted the Government of the Philippines (GOP) a Master Plan and Feasibility Study of Flood Control and Drainage in Davao City. Through the Japan International Cooperation Agency (JICA), the Master Plan for three rivers namely: Davao River, Talomo River, and Matina River was completed in March 2021. However, the Feasibility Study for Davao River is expected to be completed in October 2022.

The Right-of-Way (ROW) Action Plan (RAP) Study is commissioned by the JICA Study Team (JST) as one of two components of the Environmental and Social considerations of the Feasibility Study (FS) of the Project for the Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (Davao River) implemented by Unified Project Management Office - Flood Control Management Cluster (UPMO-FCMC) of the Department of Public Works and Highways (DPWH) Central Office. The two components are (a) the Environment Impact Study (EIS) in compliance to the Environment Impact System of the Philippine Government and (b) the RAP Plan Study in compliance to the Right-Of-Way (ROW) Act and the Urban Development and Housing Act (UDHA). The RAP Study is also a subset of the EIS, specifically on the social consideration aspects of the EIS. InterDev Consulting, Inc is commissioned to conduct the RAP Study.

1.2 Overview of the Project

As stated in the “Interim Report of the Project for Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (March 2021),” the objective of the Project is to mitigate flood damage in Davao City by the implementation of flood control measures through development of the Master Plan for Davao River, Matina River and Talomo River basin and conducting the Feasibility Study on urgent and/or priority project(s).

The Philippines has suffered devastating damage from natural disasters. During the 10-year period from 2005 until 2015, a total of 20,000 people were dead and missing, 75 million people have been affected, and the economic loss has reached 182 billion pesos. The main cause of disaster is strong wind and flooding in which 70% of the affected people suffered damage by typhoons and monsoons, and 24% suffered damaged by storm surges and high waves.

The Project site, Davao City, located in the southern part of Mindanao Island, is the third largest city in the Philippines, and the largest city on Mindanao Island. Davao City had been less affected by flooding in the past, but flood damage has recently increased due to changes in typhoon tracks. In 2011, 30 people were killed by the flooding of the Davao and Matina Rivers, more than 2,500 people were affected by the flooding of Davao River in 2013, and 22,911 families were affected by flooding due to Typhoon Vinta in December, 2017. In addition, there are several problems such as inland flooding, insufficient drainage systems, and storm surges due to the geographical features of the 60 km coastline.

Even though flood disaster has occurred frequently in Davao City, a Master Plan for integrated flood control has not been developed. Although the budget for flood control in the Department of Public Works and Highways (hereinafter referred to as DPWH) has increased, the budget has not been fully used due to the lack of development of the Master Plan. Ten of 18 major river basins in the Philippines have developed Master Plans for flood control from the 1980s to the early 1990s. After that, 5 rivers (Cagayan, Agusan, Pasig-Marikina-Laguna Bay, Tagoloan, and Cagayan de Oro) have reviewed and updated their Master Plans. The preparation of the Master Plan and Feasibility Study for the 5 rivers was conducted by DPWH with the support of JICA through technical cooperation projects. For the improvement of drainage systems, although a Master Plan for the six districts inside Davao City had been developed by Davao City, a Master Plan for flood control in Davao River has not been developed. Further, it is highly expected to develop the Master Plans for flood control of major rivers/principal rivers including Davao River, and to enhance DPWH's capacity for development of the Master Plans for flood control by DPWH themselves.

(Interim Report of the Project for Master Plan and Feasibility Study on Flood Control and Drainage in Davao City, March 2021: p.1-2)

The Government of the Republic of the Philippines (GOP) requested assistance from the Government of Japan (GOJ) on the Master Plan and Feasibility Study on Flood Control and Drainage in Davao City. In response to the official request of the Government of the Republic of the Philippines, JICA conducted a detailed planning survey on the Project and confirmed and signed the minutes of meetings (M/M) on the 11th of August 2017, and signed the Record of Discussion (R/D) on the 23rd of April 2018.

The goal is that the Master Plan and the results of Feasibility Study will be approved by GOP and flood damage in Davao City will be mitigated.

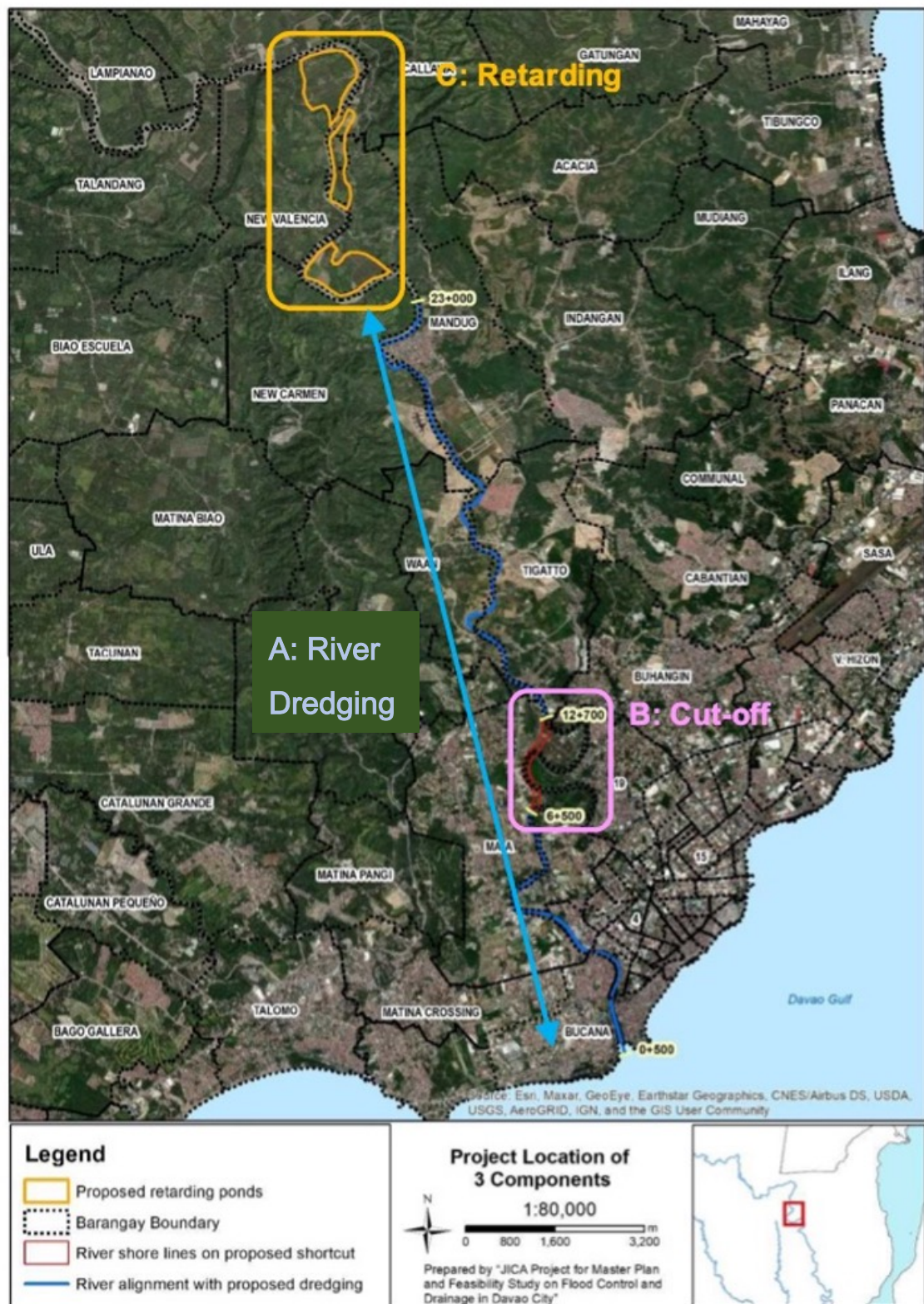
1.3 Priority Projects

Phase 1 of the Master Plan has been formulated and agreed in March 2021. There are three priority projects with three (3) components were proposed to be studied in the feasibility study. The components of the project are: Component A: River dredging; Component B: Cut-off works, and Component C: Retarding pond (See Figure 1.1).

1.3.1 Component A: River dredging

River dredging work aims to secure appropriate river flow in order to reduce risk of over flow. Dredging work will be taken from Davao river mouth (0+500) to 23km upstream. River soil in the existing river will be dredged; approximate volume is estimated two (2) million m³. The administrative boundary of the Component A consists of the following 11 barangays: Brgy. 8; Brgy. 1; Brgy. 2; Bucana; Tigatto; Brgy. 19; Ma-a; Brgy. 5; New Carmen; Waan; and Mandug.

Figure 1.1 Project Location for Priority Projects



Source: JICA Study Team

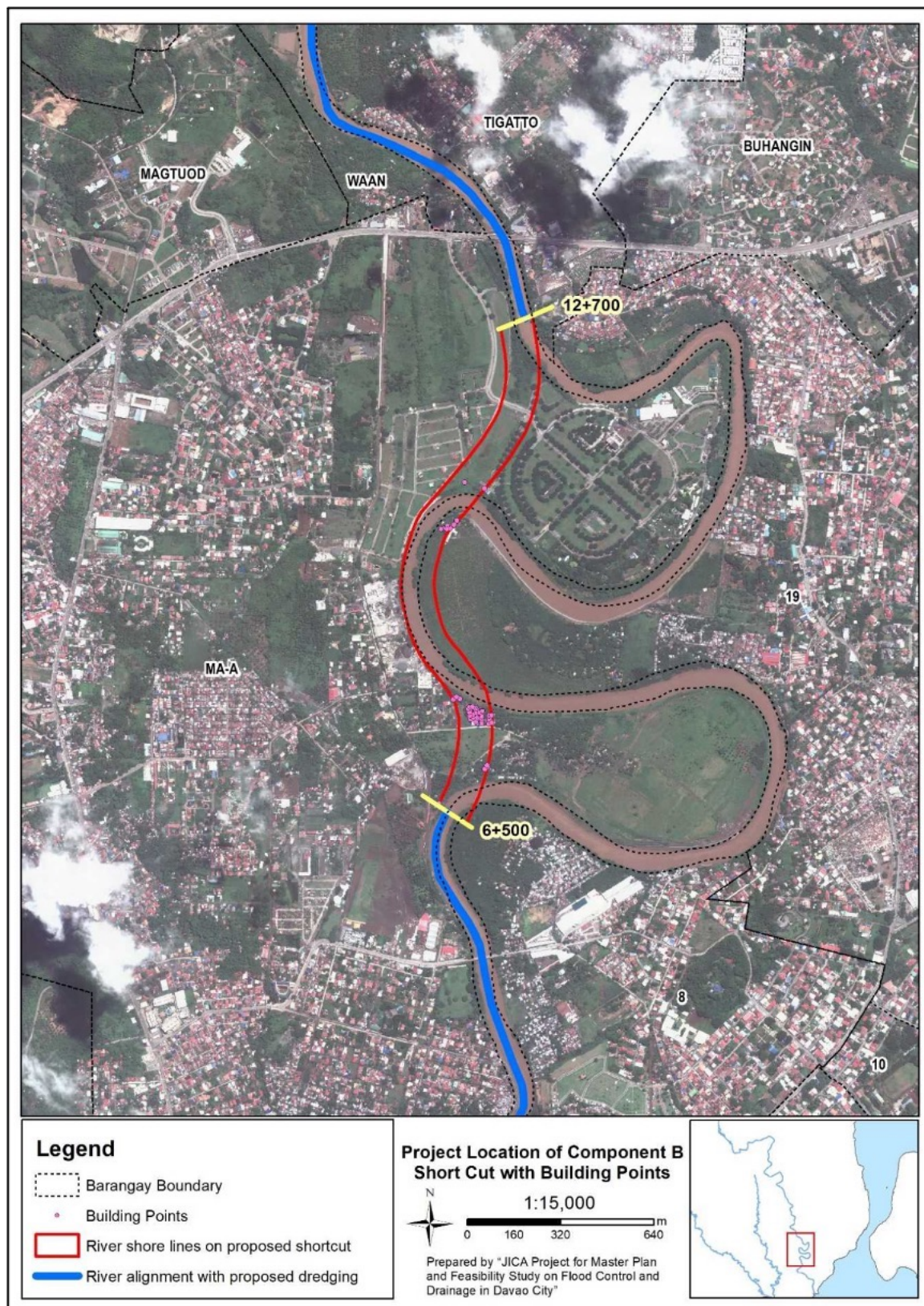
1.3.2 Component B: Cut-off works

Cut-off works, will be installed at downstream of near Crocodile Park to shorten the river line; it is expected to increase river flow. The project area is pointed in Figure 1.2, and consists of two (2) barangays: Barangay 19-B and Barangay Ma-a.

River line cut-off works will be installed in two (2) locations; approximate length and width are 700m and 110m respectively. Still under planning, bridges will be structured to connect the areas which are split by the cut-off works.

Actual design will be examined in the feasibility study. The standard revetment structure after widening of the river should preferably be a combination of concrete revetment (above mean water level, $H \approx 5$ m) and steel sheet pile (below mean water level). It is also necessary to have a platform behind the crest of steel sheet pile in order to reduce the embankment load that affects the steel sheet pile.

Figure 1.2 Location of Cut-off works Work



Source: JICA Study Team

1.3.3 Component C: Retarding Ponds

Three (3) retarding ponds are planned to install to aim at temporal water storage during heavy rain in which flood risk rises. Location of these ponds is upper stream of proposed dredging area at 24km, 27km and 29km from the river mouth, and three (3) barangays are located in the project area: New Valencia, Callawa, and Mandug.

The Area square-kilometer and service capacity of each retarding pond are shown in Table 1.1.

Table 1.1 Area and Service Capacity of Proposed Retarding Ponds

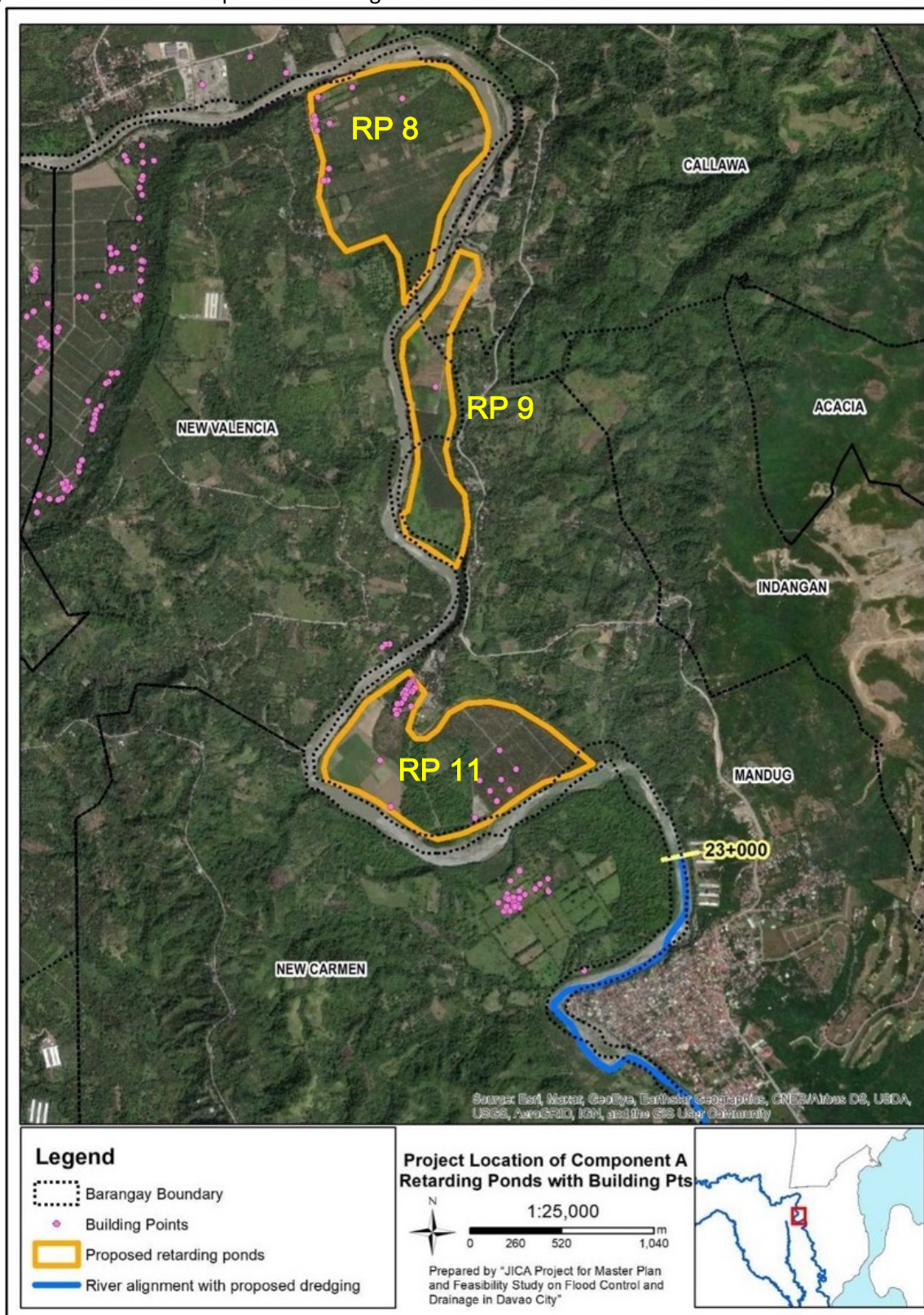
Retarding Pond	Area (km ²)	Service Capacity (MCM)*
RP 8	0.85	4.25
RP 9	0.39	1.95
RP 11	0.76	3.80

*Million Cubic Meters

Source: JICA Study Team

Figure 1.3 draws location and shape of proposed retarding ponds. Retarding ponds are composed of various structures, such as overflow dike, surrounding levee and drainage date. In the facility planning of retarding pond, natural drainage is to be considered so that planned basin-bed elevation will be equal to the planned/current riverbed elevation of the Davao River. The height of surrounding levees should be the same with Davao River's design levee height taken at the upstream end of the pond. Excavation of the ground down to the planned pond elevation is necessary, if the existing ground level of the candidate site is high, which the case here is seemingly.

Figure 1.3 Location of Proposed Retarding Ponds



Source: JICA Study Team

1.4 Scope of the Study

The RAP Study focuses on the two of the three project components of the Project for the Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (Davao River); namely, the component on Retarding Ponds (RP) 8, 9 and 11, in Barangays New Valencia, Callawa, and Mandug, respectively, and the component on the Cut Off Works (COW) in Barangay Ma-a and Barangay 19-B. The component on Dredging is excluded from the RAP Study because there are no persons and lands to be affected in this component.

1.5 Objective of the RAP Study

The RAP study aims to meet requirements on Environmental and Social Considerations of the feasibility study of the Project for Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (Davao River) and to prepare the Right-Of-Way Action Plan for the priority projects. Specifically, the RAP Study aims to:

- Determine the scale of possible project affected persons (PAPs) and identify the assets (land, structures and improvements) they will lose due to the acquisition of infrastructure right-of-way (IROW) for the project;
- Determine the affected households (AHs) (including business entities) and/or project affected persons (PAPs) which are to be relocated out of the project area;
- Identify the social character of PAPs, the extent of impacts of the Project on their assets, livelihood, business and propose measures to mitigate these impacts;
- Assist the Department of Public Works and Highways (DPWH) undertake necessary procedures with Davao City including issuing the cut-off-date (COD);
- Identify the PAPs for entitlement of the compensation and other forms of support, and to control further migration, especially informal settling into the project site;
- Determine the compensation and entitlements to be given to PAPs for the acquisition of the assets to be affected by the IROW;
- Determine the budget estimate for compensation and entitlement, relocation, and resettlement, information dissemination, consultation, monitoring and other tasks for implementing the Land Acquisition Plan and Resettlement Action Plan (LAPRAP);
- Provide the timetable, manner of payment and institutional arrangement for implementation;
- Assist the DPWH and JICA Study Team (JST) to hold public consultations for consensus building among the PAPs; and
- Ensure public participation in the implementation and monitoring of LAPRAP.

The RAP Study provides the relocation plan to ensure that the affected households and Informal Settler Families (ISFs) residing inside the Right of Way to-be-acquired lands needed in the implementation of the Priority Projects are appropriately relocated and their rights justly protected. Conversely, there shall be no involuntary relocation of ISFs and legal land and property owner in the Priority Projects without the appropriate provision of acceptable resettlement entitlements and assistance.

2. Methodology

The Right of Way (ROW) Action Plan (RAP) contains, among other things, (a) description of the lands, structures/improvements, and crops/trees to be acquired as ROW; (b) profile of Project Affected Persons (PAPs); (c) pricing of property based on BIR zonal values, tax declarations, and recent sales, (d) possible adverse impacts of project and mitigation measures; (e) cost estimates for acquiring land and improvements needed as ROW and for relocation of informal settlers, (f) recommended compensation and entitlement package for owners and PAPs; and (g) RAP implementation schedule (DPWH 2017).

To facilitate the preparation of the Right of Way (ROW)/Resettlement Action Plan, the following activities were conducted: (1) Coordination Meetings with Local Government Units (LGUs) and Barangay LGUs, (2) Public Consultation with all PAPs, Academe, and Non-Government Organizations (NGOs), (3) Socio-economic Survey of all PAPs; (4) Land Appraisal and Replacement Cost Estimation; (5) Relocation cost-estimation for informal settlers; and (6) compensation/entitlement packages for PAP.

2.1 Coordination and Consultation Meetings

Seven Coordination face to face meetings with Barangay LGUs of Barangays affected by the Priority Projects (Retarding Ponds and Cut Off Works) were conducted from October 11, 2021 to November 11, 2021 (See Table 2.1). Two (2) online coordination meetings via zoom platform with LGUs and Line Agencies and with Civil Society, Non-Government Organizations and Academe were conducted on October 26, 2021 in the morning and in the afternoon, respectively. The coordination meetings provided a brief orientation and presentation of JICA-RAP Study covering a) Master Plan and Feasibility of the Flood Control and Drainage Project in Davao City, b) RAP Objectives and Components, and c) RAP Processes. Clarifications about Project and Discussion of Issues/Concerns were facilitated and Roles of the Barangay were clarified. Detailed information about consultations are shown in Chapter 12.

Table 2.1 Coordination Meetings with Barangay Local Government Unit (BLGU)

Project Component	Areas Covered	Date and Venue	Sector Concerned
Retarding Pond (RP) 8	Brgy. New Valencia and Brgy. Talandang	October 12, 2021 New Valencia Barangay Hall	Barangay Captain, councilors, concerned purok leaders and staff
RP 9	Brgy. Callawa	October 13, 2021 Barangay Hall	Barangay Captain, councilors and staff
RP11	Brgy. Mandug	October 13, 2021 Barangay Hall	Barangay Captain, councilors and concerned purok leader
Cut-Off-Works (COW)	Brgy. Ma-a	October 19, 2021 Barangay Hall	Barangay Captain, councilors, concerned purok leader and staff
COW	Brgy. 19-B	October 19, 2021 Barangay Hall	Barangay councilors and staff
RP 11	Brgy. New Carmen	November 9, 2021 Barangay Hall	Barangay Captain, councilors, purok leaders and staff
COW	Brgy. 8-A	November 11, 2021 Barangay Hall	Barangay Captain, councilor, purok leaders and staff

Source: JICA Study Team

Table 2.2 Coordination Meetings with CSOs and LGU and Line Agencies

Areas Covered	Date and Venue	Sector Concerned
Davao City	October 26, 2021 via Zoom (online) in the morning	Local government units and line agencies
Davao City	October 26, 2021 via Zoom (online) in the afternoon	Civil society/Non-government organizations, Academe
Davao City	December 15, 2021 Via Zoom (online)	Local Government units and agencies, CSOs, NGOs (RAP Study Results Presentation)

Source: JICA Study Team

2.2 Public Consultation Meetings (PCMs)

The first PCMs with affected households and land/property owners were conducted from October 22, 2021 to November 16, 2022. A brief orientation and presentation of JICA-RAP Study covering the Master Plan and Feasibility of the Flood Control and Drainage Project in Davao City was conducted. As a tool for socio-economic development, the objectives, components and processes of RAP were emphasized.

Table 2.3 First PCM with PAPs (ISF and Landowners)

Project Component	Areas Covered	Date and Venue	LGU/Sector Concerned
COW	Brgy. 19-B	October 22, 2021 Barangay Hall	Affected Landowners and barangay officials
COW	Purok 27(Padaman), Brgy. Ma-a	October 25, 2021 Purok Gymnasium	Affected Households (community leaders and members)
RP 8	Brgy. Talandang and New Valencia	November 9, 2021 Barangay Hall	Land/Property Owners, renters and Barangay officials
RP 9	Brgy. Callawa	November 10, 2021 Barangay Hall	Land/Property Owners
RP 11	Brgy. Mandug	November 10, 2021 Barangay Gymnasium	Land/Property Owners, sand and gravel operators, and affected households from Sitio Lapuy
COW	Brgys. Ma-a	November 11, 2021 Barangay Hall	Barangay Captain and Deputy Mayor for Kagan with Assistant
COW	Brgys. Ma-a	November 16, 2021 Barangay Hall	Purok 27 Community Leader/affected households, barangay official and Deputy Mayor for Kagan
COW	Brgys. Ma-a & 19-B	July 15, 2022, Ma-a Barangay Hall	Affected Landowners
COW	Brgys. Ma-a & 19-B	September 19, 2022 Conference Hall, DPWH District Engineering Office, Davao City	Sta. Lucia Realty and Development

Source: JICA Study Team

The second PCMs with PAPs were conducted from July 18, 2022 to August 24, 2022. The results of the survey were presented. Entitlement and compensation packages, and relocation of ISF were also presented.

Table 2.4 Second PCM with PAPs (ISF and Landowners)

Project Component	Areas Covered	Date and Venue	Sector Concerned
RP 11	Sitio Lapuy, Brgy, Mandug	December 9, 2021, LABEARBCO Building, Sitio Lapuy Mandug	Affected households (RAP Study Results Presentation)

RP 8	Brgy. Talandang and New Valencia	July 18, 2022 Talandang Barangay Hall	Land/Property Owners, renters and Barangay officials
RP 9	Brgy. Callawa	July 19, 2022 (AM) DPWH RXI Planning Unit Conference Hall, Davao City	Land/Property Owners
RP 11	Brgy. Mandug	July 19, 2022 (PM) Mandug Barangay Hall	Land/Property Owners, sand and gravel operators, and affected households from Sitio Lapuy
COW	Purok 27, Brgy. Ma-a	August 17, 2022 (AM) Maa Barangay Hall	Heirs of Padaman (landowners) in Upper Padaman
COW	Purok 27, Brgy. Ma-a	August 17, 2022 (PM) Maa Barangay Hall	House owners, Land renter, house renters in Lower Padaman
COW	Purok 27, Brgy. Ma-a	August 24, 2022 (AM) Maa Barangay Hall	Land/Property Owners

Source: JICA Study Team

Resistance from Kagan Community in Purok 27 & Dizon Group of Companies

During the conduct of protocols with landowners to arrange scheduled meetings, consistent refusal to cooperate has been met, particularly representative of from the Dizon Group of Companies and the Kagan community in Purok 27, Barangay Ma-a. Acting as the gatekeeper, the representative of the Dizon Group of Companies has opposed interviews and meetings because he openly disclosed that he does not believe in the project. The RAP Study Team informed the UPMO, DPWH Regional Office, DEO, and the CPDO of Davao City. The UPMO advised that it will make direct representations with the City Mayor and request to intervene with the landowners in the COW area particularly with the Dizons and the Kagan community. The Mayor's intervention has taken place after the May elections.

In the case of the Kagan Community, the first PCM with the PAPs in Purok 27 (Padaman) in Barangay Ma-a was conducted on October 25, 2021, but was discontinued due to the resistance of the Kagan community. The Kagan is one the eleven (11) indigenous communities in Davao City (See Box 1). To address the resistance of the Kagan community in Purok 27, a meeting with the Barangay Captain together with Deputy Mayor for Kagan was undertaken on November 11, 2021 at the Barangay Hall. Another meeting with Purok 27 community leaders, Barangay Officials, and Deputy Mayor for Kagan was conducted on November 16, 2021 at the Barangay Hall. The *Kagan* community leaders who engaged in a dialogue before representatives of the whole community, reasoned out in two formal consultation meetings in the presence of representatives from the Barangay and City LGU, Deputy Mayor for the Kagans, and DEO-DPWH, that there is nothing to further meet about because the affected and subject property where they are presently residing is a claimed ancestral domain by the residing Kagans. The two meetings concluded with a resolution of the need of the intervention of the City Mayor Office (CMO) for the conduct of the PCM and the survey. Briefed about this development regarding the impasse in the conduct of the interviews and surveys with the Kagan community, the UPMO also advised that the matter will be also referred soonest to the City Mayor for the request of LGU intervention.

The new Mayor of Davao City met the Kagan community on July 5, 2022. In the meeting with the Mayor the Kagan community has agreed to allow the RAP Team to continue the household survey. The RAP Team resumed the Household Survey in Purok 27 on July 7, 2022 and completed the survey on August 10, 2022. As agreed during the July 5, 2022 meeting, the results of the survey were presented to the Mayor of Davao City on July 29, 2022 and on August 1, 2022. Representatives of UPMO, DPWH-X1, and JICA Survey Team Davao Staff attended the survey presentations. After the two meetings with the Mayor, clearance to conduct the second PCM with the Kagan community was given to the RAP Team.

With the intervention of the CMO and the City Planning Development Office (CPDO) on June 28, 2022 for the Dizon Group of Companies, the survey in Barangay 19-B was completed in July 2022. But the Dizon Group of Companies continue to lodge complaints about the project.

2.3 Socio-economic Survey of all PAPs

Household survey, community survey, and establishment survey were conducted. The household survey focused on socio-economic, demographic, inventory of loss, replacement cost and income recovery. The community survey focused on inventory of losses of the community and establishment survey focused on inventory of losses and replacement cost survey for the establishment.

The household survey of all PAPs was conducted on October 14, 2021 in Barangay Mandug, and on October 23, 2021 in Barangay Ma-a. However, the household survey in Barangay Ma-a was stopped due to the resistance of the Kagan community. Household survey and establishment survey were not conducted in Barangay 19-B due to the refusal of the landowners. But with the eventual intervention of the CMO and CPDO the surveys in Barangay 19-B and Barangay Ma-a were completed in July 2022 and August 2022, respectively. The delay in the survey completion was about 10 months.

2.4 Land Appraisal and Replacement Cost Estimation

For the estimation of the value of the land to be acquired for the project, the current market value of the land is based on the recent transactions of the Right-of-Way Acquisition (ROWA) and Legal Division of DPWH-XI. However, DPWH-XI ROWA & Legal Division Office has data in Barangay Mandug and Barangay Callawa only. For the estimation of the value of the land in Barangay Ma-a, the current market value of land is taken from the opinion of the representative of Davao City Brokers and Appraiser Association. The Development Bank of the Philippines (DBP) provided also information on the current market value of two residential lots and one commercial area in Barangay Ma-a.

For the replacement cost estimation, the RAP Team is adopting the “Detailed Unit Price Analysis (DUPA)” method used by the DPWH-XI.

For the cost estimation of Crops/Fruit Trees and Trees, the RAP Team is using the rates provided by the City Assessor’s Office and the Department of Environment and Natural Resources (DENR-X1), respectively.

Based on the Joint Circular of the Department of Energy (DOE) and the Department of Public Works and Highways (DPWH) No. 01, Series of 2017, the relocation cost of the electric transmission towers and electric posts that are affected by the project was provided by the National Grid Corporation of the Philippines (NGCP) and Davao Light & Power Company (DLPC), respectively.

3. Necessity and Scale of Land Acquisition and Involuntary Resettlement

3.1 Scale of Affected Lands

There is a total of about **212.48 hectares** of affected lands for acquisition for the two project components of the Project for the Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (Davao River); namely, the component on Retarding Ponds (RP) 8, 9 and 11, in Barangays New Valencia, Callawa, and Mandug, respectively, and the component on the Cut Off Works (COW) in Barangay Ma-a and Barangay 19-B. The affected lands are broken down in Table 3.1 below. See Annexes 1-4 for the inventory of affected properties and affected households in RP 8, RP 9, RP 11 and COW, respectively.

The land parcels with no documentary references (untitled) constituting **18.5 hectares** are included in the total project area but should be excluded in the determination of the ROW acquisition cost. According to DENR-X1, these parcels of lands with no documents of ownership are certified as Alienable and Disposable Land (A & D) (See Annex 6). These areas should be excluded from acquisition payment during the ROWA implementation in the DED stage. These should be secured by the DPWH during the ROWA implementation in order that acquisition cost of land will be substantially reduced.

Table 3.1. Extent of Affected Lands and Affected Informal Settler Families

Components	Project Sites	Estimated Affected Land (Hectares)	Number of Affected Properties	Number of Affected ISFs
Retarding Ponds (RPs)	RP 8, New Valencia	76.60	26 land parcels with Titles/Certificates of Land transfer	0
		1.53	2 land parcels with no reference documents of ownership	
	<i>Subtotal in RP8</i>	<i>78.13</i>	<i>28</i>	<i>0</i>
	RP 9, Callawa	28.61	21 land parcels with Titles/Certificates of Land transfer	0
		11.71	3 land parcels with no reference documents of ownership	
	<i>Subtotal in RP9</i>	<i>40.32</i>	<i>24</i>	<i>0</i>
	RP 11, Mandug	66.03	27 land parcels with Titles/Certificates of Land transfer	1
		5.26	4 land parcels with no reference documents of ownership	
	<i>Subtotal in RP11</i>	<i>71.29</i>	<i>31</i>	<i>1</i>

Cut Off Works (COW)	Meandering section of the Davao River in Brgy. Ma-a & Brgy. 19-B	22.74	22 land parcels with Titles/Certificates of Land transfer	103
	<i>Sub-total in COW</i>	22.74	22	103
Total Area		212.48	105	104 households (541 people)

Note 1: There are 4 retail (Sari-sari shop) and 1 hollow blocks, sand and gravel business owner in COW.

Note 2: Total amount of affected dwelling units are 137 in RP11 and COW.

Source: JICA Study Team

3.2 The Affected ISFs

An estimated of 104 affected Informal Settler Families (ISFs) who are eligible for relocation has been identified in the project areas, specifically in RP 11 in Brgy. Mandug and COW in Barangay Ma-a. The affected ISF is broken down in Table 3.2 below. See Annexes 3 and 4 for the inventory of affected ISFs in RP 11 and COW, respectively.

Table 3.2. Number of ISFs who are Eligible for Relocation

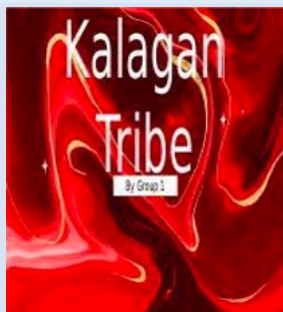
Project Components	Location	Number of ISF
RP 8	New Valencia	0
RP 9	Callawa	0
RP 11	Mandug	1
COW	Ma-a	103
	19-B	0
Total		104

Source: JICA Study Team

For the solo (1) ISF in Barangay Mandug for the RP 11, already assessed to be eligible for relocation assistance and entitlement, the candidate relocation site is a 300 square meter lot integrated in the center of Sitio Lapuy, right beside RP 11 in Barangay Mandug (See Annex 3 and Annex 5 A).

As reported in the Interim Report of the Project for Master Plan and Feasibility Study on Flood Control and Drainage in Davao City Interim Report dated March 202, one of the critical issues on resettlement in Davao City is “lack of relocation site” and “far distance from the original area. In order to mitigate these issues, concept of On-site Relocation is recommended and shared among DPWH, DPCDO and the Project team. On-site relocation aims to prepare relocation site adjacent to the project site; by this approach it is expected: (1) To shorten travel distance to relocation site, and (2) To secure status quo of life style (keep existing work/ school, community relations, etc.) [Interim Report, p. 473].

For the Kagan community in Purok 27 in Barangay Ma-a, the priority candidate sites are the adjacent lands of Purok 27 (See Annex 4). Because of the space limitations of the identified sites, and the prohibitive cost of urban land in the R-3 to 3-7 land classifications in and around the COW area, land spatial optimization is suggested by using the medium rise buildings (MRB) as housing structures. Each MRB is conceptually planned for 20 families. About 6 MRBs may be needed to be established in the adjacent land as priority relocation site (See Annex 5B).

Box 1. The Kagan

The Kagan (also referred to as Kalagan) is one of the 11 tribes present in Davao City. They are the only Islamized Indigenous Peoples (IPs) in the Davao Gulf area and are also considered as one of the Muslim minority groups in Mindanao. They converted to Islam either through intermarriage or contact with Muslim missionaries in the early 16th century from their neighboring communities, the Maguindanaon and Tausug in western Mindanao. The Kagan are identified as a sub-group of the Mandaya-Mansaka who originally inhabited the areas within Davao del Sur, Compostela Valley (now Davao de Oro), Davao del Norte, Davao Oriental and North Cotabato. Most are located in an area between the interior uplands and the western coast of the Davao Gulf. Their lifestyle and culture are considered very similar to that of the Maguindanao.

Kagan came from the native word '*kaag*' which means to inform, alert or warn. It was used when they needed to inform their community members and other neighboring communities like the Mandaya-Mansaka about something about to happen as they were living near the rivers and coastal areas of Davao.

The Kalagan language (sometimes referred to as Kinagan) is similar to the Tagakaolo language but has also incorporated some Maguindanaon and Tausug words. It is also related to the Mandaya language while other words are influenced by the Arabic language. Some also know Visayan, Tagalog (Filipino) and English.

In Davao City, the Kagan live in different areas but most of them are concentrated in Sirawan, Toril, the first barangay they resided in after their migration from Davao Oriental in search for a safe place to cultivate their community. They settled in the area during the early 1900s. Other areas where the Kagan have settled are in Barangays Wa-an and Ma-a.

Acknowledging the sensitivity of the issue as it involves the Kagan community, the National Commission for Indigenous People (NCIP) in Region XI was consulted by the RAP and EIS team. The NCIP conducted a thorough investigation of the affected community. As a result, the office issued CNO or Certificate of Non-overlap wherein IP plan is not required of the project. However, since Kagan community is mostly informal settlers, and their income level is low, sufficient compensation and social support is highly recommended. The Kagan communities in the project affected area live on private land, not in an ancestral domain/land. Hence, they do not qualify for the rights and privileges of an indigenous peoples living in ancestral domain/land (IPRA and JICA Guidelines.)

Source: Bangsamoro Commission on the Preservation of Cultural Heritage-BARMM (2020), Sunstar (2017) and SidmartinBio (2022)

Source: JICA Study Team

3.3 Permanent Crops and Trees

Table 3.3 shows the number of crops and trees that would be affected by the project. See Annexes 1-4 for the detailed inventory of the crops and trees affected by RP 8, RP 9, RP 11, and COW, respectively.

Table 3.3. Number of Permanent Crops and Trees Affected by the Project.

Project Components	Location	NUMBER						
		Cacao	Coconut	Fruit Trees	Lesser-used Trees	Premium Trees	Banana Local (hill)	Banana – Cavendish (hill)
RP8	New Valencia	292	1,223	1,185	216	400	11,468	-
RP9	Callawa	-	-	-	757	-	12,350	4,674
RP11	Mandug	-	-	-	936	-	38,501	-
COW	Ma-a & 19-B	-	20	24	-	-	3,985	-
Total		292	1243	1209	1909	400	66,304	4,674

Source: JICA Study Team

3.4 Structures and Improvements

Table 3.4 shows the structures and Improvements that would be affected by the Project. The transmission towers in Barangay Callawa are owned by the National Grid Corporation of the Philippines (NGCP). The electric posts in Barangay Mandug are owned by the Davao Light & Power Company (DLPC).

Table 3.4. Structures and Improvements that would be affected by the Project

Project Components	Location	Structures and Improvements								
		Electric Post	Quarry Facility	Agricultural Facility	Dwelling Units	Water Facility	Trans-mission Tower	Com-mercial	Institutional (Covered Court/ Madrasah)	Mosque
RP 8	New Valencia			1						
RP 9	Callawa		1	3			2			
RP 11	Mandug	11			4	1				
COW	Ma-a & 19-B			1	133	1		4	3	2
Total		11	1	5	137	2	2	4	3	2

Source: JICA Study Team

4. Legal and Institutional Framework

4.1 Policies, Laws, Regulations and Guidelines Governing the RAP

The following policies, laws, regulations, guidelines, and other binding documents in and of the Philippines inform and guide the preparation of the Right-of-Way Action Plan (RAP). The preparation of the RAP has been based on the relevant laws, regulations, and guidelines of the Government of the Republic of the Philippines (GOP); International standards- JICA Guidelines for Environmental and Social Considerations (April 2010); and World Bank Operation Policies, OP 4.01 (January 1999) and Involuntary Resettlement Policy, OP 4.12 (December 2001); ADB Involuntary Resettlement Policy; International Finance Corporation, Performance Standard 5 'Land Acquisition and Involuntary Resettlement.

4.2 Legal Framework on Land Acquisition, Compensation, and Resettlement in the Philippines

Table 4.1 below provides an overview of the principles, policy, laws, and guidelines governing issues concerning land acquisition and involuntary resettlement in the Philippines. Policies and regulations that are pertinent to the project that require further elucidation are presented in the sections that follow.

Table 4.1. Legal Framework Concerning Land Acquisition, Compensation, and Resettlement

Item	Laws and Regulations	Major Stipulations
Land Acquisition, Land Use and Resettle-ment	The Philippine Constitution of 1987	Section 9 of Article 111 (Bill of Rights) of the Constitution states that private property shall not be taken for public use without just compensation. Section 10 of Article X111 (Urban Land Reform and Housing) states that urban or rural poor dwellers shall not be evicted no their dwelling demolished, except in accordance with law and in a just and humane manner. Moreover, no resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated.
	Republic Act (RA) No. 10752 -(An Act Facilitating The Acquisition Of Right-Of-Way Site Or Location For National Government Infrastructure Projects, 2016), known as the "The Right-Of-Way Act"	The main provisions in RA 10752 sought to expedite the implementation of infrastructure projects while ensuring that just and equitable compensation be provided to the PAPs. The pertinent revisions in RA 10752 include: (1) expansion in scope of national government projects; (2) refining the modes of acquisition; (3) compensation based on the current market value (CMV) of the land and replacement cost of structures and improvements; (4) changes in guidelines for expropriation proceedings; (5) payment terms; and (6) appropriation.
	RA No. 7279 - (An Act To Provide for a Comprehensive and Continuing Urban Development And Housing Program, Establish the Mechanism for its Implementation, and for other Purposes) known as the "Urban Development and	Enshrines that the rights of the urban poor/informal settler families (ISFs) are protected by seeing to it that there shall be no eviction and demolition without adequate and just relocation. The UDHA highlights the need for the registration of informal settlers as basis of the LGU developing its comprehensive city shelter plan and the programmatic provision of social housing and resettlement assistance implemented by a devoted local line organization. Moreover, it also encourages LGUs to enable the establishment of a local body of stakeholders for checking professional and squatting syndicates. The Presidential Commission of the Urban Poor is the main agency championing the UDHA among LGUs.

	Housing Act (UDHA) of 1992	
	DPWH Land Acquisition, Resettlement, Rehabilitation (LARRP) Policy, 1999	LARRP intends to avoid, mitigate or compensate the adverse social impacts of infrastructure projects. Applied to National Roads Improvement and Management Project (NRIMP) under World Bank, the Policy ensures that the project affected persons (PAPs) are promptly compensated and maintained their pre-project status or better off. Road construction projects must demonstrate a new and higher level of social sensitivity and compliance with all applicable environmental standards.
	DPWH Land Acquisition, Resettlement, Rehabilitation & Indigenous People's Policy (LARRIPP), 2007	LARRIPP reflects the Department's Indigenous People's Policy based on IPRA and NCIP. It provides guidance on RAP and safeguards instruments for IPs affected by the infrastructure projects. The Policy requires the formulation of an Indigenous People's Action Plan (IPAP) or Indigenous People's Development Plan (IPDP) for IPs affected by the Department's infrastructure projects.
	DPWH Department Order No. 5 series of 2003	Department Order No. 5 series of 2003 states that all projects, whether foreign or locally funded, shall be covered by a Land Acquisition Plan and Resettlement Action Plan (LAPRAP). LAPRAP will be prepared to ensure that the social impacts of these projects are adequately addressed. With specific provisions on how to handle land acquisition, compensation, relocation and resettlement of PAPs are given sufficient compensation and assistance for lost assets to help them improve or at least maintain their pre-project standards of living.
	Davao City Ordinance No. 014-07, Series of 2007, or the Shelter Code of Davao City	The Shelter Code of Davao City created the Local Housing Board (LHB) charged to craft the Comprehensive Local Shelter Plan (CLSP). But the City Housing Office (CHO) as implementing line unit of the LHB was not simultaneously established in 2007. Instead, the Housing and Homesite Development Division (HHDD) serves as replacement to the CHO under the non-line and support department level functions of the Office of the City Planning and Development Coordinator (CPDC). The diminished line functions of the City Housing Office legislated to be under the Local Housing Board is now in the assumed role of the HHDD that is also tasked to form a Technical Working Group composed of invited resource persons from other local and City units in aid of policy, program development, and implementation. Addressing the development demands of the old and new, and ever-growing informal settlements in the city, the HHDD has line-organization and capacity challenges, aside from the significant development financing needs in supporting a sustainable relocation program of the City.
Land Compensation, Replacement Cost of Structures and Improvements, and Crops and Trees	RA 10752 and its IRR	Sec. 4 of RA 10752 (Modes of Acquiring Real Property) states that the government may acquire real property needed as right-of-way, site or location for any national government infrastructure project through donation, negotiated sale, expropriation or any other mode of acquisition as provided by the law. Sec. 5 (Rules on Negotiated Sale) states that the implementing agency may offer to acquire, through negotiated sale, the right-of-way, site or location for a national government infrastructure project, under the following rules: The implementing agency shall offer to the property owner, as compensation price, the sum of: The current value of the land; the replacement cost of structures and improvements therein; and the current market value of crops and trees therein. Sec. 6.1 of the IRR of RA 10752 (Compensation Price) states that the Implementing Agency may acquire through negotiated sale the required ROW project, by offering to the property owner as compensation price, the sum of the current market value of the land, replacement cost of structures and improvements therein; and current market value of crops and trees therein. Sec. 6.6 of the IRR (Replacement Cost) states that the replacement cost of a structure or improvement affected by the ROW shall be based on the current market prices of materials, equipment, labor, contractor profit and overhead, and all other attendant costs associated with the acquisition and installation of a similar asset in place of the affected asset.

	D.O. 327, Series of 2003- Guidelines for Qualifications of PAPs, Entitlements and Compensation,	Based on the Guidelines for the qualifications of PAPs, Entitlements and Compensations of D.O. 327, Series of 2003, <i>“PAPs who will lose more than 20 % of their assets because of the need to acquire right-of-way for the implementation of an infrastructure project or their remaining land or structure is no longer viable for continued use or occupancy. The PAPs who will lose those assets will be entitled to full payment for the fair market value of the entire land and the full replacement cost of the entire structure and other improvements affected.”</i> <i>PAPs who will lose less than 20% of their assets because of the ROW to be acquired for the project or if the remaining structure that is affected is still viable for continued use or occupancy. Those PAPs who will lose those assets will be entitled to full payment for the fair market value of the land to be taken and the full replacement cost of the portions of the structures and other improvements affected”.</i> PAPs that are not land owners but occupy lands or structures within the ROW to be acquired for the project, and who are not “professional squatters” will be compensated for affected structures but not for land.
Relocation and Resettlement	RA 10752	Section 9 of RA No. 10752 (Right of Way Act) and Section 14 of Implementing Rules and Regulations (IRR) of RA 10752 states that the government through the Housing and Urban Development Coordinating Council (HUDCC) and the National Housing Authority (NHA), in coordination with the LGUs and implementing agencies concerned, shall establish and develop resettlement sites for informal settlers, including the provision of adequate basic services and community facilities, in anticipation of informal settlers that have to be removed from the right-of-way site or location of future infrastructure projects, pursuant to the provisions of Republic Act No. 7279, otherwise known as the “Urban Development and Housing Act of 1992.” Whenever applicable, the concerned LGUs shall provide and administer the resettlement sites.
	DPWH Department Order No. 152, Series of 2017 (DO 152, s2017)	Provides specific operating policies, systems and procedures for the conduct of the acquisition of properties in different and flexible legal modes to expeditiously procure and secure such properties needed by various government infrastructure projects. The same Department Order also provides the operating policies, systems, and procedures for Resettlement Action Planning, specifically the provision of relocation entitlements, income recovery and livelihood assistance to affected ISFs residing in affected lands of government infrastructure projects.
	DPWH Right-of-Way Acquisition Manual (DRAM)	Section 2.4 of the DPWH Right-of-Way Acquisition Manual (DRAM) indicates that relocation cost of estimation for the informal settlers in the preparation of the Preliminary ROW Action Plan (RAP). The RAP preparer needs to ask the concerned LGU/NHA to provide, fund, and develop the resettlement site. If the LGU/NHA is unable to do so, the Implementing Office (IO) may fund and develop the site. The IO should estimate the cost of the resettlement site, using at least benchmark data (e.g. cost/ square meter of service site (i.e., cost of land, roads, drainage, and other basic community facilities).
Environment & Social Considerations	Environment Impact Assessment System (EIS) of the Philippine Government	Environment Impact Assessment System (EIS) of the Philippine Government requiring that infrastructure projects like the flood control project must comply with the process of securing the Environment Compliance Certification (ECC). As part of the project feasibility process, the ECC compliance makes the RAP study a subset to the EIA.

Source: Adopted from JICA Study

4.2.1 The 1987 Philippine Constitution

As a body of doctrines and practices that form and inform the fundamental organizing principle of the Republic of the Philippines, the 1987 Philippine Constitution states that the State shall ensure that owners of real property acquired for national government infrastructure projects are promptly paid just compensation for the expeditious acquisition of the required right-of-way for the projects.

Private property shall not be taken for public use without just compensation. The State shall ensure

that owners of real property acquired for national government infrastructure projects are promptly paid just compensation for the expeditious acquisition of the required right-of-way for the projects (Section 9 of Article 111, Bill of Rights).

For the vulnerable groups such as the urban or rural poor dwellers, they shall not be evicted no their dwelling demolished, except in accordance with law and in a just and humane manner. Moreover, no resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated (Section 10 of Article X111, Urban Land Reform and Housing).

4.2.2 Republic Act 10752

Enacted on March 7, 2016, RA 10752 repeals RA No. 8974 (An Act to Facilitate the Acquisition of Right-of-Way, Site or Location for National Government Infrastructure Projects and other purposes). Both laws (RA 8974 and RA 10752) are based on the premise that private property shall not be taken for public use without just compensation (Article III, Section 9 of the 1987 Constitution). RA 10752 was enacted to further strengthen the said constitutional provision and ensure that property owners and project-affected properties in areas where national government infrastructure projects would be given just compensation. Implementing Rules and Regulations (IRR) of RA 10752 is promulgated in May 25, 2016 to carry out the provisions of the said Act.

The main provisions in RA 10752 sought to expedite the implementation of infrastructure projects while ensuring that just and equitable compensation be provided to the PAPs. The pertinent revisions in RA 10752 include: (1) expansion in scope of national government projects; (2) refining the modes of acquisition; (3) compensation based on the current market value (CMV) of the land and replacement cost of structures and improvements; (4) changes in guidelines for expropriation proceedings; (5) payment terms; and (6) appropriation.

4.2.2.1 Modes of Acquiring Real Property

As stated in Sec. 4 (Modes of Acquiring Real Property), the government may acquire real property needed as right-of-way, site or location for any national government infrastructure project through donation, negotiated sale, expropriation or any other mode of acquisition as provided by the law.

Donation

Donation, defined under Art. 2725 of the Civil Code *“is an act of liberality whereby a person disposes gratuitously of a thing or right in favor of another who accepts it.”* Deed of donation should be simple and unconditional, contain clauses to the effect that:

- Donation is made by the donor not to defraud his creditors;
- Donor reserved for himself enough property for his and his family’s subsistence, sustenance and support.
- Deed of donation should be registered with the Registry of Deeds.

The implementing agency may utilize donation or similar mode of acquisition if the landowner is a government-owned or government-controlled corporation.

Negotiated Sale

Negotiated Sale or Purchase is the next option when the owner of property needed for public use is not willing to donate his property to the government. As stated in Sec. 5 (Rules on Negotiated Sale), the implementing agency may offer to acquire, through negotiated sale, the right-of-way, site or location for a national government infrastructure project, under the following rules:

The implementing agency shall offer to the property owner, as compensation price, the sum of: The current value of the land; the replacement cost of structures and improvements therein; and the current market value of crops and trees therein. (Sec. 5, Rules on Negotiated Sale)

The Government shall pay just compensation after the contract of sale has been executed between the property owner (vendor) and the government (vendee). Compensation price shall be the sum of the current market value of the land, replacement cost of structures and improvements and current market value of crops and trees. The implementing agency may engage the services of the Government financial institution with adequate experience in property appraisal, an independent property appraiser accredited by the Bangko Sentral ng Pilipinas (BSP) or a professional association of appraisers recognized by the BSP.

The following are the standards for the assessment of the value of the property subject to negotiated sale:

- a. The classification and use for which the property is suited;
- b. The development cost for improving the land,
- c. The value declared by the owners;
- d. The current selling price of similar lands in the vicinity,
- e. The reasonable disturbance compensation for the removal and demolition of certain improvements on the land and for the value of improvements thereon;
- f. The size, shape or location, tax declaration and zonally valuation of the land
- g. The price of the land as manifested in the ocular findings, oral as well as documentary evidence presented; and
- h. Such facts and events as to enable the affected property owners to have sufficient funds to acquire similarly situated lands of approximate areas as those required from them by the government, and thereby rehabilitate themselves as early as possible.

Expropriation

The property owner is given thirty (30) days to decide whether or not to accept the offer as payment for the property. If the property owner does not accept the price offer, the implementing agency shall initiate expropriation proceedings pursuant to Sec 6 of RA 10752. Expropriation is resorted to when the owner of a private property needed by the government implementing agency does not agree to convey his property to the government by any of the modes of acquiring and/or transferring ownership of the property.

The government shall exercise its rights of eminent domain by filing a complaint with the proper Court for the expropriation of the private property. The verified complaint shall state the right and purpose of expropriation and describe the real or personal property to be expropriated. Defendants are all persons owning or claiming, or occupying, any part or interest therein, showing the interest of each defendant separately. In case the owner of the property cannot be found, is unknown, or is deceased in cases

where the estate has not been settled, after exerting due diligence, or there are conflicting claims over the ownership of the property and improvements and/or structures thereon, the IA shall deposit the appropriate amount for the benefit of the person to be adjudged in the same proceeding as entitled hereto.

The implementing agency shall deposit to the court in favor of the owner the amount equivalent to the sum of the following:

- 100% of the current BIR Zonal valuation of the land
- Replacement cost of the affected structure
- Current market value of the crops and trees

Upon compliance, the court shall immediately issue to the implementing agency an order to take possession of the property and start the implementation of the project. If, within seven (7) working days after the deposit to the court of the sum equivalent to the 100% BIR Zonal Valuation for the land, Replacement Cost for the Structure and Current Market Value for the Crops and Trees, the court has not issued to the implementing agency a writ of possession for the affected property, the counsel of the implementing agency shall immediately seek from the court the issuance of the writ of possession. The court shall issue the writ of possession *ex parte*. No hearing shall be required.

The court shall release the amount to the person adjudged in the same expropriation proceeding as entitled thereto.

4.2.2.2 Replacement Cost of Structures and Improvement

The Replacement Cost of structures and improvement hereof shall also apply to all owners of structures and improvements who do not have legally recognized rights to the land, and who meet all of the following criteria:

- (1) Must be a Filipino citizen;
- (2) Must not own any real property or any other housing facility, whether in an urban or rural area;
- (3) Must not be a professional squatter or a member of a squatting syndicate, as defined in Republic Act No. 7279, otherwise known as the “Urban Development and Housing Act of 1992”; and
- (4) Must not occupy an existing government ROW.

4.2.2.3 Mode of Payment for Purchase/Negotiated Sale

Upon the execution of a deed of sale, the implementing agency shall pay the property owner:

- Fifty percent (50%) of the negotiated price of the affected land, exclusive of taxes.
- Seventy percent (70%) of the negotiated price of the affected structures, improvements, crops and trees, exclusive of unpaid taxes.

The remaining fifty percent (50%) of the negotiated price of the affected land, and thirty percent (30%) of the affected structures, improvements, crops and trees, exclusive of unpaid taxes. Provided, that the land is already completely cleared of structures, improvements, crops and trees. At the time of the transfer of title in the name of the Republic of the Philippines, in cases where the land is wholly affected; or at the time of the annotation of a deed of sale on the title, in cases where the land is partially affected.

4.2.2.4 Resettlement

In case the expropriated land is occupied by informal settlers who refuse or are unable to demolish their structures and other improvements therein despite the writ of possession issued by the court under Section 6 hereof, the court shall issue the necessary writ of demolition for the purpose of dismantling any and all structures found within the subject property. The implementing agency shall take into account and observe diligently the procedure provided for in Sections 28 and 29 of Republic Act No. 7279. (Sec. 9, Relocation of Informal Settlers).

4.2.3. Commonwealth Act No.141 (CA 141) and Presidential Decree (PD) No. 635

In all the project areas in RP 8, RP 9, RP 11, and COW, there are some properties with just mere Lot Numbers, cadastral documentation and other undocumented, or without record of ownership, and/or without recorded tax declarations and tax payments which need to be due diligently examined by the ROWA Office of DPWH in collaboration with the Offices of the City Assessor and City Treasure, and the Land Management Bureau. Almost certainly, CA 121 and PD 635 may be applicable on some of these properties. Annexes 1 to 4 show which properties may be affected by these laws. Pertinent parts of these laws are briefly presented below:

“Section 44 of the CA No. 141 (Public Land Act) states that any person that meets the following conditions is entitled to being issued a free patent for a land not to exceed 24 hectares:

- *Any natural-born citizen of the Philippines who is not the owner of more than 24 hectares and who since July 4, 1926 or prior thereto, has continuously occupied and cultivated, his predecessors-interest, a tract or tracts of agricultural lands subject to disposition ;*
- *Or who shall have paid the real estate tax thereon while same has not been occupied by any person.*

“Section 112 of the Act states that said land shall further be subject to a ROW not exceeding sixty (60) meters in width for public highways, railroads, irrigation ditches , aqueducts, telegraph, and telephone lines and similar works as the Government or any public or quasi-public service on their business, with damages for the improvements only. CA No. 141 was amended by PD No. 635, which increased the ROW strip for public use to a width not exceeding 60 meters.”

“If the government decides to exercise its right to use the ROW strip reserved for public use within the land acquired under CA 141, the owner is required to execute a quit claim. The Implementing organization shall then take possession of the property affected by the ROW without any compensation to the owner for the land, but shall pay the owner the cost of the damages for the improvements within that land equivalent to their replacement cost as determined in accordance with Section 6.6 of the Implementing Rules and Regulations (IRR of RA 10752). If the owner refuses or is unable to issue a quit claim, the concerned government officials responsible for the implementation of projects are authorized to immediately take possession of the portion of property subject to the lien, as the need arises and upon due notice to the owner. This is without prejudice to the Implementing office resorting to appropriate proceedings to acquire immediate possession of the property.”

If the government should exercise its right to use the area reserved by it for public use, the owner shall be required to execute a Quit Claim, over such are reserved and actually taken by the government for public use. This mode can be availed of not only in cases where the lot acquired under the Public Land Act is still covered by Free Patents but even after the issuance (underscoring provided) of Certificate of Title or Transfer Certificate of Title because of a series of transactions involving transfer of ownership from one person to another. No payment shall be made for land acquired under the quit claim mode except for damages to improvements, and, if eligible, assistance with income restoration.

Holders of free or homesteads patents and Certificates of Land Ownership Award (CLOA) under CA 141, cover the following:

- *Follow the other mode of acquisition enumerated in the IRR of RA 10752, if the landowners is not the original patent holder and any previous acquisition of said land is not through a gratuitous title;*
- *Cash compensation for loss of land at 100 % current market value and improvements at replacement cost; or*
- *Follow the provisions under CA No. 141 regarding acquisition of ROW on patents land, if the landowners are the original patent holder or the acquisition of the land from the original patent holder is through a gratuitous title except for improvements at replacement cost"*

4.2.4 Executive Order No. 1035

"Providing the Procedures and Guidelines for the Expeditious Acquisitions by the Government of Private Real Properties or Rights thereon for Infrastructure and other Government Development Projects". Being just a mere Executive Order, this is subsequently superseded by higher laws later. The EO provides:

- Procedure For Acquisition Of Property
- Procedure For Payment And Registration Of Property/ROW Acquisition
- Assistance To Displaced Tenants/Occupants

4.2.5 DPWH Land Acquisition, Resettlement and Rehabilitation (LARR) Policy (1999), and Land Acquisition, Resettlement, Rehabilitation and Indigenous Peoples' Policy (LARRIPP, 2007).

In 1999, the first Land Acquisition, Resettlement and Rehabilitation (LARR) Policy was formulated to primarily avoid, mitigate or compensate for the adverse social impacts of infrastructure projects. Funded by the World Bank, the Policy was first applied to the National Roads Improvement and Management Project (NRIMP) Phase 1. The LARR Policy provided environmental and social safeguards to mitigate the potential negative impacts of Bank funded infrastructure projects and ensure project affected persons (PAPs) are compensated, and maintained their pre-project status or better. Bank-funded projects, including eventually non-Bank funded national infrastructure projects, shall be compliant to social and environmental standards. Having learned significant lessons from their sector and loan assistance international projects, the ADB, WB and JICA-funded projects share the same general principles and policies for their projects in the Philippines.

In 2007, the LARRIPP was further developed expanding the coverage and standardization of policy and practice to reflect it on project-affected Indigenous Peoples to be coherent with the IPRA. This included

Guidance on RAP preparation and implementation, instruments on compliance to social and environmental safeguards, and the formulation of an Indigenous People's Action Plan (IPAP) integrated in the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) for the IPs affected by infrastructure projects.

LARRIP covers (a) the principles and objectives of the resettlement policy; (b) the legal framework; (c) the eligibility, compensation and entitlements; (d) the indigenous peoples' policy framework; (e) the implementation procedures that ensure complaints are processed; (f) the public support and participation; (g) the provision of internal and external monitoring of the RAP implementation and instruments for safeguards for indigenous peoples.

4.3 JICA's and WB's Policy on Land Acquisition and Resettlement.

The key principles of JICA policies on involuntary resettlement are summarized below.

- *Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives. When, after such an examination, avoidance is proved unfeasible, effective measures to minimize impact and to compensate for losses must be agreed upon with the people who will be affected (JICA Guidelines Appendix 1.7.1).*
- *People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported by project proponents etc. in a timely manner (JICA Guidelines Appendix 1.7.2).*
- *Compensation must be based on the full replacement cost as much as possible.*
- *Compensation and other kinds of assistance must be provided prior to displacement.*
- *Host countries must make efforts to enable people affected by projects and to improve their standard of living, income opportunities, and production levels, or at least to restore these to pre-project levels (JICA Guidelines Appendix 1.7.2).*
- *Appropriate participation by affected people and their communities must be promoted in the planning, implementation, and monitoring of resettlement action plans (JICA Guidelines Appendix 1.7.3).*
- *Appropriate and accessible grievance mechanisms must be established for the affected people and their communities (JICA Guidelines Appendix 1.7.3).*
- *For projects that will result in large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public (JICA Guideline Appendix 1.7.4).*
- *In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance (JICA Guidelines Appendix 1.7.4).*
- *When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people (JICA Guidelines Appendix 1.7.4).*

World Bank policies are also summarized thus:

- *Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey (including population census that serves as an eligibility cut-off date, asset inventory, and socioeconomic survey), preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advance of such benefits (WB OP4.12 Para.6).*
- *Eligibility of benefits includes, the PAPs who have formal legal rights to land (including customary and traditional land rights recognized under law, the PAPs who do not have formal legal rights to land at the time of census but have a claim to such land or assets and the PAPs*

- who have no recognizable legal right to the land they are occupying (WB OP4.12 Para.15).*
- *Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based (WB OP4.12 Para.11).*
 - *Provide support for the transition period (between displacement and livelihood restoration (WB OP4.12 Para.6).*
 - *Particular attention must be paid to the needs of the vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc. (WB OP4.12 Para.8).*
 - *For projects that entail land acquisition or involuntary resettlement of fewer than 200 people, abbreviated resettlement plan is to be prepared (WB OP4.12 Para.25).*

Table 4.1-1. Gap Analysis Between JICA Guidelines and Philippine System

	JICA Guidelines	Philippine Legislation/Policies	Main Gap and Countermeasure
Involuntary Resettlement	<ul style="list-style-type: none"> Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives. 	<ul style="list-style-type: none"> By the Constitution, in the defense of public law, life, liberty and private property cannot be expropriated without legal proceedings. The DPWH guidelines (LARRIPP) stipulate that "involuntary relocation of residents should be avoided and minimized as much as possible." 	JICA Guidelines are operational guidance while the Philippine legislation are enabling laws and principles. But both complement each other.
	<ul style="list-style-type: none"> When, after such an examination, avoidance is proved unfeasible, effective measures to minimize impact and to compensate for losses must be agreed upon with the people who will be affected. People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported, so that they can improve or at least restore their standard of living, income opportunities and production levels to pre-project levels. 	<ul style="list-style-type: none"> If it will not be able to avoid, appropriate compensation, mitigation measures and livelihood assistance will be provided. Not only land and asset compensation, but also compensation for temporary obstruction, income, rental fee, transportation cost, vocational training, etc. will be included. (LARRIP) 	Both complement each other as operational guide in reducing impact of dislocation. The JICA Guidelines are expressed at the level of operating principles but the Philippine legislation is more detailed to even include temporary obstruction, rental and transportation cost and training
	<ul style="list-style-type: none"> Compensation must be based on the full replacement cost as much as possible. 	<ul style="list-style-type: none"> Compensation shall be in cash or in-kind payment at the replacement cost for the affected asset. The replacement price is the price required for replacement / improvement based on the current market price (LARRIPP). Project proponent must advance the compensation not only for land and structures but also crops and trees (RA10752). 	<p>Both complement each other but the Philippine legislation is more explicit on the bases of compensation</p> <p>Encourage to add taxes, material hauling, and labor costs</p>
	<ul style="list-style-type: none"> Compensation and other kinds of assistance must be provided prior to displacement. 	<ul style="list-style-type: none"> Compensation will be paid when replacement and transfer of ownership will be completed (RA10752). 	<p>The JICA Guidelines requires compensation before displacement while the Philippine policy requires when transfer of ownership must be completed first.</p> <p>Facilitate to pay compensation before resettlement.</p>

	JICA Guidelines	Philippine Legislation/Policies	Main Gap and Countermeasure
	<ul style="list-style-type: none"> For projects that entail large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public. 	<ul style="list-style-type: none"> LARRIPP and DO327-2003 stipulate that land acquisition and resettlement action plan will be prepared, and explain them through public participation and consultation in that process in this process. 	Very similar and no significant gap between the JICA Guideline and the Philippine legislation
	<ul style="list-style-type: none"> In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance. 	<ul style="list-style-type: none"> LARRIPP and DO 327-2003 stipulate that land acquisition and resettlement action plan is prepared, explained and publicly participated by project affected persons and stakeholders. All affected people will be provided information through information campaigns 	No significant gap/ Not applicable
	<ul style="list-style-type: none"> When consultations are held, explanations must be given in a form, manner, and language that are understandable to the affected people. 	<ul style="list-style-type: none"> Public Consultation will be held with support from the local office. Leaflets and materials to be used are to be prepared in a language that the project affected persons can understand (LARRIPP). 	No significant gap/ Not applicable
	<ul style="list-style-type: none"> Appropriate participation of affected people must be promoted in planning, implementation, and monitoring of resettlement action plans. 	<ul style="list-style-type: none"> Internal monitoring by project proponent, or external monitoring by organization consisting of qualified and experienced personnel will be conducted (LARRIPP). 	The JICA Guidelines are more emphatic on the participation of the project affected persons in all phases of the RAP.
	<ul style="list-style-type: none"> Appropriate and accessible grievance mechanisms must be established for the affected people and their communities 	<ul style="list-style-type: none"> Affected people can file a written complaint with the Resettlement Implementation Committee (RIC) to resolve the complaint, and the RIC and DPWH regional offices will respond. If deemed necessary, case proceedings may be filed involving the judicial action (LARRIPP). 	The JICA Guidelines are highlighting a grievance redress mechanism appropriate and directly accessible especially to the project affected persons. A community level and RIC level mechanism may be both established for as long as accessibility is sustained during the RAP implementation and post relocation maintenance
	<ul style="list-style-type: none"> Affected people are to be identified and recorded as early as possible in order to establish their eligibility through an initial baseline survey, preferably at the project identification stage, to prevent a subsequent influx of encroachers of others who wish to take advance of relocation and compensation benefits 	<ul style="list-style-type: none"> The cut-off date (COD) is the start date of the registration survey of affected families within the project boundaries, and those who are not residents at the start of the registration survey are not eligible for compensation and relocation (LARRIPP). 	Both the JICA Guidelines and the Philippine legislature are very concerned that project benefits and entitlements will only go to the deserving and eligible project affected persons.
	<ul style="list-style-type: none"> Eligibility of benefits include, the PAPs who have formal legal rights to land, the PAPs who do not have formal legal rights to land at the time of census but have a claim to such land or assets and the PAPs who have no recognizable legal right to the land they are occupying (WB OP4.12). 	<ul style="list-style-type: none"> Not only legal landowners, but also cultivated land users who do not have land titles or tax returns, peasants, structure owners and lessors are eligible for compensation (LARRIPP). Within the easement area set by the Philippine government,, illegal residents who have actually lived before 1992 have eligibility of compensation. 	<p>The Philippine policies are more inclusive in recognizing eligibility to compensation beyond formal legal rights.</p> <p>Facilitate residents who migrated after 1992 to be provided equal compensation or support.</p>

	JICA Guidelines	Philippine Legislation/Policies	Main Gap and Countermeasure
	<ul style="list-style-type: none"> Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based (WB OP 4.12) 	<ul style="list-style-type: none"> If feasible, at the available place based on the Zoning Act, alternative land such as land of equal value of market price or larger place will be compensated near relocation sites with social infrastructure and service (LARRIPP). 	Encourage to comply with LARRIPP
	<ul style="list-style-type: none"> PAPs should be provided support in the transition period between displacement and livelihood restoration (WB OP 4.12). 	<ul style="list-style-type: none"> The support to PAPs shall be continuously monitored until livelihood lost is recovered (LARRIPP). 	No significant gap/ Not applicable
	<ul style="list-style-type: none"> Particular attention must be paid to the needs of the vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc. (WB OP 4.12) 	<ul style="list-style-type: none"> Set conditions, requirements and safeguards for plans, programs and projects that affect indigenous peoples. It is necessary to prepare the Indigenous People Action Plan (IPAP) and develop Indigenous People Plan (IPP) if indigenous people are affected with negative impacts of a project. . Women and the elderly, children and the differently able among the affected people must also participate in the consultation, and reflect and implement the resettlement action plan preparations, recover their livelihood and other social welfare (LARRIPP). 	The WB looks at the broad vulnerable sector among the project affected people while there is a parallel particular Philippine policies pay attention on the indigenous people as a focal vulnerable group
	<ul style="list-style-type: none"> For projects that entail land acquisition or involuntary resettlement of fewer than 200 people, abbreviated resettlement plan is to be prepared (WB OP 4.12). 	<ul style="list-style-type: none"> Regardless of the scale of the resettlement, an appropriate resettlement plan will be prepared and implemented (LARRIPP). 	The WB sets a cut off size of project affected people to 200 which will require the preparation of a full RAP while the Philippine policy sets no cut-off size for RAP preparation.

Source: JICA Study Team

5. Impacts Caused by Land Acquisition and Involuntary Resettlement

5.1 Land Acquisition

5.1.1 Anticipated impacts caused by land acquisition

In the short term to medium term, the influence of land acquisition by the flood control project on real estate values and land prices in the surrounding areas of the project sites will increase substantially. This will also have cascading effects on the cost of both rural and urban development driven by high cost of land prices. The present land use of affected lands in the project sites show the dominance of mono-cropping, especially before the implementation of land reform, where land distribution opened ways for other crops for the local market. Small lands in the hands of new owners opened cash crop planting, especially in New Valencia and Mandug. The domination of banana cropping in the past is now diversified, as seen from almost half of the land-prepared and cultivated areas for cash crops. The land ownership patterns show concentration of titles in the name of the same families and their relatives in smaller parcels of land as reflected in Table A.1.1 (See Annex 1 for RP 8), Table A.2.1 (See Annex 2 for RP 9), Table A.3.1 (See Annex 3 for RP11) & Table A.4.1 (See Annex 4 for COW).

Another big impact is internal to the DPWH. From the point of view of the ROWA implementation of land acquisition for the flood control project, a total of **96 land parcels** constituting a total of about **193.98 hectares** shall be subjected to processes of transfer ownership in the name of the state (See Table 5.1). There are also about **9 untitled properties** identified across project sites, foreseeably without legal owners, because there is no evidence of registration, tax declaration and tax payments, patent claims and the like. These 9 untitled properties are not included in the **96 land parcels**. Properties without titles will be favorable to the project to ironically claim back ownership titled in the name of the state. *These untitled lands (with diagonal shades reflected in all the maps of the RPs and COW will also be a major source of reducing very substantial expenditures for land acquisition (See Annexes 1-4).* All these will be a formidable undertaking for the DPWH, before the main work of engineering construction can even begin.

Table 5.1 shows the number of Affected Households (AH) who will lose their private lands in RP8, RP9, RP11 and COW. The proposed RPs and COW in the Davao River will affect an estimated total of 183.03 hectares of agricultural lands, 7.81 hectares of commercial lands and 3.14 hectares of residential land.

Table 5.1 Estimated Land Area of Affected Property with Ownership Documents

Components	Project Sites	Estimated Affected Land Area with Ownership Documents (ha)	Number of Affected Properties
Retarding Ponds (RPs)	Retarding Ponds (RPs)	76.60	26 land parcels
	RP 9, Callawa	28.61	21 land parcels
	RP 11, Mandug	66.03	27 land parcels
	<i>Sub-total in RPs</i>	<i>171.24</i>	<i>74 land parcels</i>
Cut Off Works (COW)	Brgy. Ma-a & Brgy. 19-B	22.74	22 land parcels
	<i>Sub-total in COW</i>	<i>22.74</i>	<i>22 land parcels</i>
Total Area		193.98	96 land parcels

Source: JICA Study Team

Table 5.2 Number of Affected Households (AH) who will lose their private lands

Project Components	Location	Agricultural Land		Commercial Land		Residential Land		Total (ha)
		AH	(ha)	AH	(ha)	AH	(ha)	
RP8	New Valencia	26	76.60	0	0.00	0	0.00	76.60
RP9	Callawa	21	28.61	0	0.00	0	0.00	28.61
RP11	Mandug	27	66.03	0	0.00	0	0.00	66.03
COW	Maa & 19-B	8	11.79	3	7.81	11	3.14	22.74
Project Total		82	183.03	3	7.81	11	3.14	193.98

Source: JICA Study Team

5.1.2 Mitigating Measures of Anticipated Impacts Caused by Land Acquisition

5.1.2.1 Compensation current market value (CMV) of the land, and replacement cost of structures and improvements.

The Philippine Constitution ensures that owners of real property acquired for national government infrastructure projects are promptly paid just compensation for the expeditious acquisition of the required right-of-way for the projects. Private property shall not be taken for public use without just compensation. The RA 10752 further strengthens the said constitutional provision and ensures that property owners and project-affected properties in areas where national government infrastructure projects would be given just compensation. The Implementing Rules and Regulations (IRR) of RA 10752 is promulgated in May 25, 2016 to carry out the provisions of the said Act. Compensation are based on the current market value (CMV) of the land and replacement cost of structures and improvements. For this project, compensation are based on replacement cost of land, structures and improvements.

5.1.2.2 Full Payment of the Entire Land if the Affected Area is more than 20%

Based on the Guidelines for the qualifications of PAPs, Entitlements and Compensations of D.O. 327, Series of 2003, "PAPs who will lose **more than 20% of their assets** because of the need to acquire right-of-way for the implementation of an infrastructure project or their remaining land or structure is no longer viable for continued use or occupancy. The PAPs who will lose those assets will be entitled to full payment of the fair market value of the entire land and the full replacement cost of the entire structure and other improvements affected.

PAPs who will lose **less than 20% of their assets** because of the ROW to be acquired for the project or if the remaining structure that is affected is still viable for continued use or occupancy. The PAPs who will lose those assets will be entitled to full payment for the fair market value of the land to be taken and the full replacement cost of the portions of the structures and other improvements affected". (Annex B, Guidelines for Qualifications of PAPs, Entitlements and Compensation, D.O. 327, Series of 2003).

Following the guidelines on the assessment of the extent of impacts of the lands affected by the proposed projects as prescribed in D.O. 327, Series of 2003, Table 5.3 shows the number of AH and that total land area that would be compensated.

Table 5.3 Total Land Area for Compensation

Project Components	Location	Marginally Affected		Severely Affected		Total Land Area for Compensation (ha)
		AH	Land Area for Compensation (ha)	AH	Land Area for Compensation (ha)	
RP8	New Valencia	1	0.10	25	112.95	113.05
RP9	Callawa	4	1.14	17	44.45	45.59
RP11	Mandug	3	1.96	24	76.62	78.58
COW	Maa & 19-B	9	9.13	13	28.70	37.83
Project Total		17	12.33	79	262.72	275.05

Source: JICA Study Team

5.1.2 3. Access Road and Passage Ways

For properties that will be denied/close of access road due to the project, there will be a provision of access routes in case the community roads are split by the construction work or by the eventual operation of the RPs and COW. This would be true to parcels of land that will be isolated or made inaccessible for vehicle and personnel passage due to the Project. This will also become clearer when the project parcellary surveys, during the DED, are also completed.

The immediate and foreseeable measure to mitigate this situation is the construction of the top portion of the 3 RPs and COW peripheral dikes to incorporate access roads for small vehicles and passage ways for people to and from their properties that may otherwise be isolated by the project. The peripheral access roads along the dikes will also serve to ease the regular task of dike and flood control monitoring of regular operations and maintenance.

The most affected will also be the COW areas. During the DED stage, the engineering designs of the project will make provisions for bridges in the Crocodile Park and subdivision area in the northern part of the COW nearest to the Davao Bridge along the main highway; and another bridge in the Padaman area in Padaman. We should also take note that another four-lane bridge has been completed by the DPWH connecting the Countryside Road in the Padaman area in Padaman, to the lower AWHAG area in Brgy. 19-B across the Davao River.

5.2 Resettlement Project Level Conditions

There are 104 ISFs qualified for relocation: 1 ISF in Mandug affected by RP 11 and 103 ISFs affected by the COW in Barangay Ma-a.

5.2.1 Socio-economic characteristics of the project-affected Informal Settler Family

5.2.1.1 ISFs in COW

Identification of ISFs

The affected barangays in COW areas are Barangay 19-B and Barangay Padaman, Davao City. The affected area in Barangay 19-B is an agricultural land owned by Dizon. The six affected households are basically laborers/workers of Dizon Farms. Affected households in Padaman on the other hand are found in two locations in Purok 27, Barangay Ma-a: **the Upper Padaman and Lower Padaman**. There

are 31 affected households in Upper Padaman, all of whom claim to be relatives and heirs of Padaman who is the titleholder of T27726. Likewise, 96 affected households are located at Lower Padaman.

Table 5.4 Distribution of Projected Affected Households

Barangays	Number of Affected Households	Total
Barangay 19B	6	6
Purok 27, Ma-a (Upper Padaman)	31	127
Purok 27, Ma-a (Lower Padaman)	96	

Note: Of the 127 households, 103 households need resettlement.

Source: JICA Study Team

Table 5.5 HH Survey on Land/House Ownership

Housing and Land Ownership	Padaman	
	Frequency	%
Own the lot and the house	59	46.5
Own the house but rent/leased the land/lot/ land is a govt property and or shared with family/relatives	43	33.9
Own the house but no response on the land	1	.8
Renter (both House and Lot)	18	14.1
House renter but no response on the land ownership	5	3.9
Rent-free occupant (both house and land)	1	.8
Total	127	100.0

Source: JICA Study Team

Based on the HH Survey, Table 5.5 shows the housing and land ownership of the affected households in Purok 27. All households in Brgy 19-B are rent-free occupants with workers' sheds as temporary structures. They stay in the affected area for free for both house and lot.

For Purok 27, Ma-a, 31 of the 59 project affected persons who claim that they own both the house and land are located at upper Padaman. The lot is owned by Padaman with title number T27726. They claim to be the heirs of Padaman, as mentioned both in the interview and the three consultations conducted with them.

Twenty seven (27) of the 59 affected households who claim ownership of both house and lot are situated in Lower Padaman. They perceive that they own the land they occupy but are actually sitting on privately owned/titled lands (lot 420 & CAD 102). The owners of these cited lands are undetermined, could not be identified, and are without documented titles, tax declarations and tax payments.

The rest of the 43 affected households (33.9%) claim that they own the house but rent or lease the land; the land is claimed as a government property and shared with relatives. One mentioned owning the house but gave no response on the land. There are 23 affected households who are renters of both house and land, and a house renter has no response on the land. There is one rent-free occupant. Table 5.6 shows that there are 103 informal settler families in Padaman.

Table 5.6 Classification of Households in Purok 27, Barangay Padaman.

Classification	Frequency	Percentage (%)
Informal Settler Families	103	81.1
Renters	23	18.1
Sharers	1	0.8
Total	127	100

Source: JICA Study Team

The informal sector includes those household families who claim to be heirs of the Padaman properties and those who claim to own both houses and land.

Type of Building/House Structure of the ISF in Padaman

All ISFs in Padaman claim that their housing structures are residential use. Majority (79%) of these affected households are located at Lower Padaman.

Table 5.7 House Structure

House Structure	Upper Padaman		Lower Padaman	
	Frequency	%	Frequency	%
Residential	31	100	72	100
Agricultural/Commercial	0	0	0	0

Source: JICA Study Team

In terms of type of residential structure, 25 ISFs in Upper Padaman claimed that the type of their residential structure is a single storey residential unit; while only 6 ISFs claimed that their residential structure is duplex, two storey residential. Among those at Lower Padaman, 34 (47.2%) claimed to have a single storey residential unit; while 30 (41.7%) reside on a single two storey unit. Six did not give answer and 2 mentioned a duplex two storey residential unit.

Table 5.8 Type of Residential Structures

Type	Upper Padaman		Lower Padaman	
	Frequency	%	Frequency	%
Single storey residential unit;	25	80.6	34	47.2
Single two storey;	6	19.4	30	41.7
Duplex, two storey residential	0	0	2	2.8
No answer	0	0	6	8.3
Total	31	100	72	100

Source: JICA Study Team

In terms of materials used for the dwelling units, 35 or 48.6% from Lower Padaman and 10 from Upper Padaman claim that their unit is made from mixed, but predominantly, strong materials; while 16 or 22.2% from Lower Padaman and 13 or 41.9% from Upper Padaman claim that their houses are made of mixed, but predominantly, light materials.

Table 5.9 Materials Used for Dwelling Unit

Materials Used	Upper Padaman		Lower Padaman	
	F	%	F	%
Mixed but predominantly strong materials;	10	32.3	35	48.6

Mixed but predominantly light materials;	13	41.9	16	22.2
Salvaged/makeshift materials;	0	0	2	2.8
Strong materials (galvanized iron, tile, concrete, brick stone);	4	12.9	7	9.7
Light materials (cogon, nipa, anahaw, wood);	3	9.7	9	12.5
Others	1	3.2	2	2.8
No Answer			1	1.4
Total	31	100	72	100

Source: JICA Study Team

Household Size and Number of Households in a Dwelling Unit

Table 5.10 shows the number of persons residing in the household. In Upper Padaman, 12 or 38.7 percent of the residents and 27 (37.5%) in Lower Padaman claimed to have 3 to 4 household size. This is followed by 5 to 6 household size with 9 (29%) and 22 (30.6%) in Upper and Lower Padaman, respectively.

Table 5.10 Household Size and Number of HH per Dwelling Unit

HH Size	Upper Padaman		Lower Padaman	
	F	%	F	%
1-2	4	12.9	12	16.7
3-4	12	38.7	27	37.5
5-6	9	29	22	30.6
7-8	4	12.9	7	9.7
9-10	1	3.23	2	2.8
11-highest	1	3.23	1	1.4
No response			1	1.4
Total	31	100	72	100.0

Source: JICA Study Team

In terms of the number of households residing in a dwelling unit, majority (22 and 62) from both Upper and Lower Padaman respectively claimed that there is only 1 household in a dwelling unit, but a significant number (5 in Upper and 8 in Lower) also claimed that 2 households are residing in 1 dwelling unit.

Table 5.11 Number of HHs in a Dwelling Unit

Number of HH	Upper Padaman		Lower Padaman	
	F	%	F	%
1	22	71.0	62	86.1
2	5	16.1	8	11.1
3	2	6.5	0	0
4	1	3.2	0	0
5	0	0	2	2.8
6	1	3.2	0	0
Total	31	100.0	72	100.0

Source: JICA Study Team

Ethnolinguistic Affiliation

Almost all (87.1%) ISFs in Upper Padaman are Kagan/Kalagan while more than a quarter (26) ISFs at lower Padaman claimed to be Kagan/Kalagan. Cebuano/Bisaya dominates Lower Padaman with 33 or 45.8 percent of the total ISFs with 26.7%.

Table 5.12 Ethnic Affiliation and Language Used

Ethnic and Language Affiliation	Upper Padaman		Lower Padaman	
	F	%	F	%
Kagan/Kalagan	27	87.1	26	36.1
Cebuano/Bisaya	0	0	33	45.8
Mandaya	1	3.2	2	2.8
Maguindanao	1	3.2	2	2.8
Surigaonon	0	0	0	0.0
Others: Ilongo, Boholano, Tagalog	0	0	4	5.6
Maranao	1	3.2	5	6.9
Dabawenyo	1	3.2		
Total	31		72	100

Source: JICA Study Team

Residency of PAPs

Table 5.13 shows the years of stay of the ISFs in the area. The mean number of years of stay of those in Upper Padaman is 33 years with 10 or 32.3% stayed in the area for 36-45 years, with most of them claimed to have been born in the area. Mean number of years of stay at Lower Padaman is shorter than Upper Padaman (14 years) with more than half (56.9%) stayed in the area for about 5 years or less.

Table 5.13 Years of Stay in the Area

Length of Stay in Area (Years)	Upper Padaman		Lower Padaman	
	F	%	F	%
5 years or less	4	12.9	41	56.9
6 - 15 years	4	12.9	15	20.8
16 - 25 years	4	12.9	3	4.2
26 - 35 years	2	6.5	5	6.9
36 - 45 years	10	32.3	4	5.6
46 - 55 years	2	6.5	1	1.4
56 years and above	5	16.1	1	1.4
No Answer			2	2.8
Total	31	100	72	100
Mean: No. of Years of Stay	33 years		14 years	

Source: JICA Study Team

Socio-Economic Status of PAPs

PAPs' socioeconomic status is measured using the following indicators: (i) socio-demographic profile (ii) work information including HH income; (iii) access to basic social services ---source of lighting, water supply, toilet facilities, health and educational facilities and, (iv) poverty threshold.

Socio Demographic Profile

Table 5.14 shows that in Upper Padaman, most of the respondents (19 or 61.3%) are household heads themselves, with only 11 as spouses of household heads. In Lower Padaman however, majority (45 or 62.5%) of the respondents were spouses. Only 8 household heads were interviewed in Lower Padaman. A significant number (18) of respondents in Lower Padaman were live-in partners.

Table 5.14 Relation of Respondent to Household Head

Relation to HH Head	Upper Padaman		Lower Padaman	
	F	%	F	%
HH Head	19	61.3	8	11.1
Spouse	11	35.5	45	62.5
Live in Partner	1	3.2	18	25.0
Child			1	1.4
Total	31	100	72	100.0

Source: JICA Study Team

Majority of the respondents are males with 30 or 96.8% and 56 or 77.8% in Upper and Lower Padaman respectively. Female respondents comprise about 3.1% and 22.2% of Upper and Lower Padaman respectively. It is expected that 17 household heads of women are widow.

Table 5.15 Sex of Household Head

Sex	Upper Padaman		Lower Padaman	
	F	%	F	%
Male	30	96.8	56	77.8
Female	1	3.2	16	22.2
Total	31	100	72	100.0

Source: JICA Study Team

Majority of the respondents from Upper and Lower Padaman are married with 28 and 40 respectively.

Table 5.16 Civil Status of Respondents

Civil Status	Upper Padaman		Lower Padaman	
	F	%	F	%
Married	28	90.3	40	55.6
Live-in	1	3.2	15	20.8
Separated	1	3.2	8	11.1
Widower	1	3.2	5	6.9
Single	0	0	4	5.6
Total	31	100	72	100.0

Source: JICA Study Team

Table 5.17 reveals the age of respondents. The mean age for Upper Padaman is 38 years old while at Lower Padaman it is 42 years old. Age range however for both areas is found to be within productive age range of 21 to 40 years of age.

Table 5.17 Age of Respondents

Age Bracket	Upper Padaman		Lower Padaman	
	F	%	F	%
20 years old and below	1	3.2	2	2.8
21 - 30 years old	8	25.8	12	16.7
31 - 40 years old	9	29.0	22	30.6
41 - 50 years old	5	16.1	14	19.4
51 - 60 years old	6	19.4	15	20.8
61 years old and above	2	6.5	6	8.3
No response	0	0	1	1.4
Total	31	100.0	72	100
Mean Age	38 years old		42 years old	

Source: JICA Study Team

In terms of educational attainment, more than a quarter (11 or 35.5%) from Upper Padaman and 21 or 29% from Lower Padaman are high school undergraduate, followed by high school graduate with 6 or 19.4% and 19 or 26.4 percent, respectively.

Table 5.18 Educational Attainment

Highest Educational Attainment	Upper Padaman		Lower Padaman	
	F	%	F	%
HS Undergraduate;	11	35.5	21	29.2
HS Graduate;	6	19.4	19	26.4
College Undergraduate;	5	16.1	5	6.9
Elementary Graduate;	5	16.1	9	12.5
Elementary Undergraduate;	4	12.9	13	18.1
College Graduate;			2	2.8
Vocational Graduate;			2	2.8
No response			1	1.4
Total	31	100.0	72	100

Source: JICA Study Team

Work Information

More than half of the households (56.9%) in Lower Padaman and almost half (41) in upper Padaman have at least 1 member who is working, while 38.9% of the households in Lower Padaman and 14 households in Upper Padaman have 2 members who are working.

Table 5.19 Number of HH Members who are Working

Number of Working HH Members	Upper Padaman		Lower Padaman	
	F	%	F	%
1	14	45.2	41	56.9
2	14	45.2	28	38.9
4	1	3.2	2	2.8
5	2	6.5	1	1.4
Total	31	100.0	72	100.0

Source: JICA Study Team

In terms of the number of persons in the household who contribute to the HH income, more than half (51.4%) of the households from Lower Padaman and about 11 households from Upper Padaman claimed

to have at least 1 person contributing to the HH income; while 43.1 % or 31 households and 11 households claimed to have 2 persons contributing to household income.

Table 5.20 Number of Persons in HH who contribute to HH Income

Number of Persons Contributing to Income	Upper Padaman		Lower Padaman	
	F	%	F	%
1	11	35.5	37	51.4
2	11	35.5	31	43.1
3			3	2.8
4	1	3.2	1	1.4
No Response	8	25.8		
Total	31	100.0	72	100

Source: JICA Study Team

Table 5.21 reveals the type of occupation of the respondents. Of those who are working, 12 respondents from Lower Padaman claimed to work as construction worker while 12 claimed to work as driver. Meanwhile, among those who are working in Upper Padaman, 11 also work as a driver followed 4 who are working as private employees and 3 as temporary laborer.

Table 5.21 Type of Occupation

Number of Working HH Members	Upper Padaman		Lower Padaman	
	F	%	F	%
Construction worker (welder, laborer, carpenter, etc.)	1	3.2	12	16.7
Driver	11	35.5	10	13.9
Own business	1	3.2	3	4.2
Private employee	4	12.9	3	4.2
Temporary laborer	3	9.7	3	4.2
Arabic teacher		0.0	1	1.4
Street Vendor	4	12.9		
Government Employee	1	3.2		
Canal Worker	1	3.2		
Call Center	1	3.2		
No answer		0.0	34	47.2
Not applicable	4	12.9	6	8.3
Total	31	100	72	100.0

Source: JICA Study Team

Of the respondents who declared to have income, almost half (13) from Upper Padaman and more than a quarter (26.4%) from Lower Padaman have income of Php5001.00-10,000.00. The average monthly income for both areas is Php 12,862.00 for Upper and Php 15,722.00 for Lower Padaman. It can be noted that the household income for both areas shows that the respondents are below the poverty line of Php 17, 040 monthly income for a family of 4 in Region XI. At least 66 families are expected living under poverty line.

Table 5.22 Household Income

Household Head Monthly Income	Upper Padaman		Lower Padaman	
	F	%	F	%
Php 5000 & less	3	9.7	10	13.9
Php 5001 - 10000.00	13	41.9	19	26.4

Php 10001 - 15000.00	4	12.9	17	23.6
Php 15001 - 20000.00	3	9.7	10	13.9
Php 20001 - 25000.00	2	6.5	2	2.8
Php 25001 - 30000.00	2	6.5	8	11.1
Not applicable	4	12.9	6	8.3
Total	31	100.0	72	100
Mean/Average income	12,862.96		15,722.00	

Source: JICA Study Team

Access to Basic Services

Majority (27 and 51) of the respondents from Upper and Lower Padaman respectively have access to water through a piped connection. Likewise, all have access to electricity.

Table 5.23 Primary Source of Water

Source of Water	Upper Padaman		Lower Padaman	
	F	%	F	%
Piped connection	27	87.1	51	70.8
Deep well			10	13.9
Water vendors (e.g. bottled water, container, peddlers)	2	6.4	7	9.7
Unfinished				
Others (still being constructed)	2	6.5	2	2.8
No response			2	2.8
Total	31	100	72	100

Source: JICA Study Team

In terms of toilet facility, 65 (90.3%) of respondents from Lower Padaman and 25 (80.6%) from Upper Padaman have water sealed (flush or pour flush) toilet connected to a septic tank inside their lot. Only a few shares a common toilet. When asked whether there is drainage facility, almost all shared none or never maintained a drainage system.

Table 5.24 Type of Toilet Facility

Type of Toilet Facility	Upper Padaman		Lower Padaman	
	F	%	F	%
Water-sealed (flush or pourflush) connected to septic tank (inside the lot);	25	80.6	65	90.3
No toilet; open defecation			5	6.9
Water-sealed (flush or pourflush) connected to sewerage system (outside the lot);	1	3.2		
Shared toilet	4	12.9	1	1.4
No answer	1	3.2	1	1.4
Total	31	100	72	100

Source: JICA Study Team

Table 5.25 reveals the households' access to health facility. Twenty six or (83.9%) and 63 (87.5%) of the affected households from Upper and Lower Padaman respectively have mentioned having access to a health facility, clinic, government health center, lying in clinic/center.

Table 5.25 Availability of Health Facility

Whether Health Facility is Available	Upper Padaman		Lower Padaman	
	F	%	F	%
Yes	26	83.9	63	87.5
No	4	12.9	9	12.5
No answer	1	3.2		
Total	31	100	72	100

Source: JICA Study Team

Padaman, being in the city center, is also accessible to schools. This was also confirmed by almost all respondents with 31 households from Upper Padaman and 70 (97.2%) households in Lower Padaman. Respondents particularly mentioned basic education schools such as pre-school, elementary, junior high school and senior high schools.

Table 5.26 Availability of Schools

Availability of Schools	Upper Padaman		Lower Padaman	
	F	%	F	%
Yes	31	100	70	97.2
No			2	2.8
Total	31	100	72	100.00

Source: JICA Study Team

Acceptability of the Flood Control Project

Respondents were asked whether they have heard about the project. Majority (77.8%) or about 56 respondents from Lower Padaman and 22 (71.0%) from Upper Padaman claimed to have heard of the project. Only 16 (22.2%) and 9 (29%) of the households from both lower and upper Padaman respectively did not hear of the project.

Table 5.27 On Whether Respondents Heard of the flood control project

On Whether Respondents Heard About the Project	Upper Padaman		Lower Padaman	
	F	%	F	%
Yes	22	71.0	56	77.8
No	9	29.0	16	22.2
Total	31	100.0	72	100

Source: JICA Study Team

Among those who have heard the project, 12 (38.7%) from Upper Padaman and 47 (65.7%) households from Lower Padaman are favorable of the flood control project. Likewise, 10 and 9 households from upper and lower Padaman are not in favor of the project.

Table 5.28 Acceptability of the flood control project

Acceptability of the Project	Upper Padaman		Lower Padaman	
	F	%	F	%
Yes	12	38.7	47	65.3
No	10	32.3	9	12.5
Not applicable	9	29.0	16	22.2
Total	31	100	72	100.0

Source: JICA Study Team

Among the reasons mentioned by those in favor of the project include: no other choice, beneficial to majority of the people, and for the good of the many.

Table 5.29 Reasons for being in favor of the flood control project

Reasons	Upper Padaman	Lower Padaman
	F	F
For the good of many/welfare of everyone	6	16
Whatever is the decision of the leader	3	
What the government wants/law dictates		7
No choice		16
The project will help a lot of people	1	1
Yes, for the flood control but hopefully there is a proper compensation	1	1
Safety of the family/everyone	1	1
Not Applicable	19	25
No Answer		5
Total	31	72

Source: JICA Study Team

For those who are not favorable, reasons cited include: the land site of the project is their inheritance (*yutang kabilin*), have already settled in the area, house, do not want to lose their house, land and income.

Table 5.30 Reasons for not favoring the project

Reasons	Upper Padaman	Lower Padaman
	F	F
Have settled in the area already/have stabilized		6
Does not want to be relocated; has lived in area for a long time; Inheritance (<i>yutang kabilin</i>)	5	1
Our income/livelihood is here; we don't want to lose it	1	1
Don't want to lose house and land	1	
Don't want to; no assurance of relocation	1	
Just moved in to this place		1
Undecided		1
Not Applicable	23	62
Total	31	72

Source: JICA Study Team

Vulnerability Analysis

Table 5.31 shows the number of households with members who are 6 years and below and those with 7 to 14 years of age in Lower Padaman. Likewise, households with older persons are also shown. There are 25 households with at least 1 child, 6 years and below. This accounted for 34.7 percent of the total ISF in Lower Padaman. There are 15 affected household with 7 to 14 years old and 6 ISF with 1 older person, 65 years and above.

Table 5.31 Households with members 6 yrs. old and below, 7 to 14 yrs. old and 65 yrs. & above at Lower Padaman

6 yrs. old and below		7 yrs. old to 14 yrs old		65 yrs. old & above	
Frequency	Percent	Frequency	Percent	Frequency	Percent
25	34.7	15	20.8	6	8.3
9	12.5	18	25.0	3	4.2
		3	4.2		
1	1.4				
37	51.4	36	50.0	63	87.5
72	100.0	72	100.0	72	100.0

Source: JICA Study Team

In the case of Upper Padaman, there are 15 households with 1 child ages 6 years and below which accounted for almost half of the total ISF in Upper Padaman. There are 10 households with children ages 7 to 14 years, and 4 households with 1 older person.

Table 5.32 Households with members 6 yrs. old and below, 7 to 14 yrs. old and 65 yrs. & above at Upper Padaman

6 yrs old and below		7 yrs old to 14 yrs old		65 yrs old & above	
Frequency	Percent	Frequency	Percent	Frequency	Percent
15	48.4	10	32.3	4	12.9
2	6.4	5	16.1	1	3.2
3	9.7	2	6.4		
11	35.5	14	45.2	26	83.9
31	100.0	31	100.0	31	100.0

Source: JICA Study Team

In terms of the number of households with children attending schools, Upper Padaman claimed to have 7 households with 1 boy child attending school while there are 11 households with at least 1 girl attending school. Likewise in Lower Padaman, there are 19 households with at least 1 boy child attending school and 25 households with 1 girl child attending school. Meanwhile, there are 5 and 19 households with 2 boy child attending school in Upper and Lower Padaman respectively. Households with 2 girl child account for 3 and 11 households in upper and lower Padaman respectively.

Table 5.33 Households with Children Attending School

Number of Children Attending School	Upper Padaman		Lower Padaman	
	Boys (Frequency)	Girls (Frequency)	Boys (Frequency)	Girls (Frequency)
1	7	11	19	25
2	5	3	19	11
3	1		2	3
4	1			
None	17	17	33	33
Total	31	31	72	72

Source: JICA Study Team

About 3 respondents from upper Padaman and 2 from Lower Padaman claimed to have a person with disability in the house. The disabilities include physically challenged, acute arthritis, cerebral palsy, and one with not fully developed feet.

Table 5.34 On Whether HHs have members with disability

On Whether HHs have members with PWDs	Upper Padaman		Lower Padaman	
	F	%	F	%
Yes	3	9.7	2	2.8
No	28	90.3	70	97.2
Total	31	100.0	72	100.0

Source: JICA Study Team

Table 5.35 Types of Disability

Type of Disability	Upper Padaman		Lower Padaman	
	F	%	F	%
Physically challenged	2	6.5		
Acute arthritis	1	3.2		
Cerebral Palsy			1	1.4
Feet/limbs not developed since childhood			1	1.4
Not applicable	28	90.3	70	97.2
Total	31	100.0	72	100

Source: JICA Study Team

5.2.1.2 The Lone ISF in RP 11

The lone person eligible for resettlement is 62 years old and single. He has no wife and children. He stays alone in the house. A native of Barangay Mandug, Davao City, he is an elementary undergraduate and is living alone in the dwelling unit. He has been staying in the area since 2016. He also has clouded vision due to cataract.

He owns the house he is residing in. He has been staying in the house for five (5) years. The house is a single residential unit made of light materials. He is a tenant and he has verbal or oral permission to reside in the lot by the landowner.

His source of water is the spring, river and stream. He does not have access to a water service provider. No access to light and power and uses *lampara* (gas lamp) at night. The toilet used is shared with the neighboring household, a relative who does not qualify for resettlement. The relative has a permanent house in the nearby Sitio Lapuy just immediately outside the RP 11 area.

He is earning PhP 1,000.00 a month from farming and fishing. His food consumption is most of the time free as he eats with his sibling who has a house near the LABEARCO office. He has a nephew who works and sometimes gives him money. His other part time earning work aside from farming includes selling bananas and selling hogs with revenues cycle after 2 years. His annual expenditures are shown in Table 5.36.

Table 5.36 Annual Expenditure of the Lone Eligible Person for Resettlement

Items	Amount (PhP)
Food	19,200.00
Clothing	2,000.00
Transportation	1,920.00

Source: JICA Study Team

He receives a social protection grant through social pension. He also mentioned grants as the assistance he would be needing. His skills are in farming. He is silent in expressing his job training needs.

He is not aware of the proposed flood control project. During his interview, he expressed hearing for the first time about the project. He mentioned that his relative who lives nearby but does not qualify for resettlement is the person he usually approaches for help, especially for rice and financial concerns.

Tables 5.37 and 5.38 show the inventory of loss/replacement for the dwelling unit and farming livelihood, respectively.

Table 5.37 Inventory of Dwelling Unit losses

Dwelling Unit	Description
Type	single residential unit
Materials Used	Light materials (cogon, nipa, anahaw)
Floor area	10 sq meters
Total Affected Area	Land not owned
Number of dwellings owned	1
Age of Property	5 years
Estimated cost of unit	PhP 8,000.00
Year Built	2016
Roofing materials	Metal roofing
Estimated cost of roofing	About PhP 5,000.00
Flooring materials	Wood
Estimated cost of flooring	About PhP2,000.00
Exterior materials	Outdoor kitchen; walls made of wood
Estimated cost of exterior materials	About PhP2,000.00
Interior materials used	None
Estimated cost of interior materials	N/A
Total estimated cost of dwelling unit	About PhP17,000.00

Source: JICA Study Team

Table 5.38 Inventory of Farming losses

Agriculture	Description
Type of Asset	Banana
Quantity	300
Planted Area	500 sq meters
Affected area	Land not owned
Year planted	2016
Cost of Seedling	PhP 1,500.00

Source: JICA Study Team

5.2.2 Proposed Relocation Areas

Section 9 of RA No. 10752 (Right of Way Act) and Section 14 of Implementing Rules and Regulations (IRR) of RA 10752 states that the government through the Housing and Urban Development Coordinating Council (HUDCC) and the National Housing Authority (NHA), in coordination with the LGUs and implementing agencies, shall establish and develop resettlement sites for informal settlers, including the provision of adequate basic services and community facilities, in anticipation of informal settlers that have to be removed from the right-of-way site or location of future infrastructure projects, pursuant to the provisions of Republic Act No. 7279, otherwise known as the "Urban Development and

Housing Act of 1992.” Whenever applicable, the concerned LGUs shall provide and administer the resettlement sites.

As reported in the Interim Report of the Project For Master Plan And Feasibility Study On Flood Control And Drainage In Davao City dated March 202, one of the critical issues on resettlement in Davao City is “lack of relocation site” and “far distance from the original area of residence”. In order to mitigate these issues, a near-site relocation is recommended and shared among DPWH, DPCDO and the Project team. Near-site relocation in Sitio Lapuy makes it unnecessary to mitigate adverse impact of dislocation from current sources of livelihood, and the inaccessibility of transportation and basic social services (Interim Report, p.1-473).

5.2.2.1 The ISFs in Purok 27, Barangay Ma-a

The Location of the candidate relocation areas for onsite/near site relocation is at the bottom section of the COW as shown in Figure 5.1 .

Figure 5.1 Location of Candidate Relocation Areas



Source: JICA Study Team

Assuming the subject property has space limitations, medium rise buildings (MRBs) as the 4-storey housing structures, can be considered to accommodate the Kagan ISFs. Freed up spaces because of the use of MRBs, may be planned with the Kagan community on devoted spaces for social, cultural, and economic activities

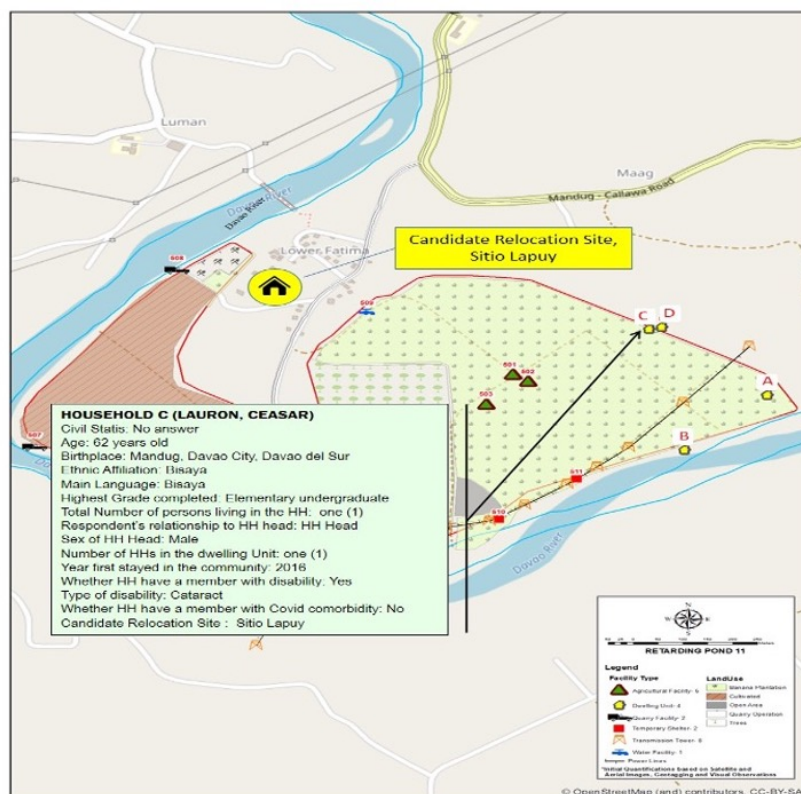
5.2.2.2 Lone ISF in RP 11

For the lone ISF who is eligible for relocation in RP 11, there are several sites to choose from on the relocation site of the lone eligible informal settler family. There are several lots to choose from at the center of Sitio Lapuy, the area nearest to the RP 11 project site. The sitio is the favored candidate location because it has the basic existing utilities (source of power and safe water) and sari-sari mini market (community convenience store) that become far more accessible to the ISF, compared to the

very isolated condition where he is presently residing. The center of Sitio Lapuy is also a source of social support from neighbors for families to be relocated. The location of the center is certainly also more accessible to other basic social services (medical and education facilities) already available in the centers of the next village, Fatima and in Brgy. Mandug, compared to his isolated location. The main mode of transportation in Lapuy is the single motorbike and tricycle-pedicabs compared to the public transport inaccessibility of his current residence which can be reached by walking or specially hired motorcycle. Lapuy is also the host of the cooperative office and warehouse where he does part-time labor work and other daily rate jobs.

However, the lone IDF eligible for relocation, through his representative during the conduct of consultations, preferred to be paid for the cost of displacement and the cost of his residential structure over the opportunity of relocation. This may be odd, but a further consideration in the relocation plan and entitlement offerings that is yet to be finalized with the further planning involving the DPWH and the City, and further considering that there is only a lone ISF for relocation. The relocation plan however does not discriminate eligible ISFs, whether only one or more than one.

Figure 5.2 The proposed relocation site of the lone eligible household inside RP 11.



Source: JICA Study Team

6. Compensation Policy, Package and Procedure

6.1 Eligibility for Compensation and Other Entitlements

Resettlement entitlement and compensation policies cover the (1) loss of land; (2) loss of use of land; (3) loss of houses and structures; and (4) loss of income and livelihood. The project's compensation policy and package were developed in consultation with the UPMO and ESSD and other concerned government entities such as DPWH-X1 ROW Acquisition & Legal Division, and CPDO of Davao City. The views of other stakeholders and PAPs through both on-line and face-to-face consultations are also reflected in the development of the policy and packages. The compensation policy and packages are based on and guided by RA 10752 and in accordance with the JICA Guidelines for Environmental and Social Considerations (2010) described in Section 4.

Assessed based on the criteria and conditions described in the succeeding sections, all qualified affected people are eligible for compensation and for rehabilitation/ resettlement assistance irrespective of tenure status, social or economic standing, or any such factors. All PAPs will be entitled to compensation for their lost assets at replacement cost, and to restoration of income and businesses. They will be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels.

6.2 Principles of Replacement Cost

As mandated by RA 10752 and its IRR, all compensation for land and non-land assets by the PAPs will be made based on the replacement cost of the assets, which is the amount calculated before displacement which is needed to replace the affected asset without depreciation and without deduction for taxes and/or costs of transactions. Table 6.1 details the guiding principles and guideline of the Philippines for the replacement cost for each type of asset.

Table 6.1 Replacement Cost Principles and Guideline

Type of Assets	Principles and Guidelines for the Replacement Cost
Agricultural Lands	The pre-project or pre-displacement, which is higher, current market value of land of equal productive potential or use located in the vicinity of the affected lands, plus the cost of preparing the land to the levels similar to those of the affected land, plus the cost of any registration and transfer taxes;
Land in Urban Areas	The pre-displacement current market value of land of equal size and use, with similar or improved public infrastructure facilities and services located in the vicinity of the affected land or in other areas with no less favorable conditions than the affected land, plus the cost of any registration and transfer taxes;
Houses and Other Structures	The current market cost of the materials to build a replacement structure with an area and quality similar or better than those of the affected structures, or to repair a partially affected structures, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any

	registration and transfer taxes;
Annual Crops	Equivalent to the current market value of the crops at the time of compensation;
Perennial crops	Equivalent to the current market value given the type and age at the time of compensation; and
Timber Trees	Equivalent to the current market value of each type, age, and relevant productive value at the time of compensation based on the diameter at breast height of each tree.

Source: Adopted from JICA Study Team.

See Table 6.2 for the detailed and specific application of the resettlement entitlement coverage in RP8, RP9, RP11, and COW.

6.2.1 Cut-Off Dates

Based on Department Order (DO) 152 series of 2017, the determination of Project-Affected Persons (PAPs) and affected improvements shall be based on the cut-off date (COD), which is the start of the census of PAPs and tagging for improvements. The COD of eligibility pertains to the date up to which the people would be considered eligible for receiving compensation and other forms of assistance for their losses or damages caused by the project. People are considered entitled to such support only if they were found occupying, living or using, in one way or another, the project-affected area at the time of declaration of the COD.

The Cut-Off Dates (COD) in Barangay Mandug is October 14, 2021; COD for Ma-a is July 7, 2022 and Barangay 19-B is October 20, 2021. There are no PAPs (ISFs) in New Valencia and Callawa. (See Box 2 for the Notification of the COD in Cebuano)

Table 6.2 Resettlement Entitlement & Compensation Policies And Specific Applications In Project Sites

	Type of Loss	Application	Category of AH/ISF	Entitlements	Clarification	Notes on the Specific Application in Project Areas	Responsible Organization
1. Loss of Land							
1a	Loss of Land	Agricultural, residential and commercial land	Legal owners and holders of land titles, including those covered by customary rights	<ul style="list-style-type: none"> • Cash compensation for land at full replacement cost or land swap of equal productive value. • For customary ownership, replacement land to sustain livelihood and way of life. Land registration, stamp duty and other fees to register land ownership or right to use will be reimbursed at cost • Provision of documentary stamp duties, land registration fees and other similar taxes, if applicable, for acquiring legal rights in case of replacement land (land for land swap) <p>Includes option of compensation at same replacement cost for affected land that remain after acquisition if remaining land becomes unviable or unusable.</p>	<p>If land for land is offered, title will be conjugal.</p> <p>Applies to partial loss of land</p>	<p><i>Land for land swap has not surfaced during PCMs with landowners. Consultations with landowners have not come to a point where arrangements will be agreed on the remaining unaffected lands after deducting the portions needed only by the project in the Retarding Ponds (RPs) & Cut Off Works (COW) areas.</i></p> <p>Note: All lands in all project sites (RPs & COW), partially & wholly affected, are still subject to parcellary surveys to be undertaken during the DED Phase</p> <p>It should also be noted with emphasis that there are untitled or Alienable & Disposable land areas within the project sites identified in this report which should be excluded for purchase but should be applied for state ownership by the DPWH/ROWA Legal Office.</p> <p><i>There are also cases of narrow strips of land especially along the river which may become unviable or inaccessible for agriculture by the landowners. These strips of land can only be visually assessed whether still useful when the parcellary surveys are completed and property monuments are laid to visually appreciate the usefulness of the remaining land.</i></p>	DPWH-UPMO
1. Loss of Land							
1b	Loss of Land		Tenants and Leaseholders	No compensation for loss of land to non-legal owners of land	Will not apply to non-paying and undocumented	<i>There is no case of tenancy in RP 11. There may be cases of leaseholders, renters and doubled-up households (two or more families in one house) in the COW project site in Purok 27.</i>	DPWH-UPMO

	Type of Loss	Application	Category of AH/ISF	Entitlements	Clarification	Notes on the Specific Application in Project Areas	Responsible Organization
					lease arrangements	<i>Tenants, leaseholders are not entitled for compensation and relocation.</i>	
1c	Loss of Land		Informal Settler Families or Illegal occupants who are without land titles or proof of claim/ rights to land	<ul style="list-style-type: none"> No compensation is provided for land loss for anyone without land titles or claims to ownership. On the other hand, support for relocation (e.g. provision of living space) is planned. 	However, there is an ancestral domain claim but still unfiled with the National Commission for Indigenous People (NCIP)	<i>A 1.6-hectare untitled land (candidate relocation site A) which is currently and partly occupied by the Kagans, located right beside the lower Cut Off Works area is most suitable for a near-site relocation. If secured by the DPWH and the City, the untitled land may well turn out to be a happy solution for a near-site relocation that may save the cost of land. Candidate relocation sites B and C are also near-site alternatives</i>	DPWH-UPMO
2. Loss of Use of Land							
2a	Loss of Crops and Trees (including fruit tree)	Agricultural land	All AHs/ISFs engaged in farming	<ul style="list-style-type: none"> For rice/cash crop farming: Net annual income X 1year In addition, AHs/ISFs can harvest and retain income from standing crops. For trees and permanent crops, replacement cost of loss based on following formula: Quantity Harvested per Year) X (Farm Gate-Price as Market Price) X (Number of years tree will bear fruit) + Cost of Seedling 	<p>Land Bank or DBP Appraiser will determines the appraisal</p> <p>Market Price is based on Farm-Gate Price</p>	<i>The lone household in RP 11 is occupying a 600 square meter of land with consent to use from landowner which is used as lot occupied for residence and source of planted vegetable for consumptions.</i>	DPWH-UPMO
2b	Loss of Business	Commercial land and businesses	AHs/ISFs engaged in businesses	<ul style="list-style-type: none"> For businesses which need to be relocated to a new site, an amount equal to loss of 	Land Bank or DBP Appraiser will determine the amounts	<p><i>The lone ISF in RAP 11 is not engaged in business.</i></p> <p><i>There are no ISFs in the COW area engaged in business enterprises beyond the livelihood level.</i></p>	DPWH-UPMO

	Type of Loss	Application	Category of AH/ISF	Entitlements	Clarification	Notes on the Specific Application in Project Areas	Responsible Organization
				<p>projected net income for 2 months.</p> <ul style="list-style-type: none"> For businesses relocated on-site (move back or same area), an amount equal to loss of projected net income for one month. <p>For operating of illegal nature of businesses like gambling, prostitution, drugs and similar types, no compensation is paid</p>	Both registered and unregistered businesses are compensated.		
3. Loss of Houses and Structures							
3a	Loss of Houses and Structures	Residential, commercial structures and other assets	Owners of houses, and structures	<ul style="list-style-type: none"> Cash compensation equivalent to replacement value of lost portion of the house/structure. <p>In case of loss of only a part of the house/structure and the remaining portion becomes not livable or useable, compensation will be paid for complete structure at same replacement cost.</p>	Land Bank or DBP appraiser determines the replacement cost		DPWH-UPMO
3b	Loss of Houses and Structures	Residential, commercial structures and other assets	Tenants and Leaseholders	<ul style="list-style-type: none"> In case house/structure is rented/leased, permanent improvements will be compensated at replacement cost and paid to renter/leaseholder. Owner will not get compensation for the improvements but compensation to the renter will be deducted from the 	Land Bank or DBP appraiser determines the compensation cost	<i>Renters and leaseholders are not eligible for relocation assistance</i>	DPWH-UPMO

	Type of Loss	Application	Category of AH/ISF	Entitlements	Clarification	Notes on the Specific Application in Project Areas	Responsible Organization
				compensation payment to the house/structure owner. • Transfer/Disturbance Allowance equivalent to 1 month of rental or lease amount.			
3c	Loss of Houses and Structures	Residential, commercial structures and other assets	Legitimate ISFs residing inside the project affected lands.	Cash compensation equivalent to replacement value of the loss of structures.	Land Bank or DBP determines the replacement value.	<i>In RP 11, 3 HHs interviewed became ineligible for relocation entitlement because they owned residences outside the RP 11 nearby area.</i> <i>ISF should not be in the alpha list of relocation and social housing beneficiaries of the City, other LGUs, NHA and the DPWH to avoid multiple benefit availment of assistance and root out professional squatters.</i> <i>ISFs should not own any other house, or house and lot being used by his family, nor should he/she own house/s or lot/s for rent anywhere in the City.</i>	DPWH-UPMO
3d	Loss of Houses and Structures Transportation Allowance	Transport allowance for household and personal goods	AHs/ISFs	• Fixed Lump Sum allowance per AH/ISF based on average cost of transportation to new relocation place, if relocation is off-site. If relocation is on-site or near-site, there will be no transportation allowance.	Accredited bank appraisers determine the lump sum amount	<i>ISF in RP 11 is provided near-site relocation. Transportation allowance is unnecessary.</i> <i>The three candidate relocation sites for the ISFs in the COW area, is also near-site.</i>	DPWH-UPMO
4. Loss of Income and Livelihood							
4a	Transition Period - Minimum Wage	Loss of Income	AHs/ISFs who lose income during the transition relocation	• Lump sum amount equivalent to 3 months of income based on the official monthly minimum wage in the region established by the DOLE Region XI, thus:	Monthly Minimum Wage as established by DOLE.	<i>The sole ISF in RP 11 is a retiree receiving monthly pension from SSS aside from eventually receiving the lump sum of minimum wage set by DOLE for the region.</i>	DPWH-UPMO LGUs

	Type of Loss	Application	Category of AH/ISF	Entitlements	Clarification	Notes on the Specific Application in Project Areas	Responsible Organization
			transfer period	Monthly DOLE Minimum Wage X Months X 3 months		<i>The near-site relocation of the ISFs in COW area will not displace them from their <u>current</u> sources of income and social services presently enjoyed. The relocation site must however be ready for occupancy and transfer <u>way ahead</u> the start of any actual excavation/construction activities in the COW area. This is of utmost importance in the DED stage when relocation establishment and project infrastructure implementation schedules are intimately intertwined and well coordinated.</i>	
4b	Loss of livelihood source due to physical relocation	Income Restoration	AHs/ISFs who lose their source of livelihood	<ul style="list-style-type: none"> Shaping the flood control facilities and premises to host and demonstrate medium term to long term enterprise and livelihood opportunities that will allow robust community participation in planning and implementation spawning job creation and generate main and augmentative income sources. 1. Fruit tree production and flowering trees as source of bee honey production. A variety of fruit, lumber and endemic trees are planted on top/side of the river revetments and dikes as natural shade for lake-like and riverine promenade and community park. 2. Incremental development of conservation hubs for: a) endemic eels, catfish and other riverine fish species; b) 	Planning the flood control to integrate other economic, cultural and eco-tourism job-creating functions may be started by the flood control host Barangays with the academe, NGOs, private sector and the City LGU. Planning is suggested to be integrated/made parallel to the DED phase so that multi-sector mobilization is started early on.	<ul style="list-style-type: none"> Planning the Retarding Ponds and COW beyond flood control functions, and serve to effectively host other economic activities incrementally developed such as: fruit and flowering tree planting lined up along the top of retarding pond dikes/river revetments; cash crop and vegetable gardening in devoted dried pond areas between flooding periods; livestock production to trim and control weed growth inside the ponds; fish-cage and pen culture in water-retained portions of the retarding ponds; provision of labor for pond and dike weeding, repair and maintenance; and flood control as community enterprise development venue and platform of incrementally nurtured eco-tourism: trekking and leisure guided tour around the pond-based conservation of endemic vegetation, birds and fish species. Retarding Pond 8 in New Valencia will attract visitors from the left side of the Davao River. While Retarding Ponds 9 and 11, will attract visitors from the right side of the Davao River. <p><i>The COW area offers many possibilities for eco-tourism activities along both sides of the meandering</i></p>	DPWH-UPMO LGUs

	Type of Loss	Application	Category of AH/ISF	Entitlements	Clarification	Notes on the Specific Application in Project Areas	Responsible Organization
				<p>endemic and riverine birds and vegetation.</p> <p>3. Open field facilities for inter-community, inter-Barangay sports events, cultural celebrations, while at the same time exposing guests to interest points and brief learning stops about flood control, disaster mitigation and resiliency.</p> <p>4. Eco-tourism destination for local tourists show-casing the 1 to 4 above</p> <p>The poorest and vulnerable AHs/ISFs, will be the priority at the earliest available and suitable employment opportunity.</p> <p>The above schemes will require coordination and serious planning among the DTI, TESDA, City LGU, DPWH, City Tourism, DENR. A local Task Force/Commission for the purpose shall be initiated by the City and DPWH.</p>		<p>river section as: a) walk and bike promenade, b) corridors for street food, plants, fruits and flowers, c) eco-tourism interest points, and d) short and long boat rides to and from Crocodile Park to the Coastal Road in Bucana as a component to another boat ride facility along the Coastal Road.</p>	

Source: JICA Study Team

Table 6.3. Cut-Off Date (COD) per Barangay covered by the Project


Project Component	Barangay	Cut-Off Date
RP 8	New Valencia	No ISF
RP 9	Callawa	No ISF
RP11	Mandug	October 14, 2021
COW	Barangay 19-B	No ISF
COW	Ma-a	July 7, 2022

Source: JICA Study Team

Box 2 Notification of the COD in Cebuano

Pahibalo para sa
Right-of-Way (ROW) Action Plan (RAP)
Project: Master Plan and Feasibility Study on Flood Control
and Drainage in Davao City


August 15, 2022


1. Paghulagway sa Proyekto 


A. Pangalan sa Proyekto


Right-of-Way (ROW) Action Plan (RAP)
Project: Master Plan and Feasibility Study on Flood Control and Drainage in Davao City

B. Tumong sa Proyekto

(1) Pagtino sa kadaghan sa posibleng maapektuhan nga panimalay (lakip na ang mga establisemento sa negosyo) ug/o posibleng apektado nga katawhan nga mahimong ibalhin sa gawas sa lugar sa proyekto; 

 (2) Pag-ila sa tawhanong kina-iya sa mga maapektuhan nga panimalay, ang gidak-on sa epekto sa proyekto ngadto sa ilang mga kabtangan, panginabuhian, negosyo ug mosugyot og mga lakang para sa pagpa-gaan aning mga epekto;

(3) Pagtabang sa Department of Public Works and Highways (DPWH) para sa pagpahigayon sa mga gikinahanglan nga pamaagi uban sa City of Davao, lakip na ang pagpagawas sa cut-off date (COD) para sa pag-ila sa "Project Affected Persons (PAPs) nga naay katungod nga makadawat og bayad ug uban pang matang sa suporta, ug sa pagkontrolar sa padayon nga paglalin, ilabi na ang "informal settling" sa lugar sa proyekto; 

 (4) Pag-banabana sa gasto ug budget para sa bayad ug katungod (entitlements), relokasyon ug resettlement;

(5) Pag-banabana sa gasto ug budget para sa pagpatuman sa RAP; ug

Source: JICA Study Team

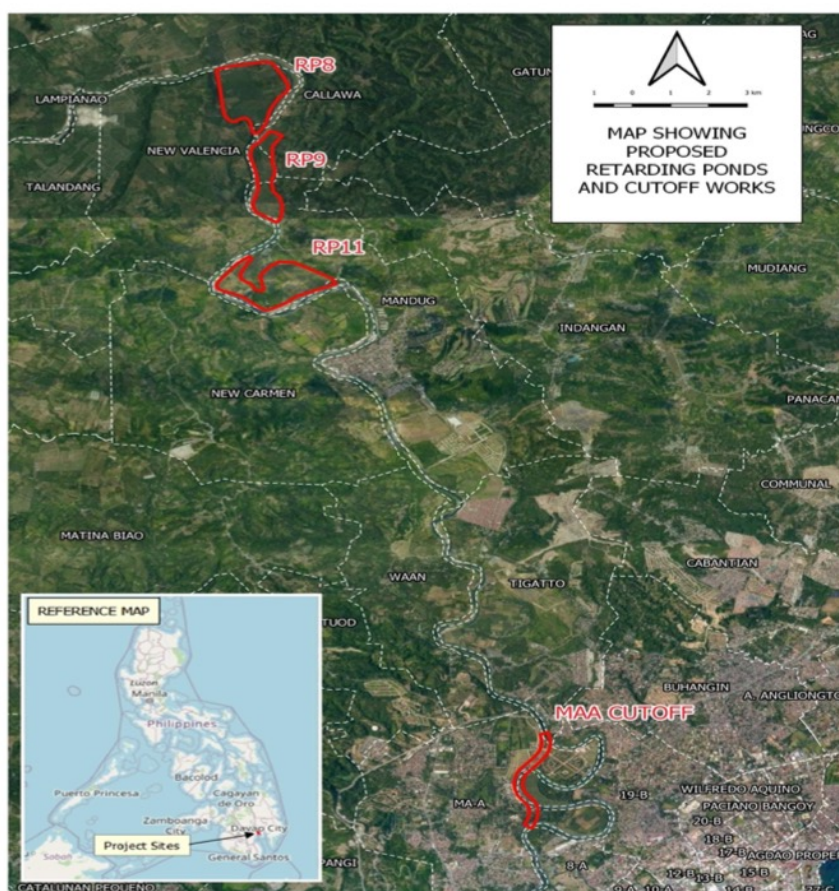
- (6) Pagtabang sa JICA Study Team (JST) ug DPWH sa pagpahigayon og Public Consultation alang sa consensus building sa mga PAPs.



C. Kasangkaran sa Proyekto

Ang RAP Study gilangkuban sa pag-andam sa plano para sa resettlement sa mga apektado nga ISF sa duha ka sangkap sa proyekto, nga mao ang:

- 1.) Retarding Pond (RP) 8, 9 and 11- Barangays Callawa, New Valencia, ug Mandug; ug ang
- 2.) Cut-Off Works (COW) – Barangays 19-B ug Maa.



Source: JICA Study Team

2. Nanag-iya sa Proyekto

Ang nanag-iya aning proyekto mao ang Department of Public Works and Highways (DPWH) ug ang City of Davao. Ang mga nag-unang opisina ang:

- 1.) Unified Project Management Office (UPMO)
Department of Public Works and Highways (DPWH)
Bonifacio Drive Port Area, 652 Zone 068
Manila, 1018 Metro Manila
- 2.) City of Davao
City Engineering Office
City Hall Drive, San Pedro St.
Davao City



3. Cut-Off nga Petsa (Cut-Off Date)

Ang cut-off nga petsa natakda ug gipahibalo sa DPWH ug sa mga barangays aron sa pag-ila ug paglahi sa mga tawong apektado sa proyekto ngadto sa mga tawong dili apektado nga mu-puyo unya sa lugar sa proyekto human sa napahibalo nga cut-off nga petsa.

Ang cut-off nga petsa natakda Dungan usab sa pag-sugod sa gipasi-ugdahan nga household survey, diin gi-ila ug gi-tala ang tanang apektadong katawhan, struktura ug uban pang mga pagpa-lambo nga gihimo diha sa lugar sa proyekto.

Ang mga tawo nga ni-puyo sa lugar sa proyekto human sa cut-off na petsa (cut-off date) dili na kwalipikado nga maka-dawat og bayad, isip danyos o suporta.

Cut-Off nga Petsa (Cut-Off Date) per Barangay		
Project Componet	Barangay	Cut-Off nga Petsa (Cut-Off Date)
RP 8	New Valencia	No ISFs
RP 9	Callawa	No ISFs
RP 11	Mandug	October 14, 2021
COW	Barangay 19-B	October 20, 2021
COW	Maa	July 7, 2022

Source: JICA Study Team

For the landowners and establishment owners, the ROW Acquisition and Legal Division of DPWH-XI provided clarity in that there is no Cut Off Date especially so that there are no parcellary surveys, official appraisals and final DED which are still yet to be undertaken and completed by the RO, DEOs and JICA Study Team (Section 16 of RA 10752). The document to eventually notify the landowners and establishment owners is the *Notice of Taking* to be issued by the ROW Acquisition and Legal Division.

6.2.2 Legal and Socio-economic Status of the PAPs

The legal, customary and socio-economic status and rights of the PAPs is another aspect that needs to be adequately reflected in the entitlement package. Table 6.4 shows the classification of the PAPs by their status vis-à-vis losses and damages caused by the project. These entitlements reflect the provisions of RA 10752, RA 7279 as well as in the JICA Guidelines.

Table 6.4 Classification of PAPs

Type of PAPs	Categories and Descriptions
Land Owners and Land Users	PAPs with Original Certificate of Title (OCT), Transfer Certificate of Title (TCT), Emancipation Patents (EPs), or Certificate of Land Ownership Award (CLOA) granted under the Comprehensive Agrarian Reform Act;
	PAPs who are not original patent holders of lands granted through CA 141 (Public Land Act)
	PAPs with (a) Tax declaration showing 30 or more years of continuous possession and corresponding tax payments; (b) DENR certification showing the land is alienable and disposable; and (c) other documents as legitimate proof of ownership for the untitled land;
	PAPs whose properties are mortgaged
Structure Owner and Users	PAPs who own the structures affected by the project including absentee owners;
	PAPs that do not own the structures but rent as tenants of the structures affected by the project;
	Rent-free occupants, with residential structures used by their families, including co-owners, sharers or caretakers of the structures affected by the project.
Informal Settlers Families (ISFs)	PAPs who do not own the land they are occupying but who have structures used as residence of their families, with or without permission from the landowner/s.
	PAPs who are occupying the land, allowed by the landowners, who may be heirs of the land but are not titleholders.

Note: The ISFs should not be existing beneficiaries of the government shelter programs (City, NHA, SHFC) in other places outside of the project-affected areas, nor should they own parcels of land and structures used for their own parallel residence or for lease. The master list among the City, NHA and SHFC shall clean up possible professional squatters or ISFs with multiple applications and availment with the government programs.

Source: JICA Study Team

6.2.3 Type of Loss Incurred by the Project

PAPs will be affected by the project differently. It is important that the compensation policy be formulated taking into account the different types of losses. Table 6.5 presents the different categories of losses expected in the project implementation.

Table 6.5 Categories of Losses of PAPs due to the Project

+ Loss of Land (agricultural, residential, commercial or institutional)
+ Loss of structures ((agricultural, residential, commercial or institutional)
+ Loss of Improvements
+ Loss of Crops, Trees, and Perennials
+ Loss of Income Earning Activities/Businesses
+ Loss of Public Structure and Utilities
+ Other Losses not expected at the present time

Source: JICA Study Team

6.2.4. Impact on Livelihood

Impact on PAPs' livelihood is another factor that requires considerations in the compensation policy formulation. As required in the DRAM and JICA Guidelines, restoring and improving the livelihood compared to the pre-project level is required. Under this project, the ISFs are considered and entitled to participation in the livelihood restoration program.

Scenario 1: This study strongly assumes that only the ISFs are entitled to near-site relocation and that such relocation should be established for occupancy way ahead of the start of the COW-area excavation and construction activities. The identified near-site relocation candidates are only within a kilometer distance from their pre-relocation residence. Therefore, there is no possibility of adverse impact on livelihood caused by dislocation. Under this scenario, the principles and policy pronouncements articulated in RA 7279, RA 10752, Shelter Code of Davao City and JICA Guidelines are clearly observed. In fact, this scenario is *building back better* compared to the ISF conditions prior to their relocation

Scenario 2: This study strongly discourages off-site relocation. All current relocation sites of the City and NHA are off-site. If their distance from the COW area were to be considered, distance constitutes the single biggest factor to adverse socio-economic displacement, extreme difficulty in livelihood restoration, and destruction of support in social relationships established through the years. Besides, most past relocation projects of the government specifically those intended to address involuntary relocation are already occupied by either original beneficiaries, by renters and undeserving occupants, or are sold resulting to gentrification. The current projects of the NHA are mostly for government workers of the city, national government workers and the PNP. Planning for new off-site relocation for the COW ISFs is not an option and strongly violating the RA 7279, RA 10752, Shelter Code of Davao City and JICA Guidelines.

6.2.5 Severity of Project Impacts

The compensation policy will also take into considerations different levels of impact and severity of the project in accordance with LARRIP (2007) as shown in Table 6. 6.

Table 6.6 Level of Impacts and Compensation Guidelines

Type of Impacts	Definition	Compensation Guidelines and Principles
Severely Affected	PAPs who will lose more than 20 % of their assets because of the need to acquire right-of-way for the implementation of an infrastructure project or their remaining land or structure is no longer viable for continued use or occupancy.	The PAPs who will lose those assets will be entitled to full payment for the fair market value of the entire land and the full replacement cost of the entire structure and other improvements affected.
Marginally Affected	PAPs who will lose less than 20% of their assets because of the ROW to be acquired for the project or if the remaining structure that is affected is still viable for continued use or occupancy.	Those PAPs who will lose those assets will be entitled to full payment for the fair market value of the land to be taken and the full replacement cost of the portions of the structures and other improvements affected”.

Source: JICA Study Team

6.3 Entitlement of ISFs for near-site relocation assistance

6.3.1 Eligibility for Resettlement

As indicated in Table 6.4, the ISF refers to (a) PAPs who do not own the land they are occupying but who have structures used as residence of their families, with or without permission from the

landowner/s, and (b) PAPs who are occupying the land, allowed by the landowners, who may be heirs of the land but are not titleholders.

To be eligible for relocation, the ISFs should not be existing beneficiaries of the government shelter programs (City, NHA, SHFC) in other places outside of the project-affected areas, nor should they own parcels of land and structures used for their own parallel residence or for lease. The master list among the City, NHA and SHFC shall clean up possible professional squatters or ISFs with multiple applications and availment with the government programs.

While residential ownership elsewhere aside from the subject residential unit occupied inside RP 11 is not an explicit eligibility criterion in the DPWH-RAP for determining qualifications and eligibility of candidate ISFs, the City explicitly uses the eligibility of ISFs not owning residential units outside the affected land. Further, the City also excludes renters and extended family members in the same residential structures as un-eligible beneficiaries of relocation projects and social housing loans. The Shelter Code of Davao City provides these qualification and eligibility requirements to streamline prudent and due diligent use of scarce government resources, facilities and financing for relocation and social housing.

While the application of the qualification and eligibility criteria is straightforward and simple because there are only a handful of identified dwelling units in RP 11, the potential application of the same in the case of the *Kagan* ISFs in the COW area where there are 103 ISFs will be complicated. Urban ISFs normally have doubled-up household occupants, constituting renters and extended family members who will claim and assert relocation entitlements. The anticipated complications will be revolving around the issue of relocation assistance to multiple marriages with families that may be living in the same household structure.

Moreover, the Housing and Homesite Development Division (HHDD) of the City Planning Development Office (CPDO) of Davao City has a master list of current relocation and social housing beneficiaries, including the list of informal settlers. The list will further inform the qualification and eligibility of ISFs in the *Kagan* area. The list of COW ISFs will also be cross-matched with the master list of beneficiaries of the City, NHA and the SHFC.

6.3.2 Income recovery program to assist livelihood restoration

In the case of the lone eligible person for resettlement in RP 11 and the 103 ISFs in the COW area, the proposed areas of the near-site relocation will not cause socio-economic displacement to them. With the advantage of the near-site relocation, the ISFs can continue to have access to their current income sources and accessibility to public services. Note that the income recovery and livelihood assistance in far off-site relocation are failure-prone, if not altogether doomed to fail, because of the economic situation and the added transportation cost for the ISF income earning members to get to their job sites and employment sources. They normally end up having their units rented out or sold secretly without the knowledge of relocation administrators who are ill-prepared in relocation estate management.

Moreover, the ISFs will have further and sustaining job and enterprise opportunities in the long term, if in the broader scale, the economic, environment and local eco-tourism scenarios will be integrated and

coordinated with specific plans and budgets by the government entities reflected in detail in Table 6.2. Livelihood Restoration Program will be monitored continuously considering the condition of affected people.

6.4 Relocation facilities by the DPWH, NHA and Davao City

There are no current relocation facilities of the DPWH in Davao City. The current projects of the National Housing Authority (NHA) in Central Park are only for housing loan assistance, exclusive to government workers. The relocation projects of the City are all occupied and are of considerable distance from the rural conditions of RP 11 in Lapuy, Mandug where the lone eligible for resettlement is residing as an ISF. The same is true with the COW ISFs in Purok 27, Ma-a. Off-site relocation is an alternative but will be a sure disaster that will negate all the principles of involuntary relocation articulated in the RA 7279 (UDHA), RA 10752, the JICA Guidelines on relocation of ISFs, and the Shelter Code of Davao City.

6.5 Relocation sites planned by Davao City

There are loose plans for the anticipated 3,000 HHs affected by the Davao River Promenade from Bucana to the Davao Bridge in CP Garcia Highway. There are loose and unsupported information that a large property (about 64 hectares) in New Valencia is in the process of procurement which is large enough to accommodate the 3,000 HHs that may be displaced by the 30-meter easement clearance for the Promenade. However, there is no formal confirmation about the relocation site. Other viable alternatives in multiple locations but are near-site should be explored to avoid the negative and failed experiences of off-site relocation projects. The feasibility of medium rise buildings (MRBs) as housing solutions in sections along the stretch of the Promenade should be looked into during the planning stage.

The Shelter Code of Davao City provide shelter to the underprivileged citizens of the city displaced by human made and natural calamities, demolitions brought about by development as well as provide basic services like water, light, and roads, and ensure the security of tenure in resettlement areas. This activity ensures the economic uplift through provisions of livelihood opportunities. Table 6.7 and Figure 6.1 show the relocation areas in Davao City.

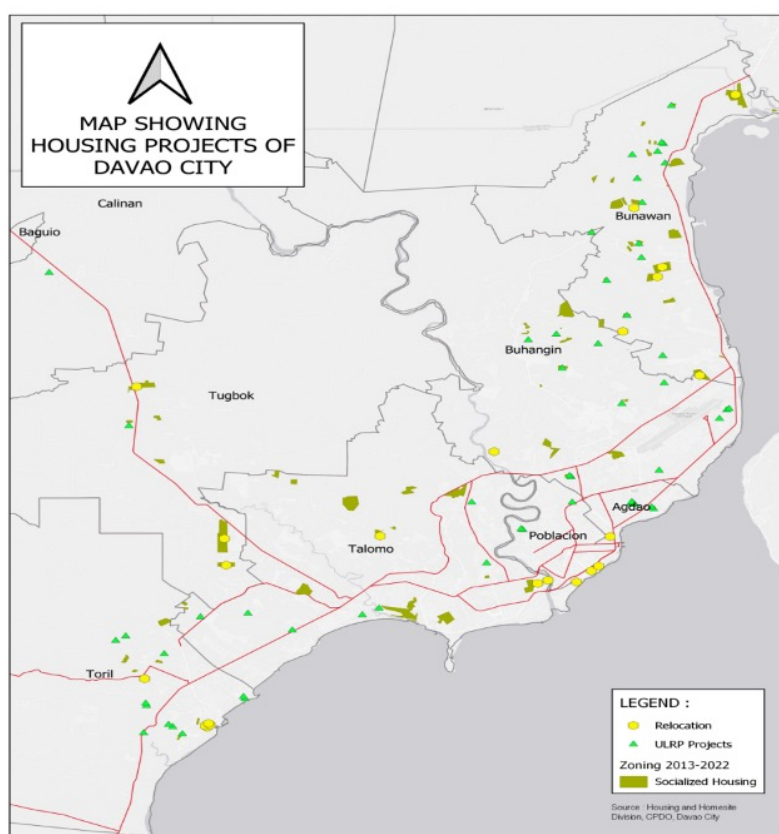
Table 6.7. Relocation Areas Owned by the City Government of Davao.

Project Area	Location	Area (m ²)	Actual No. of Families	Type of Land Occupied	Type of Tenure
1. Mintal Relocation Area, Sto. Niño, Tugbok Dist.	Sto. Niño,	450,000	2,157	Gov't Land	Amortizing
2. Panacan Relocation Area, Panacan	Panacan	105,928	666	Gov't Land	Donation
3. Tibungco Relocation Area, Tibungco	Tibungco	200,200	1,361	Gov't Land	Amortizing
4. Malagamot Relocation Area, Panacan	Panacan	64,642	204	Gov't Land	Amortizing
5. Catalunan Grande Relocation Area, Cat. Grande	Catalunan Grande	40,600	232	Gov't Land	Amortizing
6. Add'l Tibungco Relocation Area (Dizon, Jr., adjacent lot)	Tibungco	28,098	233	Gov't Land	Amortizing

7. Los Amigos Relocation Area (Magdangal Property)	Los Amigos	221,796	1,334	Gov't Land	
8. Tigatto Relocation Area (Sison, Cruz and Sacatan Property)	Tigatto	30,937	197	Gov't Land	
9. Marapangi Relocation Area (Trinidad Exaltacion)	Marapangi	3,684	197	Gov't Land	
Total		1,145,885	6,581		

Source: CPDO, 2022.

Figure 6.1. Map showing the relocation and Housing Projects of Davao City



Source: CPDO

7. Grievance Redress Mechanisms

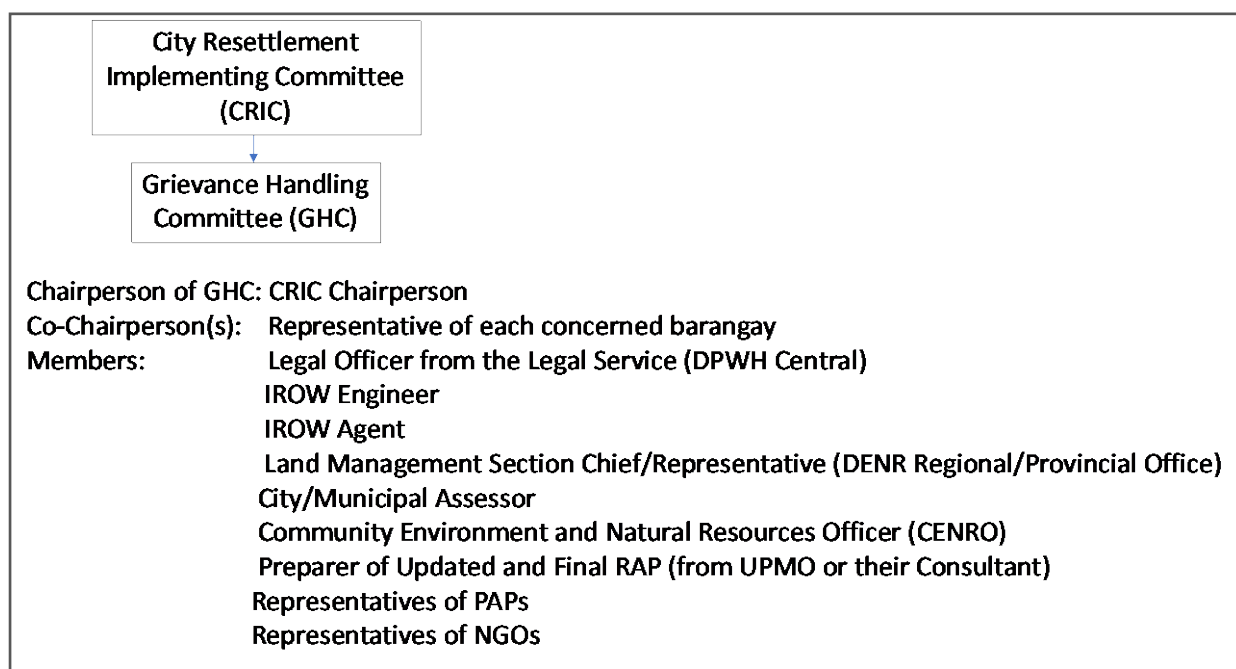
The introduction of a development project will always affect people and establishments. Project affected Peoples (PAPs) and establishments will raise their concerns regarding perceived or actual results and outcomes. These concerns may be prompted by their physical relocation, loss of employment opportunity and social infrastructures.

These concerns may surface at different stages of the project: design and planning; consultation; and resettlement implementation. It is therefore important that the project affected peoples (PAPs) will have an access to an institutional mechanism that will be the venue, where they may raise their concerns and grievances; where they may be given an adequate hearing process; and be provided with a satisfactory solution that will be mutually acceptable both to the PAPs and the project.

7.1 General Structure

Based on DPWH Land Acquisition, Resettlement and Rehabilitation Policy (LARRIP) and D.O. No. 152 series of 2017, a Grievance Handling Committee (GHC) shall be formed within the City Resettlement Implementing Committee (CRIC- GHC) to facilitate the resolution of the PAPs' grievances for both physically and non-physically displaced PAPs such as landowners without resettlement.

Figure 7.1. General Structure of Grievance Handling Committee (GHC)



Source: Adopted from JICA Study Team.

The CRIC's Chairperson shall head this Committee. Each representative from concerned Barangay government shall be the Co-Chairperson(s). The GHC shall consist of the following:

- (i) Legal Officer from the Legal Service (DPWH Central)
- (ii) IROW Engineer
- (iii) IROW Agent

- (iv) Land Management Section Chief/Representative (DENR Regional/Provincial Office)
- (v) City/Municipal Assessor
- (vi) City Environment and Natural Resources Officer (CENRO)
- (vii) Preparer of Updated and Final RAP (from UPMO or their Consultant)
- (viii) Representatives of PAPs
- (ix) Representatives of NGOs

As members of the GHC committee, the Legal Officer from the Legal Service of UPMO provides legal perspective and advise on concerns, complaints and grievances related to land acquisition, compensation and other matters related to the project that may arise as a result of the projects implemented by UPMO; the IROW Engineer and IROW agent provides technical input and processes concerning the impacts of the project on the communities, the lands and properties of PAPs; the Land Management Section Chief/ Representative of DENR-X1 addresses disputes on titling of lands classified as alienable & disposable (A&D); the City of Davao Assessor provides information on land property as well as valuation of fruit trees and other properties; Davao City CENRO provides valuation of trees and information on A & D in the city that will be affected by the project; the preparer of updated and final RAP provides the complete and verified list of PAPs of the project per barangay; Representative of PAP will represent the interests and concerns of the complainants in the committee; and representative of the NGOs represents the interest of the PAPs and general concerns of the community.

It is expected that committee will support not only pre-construction and under construction stage, but also during operation.

7.2 General Mechanisms for PAPs Grievances

Grievances related to any stage of the project will be handled through the Grievance Handling Committee (GHC) and are aimed at achieving satisfactory resolution, following the procedures outlined below:

- 1.) The procedure will take effect once the CRIC- GHC receives the grievance letter from PAPs. AS cited in Item 3 of the Grievance Procedure, *“Request each participant for their preferred schedule. Emphasize the importance of the set time frame for addressing the PAP’s grievances. Request for four (4) preferred schedules for the 30-day duration period. For representatives from the Regional Offices, two (2) schedules would be sufficient.”* (As per LAPRAP Monitoring and Tracking Manual on Chapter 2.4 Grievance Procedure). The CRIC-GHC shall act within 15 days from the receipt of the official grievance letter.
- 2.) As prescribed in the LAPRAP Tracking Manual, a Grievance Action Form (GAF) shall be used to cover the various aspects of property acquisition based on validation of the RP. The GAF shall contain the following:
 - (i) Basic information on PAPs (Name, Address, Contact Number)
 - (ii) Date of last disclosure meeting;
 - (iii) Category of grievance filed (Legal, Technical/Engineering, Social, and Financial)
 - (iv) Type of action taken (Resolved at the CRIC level, or referred to higher authorities).
- 3.) All GAFs shall be consolidated by the CRIC chairperson and presented to the CRIC for deliberation and appropriate action, on a weekly basis. Unresolved grievances at the CRIC level shall be elevated to the respective District Engineering Offices for resolution of complaints.

Recommendations of the District Engineer shall be elevated to the Regional ESSD for approval and final action. If there are still unresolved grievances, a case may be filed by the PAP in the proper courts.

- 4.) If the PAP is not satisfied with the decision of the Regional Office, the PAP, as a last resort, can submit the complaint to any court of law.
- 5.) In case, the PAP does not receive a response from the CRIC-GHC within 15 days of registry of the complaint, the PAP can appeal to the concerned Regional Office, which should act on the complaint/grievance within 15 days from the day of its filing.

PAPs shall be exempted from all administrative and legal fees incurred in pursuant to the grievance redress procedures.

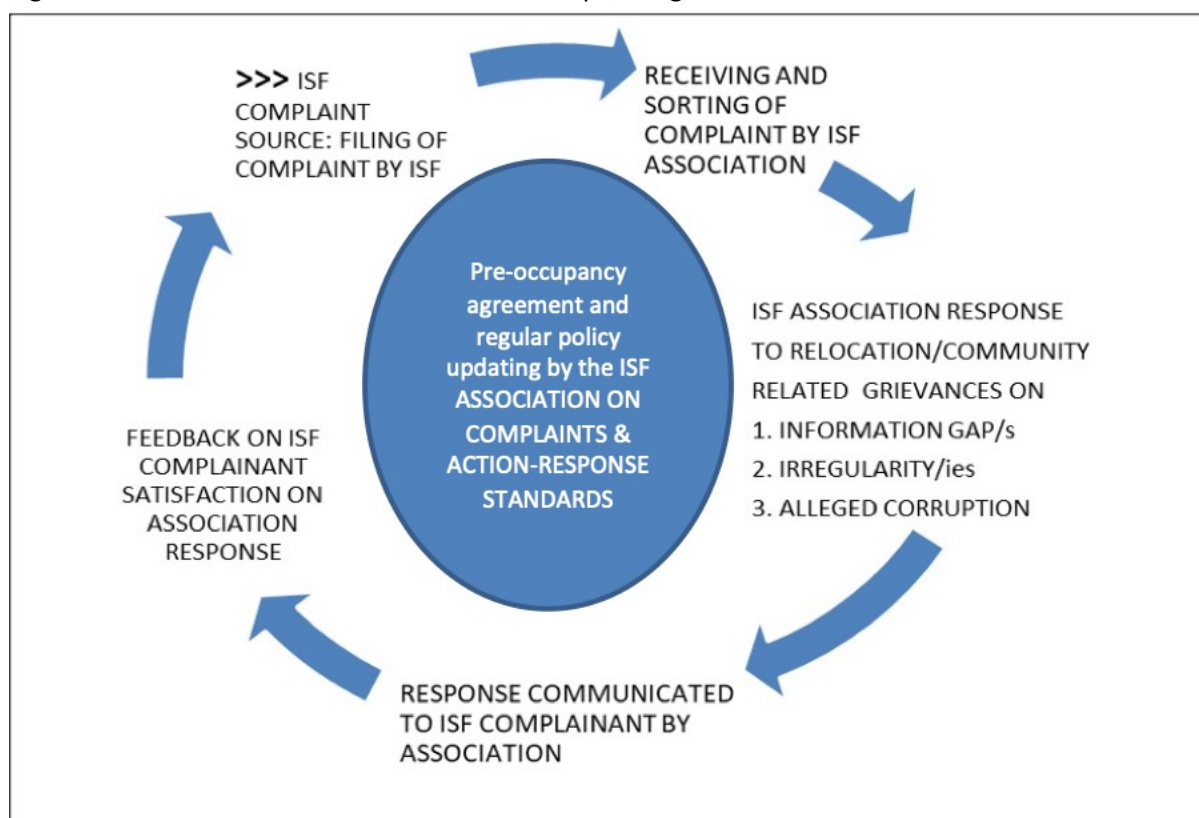
7.3 Grievance Mechanisms at the Relocation Level

The lone ISF in RP 11 shall not have a system for a grievance redress mechanism (GRM) because its application is suitable for organized ISFs and is meant to address grievances that when addressed by themselves, brings unity and strength to the relocated community, rather than depend on externally introduced and managed GRM, that often does not work because sustaining it is dependent on the project implementing agency; in this case, mainly the DPWH, and the City. The GRM plan description below will be applicable to the *Kagan* community rather than on the lone ISF in RP 11. For purposes of simulating the *Kagan* community, the GRM will then be developed and integrated in the community organization of the *Kagan* ISFs. The GRM will thus be established.

Prior to relocation. The eligible *Kagan* ISFs shall be organized as a relocation association. One of its early acts prior to transferring into the relocation site is to thoroughly discuss and eventually unanimously agree on a set of policies that they all will observe in filing and resolving grievances. They need to agree on response-actions to complaints whether these be mere lack of information: (1) about the relocation and its facilities; (2) about failure of regular dues (labor or cash) for facility maintenance (garbage, open space upkeep, water, power and drainage systems upkeep, and so on); (3) about discovered irregularities; and (4) about petty or corruption/criminal offense allegedly committed by association members, officers; and DPWH personnel found with documented evidence.

All petty grievances are resolved within the association. Relocation facility management policies are best agreed by the ISFs before transferring to the relocation site and should be considered as a policy for final collective eligibility to trigger the ISF assignment of units and occupancy. This is the ground level theory and practice of community governance in the context of the relocation planning genuinely engaging the ISFs. On the matter of large criminal offenses, these shall be filed with the regular courts by the association with assistance from the City, DPWH, PCUP and HLURB. HLURB is the latest registering agency of relocation and social housing beneficiaries which was once a function of the SEC, then transferred to the HIGC which was dissolved, and now transferred to the HLURB. The GRM operating framework being localized at the relocation community level is shown in Figure 7.2.

Figure 7.2. The Grievance Redress Mechanism Operating Framework at the Relocation Level



Source: JICA Study Team

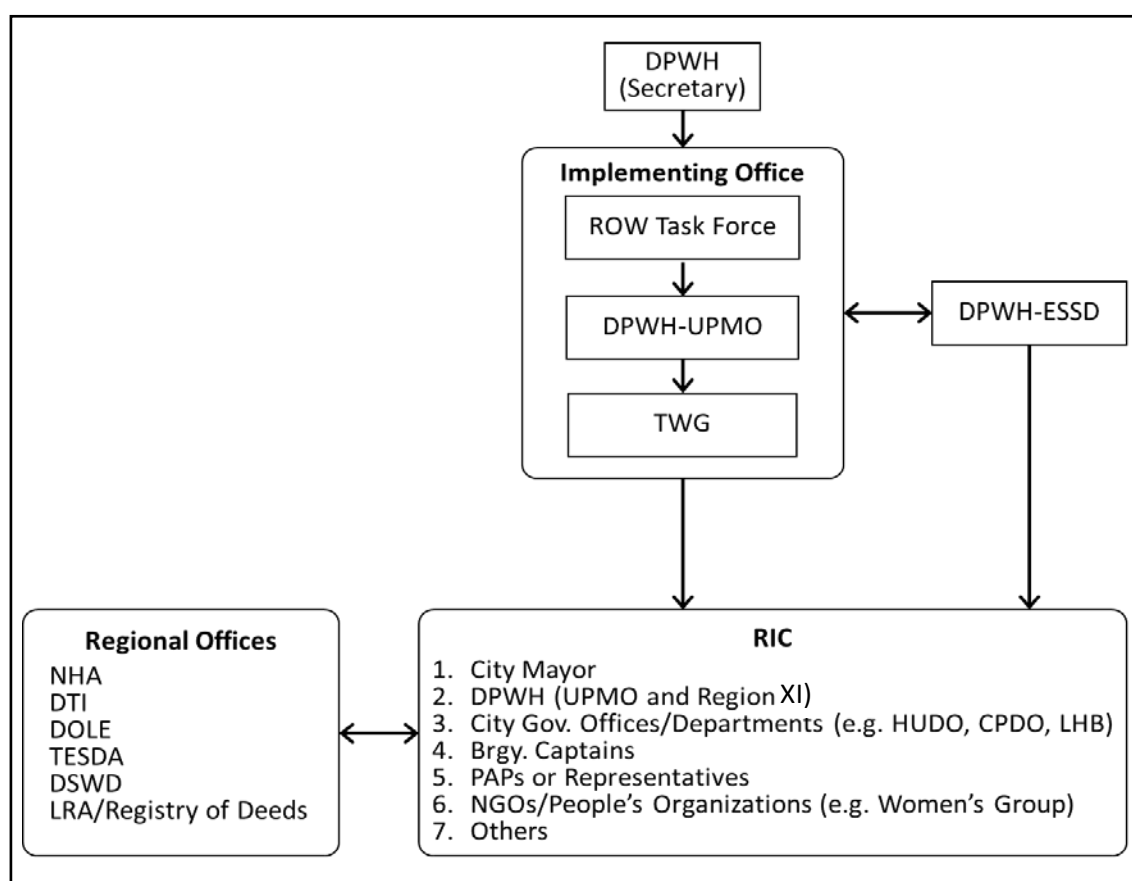
The GRM framework may be also reworked and adapted as the ISF association-level regular measure for community action-taking in improving current social and economic facilities of the relocation site. The CSOs may also be engaged in setting up the GRM and the community governance system of the relocated ISFs.

8. Implementation Structure

8.1 Institutional Framework for RAP Implementation

A number of entities and organizations will be actively involved in the implementation of this RAP. As the project proponent, the Unified Project Management Office - Flood Control Management Cluster (UPMO-FCMC) of DPWH Central Office carries the overall responsibility for the project. Under the UPMO-FCMC lies the ROW Task Force and the Technical Working Group (TWG) that are mandated to implement the RAP. At the local level, a Right-Of-Way/Resettlement Implementation Committee (RIC) will be set up in Davao City to assist DPWH in implementing the RAP in close coordination with relevant national government agencies such as NHA, DTI, Department of Labor and Employment (DOLE), TESDA and the Department of Social Welfare and Development (DSWD). The following organizational chart depicts the institutional framework for implementing the RAP and the key responsibilities of the agencies concerned.

Figure 8.1 Organizational Chart of RAP Implementation



Source: Adopted from the JICA Survey Team

8.2 Organizations related to Implementation of the RAP

8.2.1 Organizations within DPWH

The offices within DPWH that are responsible for implementing the activities related to land acquisition and resettlement for the project are presented in Table 8.1 along with their major functions.

Table 8.1 Key Functions of Offices within DPWH for RAP Implementation

Offices within DPWH	Description of Functions
Unified Project Management Office -Flood Control Management Cluster (UPMO-FCMC)	<p>UPMO-FCMC as the implementing office of the project will, with regards to RAP implementation:</p> <ul style="list-style-type: none"> • Update, validate and approve the RAP including a budget plan with assistance from ESSD and in accordance with guidance from JICA; • Make necessary arrangements with concerned parties on RAP implementation; • Set up the RIC by entering into an MOU with concerned local parties; • Conduct census, lost-asset inventory, socioeconomic and replacement cost surveys as necessary; • Prepare and validate the list of PAPs and affected assets; • Conduct assessments and provide compensations; • Facilitate consultation meetings and information dissemination on the RAP with other relevant stakeholders throughout the RAP process; and • Monitor the implementation of RAP during RAP implementation <p>Field Office for the project will be created in the project site under UPMO-FCMC with the following functions:</p> <ul style="list-style-type: none"> • Assist UPMO-FCMC in managing and supervising project construction in the project site; • Assist UPMO FCMC in securing the ROW by implementing resettlement activities; • Assist UPMO FCMC in conducting census, lost-asset inventory, socioeconomic and replacement cost surveys as necessary; • Assist UPMO FCMC in preparing and validating the list of PAFs and affected assets; and • Assist UPMO FCMC in assessing and providing compensations
UPMO FCMC-ROW Task Force	<ul style="list-style-type: none"> • Organize ROW Team for the UPMO FCMC that will handle the ROW acquisition of its projects, to be headed by the Project Manager assigned for the project; • Monitor the status of ROW acquisition and recommend appropriate actions to projects when faced difficulties; • Execute and recommend appropriate resolutions pertaining to payment of compensation to the PAPs which are beyond the authority of the Project Directors; and • Review the validation of supporting documents undertaken by its TWG and recommend payments after the evaluation based on the propriety of the claims
ROW TWG	<ul style="list-style-type: none"> • Ensure that all relevant papers and documents in support of the ROW claim are carefully screened and verified as to their authenticity and genuineness in order to forestall fraud, pursuant to the provisions of the Simplified Guidelines for Validation and Evaluation of Infrastructure ROW claims; and • Ensure that the computation of land valuations and disturbance compensation for structures and other assets are based on RA10752 and its IRR and other applicable laws, policies and department orders
Environmental and Social Safeguards Division (ESSD) of Planning Service	<p>ESSD, formerly called ESSO (Environmental and Social Service Office), provides technical guidance and support in the implementation of RAP and will be responsible for the following:</p> <ul style="list-style-type: none"> • Assist UPMO FCMC in preparing, reviewing, updating and approving the RAP including a RAP budget plan; • Assist UPMO FCMC in facilitating consultation meetings and information dissemination of PAPs and other relevant stakeholders during RAP process; • Assist UPMO FCMC in monitoring the implementation of RAP; and • Assist UPMO FCMC in resolving concerns and issues encountered during the implementation of RAP.

DPWH Region X1	<p>As the regional office of the implementing agency, DPWH Region X1 will:</p> <ul style="list-style-type: none"> • Assist UPMO FCMC in managing and supervising construction in the project site; • Assist UPMO FCMC in securing ROW including resettlement activities; • Assist UPMO FCMC in conducting census, lost-asset inventory, and socioeconomic and replacement cost surveys as necessary; • Assist UPMO FCMC in preparing and validating list of PAFs and affected assets; and • Assist UPMO FCMC in assessing and providing compensation to PAPs
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Source: Adopted from JICA Survey Team

8.2.2 Local and National Governments

The local and national governments concerned with implementation of resettlement for the project are presented in Table 8.2 along with their major functions.

Table 8.2. Key Functions of Concerned Local and National Government Agencies for RAP Implementation

Concerned Government Agencies	Functions Related to Resettlement
Local Government Unit (LGU) of Davao City	<p>Davao City LGU is the key local actor in the implementation of resettlement, mandated by the Urban and Housing Development Act (RA7279) and the Davao City Shelter Code. They will coordinate with NHA and other concerned government agencies in:</p> <ul style="list-style-type: none"> • Providing resettlement sites; • Providing basic services such as potable water, power and sewerage, in coordination with concerned government agencies and private sector; • Providing other basic facilities such as health, education, communication, security, recreation, relief and welfare, in coordination with concerned government agencies and private sector; • Providing livelihood programs in coordination with concerned government agencies and private sector; • Providing the above basic services, basic facilities and livelihood programs made through entering into MOA with concerned parties; and • Within the city government of Davao City, CPDO, will be responsible for following resettlement activities: <ul style="list-style-type: none"> - Administering and maintaining existing and new resettlement sites of the city; - Administering applications, screening and awarding of social housing program of the city; and - Administering resettlement assistance including the transfer of relocatees
Local Housing Board (LHB) of Davao City	<p>LHB of Davao City is a local special body for housing devoted to address shelter concerns of LGUs with a legal basis and authority by the Executive Order 708 (2008), reorganized by the Local Executive Order (No. 039-13) in August 2013 and is responsible for the following key matters:</p> <ul style="list-style-type: none"> • Formulating a comprehensive city shelter plan of LGUs concerned including the following local housing projects such as resettlement projects, CMP, regular low-cost housing projects, medium rise housing and rental housing projects and core shelter housing assistance projects; • Administering housing and land development plans, socialized housing programs and coordination with other government agencies; and <p>Demolishing and evicting informal settlers' structures in coordination with the PCUP.</p>

Right-of-Way/Resettlement Implementation Committee (RIC)	<p>RIC is a local coordinating and consultative body organized for the implementation of RAP and set up by UPMO-FCMC by entering into an MOA with concerned parties prior to the commencement of the detail design. RIC is composed of and functions as follows.</p> <p>Composition:</p> <ul style="list-style-type: none"> • City Mayor or representative; • DPWH (UPMO-FCMC and Region XI); • City Government Officers; • Barangay Captain of each affected barangay; • Representative of PAPs of each affected barangay; • Representative of relevant NGOs and/or People's Organizations operating within the jurisdiction of the city; and • Representatives of assisting regional government offices such as NHA, DOLE, TESDA, DSWD, Department of Trade and Industry (DTI) and others, if necessary <p>Functions:</p> <ul style="list-style-type: none"> • Assist UPMO (RMC I) in preparing and validating the list of PAFs and affected assets; • Assist UPMO (RMC I) in provision of compensation; • Assist UPMO (RMC I) and ESSD in the conduct of consultation meetings and information dissemination of PAPs and other relevant stakeholders during RAP process; • Assist DPWH in providing compensation to the PAPs; • Assist the City Government in the enforcement of laws and ordinances regarding encroachment into the ROW of the Project in coordination with concerned government agencies; • Receive complaints and grievances of PAPs and other stakeholders and act accordingly; and • Maintain record of all public meetings, complaints and actions taken to address complaints and grievances
National Housing Authority (NHA) Region XI	<p>NHA Region XI is a key national agency on housing in Davao City and mandated to provide the following service related to resettlement.</p> <ul style="list-style-type: none"> • Provide relocation sites and adequate utilities and services for informal settlers in coordination with concerned LGUs and other government agencies
Department of Social Welfare and Development (DSWD) Region XI	<p>DSWD Region XI is a key agency on social welfare and development in Davao City and is mandated to provide the following services related to resettlement. Provide social protection services and programs for the poor, vulnerable, disadvantaged, women and children</p> <ul style="list-style-type: none"> • Provide livelihood assistance and training programs
Technical Education and Skills Development Authority (TESDA) Region XI	<p>TESDA Region XI is a key national agency on technical education and skills development in Davao City with a mandate to provide the following service related to resettlement.</p> <ul style="list-style-type: none"> • Provide diversified and quality technical and skills development training programs including some programs targeted for National Certification of TESDA
Department of Labor and Employment (DOLE) Region XI	<p>DOLE Region XI is a key national agency on employment development and promotion in Davao City with a mandate to provide the following service related to resettlement.</p> <ul style="list-style-type: none"> • Provide job placement services program; and • Provide livelihood training program

Department of Trade and Industry (DTI) Region XI	DTI Region XI is a key agency on industrial and trade development and promotion in Davao City mandated to provide the following service related to resettlement. <ul style="list-style-type: none"> • Provide small and medium business and enterprise training program; and • Provide sustainable livelihood training program
Land Registration Authority/ Registry of Deeds (LRA/ROD), LGU (City Assessor's Office & City Treasurers Office), Bureau of Internal Revenue XI	The role of the following organizations in Disposition of Resettlement/Housing lots/units by transfer of ownership in fee simple (Issuance of Land Titles to qualified PAPs) are respectively: <ul style="list-style-type: none"> • BIR: issuance of Certificate Authorizing Registration (CAR) or BIR clearance; • City Treasurers Office: Payment of Transfer Tax and issuance of Tax Clearance; • LRA/ROD: Issuance of new land title; and • City Treasurer's Office: Issuance of New Tax Declaration

Source: Adopted from JICA Survey Team

¹² The process of securing land titles is dependent on the agency that will undertake the Resettlement Housing Program. For example, if it is NHA that undertakes the project (e.g. directly under its housing program or by using the funds of DPWH), NHA will be responsible for the titling of the lots. However, when NHA purchases the land from private land owners, the entire lot title will be transferred and the lot will be registered first under the name of NHA. It will then be NHA to undertake the process to transfer/register the title from NHA to the PAPs. The process of titling/land registration is standardized and involves the cited parties (i.e. LRA/ROD, BIR, City Treasurers and Assessors' Office).

8.3 Organizational Responsibilities on Implementation of RAP

Table 8.3 provides summary of responsibilities of organizations concerned with the implementation of RAP of the Project.

Table 8.3. Summary of Organizational Responsibilities

	Responsibilities	Responsible Agencies	Assisting Agencies	Coordinating Agencies
Pre-Relocation Stage [Stage A]	[A-1] Update, validation, and approval of RAP including a RAP budget plan	UPMO FCMC	ESSD	-
	[A-2] Arrangement with concerned parties on RAP Implementation	UPMO FCMC	-	City government and concerned local parties
	[A-3] Setting up of Resettlement Implementation Committee through entering into MOUs with concerned parties	UPMO FCMC	-	City government and concerned local parties
	[A-4] Conduct of tagging, census, socio-economic survey and replacement cost survey	UPMO FCMC	ROW-Task Force, TWG	RIC
	[A-5] Preparation and validation of the list of PAPs and affected assets including confirmation of documents and land registration in case PAPs were newly found to be possessing title over their properties.	UPMO FCMC	ROW-Task Force, TWG/RIC, Registry of Deeds/ Land Registration Authority, BIR and other relevant bodies	City government and concerned local parties
	[A-6] Assessment and provision of compensations	UPMO FCMC	ROW-Task Force, TWG/RIC	City government and concerned local parties
	[A-7] Receiving and acting on complaints and grievances of PAPs	RIC	-	-

Pre-Relocation Stage [Stage A]	[A-8] Development of resettlement sites	City Government/ NHA-Region XI	Private Sector, NGOs	-
	[A-9] Provision of utilities and facilities at and access to resettlement sites	City Government/ NHA-Region XI	DPWH	-
	[A-10] Provision of livelihood assistance measures (skills trainings/capacity measures (skills trainings/capacity building trainings/institutional building trainings)	City Government	NHA, DSWD, DOLE, TESDA, DTI, Others if necessary	
	[A-11] Preparation of demolition and eviction of relocatees in the project site	City Government (City Housing Board), HUDO	-	
	[A-12] Facilitation of consultation meetings and information dissemination of PAPs and other relevant stakeholders on information of relocation procedures and assistance measures during pre-relocation stage	UPMO FCMC	ESSD/RIC	-
	[A-13] Periodic monitoring of the implementation of RAP (internal /external monitoring) during pre-relocation stage	UPMO FCMC	ESSD/RIC	-

Source: Adopted from JICA Survey Team

Table 8.3. Summary of Organizational Responsibilities (Continuity)

	Responsibilities	Responsible Agencies	Assisting Agencies	Coordinating Agencies
Pre-Relocation Stage [Stage B]	[B-1] Facilitation of consultation meetings and information dissemination of PAPs and other relevant stakeholders on settlement of relocation procedures and assistance measures during actual relocation stage	UPMO FCMC	ESSD/RIC	-
	[B-2] Provision of livelihood assistance measures (skills trainings/capacity building training/institutional building trainings)	City Government	NHA Region VII, DSWD, DOLE, TESDA, DTI, Others, if necessary	UPMO (RMC I)
	[B-3] Preparation and implementation of demolition of structures and transfer of relocatees	City Government (City Housing Board), HUDO	-	PCUP
	[B-4] Receiving and acting on grievances of PAPs	RIC/ROW Task Force	-	-
	[B-5] Enforcement of laws and ordinances regarding encroachment into the right-of-way areas of the Project, in coordinating with concerned government agencies	City Government	RIC	-
	[B-6] Periodic monitoring of the implementation of RAP (internal / external monitoring) during actual relocation stage	IMA (ESSD)/EMA	UPMO (RMC I)	-

Post-Relocation Stage [Stage C]	[C-1] Provision of livelihood assistance measures (skills trainings/ capacity building trainings/ institutional building trainings)	City Government	NHA, DSWD, DOLE, TESDA, DTI, Others, if necessary	UPMO FCMC
	[C-2] Facilitation of consultation meetings and information dissemination of PAPs and relevant stakeholders on relocation procedures and assistance measures during actual relocation stage.	UPMO FCMC	ESSD/RIC	-
	[C-3] Receiving and acting on complaints and grievances of PAPs	RIC/ROW Task Force	-	UPMO FCMC I)/ESSD
	[C-4] Administration and maintenance of resettlement sites, including periodic monitoring on conditions of relocatees and sites	City Government/ NHA-	DPWH, DepEd Private Sector	-
	[C-5] Enforcement of laws and ordinances regarding encroachment into the right-of-way areas of the Project, in coordinating with concerned government agencies.	City Government	RIC	-
	[C-6] Periodic monitoring of the implementation of RAP (internal/ external monitoring) during post-relocation stage	UPMO FCMC	ESSD/RIC	-
	[C-7] Disposition of resettlement/ housing lots/units by transfer of ownership in fee simple (Issuance of Land Titles to qualified PAPs)	City Govt, NHA	City Assessors Office, City Treasurer's Office, BIR, Registry of Deeds	UPMO FCMC)

Source: Adopted from JICA Survey Team

8.4 Implementation structure and arrangements of current and future projects

As amplified also earlier and related to the above, localization of implementing certain components and subcomponents of the flood control project is a growing and serious need. It is even becoming a more serious need in the post-construction phase of implementation, when the daily rigor of micro level operations and maintenance of the infra project, including especially the relocation projects, need the sustaining management attention of very localized monitoring and operations maintenance. Let alone that the function of project financing is the task of national line organizations of the government collaborating with ODA and other bilateral sources, the localization arrangements with the LGU, and certain subcomponents with CSOs and the academe is indeed a growing need. The localization of institutional arrangements can certainly be also applied for this and other RAP studies and RAP implementation.

9. Schedule for Implementation

Major steps and considerations in preparing the schedule for carrying out the RAP are described below. The overall schedule is presented in Table 9.1.

9.1 Review and Update of RAP

During the Detailed Engineering Design (DED) stage, the RAP Study prepared by InterDev Consulting, Inc. will be reviewed and updated, which may include conducting an additional set of survey for census, lost-asset inventory, and socio-economic (i.e. household income) surveys in the project-affected area depending on whether if additional people and assets have been found to be affected due to changes to the project design (e.g. alignment). In such cases, a new cut-off date will be set in the respective areas for those newly identified PAPs.

Parcellary surveys and RAP preparation shall be undertaken at least one year ahead of the scheduled construction works, according to the DPWH ROW Acquisition Manual.

9.2 Arrangements for Implementation of RAP

Posterior to the official arrangement of the implementation of the project made by DPWH, the arrangement with concerned parties on the implementation of RAP and the RIC will be set up by DPWH during or after the DED stage not later than commencement of provision of compensation and other assistance.

9.3 Compensation and Other Assistance

Compensation should be duly paid before relocation, in accordance with JICA Guidelines and other assistance such as the support aimed at restoring PAPs' livelihood be provided from pre-relocation stage up to livelihood will be recovered to pre-relocation level or higher.

9.4 Relocation of PAPs

Relocation of all PAPs including the demolition of affected structures and the preparation of resettlement sites should be completed before commencement of construction of each contract package. It should be noted that for relocation of large companies, the time involved may take years. The study takes exception in specifically highlighting that the relocation sites, housing provision and basic/social on-site amenities are established way ahead before the start of the first spade of excavation notably in the COW area where most of the ISFs are concentrated. This is *essential, if little or no adverse impact* on livelihoods, education of children and social support to the most vulnerable in the relocation of ISFs to the near-site area, is to be achieved.

9.5 Information Dissemination and Consultation

All information on resettlement activities, such as required documents and its procedures, schedules and other necessary information for compensation, relocation, resettlement and other assistance will

be provided to all PAPs and its concerned parties through consultative meetings and media (e.g. newspapers, radio and TV) from pre-relocation stage up to the end of construction.

9.6 Grievance Redress

Grievances related to any aspect of the project will be handled through the RIC from pre-relocation stage.

9.7 Monitoring of RAP Implementation

Internal and external monitoring will be conducted upon commencement of construction, throughout the construction stage and until two years after completion of the project.

9.8 RAP for RP 11

Mandug as initial basis --- ISF relocation should be *at least two years ahead*, from the start of infra project construction phasing and pacing, as proposed in the DED stage and in the Interim Report – to give adequate time to the affected lone ISF to settle and adjust.

9.9 RAP for 103 ISFs in the COW area

The ISF relocation should also be two (2) years ahead from the start of the infrastructure project construction. During the DED stage, the RIC shall establish the community-level grievance mechanism, and operations & maintenance with association level agreements with all the deserving ISFs as a new community, before the actual assignment of housing units and transfer/occupancy to the relocation site.

9.10 Synchronization of Implementation

The RAP implementation will be synchronized with the overall schedule of the Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (Davao River) Project shaped by the next stage; which is development of the Detailed Engineering Design (DED) of the Project. Based on the Interim Report, the implementation is projected to start within 2023.

Table 9.1 Implementation Schedule

Activities		Responsible Agency	1st year	2nd year	3rd year	4th year	5th year	6th year	7th year	8th year	9th year	10th year
Review and Update of RAP												
	RAP Survey (parcellary, census, lost-asset inventory and socio-economic surveys)	JICA DT/DPWH-UPMO										
	Public Consultations	JICA DT/DPWH-UPMO										
	Finalization of RAP	JICA DT/DPWH-UPMO										
	Validation of RAP	DPWH-UPMO										
Formation of Implementing Body of RAP												
	MOA between DPWH and relevant government organizations (NHA)	DPWH-UPMO										
	Formation of RIC, URTF and TWG	DPWH-UPMO										
	Formation of Grievance Redress Mechanism	DPWH-UPMO										
Land Acquisition												
	Verification of PAPs and Affected Properties	DPWH-UPMO										
	Deed of Donation	DPWH-UPMO										
	Verification of PAPs' Eligibility	DPWH-UPMO										
	Issuance of Letter of Offer	DPWH-UPMO										
	Deed of Absolute Sale	DPWH-UPMO										
	Relocation of Utilities	DPWH-UPMO										
	Processing Transfer of Title to the Republic of the Philippines	DPWH-UPMO										
	Payment for Land	DPWH-UPMO										
	Payment for Improvements	DPWH-UPMO										
	Provision of Other Assistance (e.g. livelihood restoration program)	DPWH-UPMO										
	Notification for Demolition of Structures	DPWH-UPMO										
	Clearance of Land/ROW by PAPs	PAPs										
	Demolition of Remaining Structures	DPWH-UPMO										
Resettlement of PAPs												
	Preparation of Relocation Sites											
	Purchase of Land/Transfer of Title	Land Owner/ LGUs/DPWH										
	Permits from HLURB, NHA and Others	NHA/DENR/ LGUs/DPWH										
	Site and Housing Development (design and construction)	Contractor/NHA/ LGUs/DPWH										
	Provision of Rental Subsidy to PAPs (if housing development has not been completed)	DPWH-UPMO										
	Relocation	RIC/DPWH-UPMO										
Consultation												
	Consultation with PAPs	DPWH-UPMO										
	Consultation with Project-affected Companies	DPWH-UPMO										
Monitoring												
	Internal Monitoring	DPWH-ESSD										
	Selection of External Monitoring Agent (EMA)	DPWH-UPMO										
	External Monitoring	EMA/DPWH-UPMO										
Project Implementation												
	Detail Design	JICA DT/DPWH-UPMO										
	Tendering	DPWH-UPMO/JICA DT										
	Obtainment of Permit to Enter (PTE)	DPWH-UPMO										
	Notice of Award to the Contractor	DPWH-UPMO										
	Notice to Proceed (by phases)	DPWH-UPMO										
	Construction	Contractor/DPWH-UPMO										

Source: JICA Study Team

10. Cost and Budget

10.1 Compensation Cost for Land

The cost for acquiring the land was estimated based on the current market value (CMV) of the land in Barangays New Valencia, Callawa, Mandug, and Maa that would be affected by RP8, RP9, RP11, and COW, respectively (See Table 10.1). As advised by ESSD and UPMO, the valuation of agricultural lands in Barangays New Valencia, Callawa, and Mandug is based on the recent Current Market Values (per m²) used by DPWH-XI ROW Acquisition & Legal Division. For COW, the valuation for the agricultural, commercial and residential lands is based on data provided by the Development Bank of the Philippines (DBP) and estimation of the CMV of the Davao Brokers and Appraisers Association in August 2022 (See Annex 8).

Table 10.1 Current Market Values of Lands

Project Component	Location	Land Classification	CMV (PhP/m ²)	Source
RP 8	New Valencia	Agricultural	2,000.00	DPWH-XI ROW Acquisition & Legal Division
RP 9	Callawa	Agricultural	2,000.00	
RP 11	Mandug	Agricultural	3,000.00	
COW	Maa & 19-B	Agricultural	3,600.00	DBP and Davao Brokers and Appraisers Association
		Residential	3,600.00	
		Residential(high end)	24,800.00	
		Commercial	20,250.00	
		Commercial (COW-17)	25,300.00	

Source: JICA Study Team

Table 10.2 shows the estimated cost for acquiring the land for the project by barangay based on the CMV and applying the guidelines for the qualification of PAPs and extent of impact (severity) of the project. The direct cost for acquiring the lands for the project is **PhP 8,985,935,000.00**. This is the net negotiated cost excluding Capital Gain Tax (CGT), VAT, notarial and operational expenses, documentary stamp tax, and transfer tax, among others, which is computed at 12 % of the direct cost of the land. The total cost of land acquisition with taxes is **PhP 10,064,247,200.00**.

Table 10.2 Cost for Acquiring Land based on CMV

Project Component	Location	Total Land Area for Compensation (ha)	Land Classification	CMV (PhP/m²)	Cost (PhP)
A	B	C	D	E	C*E*10,000
RP 8	New Valencia	113.05	Agricultural	2,000.00	2,261,000,000.00
RP 9	Callawa	45.59	Agricultural	2,000.00	911,800,000.00
RP 11	Mandug	78.58	Agricultural	3,000.00	2,357,400,000.00
COW	Ma-a & 19-B	22.93	Agricultural	3,600.00	825,480,000.00
		4.98	Residential	3,600.00	179,280,000.00
		1.96	Residential (High end)	24,800.00	486,080,000.00
		0.97	Commercial	20,250.00	196,425,000.00
		6.99	Commercial (COW-17)	25,300.00	1,768,470,000.00
TOTAL		275.05			8,985,935,000.00

Source: JICA Study Team

Table 10.3 Cost for Acquiring Land based on CMV including Taxes

Cost of Acquiring Land Excluding Taxes (PhP)	Taxes and Fees (12 %)	Total Cost (PhP)
8,985,935,000.00	1,078,312,200.00	10,064,247,200.00

Source: JICA Study Team

10.2 Compensation Cost for Project-affected Trees and Crops

Information on the number of crops and trees planted was generated in the inventory survey. For landowners who were not able to provide information, the estimates of the number of crops and trees were based on the practices of the landowners in the area and land cover data.

For trees, the DENR-X1 (CENRO) provided technical assistance in the evaluation and estimation of trees in Barangays New Valencia, Callawa, and Mandug.

The compensation of fruit trees and crops are based on Davao City Assessor's Office (CASSO) fruit trees valuation. For trees, the valuation is based on forest charges (DAO 2021-11) for lesser-used species (700 per m³) and premium species for RP8-24 (3000 per m³).

The estimated amount of cost for compensating trees and crops owned by individual households is PhP **33,613,265.00**.

Table 10.4 Compensation Cost for Project-affected Household Trees

Type of Trees	Barangay				Total	Unit Cost (PhP)	Total Cost (PhP)
	New Valencia (RP8)	Callawa (RP9)	Mandug (RP11)	Ma-a (COW)			
Banana (Local)	11,468	12,350	38,501	3,985	66,304	280	18,565,120
Banana (Cavendish)		4,674			4,674	960	4,487,040
Cacao	292				292	320	93,440
Coconut	1,223			20	1,243	2730	3,393,390
Fruit Trees (RP8)	1,185				1,185	3435	3,393,390
Fruit Trees (COW)				24*	24		90,450
Trees (Lesser Used)	216	757	936		1,909	215	410,435
Trees (Premium)	400				400	7,950	3,180,000
TOTAL							33,613,265.00

Source: JICA Study Team

Table 10.5 Compensation for Fruit Trees in COW.

Type of Fruit Trees	Total Number	Unit Cost (PhP)	Total Cost (PhP)
Durian	3	7,900	23,700
Lanzones	3	590	1,770
Lemon	4	350	1,400
Mango	2	3,900	7,800
Pomelo	2	8,390	16,780
Guyabano	1	3,900	3,900
Langka	4	3,900	15,600
Avocado	3	3,900	11,700
Santol	1	3,900	3,900
Watery Rose Apple (<i>Tambis</i>)	1	3,900	3,900
TOTAL	24		90,450

Source: JICA Study Team

10.3 Compensation Cost for Structures

A replacement cost was estimated for project-affected structures by: (a) identifying the prevailing types of buildings in RP8 (New Valencia), RP9 (Callawa), RP11 (Mandug), and COW (Ma-a & 19-B) through a field investigation, particularly in the project-affected area; and (b) adopting the “Detailed Unit Price Analysis (DUPA)” method used by the DPWH-X1 in estimating the replacement cost of structures and improvements in the region. All structures in the project-affected area were identified, counted and measured through aerial photographs using the geographic information system (GIS) and verified on site.

Table 10.6 Structures and Improvements that would be affected by the Project

Type of Structures	Barangays				Total
	New Valencia (RP8)	Callawa (RP9)	Mandug (RP11)	Ma-a (COW)	
Electric Post			11		11
Quarry Facility		1			1
Agricultural Facility	1	3		1	5
Dwelling Units			4	133	137
Water Facility			1	1	2
Transmission Tower		2			2
Commercial				4	4
Covered Court				1	1
Madrasah				2	2
Mosque				2	2

Source: JICA Study Team

The prevailing building types in the project-affected area was surveyed and identified through analyses on the results of field investigations on their compositions and materials. The building types were identified and classified as a result. Based on the building materials (i.e. types) and estimated unit cost for materials and labor, the per square meter cost for constructing each of the identified building types were estimated based on DPWH-XI Detailed Unit Price Analysis (DUPA) for buildings.

Table 10.7 Unit Cost for Construction of Dwelling Units

Materials Used	Sub-Classification			
	Concrete with Arch Finishes (PhP/m ²)	Concrete (PhP/m ²)	Semi-Concrete (PhP/m ²)	Light/Salvage Materials (PhP/m ²)
Strong materials (galvanized iron, tile, concrete, brick stone);	6,750	4,500		
Light materials (cogon, nipa, anahaw, wood);			3,700	2,220
Mixed but predominantly strong materials;	6,750	4,500	3,700	
Mixed but predominantly light materials;		4,500	3,700	2,220
Salvaged/makeshift materials;				2,220
Others (Unfinished)				2,220

Source: JICA Study Team

Table 10.8 Compensation for Dwelling Units

Location	Materials Used	No. of Units	Total Floor Area (m ²)	Computed Average Value per Floor Area (Php/m ²)	Total Cost (Php)
(a)	(b)	(c)	(d)	(e)	(f) = (d) x (e)
Mandug (RP 11)	Light materials (cogon, nipa, anahaw, wood)	4	78.00		
	<i>Light/Salvage Materials</i>	4	78.00	2,220.00	173,160.00
Ma-a (COW)	Strong materials (galvanized iron, tile, concrete, brick stone);	11	834.44		
	<i>Concrete with Arch Finishes</i>	8	584.45	6,750.00	3,945,010.00
	<i>Concrete</i>	3	250.00	4,500.00	1,125,000.00
	Light materials (cogon, nipa, anahaw, wood);	19	871.02		
	<i>Semi-Concrete</i>	1	50.00	3,700.00	185,000.00
	<i>Light/Salvage Materials</i>	18	821.02	2,220.00	1,822,664.00
	Mixed but predominantly strong materials;	50	4,567.67		
	<i>Concrete with Arch Finishes</i>	1	120.00	6,750.00	810,000.00
	<i>Concrete</i>	48	4,347.67	4,500.00	19,564,515.00
	<i>Semi-Concrete</i>	1	100.00	3,700.00	370,000.00
	Mixed but predominantly light materials;	47	3,365.18		
	<i>Concrete</i>	1	20.18	4,500.00	90,810.00
	<i>Semi-Concrete</i>	39	2,765.00	3,700.00	10,230,500.00
	<i>Light/Salvage Materials</i>	7	580.00	2,220.00	1,287,600.00
	Salvaged/makeshift materials;	2	100.00		
	<i>Light/Salvage Materials</i>	2	100.00	2,220.00	222,000.00
	Others (Unfinished)	4	490.00		
	<i>Light/Salvage Materials</i>	4	490.00	2,220.00	1,087,800.00
Total					40,740,899.00

Source: JICA Study Team

Table 10.9 Compensation of Other Structures in the Project Area

Location	Structure Type	Count	Average of Unit Cost / m ²	Average of Cost per Structure	Total Cost (Php)
New Valencia (RP8)	Agri-Related Facility	1	2,500	5,000	5,000
Callawa (RP9)	Agri-Related Facility	2	9,375	375,000	750,000
	Concrete Products Facility	1	15,000	1,500,000	1,500,000
Mandug (RP11)	Water Facility	1	10,000	3,000,000	3,000,000
Maa (COW)	Madrasah	2	17,500	1,000,000	2,000,000
	Mosque	2	17,500	1,000,000	2,000,000
	Covered Court	1	15,000	7,500,000	7,500,000
	Recreational Facility	1	17,500	2,500,000	2,500,000
	Concrete Products Facility	1	6,250	750,000	750,000

	Water Facility	1	5,000	20,000	20,000
	Agri-Related Facility	1	17,500	1,500,000	1,500,000
TOTAL					21,525,000

Source: JICA Study Team

Table 10.10 Compensation for Transmission Towers and Electric Posts

Location	Structure Type	Count	Total Cost (PhP)	Source of Valuation
Callawa (RP9)	Transmission Tower	2	80,840,148.05	National Grid Corporation of the Philippines (NGCP)
Mandug (RP11)	Electric Post	11	660,000.00	Davao Light & Power Company (DLPC)

Source: JICA Study Team

Based on the Joint Circular of the Department of Energy (DOE) and the Department of Public Works and Highways (DPWH) No. 01, Series of 2017, UPMO requested technical assistance from NGCP in the estimation of the payment of compensation and/or recovery of cost in the event of the need to relocate the transmission line. The request was sent on July 18, 2022. Series of meeting with NGCP were conducted by InterDev to discuss the project. NGCP personnel visited the proposed location of RP 9 in Barangay Callawa on July 28, 2022.

10.4 Cost for Development of Resettlement Site

Cost for development of resettlement sites has been estimated for the sole ISF in RP 11 and 103 ISF in COW. For the RP 11, the recommended relocation site is in Sitio Lapuy, Mandug, Davao City (See Annex 5A). The total cost for the development of resettlement site is **PhP 250,678.67**.

For the ISFs in COW, the location of the candidate on-site/near-site relocation areas is at the bottom section of the COW. Assuming the subject properties have space limitations, medium rise buildings (MRBs) as the 4-storey housing structures, can be considered to accommodate the Kagan ISFs. Freed up land horizontal space because of the use of MRBs, may be planned with the Kagan community with integrated devoted areas for social, cultural, and economic activities (See Annex 5B). The total cost for the development of resettlement site is **PhP 332,485.117.88**.

Table 10.11 Construction/Procurement Cost and Land Acquisition Cost and Other Cost (RP 11)

Work Item	Quantity	Unit	Unit Cost (PhP)	Amount (PhP)	Total (PhP)
1. Construction Cost					175,678.57
2. Land Acquisition Cost	RP 11 (lot in Sitio Lapuy)	100.00	sqm	500.00	50,000.00
3. No site development cost of 100 sqm lot					
4. Survey Cost			150.00	15,000.00	15,000.00
5. Land Titling			100.00	10,000.00	10,000.00
Total					250,678.67

Source: JICA Study Team

Table 10.12 Construction/Procurement Cost and Land Acquisition Cost and Other Cost (COW)- Phase 1

ITEM NO.	DESCRIPTION	UNIT COST	UNIT	QTY	Amount (PhP)
A. SITE DEVELOPMENT COST					
1.00	PRELIMINARIES				150,000.00
2.00	EARTHWORKS				1,662,600.00
3.00	ROAD CONCRETING AND DRAINAGE SYSTEM				745,337.10
4.00	EXTERIOR WATER LINE SYSTEM				184,000.00
5.00	EXTERIOR ELECTRICAL WORKS				645,300.00
B. MEDIUM RISE BUILDINGS (MRBs)– Phase 1					
6.00	MEDIUM RISE BUILDINGS (MRB)				
6.10	MRB 1	32,956,000.00	LOT	1.00	32,956,000.00
6.20	MRB 2	32,956,000.00	LOT	1.00	32,956,000.00
6.30	MRB 3	32,956,000.00	LOT	1.00	32,956,000.00
SUBTOTAL for 3 MEDIUM RISE BUILDINGS (Item 6 only)					98,868,000.00
TOTAL OF SITE DEVELOPMENT & MRBs (Items 1-6 above)					102,255,237.10
7.10	OVERHEAD, CONTINGENCIES, MISCELLANEOUS (OCM) - 15%				15,338,285.57
7.20	CONTRACTOR'S PROFIT -10%				10,225,523.71
7.30	VALUE ADDED TAX (VAT) - 5%				6,390,952.32
8.00	COST OF LAND				57,600,000.00
TOTAL ESTIMATED PROJECT COST FOR PHASE 1					191,809,998.70
					Area: 1.60 has
					At 3600/sqm

Source: JICA Study Team

Table 10.13 Construction/Procurement Cost and Land Acquisition Cost and Other Cost (COW)- Phase 2

ITEM NO.	DESCRIPTION	UNIT COST	UNIT	QTY	Amount (PhP)
A. SITE DEVELOPMENT (Items 1-6)					
1.00	PRELIMINARIES				200,000.00
2.00	EARTHWORKS				100,000.00
3.00	ROAD CONCRETING AND DRAINAGE SYSTEM				3,927,490.80
4.00	EXTERIOR WATER LINE SYSTEM				184,000.00
5.00	EXTERIOR ELECTRICAL WORKS				1,080,600.00
SUBTOTAL SITE DEVELOPMENT (Items 1-5)					
6.00	MEDIUM RISE BUILDING (MRB)				
6.10	MRB 1	32,956,000.00	LOT	1.00	32,956,000.00
6.20	MRB 2	32,956,000.00	LOT	1.00	32,956,000.00
6.30	MRB 3	32,956,000.00	LOT	1.00	32,956,000.00
SUBTOTAL - 3 MEDIUM RISE BUILDINGS					98,868,000.00
7.00	AMENITIES				
7.10	TWO-STOREY OFFICE BUILDING	23,000.00	SQ. M.	120.00	2,760,000.00
7.20	PARKS & PLAYGROUNDS				0.00
7.30	PROMENADE AND LANDSCAPE				0.00
SUBTOTAL - AMENITIES					2,760,000.00
ESTIMATED TOTAL COST OF ITEMS 1-7					107,120,090.80

ITEM NO.	DESCRIPTION	UNIT COST	UNIT	QTY	Amount (PhP)
	OVERHEAD, CONTINGENCIES, MISCELLANEOUS (OCM) - 15%				16,068,013.62
	CONTRACTOR'S PROFIT -10%				10,712,009.08
	VALUE ADDED TAX (VAT) - 5%				6,695,005.68
TOTAL PROJECT COST FOR PHASE 2					140,595,119.18
	Add: Total Project Cost for Phase 1				191,809,998.70
TOTAL COST FOR PHASES 1 & 2					332,485,117.88

Source: JICA Study Team

10.5 Cost for Resettlement and Assistance to Vulnerable Groups

Cost for resettlement and additional assistance to be provided to vulnerable groups are estimated to be PhP **4,105,000.00**.

Table 10.14. Cost for Resettlement and Assistance to Vulnerable Groups

Particulars	Unit Price	Number of PAPs	Total Cost (PhP)
Rehabilitation Assistance	PhP 15,000.00	104	1,560,000.00
Inconvenience Compensation	PhP 10,000.00	96	960,000.00
Transportation Assistance	PhP 5,000.00	104	520,000.00
Financial Assistance (Subsistence Allowance)- PAPs who own land used for agricultural purposes that are severely affected only	PhP 15,000.00	71	1,065,000.00
		Total	4,105,000.00

Source: JICA Survey Team

10.6 Cost for Monitoring

PhP 25,000,000.00 is allocated to cover the cost for both internal and external monitoring.

10.7 Budget for Right-Of-Way/Resettlement Action Plan (RAP)

Table 10.15 Processes and Budget for RAP

Items	Processes
Funds for RAP Implementation	DPWH as the project proponent and UPMO (RMC I) as the implementing office of the project are responsible for securing and providing necessary funds for implementing the RAP as part of the project cost. The resettlement cost of the project shall be a component of the counterpart funds provided by DPWH called the ROW funds and include compensation for affected structures and acquisition of land.
Preparation of RAP Budget Plan	Consistent with the provisions in the LARRIPP of DPWH, ESSD shall assist UPMO (RMC I) in preparing, reviewing, updating and approving the RAP budget plan of the project. The UPMO (RMC I) shall, thereafter, submit the RAP budget plan to the Central Office of DPWH for approval following a due diligence review conducted by ESSD.
Procedures for Flow of Funds	DPWH, specifically the implementing office of UPMO (RMC I), shall be responsible for securing and providing the funds needed for carrying out the RAP. Disbursement of the funds for implementing the RAP shall be requested to, and obtained from, the Central Office of DPWH and implemented and monitored by UPMO (RMC I) through the field office.

Source: JICA Study Team.

10.8 Total Cost for RAP Implementation

The total cost for implementation of land acquisition and resettlement is estimated to be approximately **PhP 12,193,895,404.89**. This amount covers the costs for compensating affected lands, replacement costs for structures and improvements, cost for the development of the resettlement site, cost for implementing the livelihood restoration program, resettlement and assistance for vulnerable groups, and the cost for monitoring.

Table 10.16 Total Cost for Implementation of the RAP

No.	Items	Amount (PhP)	Remarks
1.	Compensation Cost for Land	10,064,247,200.00	
2.	Compensation Cost for Trees and Crops	33,613,265.00	
5.	Compensation for HH Dwelling Units	40,740,899.00	
6.	Compensation for Other Structures	21,525,000.00	
5.	Compensation for DLPC Electric Posts	660,000.00	
6.	Compensation for Electric Transmission Towers	80,840,148.05	
6.	Cost for Development of Resettlement Site in Mandug	250,678.67	
7.	Cost for Development of Resettlement Site in Maa-Phase 1	191,809,998.70	
8.	Cost for Development of Resettlement Site in Maa-Phase 2	140,595,119.18	
9.	Cost for Resettlement and Assistance to Vulnerable Groups	4,105,000.00	
10.	Cost for Monitoring	25,000,000.00	
SUB-TOTAL		10,603,387,308.60	
11.	Administrative & Contingency	1,590,508,096.00	15 %
TOTAL		12,193,895,404.89	

Source: JICA Survey Team

11. Monitoring and Evaluation

11.1 Purpose of Monitoring RAP Activities

The primary purposes of Monitoring and Evaluating of RAP activities are:

- To ensure that resettlement is carried out in accordance with the RAP;
- To check the progress made in the associated activities; and
- To identify any issues or problems that may arise during the course of RAP implementation at an early stage so that measures can be taken to address the problem without delay.

The activities subject to monitoring include:

- land acquisition,
- payment of compensation for lost assets,
- resettlement of the people affected by the project, and
- release of funds.

It is required under JICA Guidelines that the PAPs' livelihoods are at least restored, if not improved, compared to pre-project levels. It is part of the goal of monitoring to confirm whether this condition has indeed been met.

11.2 Internal and External Monitoring

The UPMO-FCMC of DPWH Central Office undertakes monitoring on RAP implementation through internal monitoring, which is conducted by ESSD, as well as, through external monitoring, which is carried out by either a qualified individual or a consulting firm to ensure neutrality in its monitoring.

11.2.1 Internal Monitoring

ESSD will conduct the evaluation and in-house monitoring of RAP implementation and will serve as the internal monitoring agent (IMA) supported by the consultants. The tasks assigned to the IMA are the following:

- a. Regularly supervise and monitor the implementation of RAP in coordination with the Right-Of-Way/Resettlement Implementation Committee (RIC). The findings will be documented in a quarterly report that is to be submitted to UPMO-FCMC;
- b. Verify that the re-inventory baseline information of all PAPs has been carried out and that the valuation of assets lost or damaged, the provision of compensation and other entitlements, and relocation have been carried out in accordance with LARRIPP and RAP;
- c. Ensure that RAP is implemented as designed and planned;
- d. Verify that the funds for RAP implementation are provided by UPMO-FCMC in a timely manner and in the amount sufficient for the purpose; and
- e. Record all grievances and their resolution and ensure that complaints are dealt with promptly.

11.2.2 External Monitoring and Evaluation

The UPMO-FCMC of DPWH will commission an external monitoring agent (EMA) to undertake independent monitoring and evaluation. The rationale of using third parties to assess the status and performance of a project, its compliance status, or emerging issues through a specialized party is to provide an unbiased perspective on the issue and status of the project, and to make recommendations for improvement (WB 2018)¹.

EMA needs to have certain level of monitoring expertise and experiences required by DPWH to be qualified to meet the requirements for participating in the bidding and selection process of DPWH. It is often either a qualified individual or consultancy firm that is selected to undertake external monitoring activities and the evaluation work.

Prior to the engagement of the EMA, DPWH will prepare the Terms of Reference (TOR) for the EMA. External monitoring and evaluation will entail random observations/visits and consultations with the PAPs at their current pre-project residence and their relocation site.

The tasks of the EMA are to:

- a. Verify the results of internal monitoring;
- b. Verify that the compensation process has been carried out in an open and transparent manner with sufficient communication and consultations with the PAPs;
- c. Review how the affected assets were evaluated and compensation amount determined;
- d. Assess the efficiency, effectiveness, impact and sustainability of activities associated with resettlement and RAP implementation;
- e. Assess if resettlement objectives have been met, specifically if livelihoods and living standards have been restored or improved;
- f. Review the way in which complaints and grievances had been handled; and
- g. Suggest modifications in the implementation procedures of RAP, if necessary, to better achieve the principles and objectives of the resettlement policy

The EMA shall also include in the monitoring the results of disclosing RAP to the PAPs during public consultations conducted for each project contract package.

11.3 Framework of Monitoring Activities

Table 11.1 presents the summary of monitoring activities and frequency.

Table 11.1 Monitoring Activities and Frequency

Monitoring Activity	Description	Schedule/ Frequency	Monitoring Agent Responsible
Preparation of Inception Report and Compliance Monitoring Report	To determine the scope of the monitoring activities to be carried out	One month after receipt of Notice to Proceed for the engagement of IMA/EMA	IMA, EMA

¹ “Good Practice Note: Third-Party Monitoring” (2018) of the World Bank.”

Monitoring and Evaluation during RAP Implementation	Monitoring of RAP implementation activities	Monthly (for IMA) and Quarterly (for EMA) until end of RAP implementation	IMA, EMA
Interim Evaluation	Interim evaluation of the implementation of RAP to verify if the social and economic conditions of the PAPs have been restored after delivery of compensation and other assistance *If PAPs are found worse off in terms of standard of living and livelihood, DPWH in coordination with concerned institutions shall provide assistance such as livelihood and skills training.	Three months after completion of compensation payments to, and resettlement of, PAPs	EMA
Monitoring and Evaluation during Construction	To follow up if the social and economic conditions of the PAPs after project implementation have improved or are been restored *If PAPs are found worse off in terms of standard of living and livelihood, DPWH in coordination with concerned institutions shall provide assistance such as livelihood and skills training.	Every six months (for IMA) and every 12 months (for EMA) until one year after completion of construction	IMA, EMA
Final Evaluation	To confirm if social and economic conditions of the PAPs after project implementation have improved or are at least been restored	One and two years after completion of the project	IMA, EMA

Source: Adopted from JICA Study Team.

11.4 Monitoring Activities

Points of considerations for internal and external monitoring are detailed in Tables 11.2 and 11.3 below. The points of considerations for the internal and external monitoring are based on LARRIPP.

Table 11.2 Points of Considerations for Internal Monitoring

Category	Points to Consider
Budget and Timeframe	<ul style="list-style-type: none"> Have all land acquisition and resettlement staff been appointed and mobilized for the field and office work on schedule? Have capacity building and trainings been completed on schedule? Are resettlement implementation activities being achieved against the agreed implementation plan? Are funds for resettlement being allocated to resettlement agencies on time? Have resettlement offices received the scheduled funds? Have funds been disbursed according to the RAP? Has the social preparation phase taken place as scheduled? Has all land been acquired and occupied in time for project implementation?
Delivery of Compensation and Entitlements	<ul style="list-style-type: none"> Have all PAPs received entitlements according to numbers and categories of loss set out in the entitlement matrix? Have all PAPs received payments for affected land and structures on time? Have all PAPs received the agreed transport costs, relocation costs, income substitution

	<p>support and any resettlement allowances, according to schedule?</p> <ul style="list-style-type: none"> • Have all replacement land plots or contracts been provided? Was the land developed as specified? • How many PAPs resorted to expropriation? • How many PAPs received land titles? • How many PAPs received housing as per relocation options in the RAP? • Does house quality meet the standards agreed? • Have relocation sites been selected and developed as per agreed standards? • Are the PAPs occupying the new houses? • Are assistance measures being implemented as planned for host communities? • Is restoration proceeding for social infrastructure and services? • Are the PAPs able to access schools, health services, cultural sites and activities at the level of accessibility prior to resettlement? • Are income and livelihood restoration activities being implemented as set out in the income restoration plan? For example, have utilizing replacement land, commencement of production, numbers of PAPs trained and provided with jobs, micro-credit disbursed, number of income generating activities been assisted? • Have affected businesses received entitlements including transfer and payments for net losses resulting from lost business and stoppage of production?
Public Participation and Consultation	<ul style="list-style-type: none"> • Have consultations taken place as scheduled including meetings, groups, and community activities? Have appropriate resettlement leaflets been prepared and distributed? • How many PAFs know their entitlements? How many know if they have been received? • Have any PAFs used the grievance redress procedures? What were the outcomes? • Have conflicts been resolved? • Was the social preparation phase implemented?
Benefit Monitoring	<ul style="list-style-type: none"> • What changes have occurred in patterns of occupation, production and resources use compared to the pre-project situation? • What changes have occurred in income and expenditure patterns compared to pre-project situation? What have been the changes in cost of living compared to pre-project situation? Have PAFs' incomes kept pace with these changes? • What changes have taken place in key social and cultural parameters relating to living standards? • What changes have occurred to vulnerable groups?

Source: Adopted from JICA Survey Team

Table 11.3 Points of Considerations for External Monitoring

Category	Points to Consider
Basic Information on Project-affected Households	<ul style="list-style-type: none"> • Location • Composition and structures, ages, education and skill levels • Gender of household head • Ethnic group • Access to health, education, utilities and other social services • Housing type • Land use and other resource ownership patterns • Occupation and employment patterns • Income sources and levels • Agricultural production data (for rural households) • Participation in neighborhood or community groups • Access to cultural sites and events • Value of all assets forming entitlements and resettlement entitlements
Restoration of Living Standards	<ul style="list-style-type: none"> • Were house compensation payments made free of depreciation, fees or transfer costs to the PAP? • Have PAPs adopted the housing options developed? • Have PAPs achieved replacement of key social cultural elements?
Restoration of Livelihoods	<ul style="list-style-type: none"> • Were compensation payments free of deduction for depreciation, fees or transfer costs to the PAP? • Were compensation payments sufficient to replace lost assets? • Did transfer and relocation payments cover these costs? • Did income substitution allow for re-establishment of enterprises and production? • Have enterprises affected received sufficient assistance to re-establish themselves? • Have vulnerable groups been provided income-earning opportunities? • Are these effective and sustainable?

	<ul style="list-style-type: none"> • Do the jobs provided restore pre-project income levels and living standards?
Levels of PAP Satisfaction	<ul style="list-style-type: none"> • How much do PAPs know about resettlement procedures and entitlements? Do PAPs know their entitlements? • Do they know if these have been met? • How do PAPs assess the extent to which their own living standards and livelihoods been restored? • How much do PAPs know about grievance redress and conflict resolution procedures? How satisfied are those who have used the said mechanisms?
Effectiveness of Resettlement Planning	<ul style="list-style-type: none"> • Were the PAPs and their assets correctly enumerated? • Was the time frame and budget sufficient to meet the objectives? • Were entitlements too generous? • Were vulnerable groups identified and assisted? • How did resettlement implementers deal with unforeseen problems?
Other Impacts	<ul style="list-style-type: none"> • Were there unintended environmental impacts? • Were there unintended impacts on employment or incomes?

Source: Adopted from JICA Survey Team.

Forms for internal and external monitoring (draft) are in shown in Annex 7.

11.5 Schedule of Monitoring

As indicated by the JICA Study Team, “the Schedule for implementation of the RAP and the required monitoring has been developed as shown in internal and external monitoring systems should be set up after the ROW has been finalized and all PAPs identified and yet no later than when the process for land acquisition has commenced. They should be carried out periodically until one year after project completion. The schedule should be reviewed and updated during the DED stage of the study in view of the project’s implementing schedule.” (JICA Study Team 2019)

11.6 Reporting

The monitoring reports of the IMA prepared by ESSD and that of the EMA prepared by an external agent are reported to ESSD and are accountable to UPMO FCMC. The UPMO FCMC, which receives monitoring reports through ESSD, reviews and thereafter submits the monitoring reports of the IMA and EMA to JICA quarterly”. (JICA Study Team 2019).

M & E reports and results should feed into the line units’ decision making processes. Under the illustrated implementing structure of the project, the highest line units are (a) the Secretary, (b) Project Office (UPMO, etc), and (c) the RIC (Mayor, UPMC, Regulatory Offices).

12. Public Consultations

12.1 Overview

Public consultations are important to ensure transparency and accountability, and bring in positive outcome for any project or activity. Hence, in accordance with national and local policy requirements on involuntary resettlement, as well as, for affected property owners within the proposed project sites, project-affected persons (PAPs) including vulnerable people were informed, consulted, and encouraged to participate in the decision-making that will affect their lives. All affected people are ISF member. This is also consistent with the national government and JICA policies on stakeholder engagement that require PAPs to be involved in the resettlement planning process. The consultation meetings were intended to (1) disclose information about the proposed flood control and drainage project including the proposed sites, with maps provided for better visualization of the location, (2) gather opinions and comments from individuals or organizations regarding the project, and (3) appropriately reflect such opinions in the initial RAP.

Based on experience with similar government projects, information dissemination and prior consultation and participation at the beginning of the project provides a good venue for the PAPs to express their opinions including apprehensions and even objections. These activities also provide the grounds for discussion allowing the project proponents to clarify and address issues raised, which after careful consideration can be integrated into the final detailed engineering design (DED) and updated RAP. Hopefully, this process will help minimize or if not, avoid conflicts during project implementation.

12.2 Public Consultations Conducted

Public consultations are crucial for any proposed projects as these provide venues for disclosure and generate feedback relevant for consideration of project designs and other components. These consultations also create a bridge between project proponents and affected communities to do dialogue and settle concerns in a more amicable manner.

Three layers of consultations were done for the project:

- Coordination and Consultation Meetings with BLGUs, MLGUs, CSOs, and Line Agencies
- First Round Public Consultation Meetings (PCMs) with PAPs
- Second Round Consultation Meetings (PCMs) with PAPs

12.2.1 Coordination and Consultation Meetings with BLGUs, MLGUs, CSOs, and Line Agencies

Seven Coordination face to face meetings with Barangay LGUs of Barangays affected by the Priority Projects (Retarding Ponds and Cut Off Works) were conducted from October 11, 2021 to November 11, 2021. Two online coordination meetings via zoom platform with LGUs and Line Agencies and with Civil Society, Non-Government Organizations and Academe were conducted on October 26, 2021 in the morning and in the afternoon, respectively. The coordination meetings provided a brief orientation and presentation of JICA-RAP Study covering a) Master Plan and Feasibility of the Flood Control and Drainage Project in Davao City, b) RAP Objectives and Components, and c) RAP Processes. Clarifications about Project and Discussion of Issues/Concerns were facilitated and Roles of the Barangay were clarified.

Barangay consultations were done face to face to maximize participation and the fact that online consultations were not feasible in a number of the barangays considering internet connectivity as well as access to gadgets by people from the communities. However, barangay participants were limited in consideration of the health protocols due to COVID-19. Participants were limited to around 7-8 that included the Barangay Captain, Barangay Councilors in-charge of infrastructure, environment, and other social services, concerned Purok leader/s, and Barangay Secretary. For the affected households and property owners, a maximum of 15 participants were invited. It must be noted that in one of the proposed project sites for cut-off works (Purok 27, Barangay Ma-a), majority of the residents are Kagan, one of the Muslim ethnolinguistic groups living in the city (see Notes on Kagan at the end of this report). Only for LGUs/LGAs, CSOs and academe were online consultations facilitated as most were assumed familiar with technology and had better internet connectivity in their work areas. This was also in consideration of the distribution spread of the invited participants for this group. Notification letters were distributed to each stakeholder prior to the scheduled consultations.

For all consultation meetings, an Open Forum was provided to have space for discussion of issues and concerns. Tables A-9.1 and A-9.2 list the schedules and participants for the initial project orientations/consultations covering barangay officials and staff, PAPs and the CSOs/academe while Table A-8.3 presents the participants and schedules for the RAP study results presentation.

During the RAP consultations, a project information brochure was distributed to all participants. Actual presentation was aided by a visual presentation providing a full explanation of the key project components and processes shared using the local language to allow the participants to fully understand and contribute their valuable comments. Appropriate maps presenting project sites and initial affected households and properties were provided. Consultations were undertaken in an atmosphere where all affected stakeholders were free to express their opinions, with no intimidation or coercion. All relevant project highlights were disclosed to help affected stakeholders make initial decisions in giving their consent (or not) to the proposed project. Highlights of the issues and concerns raised as well as suggestions during each round of consultations are provided in Tables 12.1.

Table 12.1 Consultation Meetings with BLGUs, MLGUs, CSOs, and Line Agencies

Areas Covered	Date and Venue	LGU/Sector Concerned	Number of Participants	
			LGUs/LGAs, CSOs	RAP Team & Partners**
Brgy. New Valencia and Brgy. Talandang*	October 12, 2021 New Valencia Barangay Hall	Barangay Captain, councilors, concerned purok leaders and staff	8 (Male: 5, Female: 3)	9 (M:6, F:3)
Brgy. Callawa	October 13, 2021 Barangay Hall	Barangay Captain, councilors and staff	6 (M:4, F:2)	10 (M:6, F:4)
Brgy. Mandug	October 13, 2021 Barangay Hall	Barangay Captain, councilors and concerned purok leader	6 (M: 4, F:2)	11 (M:8, F3)
Brgy. Ma-a	October 19, 2021 Barangay Hall	Barangay Captain, councilors, concerned purok leader and staff	7 (M:6, F:1)	15 (M:11, F:4)
Brgy. 19-B	October 19, 2021 Barangay Hall	Barangay councilors and staff	5 (M:2, F:3)	15 (M:12, F:3)
Davao City	October 26, 2021 via Zoom (online)	Local government units and agencies	10 (M:7, F:3)	12 (M:8, F:4)
Davao City	October 26, 2021 via Zoom (online)	Civil society/Non-government organizations, Academe	8 (M:5, F:3)	11 (M:9, F:2)

Brgy. New Carmen	November 9, 2021 Barangay Hall	Barangay Captain, councilors, purok leaders and staff	15 (M:8, F:7)	13 (M:9, F:4)
Brgy. 8-A	November 11, 2021 Barangay Hall	Barangay Captain, councilor, purok leaders and staff	17 (M:6, F:11)	9 (M:4, F:5)

* Barangay officials from Talandang were invited upon the initiative of the officials of Brgy. New Valencia. This is because direct supervision over the residents and property owners in the RAP proposed site is under Brgy. Talandang though political jurisdiction is under Brgy. New Valencia.

** RAP Partners include JICA-Davao, DPWH -District Office, City Planning and Development Office-Housing Division and RAP Study Team

Source: JICA Study Team

Prior to orientation and discussion with the PAPs, the first consultations were done with the affected barangays both for the proposed retarding ponds and the cut-off works. The barangay officials were the first to be consulted so they can help facilitate information dissemination among their constituents and at an early stage, generate their project support. This consultation was also important as the barangay officials provided confirmation about the jurisdiction over the proposed sites as well as the initial identification of the residents living in the area and the property owners. Their assistance was further solicited in the supervision and validation of the presence of affected households (AH), and the conduct of census and inventory of the affected assets. Another series of consultations were also organized for representatives of the local government units and agencies (LGUs/LGAs) as well as civil society organizations (CSOs) and academe who can potentially provide support for resettlement. A total of nine (9) consultations were done.

Consultations were also organized to present the initial RAP study results to the LGUs/LGAs and CSOs/academe and the directly affected households under the retarding pond area (RP 11).

12.2.2 First Round Public Consultation Meetings (PCMs) with PAPs

The first PCMs with affected households and land/property owners were conducted from October 22, 2021 to July 15, 2022. A brief orientation and presentation of JICA-RAP Study covering the Master Plan and Feasibility of the Flood Control and Drainage Project in Davao City was conducted. As a tool for socio-economic development, the objectives, components and processes of RAP were emphasized.

Table 12.2. First Round Consultation Meetings with PAPs

Areas Covered	Date and Venue	LGU/Sector Concerned	Number of Participants	
			Landowners/Affected households	RAP Team & Partners
Brgy. 19-B	October 22, 2021 Barangay Hall	Affected Landowners and barangay officials	4 (M:2, F:2)	16 (M:11, F:5)
Purok 27, Brgy. Ma-a	October 25, 2021 Purok Gymnasium	Affected Households (community leaders and members)	did not want to sign in attendance sheet	12 (M: 9 , F: 3)
Brgy. Talandang and New Valencia	November 9, 2021 Barangay Hall	Land/Property Owners*, renters and Barangay officials	17 (M:9, F:8)	15 (M:11, F:4)
Brgy. Callawa	November 10, 2021 Barangay Hall	Land/Property Owners	5 (M:1, F:4)	15 (M:7, F:8)
Brgy. Mandug	November 10, 2021 Barangay Gymnasium	Land/Property Owners, sand and gravel operators, and affected households from Sitio Lapuy	13 (M:10, F:3)	20 (M:12, F:8)

Brgy. Ma-a	November 11, 2021 Barangay Hall	Barangay Captain and Deputy Mayor for Kagan with Assistant	3 (M:3, F:0)	11 (M:3, F:8)
Brgy. Maa	November 16, 2021 Barangay Hall	Purok 27 Community Leaders/Affected households, barangay official and Deputy Mayor for Kagan	4 (M:4, F:0)	7 (M:3, F:4)

* Land and property owners include both private individuals and representatives of privately owned companies
Source: JICA Study Team

12.2.3 Second Round Public Consultation Meetings (PCMs) with PAPs

The second PCMs with PAPs were conducted from July 18, 2022 to August 24, 2022. The results of the survey were presented. Entitlement and compensation packages, and relocation of ISF were also presented.

Table 12.3. RAP Study/Survey Results Presentation

Areas Covered	Date and Venue	LGU/Sector Concerned	Number of Participants	
			Affected individuals/ Potential partners	RAP Team & Partners
Sitio Lapuy, Brgy. Mandug	December 9, 2021 LABEARBCO Building, Sitio Lapuy, Mandug	Affected households	6* (M:2, F:4)	7 (M:6, F:1)
Davao City	December 15, 2021 via Zoom (online)	Local government units and agencies, CSOs/NGOs	19 (M:12, F:7)	15 (M:7, F:8)

*Two are representatives of households who only live temporarily inside RP 11 hence, not included in the survey. One participant works with LABEARBCO but not directly affected by project.

Source: JICA Study Team

Table 12.4. Second Round Consultation Meetings with PAPs

Areas Covered	Date and Venue	LGU/Sector Concerned	Number of Participants	
			Landowners/Affected households	RAP Team & Partners
New Valencia	18 July 2022, Barangay Hall, Barangay Talandang	Affected Landowners	11 (M:7, F:4)	8 (M:5, F:3)
Callawa	19 July 2022 (morning) 2/F Conference Room, Planning and Design Division, DPWH RXI Office, Davao City	Affected Landowners	14 (M:6, F:8)	11 (M:8, F:3)
Mandug	19 July 2022 (afternoon) 2/F Conference Room, Barangay Hall, Barangay Mandug	Affected Landowners	10 (M:7, F:3)	3 (M:1, F:2)
Upper Padaman, Purok 27, Ma-a	17 August 2022, Ma-a Barangay Hall, Davao City	Affected Heirs of Padaman	33 (M:16, F:17)	10 (M:6, F:4)

(Lower Padaman) in Purok 27, Barangay Ma-a	17 August 2022, Ma-a Barangay Hall, Davao City	Affected House Owners and Renters	64 (M:33, F:31)	10 (M:6, F:4)
Ma-a	24 August 2022, Barangay Hall, Barangay Ma-a	Affected Landowners	2 (M:2, F:0)	3 (M:1, F:2)
Ma-a	15 July 2022 Barangay Hall, Barangay Ma-a	Affected Landowners	3 (M:3, F:0)	5 (M:3, F:2)
Davao City Sta. Lucia Realty	19 September 2022 DPWH District Engineering Office	Affected Landowners	1 (M:1, F:0)	6 (M:4, F:2)

Source: JICA Study Team

The second level of consultations (Round 2) were for the directly affected households and property owners so they are aware of the proposed project and its components, possible impacts on them and generate their opinions before proceeding to other RAP activities. A total of seven (7) consultations were done for the PAPs.

12.3 Summary of Issues

Summary of the major issues and concerns raised and suggestions during each round of the consultations are presented in Table . Major issues and concerns raised relate to:

- more detailed information about project components (specific boundaries, size, depth, project start and duration, etc.), particularly the cut-off works which has been perceived as creating more impacts, not only in terms of displacement but even environmentally;
- compensation specifically basis of appraisal, eligibility and payment schedule;
- relocation process and sites;
- alternative income and support;
- effect on existing quarry operations; and
- negotiation processes.

A major comment has been the delays in compensation payments related to previous DPWH projects creating some apprehensions among property owners. Suggestions point to:

- more visual and technical presentation of the project components;
- review and revision of cut-off works design to prevent large displacement and impacts on other properties;
- provision of regular platform for inclusive participation of various stakeholders (PAPs and non-PAPs) in project development;
- consideration of other protection revetments such as gabion improvement;
- potential hiring and prioritization of affected barangay members in construction work during project implementation;
- consideration allowing quarry operators to do dredging works during project implementation;
- improvement of DPWH payment scheme and processes; and
- resolution of long-standing barangay boundary disputes by City Council.

Highlights of the major issues and concerns raised during each consultation round are presented in Table 12.5, Table 12.6 and Table 12.7.

For the future, public consultation will be conducted as needed.

Table 12.5. Summary of Issues and Concerns, Consultations with BLGUs, MLGUs, CSOs, and Line Agencies

Participant	Issues and Concerns/Comments	Responses	Suggestions
Project Information/Details			
New Valencia	What is exact area that will be affected in the barangay? Who is project contractor?	Most affected under Purok Saging (Bonggan) in New Valencia/ Talandang. No project contractor at the moment; JICA providing technical assistance.	It would be good for affected areas to see the structural design, for clear visualization.
Mandug, New Carmen, CSOs, DENR RXI, CDRRMO, Ma-a	What is the design? How deep and big is the retarding pond (RP)? How many hectares are targeted? An opinion was shared that RP is unlikely to control the water in the Davao River. One is pessimistic about the project and pointed out there are three major rivers in Davao City and if heavy rain occurs, RP may not hold it in.	With initial design proposed by JICA but not yet final. Initial size is estimated around 50 hectares and can hold around 60 million cubic meters. RP will stock the rain water during heavy downpour to keep the water from going directly to the city center and help control flooding. Water cannot be controlled but it can be diverted to control the massive flow of water and prevent flooding.	
New Carmen, Ma-a, CSOs CDRRMO	What is the volume capacity of the retarding pond? width of river for widening? Mentioned inefficiency of multiple flood control measures of DPWH. In relation to RPs, these can be 'overwhelmed' and water will return to the river and cause overflow. Focus should be on the people in the impact areas and bring them to a safe location.	DPWH representative responded that the details will be provided once the Master Plan is completed. As of the moment, everything is under assessment and only proposals. Once these are approved, the team will come back to present the proposed design with all the necessary details. For river widening, this will be 30 meters both sides.	CDRRMO - Focus on relocation to safer areas of vulnerable communities to flooding.
DENR RXI, CDRRMO	Concern on cut-off works - The water flow will increase and create a destructive effect on the lower portion of the river. It will also cost a lot of money; no matter the solution, the river will be 'overwhelmed.' Funds must be allocated for relocation of people near these areas. Areas near the river bed should not have private land titles and no subdivisions near these areas as these are prone to flooding.	DPWH DEO: River shortening will increase water velocity by 20%, speeding up water flow from river to the sea plus consider river widening on both sides. Both the cut-off and RPs are efficient based on Japan's experience. These are just plans and needs further study but confident that flooding in the city will be mitigated with the implementation of the Master Plan. As to erosion control, there is no specified countermeasure yet.	DENR RXI - Recommended to do inventory of trees that might be cut down due to the project - resettlement action is not just resettlement of humans. Also, other erosion control measures be considered with river widening plus look into subdivisions nearby.
8-A	In map presented, the cut-off work area will be straightened and portion will be dried up. The dried	In initial plan of DPWH, the area will become a dump site of the excavated materials from the dredging.	

Participant	Issues and Concerns/Comments	Responses	Suggestions
	up portion can result to possible squatting.		
CSOs	Request to have a copy of the project Master Plan to understand the project better	DPWH RXI representative noted there is an initial master plan and it can be shared to the public.	Write to DPWH Regional Director to request for a copy of initial Master Plan.
Area Jurisdiction			
New Valencia, Callawa	For affected areas, where do land / property owners pay their real property tax (RPT)? <i>NOTE: Brgy. New Valencia officials initiated to invite officials from Brgy. Talandang considering direct interaction and supervision with affected community members are with Brgy. Talandang.</i>	For Purok Saging, pay in Brgy. New Valencia but residents vote under Brgy. Talandang. For Sitio Ilihan, pay taxes in Brgy. Callawa but direct jurisdiction is under Brgy. Mandug. However, they benefit from social services coming from Brgy. Callawa. Under current zoning and tax mapping, affected area is under political jurisdiction of Brgy. Callawa. But under 'old' political boundary, Sitio Ilihan is under Mandug.	CPDO should review the boundaries and reconcile zoning and mapping. There should be inter-barangay meeting to clarify and settle boundaries and then recommend this to the City Council.
Mandug / Project Team	Who owns most of the affected area (Sitio Lapuy)? How big is area?	Original property owner is Babao family covering 72 hectares. However, under CARP, 59 hectares was awarded to cooperative (LABEARBCO). Other portion of land (going to packing house) is under Panlilio family. Tax paid under Brgy. Mandug.	RAP Study team will talk with LABEARBCO and Babao family regarding proposed project; to confirm ownership and get other information. RAP Team can go to DAR and verify boundaries.
19-B	Barangay Council identified the affected site as part of Dizon farms and households within the property are workers in Dizon farms.	Acknowledged information and requested for name of contact for communication.	Inform the landowner before the start of the survey. InterDev needs to write a letter to Madeline Marfori-Dizon. BLGU will deliver the letter. DPWH must be present during meeting with landowner/Dizon.
8-A	Affected site for cut-off works seems to cover Purok 12 and adjacent Purok 10-B and 9-B. Purok 12 has more households. Purok 9-B has no more households due to the last fire; most residents relocated to Los Amigos. Based on a 2019 project consultation, JICA presented an aerial view of the area and affected households (before the fire). If this is a new plan, want to look at an aerial view as they believe there are households in the proposed site.	RAP Team cannot really check with finality as the definite boundaries of the project are not yet provided. The initial map generated does not present any affected households in the barangay; also confirmed based on initial ocular visit.	Barangay officials suggested that an aerial view can help determine the households affected. RAP team will take note of the suggestion especially when DPWH finalizes the actual design details.
Affected Property and Compensation			
Ma-a, Callawa, Mandug	Brgy. Captain shared bad experience with previous DPWH project, making it difficult for some constituents to believe in offer of just compensation. Sometimes government is only good in persuading people but does not deliver on promise. In	DPWH District Engineer assured that there will be just compensation. He shared the preliminary plan for the relocation site and facilities and emphasized this is a JICA-supported project. Based on his Japan experience, he presented that just compensation	Write and file a complaint to the DPWH Regional Office regarding delayed compensation. We should correct this practice of delayed payment so that the project will run

Participant	Issues and Concerns/Comments	Responses	Suggestions
	past experience, affected individuals were only compensated P5000 for damages, and some have not received compensation. Why is compensation payment taking so long? Those affected have complained about this as compensation was not provided for more than a year or so.	provided was very generous, using the market value of the property affected for the government project. <i>NOTE: No DPWH representative present during initial consultation in Callawa.</i>	smoothly, with no disruptions.
New Valencia	Most lands to be affected are privately owned and titled; no households or informal settlers.	In case there are no titles, DPWH will verify these with the Bureau of Lands. DPWH will finalize once they have the [legal] instruments that can identify the affected areas.	
New Valencia, Mandug	What will happen to affected landowners? What is worrisome is when the landowner [or renter] have started to plant crops. <i>NOTE: For Brgy. New Valencia, Lapanday is renting land under CABEARBCO. Both Lapanday and CABEARBCO get their business permits from Brgy. Callawa. For other landowners, Brgy. New Valencia has copies of their business permits.</i>	To be compensated are the lands, crops (excluding livestock) and any structures in the affected area. For titled lands, parcellary surveys will be done and other related concerns will be passed on to DPWH Regional Office (legal unit). Those from DPWH District Office will only prepare the documents and then pass it on to the Regional Legal unit that will make the assessment for compensation. If owner will not agree to proposed compensation, there will be an expropriation case. Zonal value will be basis for payment. DPWH will not proceed with project unless there is official permit. Processes will be done with prior consultations to all property owners.	
Mandug	What will happen to affected households including banana plantation workers?	After this initial consultation, household survey and tagging will be done to identify the affected households (and private landowners) and verify if they are eligible for compensation and/or relocation. They will be paid for whatever loss incurred and will participate in the resettlement planning. Only plantation workers with affected households will be eligible. The cooperative will be paid for loss of land and other properties. Arrangements with workers will be through the cooperative.	
Ma-a	Which will come first - payment for land or structure? Government should pay for land first so we can look for an area where to transfer.	Structure will be compensated first as it does not entail legal documents and other documentation. For land, it will be a tedious process. The Development Bank of the	Payment for land and structure should be done together ('Dunganon ang bayad sa yuta ug structure'). How can people transfer and

Participant	Issues and Concerns/Comments	Responses	Suggestions
	Fair market value should be easy if the institutions and their personnel will do their job.	Philippines will provide the standard for computing the fair market value. Payments for lands and structures are different.	look for property if they do not have the money?
Mandug, New Carmen	What is basis for appraisal and compensation of property?	This will be based on present (market) value and DPWH-ROW will be in-charge. Amount will be determined only by government-approved appraisers. More consultations will be done should the project push through. If landowner will not agree on compensation presented based on government appraisal, expropriation proceedings will be initiated. If there are issues with land titles, it is best to resolve this prior to start of project.	
Ma-a	In case of those renting the house, are they included to receive compensation? Or in the case of those who owns the house but is renting the land only, will they be compensated?	No, only the owner of the house/structure will be compensated. If they own the house (not the land), they can be compensated or can opt for resettlement.	
Ma-a	There are madrasahs (4 existing) and other structures in the affected community. Will these structures be replaced and included in the relocation site?	This is one of the main reasons why the RAP study is being done, to consider not just the structures but other cultural considerations. There will be a separate survey and interviews in relation to structure inventory, etc. and RAP study team will determine replacement cost.	
From CPDO representative (in Ma-a consultation)	Shared their experience about absentee owners. They are often the ones who have a lot of complaints.	Barangay Council (Ma-a) assured this will not happen as they know everyone in the community. They will be identified already during the pre-census.	
Relocation			
CSOs	What is number of likely affected households? People should be included in the process to ensure the project will have a positive effect on the community. There are also a lot of resettlement issues in the city. Consider relocation of people as a community, along with assurance for livelihood support.	InterDev: Affected communities are geotagged. There are more than 100 households in Ma-a that will be affected. As shared in an earlier consultation, government has some relocation programs. NHA has the Balay Bidlisiw program providing housing units and the Davao River Basin Housing Project for ISF and for those in high risk areas. City government is also processing donation for relocation sites.	
Mandug, Ma-a, New Carmen	In case there are affected households, what will happen to	Part of the RAP process is to look into potential plans, including the proposed relocation site/s which may be on-site or near-site.	Suggest that affected households will be relocated in the upper part of the sitio, under Babao property

Participant	Issues and Concerns/Comments	Responses	Suggestions
	them? Do you have plans where to relocate them? Where is relocation site?	There will be resettlement action planning with those affected. Just compensation will be provided for those who will want outright payment (based on agreed value) and for those removed from the area. Affected households can choose relocation site among options provided.	(Mandug). One option is to apply for community mortgage program (CMP).
Ma-a	Will relocation be done before or during project implementation? How much will be compensation?	Government will not demolish the structures (including houses) unless relocation site is ready and affected community members are transferred. The dried up portion of the river can be considered as one of the relocation sites but needs to be confirmed. Compensation is under study. It will be presented to the community through a consultation.	
DENR RXI	What will happen to those who will not qualify for resettlement?	CPDO-Housing: At the city level, they can be referred to apply for the Community Mortgage Program and apply for loans from the Social Housing Finance Corp. through their associations.	Suggested this program should be added to the action plan as a proactive measure
Survey and Tagging			
19-B	Will the affected community be surveyed? Has the survey started? Based on satellite data, there are 17 households but on ground count revealed only 11 households.	Survey has not started but it will immediately start once landowner gives consent. There will be actual tagging of the 11 households. Survey will include socio-demographic profile, inventory loss, replacement cost and income recovery. What is important is the determination of the Cut-Off date (COD) which will determine who will be eligible for compensation. RAP survey team will request if someone from barangay can accompany them in doing the survey; this is help needed from the barangay. Enumerators are from the social work profession. CPDO staff will also join the RAP survey team to explain the process to the community.	One of the Kagawads (councilors) emphasized that the AHs (in Ma-a particularly) are mostly Muslims (Kagan) and based on experience, they are fierce ('isog'). He suggested to talk to them in a calm manner and always be humble dealing with them. Important to inform the CPDO ahead of time when dealing with Kagan community and to set a meeting with the Kagan Deputy Mayor as he can also help.
Ma-a	Can we include skills inventory in survey and tagging? Will the plants and animals be included in the survey?	Survey will include the following: - inventory of loss - replacement cost - income recovery program: This is where skills and training will be identified.	
Project Approach			
CSOs	Is there a regular committee for consultations as the project is developing? Process should be inclusive.	This can be suggested to JICA and government.	Provide regular platform for consultation with different stakeholders as project is developing

Participant	Issues and Concerns/Comments	Responses	Suggestions
Other comments/observations			
Callawa	When discussing proposed project, all concerned units/agencies should be present in meetings/consultations to ensure comprehensive discussions.	<i>NOTE: 1st consultation, no representation from DPWH District Office and CPDO though informed and invited.</i>	
New Carmen, Ma-a	Can the retarding pond be used as a fishpond? How does this RP differ from the one in Luzon?	DPWH District Office representative responded they cannot provide any clear answer on this yet. That will be considered during the planning process after assessing if the water in the RP will be year-round. Pond in Luzon is for drinking water while in Davao, to control the flood. Project simulation done indicated project will last for 100 years or more.	
New Valencia, Ma-a	Observation about river - This has changed because of quarry activities in Brgy. Callawa which is the barangay's biggest problem as the quarrying has destroyed the riverbed. Ma-a Barangay Captain highlighted there will come a time when the sea level will change. At some point, river becomes shallow because of siltation and other factors.	Part of the maintenance is to do dredging. An equipment/machine (fixed or immovable) will be provided.	
Mandug	When project is implemented, can labor force be hired from the barangay?	We can put this as part of the proposal/suggestion.	During actual project implementation, consider for priority hiring community members from affected barangays - for labor and other project-related works.
8-A	There are a number of associations within possible affected area. This includes United 328, Aktibo and Katilingban. The area is titled, bought from the previous landowner/s. In case property will be affected, what will happen? Suggest to talk with DPWH as association has conducted census and have structural survey. Already bought the land and paying for it now.	DPWH has a ROW unit which will implement processes based on the Right of Way (ROW) Act. Surveys will be conducted in the affected area and size of properties will be determined. Cut-off Date is important prior to start of survey. New settlers coming in after the COD will not be included for eligibility. City government will help in terms of housing concerns.	Community suggested that every time DPWH conducts an activity, barangay should be consulted as well as community associations for proper coordination.
8-A	Is there a possibility of constructing a gabion to support dredging?	No definite plans yet. Aside from the cut-off works, there will be widening of the river on both sides.	
Ma-a, 8-A	If there are changes in the political administration, will the project still push through?	Government does multiyear planning. Regardless of who will be President, s/he will be obligated to implement the project. This project will be loaned from Japan government.	

Source: JICA Study Team

Table 12.6. Summary of Issues and Concerns, First Round of consultations with PAPs

Participant	Issues and Concerns	Responses	Suggestions
Project information and features			
Talandang, Mandug	When will project commence? How long will it run?	Still in the feasibility study phase. Purpose now is to inform and to get permission from those to be affected. Once master plan is approved, then government can process the budget. The study is still ongoing to produce the plan. DPWH representative estimated project might start in two years.	
Talandang, Callawa	Is retarding pond similar to a fish pond? What is its depth? Will project use concrete? What is volume of retarding pond?	DPWH representative stated that the RP will be similar to a fish pond. Area will be dug up and concrete will be used. Depth will depend on the result of the study. There is a possibility it can become a wetland. The accurate volume is not yet determined as we are still in the feasibility study stage.	One of the project plans is dredging. However, with the number of people doing quarrying, it may not be necessary. Landowner who is also quarry operator suggests they can do the dredging and the project does not need to pay them so this will reduce costs. They just need to get the dredged materials. This suggestion can be raised during the survey.
Callawa	What is area size needed? How wide is the cut-off area?	Still on feasibility study phase so don't know yet the exact size of the retarding pond. There are other candidates for retarding basin but the most appropriate are the three mentioned in the project. Probably after the survey and the feasibility, we will be able to estimate the boundaries and plot this in a map.	
Affected Area, Survey & Relocation			
Callawa	Will the whole property be affected or just near the river? Sometimes government will take the area but some portion are left unused. Then some (outside) settlers will come in knowing this is government land and start occupying area even if we are still in control of the property. Clarified by property owner: Cabaguio property is in Sitio Fatima (under Mandug) and not in Ilihan (Callawa).	No actual boundary defined yet, just an initial plotting based on information provided by JICA. This was initially identified by Brgy. Callawa as under their jurisdiction. <i>NOTE: Pineda is buying sand and gravel products from Atty. Rosemarie Cabaguio; Plineda is her nephew. On the other hand, Villar's property belongs to the Cabaguio family. Cabaguio family also has 11 quarry sites distributed to its 11 members.</i>	From landowner: Government should only acquire the exact needed area so that we will only sell the needed part.
Talandang	Who are affected? When will survey start? Emphasized they are not anti-development. There is nothing they can do since it is government	In close coordination with DPWH, RAP study team is working to identify the owners of the affected properties. Meetings will be conducted with landowners to assess the properties. Timeframe to finish the surveys is	If property owners agree, survey can immediately start. Survey is done to gather data that will support the study. Data

Participant	Issues and Concerns	Responses	Suggestions
	project. Titles being held are just a privilege. The proposed plan will be for the future of everyone.	before end of the year though this is challenging. Team can proceed ASAP if participants agree and will provide the needed details.	will tell whether project is feasible or not. This will help government decide whether to continue the project or not.
Ma-a	<p>Some leaders and community members strongly presented their opposition against the cut-off works design that will affect their community. They asserted their resistance against being relocated and were not interested in listening to other explanations about the project.</p> <p>The community matriarch shared that they (Kagan) have been living in the area for a long time as their ancestors first lived there, she herself was born in the area. They consider the place as their cultural territory and will not be willing to part with it. Concern also is not to scatter the community if they are displaced.</p> <p>Community shared that a similar proposal was made years before by another group but they did not agree. Hence, this proposal was not continued.</p> <p><i>NOTE: Residents were displeased with the RAP team not asking prior permission for the tagging; permission only for survey. In particular, the manner of tagging was not agreeable to them.</i></p>	<p>RAP survey team leader asked apology for the tagging incident and presented they were not also aware about the DPWH tagging process even as they agreed to do this. It was never the intention to bypass community authority and disrespect community consent. Team leader tried to present the RAP process but most of the members were not listening anymore.</p> <p>DPWH District Office representative presented that if the community will not consent, other options will have to be checked for the project. He also shared that the Purok Leader has nothing to do with the tagging and did not provide consent to this, but only to the survey.</p>	<p>Affected community (Purok 27) firmly asserted they want the project design to be reviewed and to realign this to prevent affecting their community. They will not agree to relocation.</p> <p>RAP public participation team leader suggested Community (through its leaders) can write a formal letter stating their position about the project and have this signed by the affected community members. This is for RAP team to present evidence of the community's opposition to the proposed cut-off works design. Agreement was to give community leaders three (3) days to do this and then give letter to RAP survey team leader. Purok Leader will facilitate handover of letter to RAP team.</p> <p><i>NOTE: Agreement was not fulfilled as no letter was forwarded to the RAP study team despite repeated follow-ups.</i></p>
Negotiation and Compensation			
Talandang	What will be negotiation process for lands that are non-titled? Some properties bought have titles but others are still being processed for titling.	DPWH representative responded that if there is already a deed of sale, the person who bought the land will be the one to receive the negotiated settlement.	Suggest to process the titling or have Special Power of Attorney (SPA) before project commencement. Landowners will also include the heirs.
Mandug	<p>What is basis for just compensation? There will be no immediate expropriation?</p> <p>We are confident we will not be evicted without proper compensation or relocation.</p>	There are various forms of government acquisition and expropriation is just one. For negotiated sale, market value will be basis for property appraisal.	

Participant	Issues and Concerns	Responses	Suggestions
		There will be no eviction without just compensation or relocation. Relocation will be included in planning provided it is available and affordable.	
Mandug	What about compensation for affected quarry operators? Will quarrying still be allowed?	No clear answer for the moment; do not know if quarrying will stop or continue. Once the feasibility study is completed, that will be time to determine some of the actions. For the moment, can still continue with quarrying as we don't know when project implementation will start. There will still be dredging from the mouth of the river up to 23 kms. upstream.	
Callawa	When computing value of payment, will this include the value of the sand and gravel that will be taken in the future? Can we get our own appraiser? Based on experience, government gave price that was below the value. We already developed the property and we have a high return of investment, yet price given was low. Hence, we hired our own appraiser to really compensate for the property.	It is up to the accredited appraiser, they have their own criteria for appraisal (on inclusion of sand and gravel value). Appraisers will be either from DBP or Land Bank. These are the only appraisers recognized by government. Will include this inquiry in the RAP report.	
Talandang	What will happen to livelihoods of those affected? Some are dependent on farming.	DPWH representative highlighted that income recovery is part of the RAP. InterDev further emphasized the importance of the survey in order to have clearer picture of what is present in the affected areas.	Landowner will allow the survey to determine the areas affected and the boundaries.
Talandang	CABEARBCO President: Presented there are 130 members in the cooperative and that their land is currently under contract to Lapanday Corp. They have not been fully paid yet and still have a balance for nine years. If project proceeds, concern on how to pay back Lapanday Corp. He wanted to know the tentative value of property so he can relay to other members.	DPWH representative suggested not to give any figure as yet to members since the value will be determined by a licensed appraiser. Previously, DPWH has many shortcomings since they proceeded with project implementation without consulting the stakeholders. They are now trying to correct their mistakes.	Suggested for the cooperative members to be informed about proposed government project but no amount can be provided as yet as it is still at the initial study phase. There is a process to be followed when it comes to land valuation.
Callawa	What if there is resistance? <i>NOTE: "You cannot compute sentimental value....We should spare a portion of our property for our family."</i>	Just compensation will be major goal. In case of resistance, will base on the requirements of the ROW Act which highlights expropriation in case of disagreements on proposed compensation.	
Mandug	Have very bad experience with DPWH with regards to payment. On the DECA road project, payment has not been received for four (4) years. Apprehensive this will happen again with this project.	From DPWH District Office representative: This is for referral to DPWH Region XI. This is not yet project implementation but feasibility/planning phase. Hence,	

Participant	Issues and Concerns	Responses	Suggestions
		we are consulting as early as now. Whatever data gathered will be reviewed by JICA and the government to look at possibilities, including costing.	
Other Comments			
Callawa	How will project affect quarry operators?	Effect on businesses such as quarrying will be included in the survey/study. Once property owner will give consent, RAP survey team will go to each of the property owners and do the survey in order to get estimates and the scale of project impacts.	
Talandang	If the project will be implemented, could the labor works be given to the local community members?	This can be proposed and included in the survey.	One landowner shared that TESDA has been conducting skills training for free and with allowances. They could request a training from TESDA to have skills that the project requires.
Callawa	Appreciated the process, with the consultation done. Previously, DPWH and other partners will just enter the area and start construction, without informing us and compensation payment is delayed.	DPWH trying a different method. We will inform property owner first before construction. We are trying to make it better.	

Source: JICA Study Team

Table 12.7. Summary of Issues and Concerns, Second Round of Consultations with PAPs

Participant	Issues and Concerns	Responses
New Valencia	Can the price for the land be increased? Also, preference is to receive lump sum	This will be under negotiation, based on prevailing market price.
	Family has plans to develop [poultry, perimeter fence] the properties they acquired in the area. How will they know if project will push through or not? They cannot keep on waiting.	As to plans for property development, it can still be done considering DPWH has not finalized plans yet. A parcellary survey will be done after the DED.
Callawa	What if the remaining portion of the land is adversely affected already?	DPWH Legal team: Depending on the assessment of its usability, it may be compensated.
	Who will determine the classification if land is usable or not?	DPWH has certain criteria e.g., setbacks, location size. These will be examined for the assessment of the property.
	If there is disagreement with the assessment of the usability of the land, who decides?	It will go through litigation process (expropriation).
	Mode of payment: 50% down payment for the land and 70% for the crops and facilities. They still have pending collections from previous two (2) other government projects	The DPWH Legal team explained that the source and downloading of funds differs from one project to the other. This affects the disbursement/payment to the landowners. This is also dependent on the completeness of the documents provided. It was also emphasized that the patent titles are non-compensable.

Participant	Issues and Concerns	Responses
	Are there any other alternatives for the project not affecting the properties of the Cabaguio? This is the third project already – road widening, subway and Retarding Pond.	Based on the scientific study conducted by JICA, the three sites (New Valencia/Talandang, Mandug and Callawa) are the best sites for the retarding ponds. The study was based on scientific, economic and environmental viability. JICA does not know the owners of the land.
	Can we still access the unused properties?	Yes, if possible.
Mandug	<p><i>Is there a way that the government will reduce the size of the pond as it will cover almost all their property?</i></p> <p>Other concerns:</p> <ul style="list-style-type: none"> It pains them to see that they are left with almost nothing. 'Dili ba pwede bahinon/ibalhin?' – Apart from their side, the other half will be taken from the property across the river (Aboitiz). Or can this be exchanged with another land? Valuation presented is too low vis-a-vis on-going selling price in the area. Since most of them are retiring, they hope that what they will receive will be more than enough to start over again in another area. What is the basis for compensating the crops/plants/trees? When will they know the final market value and what is timeline? Will it be possible to provide alternatives for their livelihood? (<i>'ilisan ang ilahang panginabuhian'</i>) Can the compensation package be centralized to the BOD? 	<ul style="list-style-type: none"> Based on the study (scientific, economic and environmental viability), the identified location/s are the best options for the RPs. As to RP size and location, these concerns have to be referred to DPWH-JICA based on their final proposal. Noted that it is difficult to compensate the 'sentimental value' of a property. The presented valuation costs are not final, just an example provided pending the gathering of data related to this. The final valuation will be based on the market value when the project will start. The compensation for the crops and trees will be per hill, per tree, etc. Market value will be the basis as finalized with DPWH-ROW. There will be a ground validation or physical inspection before it will be finalized. Parcellary survey will be done for the affected lands. Timeline is not fixed, will also depend on approvals from above including negotiation with the City Mayor. As to livelihood, compensation is provided for properties lost but there are no livelihood opportunities that will be provided. This will be support provided for those to be relocated. As to who will be the final party with whom negotiation is to be done for the compensation /entitlements, the main basis will be the land title. If the title is under the name of the cooperative, then it may negotiate for the group with the BOD as representative.
Upper Padaman, Purok 27, Maa	on Relocation - where is site?	The Engr. Maxim Razon pointed out that there is no definite site as of the present but that an area nearby the original place is being considered. However, it was emphasized that landowners are not given a relocation site since the government or project buys the land from them while only the informal settler families e.g., renters or those who do not own a land would be relocated
	A resident continued to argue that their disagreement is because they have been residents of the area even from the time of	Engr. Razon also assured that they will take note of the disagreements and a report will be given to the Mayor, especially that there is a claim from

Participant	Issues and Concerns	Responses
	their grandparents, and even before their grandparents' time.	the residents that the Mayor assured them that whatever they decide on, he will have the final say. It will be up to the Mayor to make the final decision.
Lower Padaman, Purok 27, Maa	A resident asked regarding the land they are living in. Her question centered on the fact that when their elders started living in the land there was no clear landowner. Hence, she narrated that they applied for a land title to be granted to them, the application was lodged with DENR and the Bureau of Lands. However, the response to their application is that it is the government that owns the land. Since they have applied for a grant, they are just waiting for the result. She asked what Atty. Miranda can say about it.	Atty. Miranda clarified that up until DENR has not given the grant to the application of a title on the land, the land is owned by the Republic of the Philippines. She pointed out that in the past when there was no law, there is the concept of the Spanish <i>jura regalia</i> that says that all land is owned by the government. She emphasized that all lands without owners are naturally owned by the government. This is why people who have been living in the land are given the chance to apply for a land title, but it does not mean that just because one has applied for a title, it is sure that it will be granted to the applicant. It goes through a process where it has to be announced through publication, consultation and many more
	Another resident pointed out that there are differing opinions as to who has the right to apply for a land title, e.g., the land they are living in. According to some, the one who got to live first in the land/area, i.e., the Moro.	Atty. Miranda responded that there is the Land Registration Decree, and the law is the basis for giving the grant. Nobody can say that since they were the first to stay in the land, they will be the first to apply for a title.
	On Renter's right	On the matter of the renter who does not agree, Atty. Miranda pointed out the renter's right is only on the structure he/she owns but since the land is not his/hers, they have no right to refuse giving up the area. On the question whether they should continue to rent, it was also clarified that for the meantime that there is no decision yet on the project, they can stay and continue to rent.
	On relocation site	On the matter of the relocation site – it was clarified that only the informal settlers will be considered for a relocation site. If one is a renter, then s/he will not be relocated. But if the renter is the owner of the structure, s/he will be paid for the structure. However, it was also mentioned that this does not mean that they could not be given compensation because their sentiments to be part of those to be relocated can be raised to the City Mayor for consideration.
Ma-a	concern regarding the start of the 10 meters extension. He was concerned if this will affect the slope protection as well as the road near the river. He raised the concern as the residence of the company owner (Nestor Ma) is near the river and the slope protection on the other side.	Dr. Tomas responded that only the engineers or project experts can confirm the exact project boundary location and its impact on the concerned structures. This will be noted in the report to be submitted.
	compensation should be higher and the payment should not take long. He has already experienced delays in DPWH payments as part of his property was also affected by a previous	Dr. Tomas mentioned that this was a similar situation in other areas. This has been noted in the project report as part of a main concern of affected landowners / stakeholders.

Participant	Issues and Concerns	Responses
	project. To this time, he has not received the full payment / compensation. He also asked about who will finance the project.	In terms of financing, JICA is funding the feasibility study. As to the actual project, this will still be negotiated as DPWH is looking for a funding agency.

Source: JICA Study Team

For the presentation of the RAP study results, summary of issues and concerns raised are presented in Table 12.8.

Table 12.8. Summary of Concerns - RAP Study Results Presentation

Participant	Comments	Responses	Suggestions
Five Participants/ Affected households <i>NOTE: One of those surveyed had to leave immediately to attend to a sick family member.</i>	Majority will opt for pay out rather than relocation. Only one chose to be relocated citing that it is better to have a permanent house and lot no matter how small compared to money that can be easily lost/squandered. <i>NOTE: Only one of the affected households do not have a house in other areas. The rest have houses in either Sentro Lapuy or in Callawa. They chose to live in the area due to their livelihoods or the need for a simpler life and quieter space. For the two not included in the survey, they do not live permanently in the area but go there for rest or partly, for their livelihood (farming).</i>	Considering majority opted for direct payout and only one for relocation, recommended not to proceed with RAP; will just present as is in terms of decisions from the ground.	
G. Braga	Highlighted he was not included in the survey though he owns a house within the proposed project site. He is a cooperative member and currently works with the coop.	Barangay Captain was the one who identified during the survey who are permanent residents in the area. Possibly not included as he does not stay permanently in the area but just go there at certain periods in time.	RAP team will do ocular visit of house after the session.
InterDev	If size of retarding pond will be reduced, part of the area can be proposed to be allocated as relocation or residential site.	Can offer this as suggestion	Reduce area for proposed retarding pond and offer part of this as relocation site.
CSOs/LGUs/LGAs			
CRRMO	What is the purpose of the cut-off works and how does it help in flood control? Not very clear in terms of actual benefit of this proposal vis-a-vis more detrimental effects.	DPWH RXI Engr. Allan dela Peña explained that if the river flow is straightened, it is easier to drain the water. The proposed cut-off works around Crocodile Park will increase the velocity in the channel and reduce the water level. The overflowing in the riverbanks	

Participant	Comments	Responses	Suggestions
		will be handled by the retarding ponds and will prevent detrimental effects downstream. Dredging works will also be ongoing as part of maintenance.	
CDRRMO	Another concern is the high financial cost for the project apart from the resistance of the affected communities. He suggested the construction of protection revetments as an alternative to lessen costs, minimize displacement and as an immediate response to the flooding in the city. He wants to understand this better in order to help in disseminating information at the ground level.	Engr. dela Peña acknowledged the financial concern but emphasized that the proposed project is a long-term solution to the city's flooding problem.	Suggestions will be noted for the study.
DENR RXI	Why are retarding ponds marked as RP 8, 9, 11?	DPWH Engr. Allan dela Peña responded that the project is part of a more extensive master plan. There are other upstream retarding ponds but the three are prioritized projects.	
DHSUD RXI	Who are affected by the proposed project and how soon will the project start?	Big bulk of the ISF are in Ma-a area where cut-off works will be done. Total of 106 ISFs identified. Dealing with 106 ISFs but could not push through as there is resistance due to claim on land as ancestral domain (for Kaga in Ma-a).	DPWH-UPMO acknowledges community resistance and has suggestion for InterDev to come up with a report to present to the City LGU on how to address this concern. Also, wrapping up study and will await for JICA feedback on how to proceed.
SALORSEDFI	Wants to know if there are studies that have documented the transformation of Davao River over time which can support the proposed project. Also, interested in the financial aspect and would like to know the project cost. He also expressed his frustration over the construction of the coastal road project which prevents access to settlers in the traversed area.	DPWH-UPMO representative explained that JICA requires counterparts and technical working groups (TWGs) for this project. TWGs/steering committee (including NEDA) discussed all technical components of the project and presented this to Mayor Inday Sara. The project was also discussed with other units/line agencies and found to be the most viable. Added that cut-off works were initially proposed by Sta. Lucia	InterDev will submit report to JICA as the employer and JICA can furnish a copy to DPWH-UPMO.

Participant	Comments	Responses	Suggestions
		and the owner of Crocodile Park but did not materialize due to previous airport bombing. If earlier similar proposals came from them, why would they decline now? Asked for report from InterDev to inform the City Mayor about community feedback from cut-off works area.	
DHSUD RXI	Interested to know how project is integrated with the land use development plans in the areas.	InterDev representative responded that the development of the Barangay Development Plans has to incorporate the proposed project in the next planning period as the host barangays. However, the regional development offices such as the urban housing office should be involved with other stakeholders such as the academe. Parallel efforts should start especially when the detailed engineering design and other technical efforts will start in the joint planning.	
DHSUD RXI	Would the gabion improvement be included in the feasibility study since it is already existing in the area?	DPWH - In the long term, we can focus on the revetment as current focus is on the three components. Maybe in 2025, there will be additional improvements.	

Source: JICA Study Team

The articulation of concerns by different stakeholders is a major contribution of the consultations. Though resettlement planning was not completed due to resistance of some affected households, initial information will be passed on to the project proponents for consideration in the finalization of the project plans.

12.4 Concluding Remarks

Overall, the RAP Study Team was able to carry out meaningful consultations with the affected barangays, households and property owners disclosing the initial project components despite limitations in some detailed information. While no final resettlement action plans were done considering the resistance of majority of the affected households and preference of those agreeable for outright payment, information generated from the public consultations are highly relevant for the review of the initial project design and other components.

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Inventory of Project Affected Persons (PAPs), Properties, and Compensation Packages in the RP 8

1. Land Appraisal and PAPs Inventory

1.1 Land Appraisal

Table A1.1 shows the list of properties, dominant land use and dominant permanent crops planted in the properties affected by RP 8 in Brgy. New Valencia. The pattern of land ownership shows the large ownership of the tracts of land by the Cabaguio Family and their relatives. These lands were distributed to various owners including the current largest landowner in the pond area, which is the CABEARCO (Callawa Bonggan Employees Agrarian Reform Beneficiaries Cooperative), a land reform beneficiary cooperative.

Table A1.1. RP8 List of Properties, Dominant Land Use & Dominant Permanent Crops in New Valencia

Property ID	Title/Reference Number	Land Area of Owners (Hectares)	Estimated Land Area Affected by RP 8 (Hectares)	% of Land Affected ²	Dominant Land Use	Dominant Permanent Crops planted
RP8-01	146-2010008840	3.01	2.60	86.39%	Agricultural	Coconut / Mixed
RP8-02	CL-4553	8.59	6.06	70.53%	Agricultural	Open / Cultivated
RP8-03	CL-4554	3.85	3.85	100.00%	Agricultural	Open / Cultivated
RP8-04	CL-4556	6.15	6.15	100.00%	Agricultural	Open / Cultivated
RP8-05	CL-4557	2.13	2.13	99.88%	Agricultural	Open / Cultivated
RP8-06	CL-6068	41.06	19.93	48.53%	Agricultural	Open / Cultivated
RP8-07	Lot 1041-A	1.52	0.76	49.78%	Agricultural	Open / Cultivated
RP8-08	Lot 1041-B/T-69394	3.20	3.20	100.00%	Agricultural	Trees
RP8-09	Lot 1041-E	3.36	2.94	87.66%	Agricultural	Coconut / Mixed
RP8-10	Lot 2	1.56	1.18	75.33%	Agricultural	Open / Cultivated
RP8-11	Lot 4-8376	2.29	0.10	4.28%	Agricultural	Open / Cultivated / Vegetables
RP8-12	Lot 8373	2.18	2.12	97.12%	Agricultural	Fruit Trees
RP8-13	P-9018	2.05	0.76	36.80%	Agricultural	Trees

² Based on the Guidelines for the qualifications of PAPs, Entitlements and Compensations of D.O. 327, Series of 2003, ***“PAPs who will lose more than 20 % of their assets because of the need to acquire right-of-way for the implementation of an infrastructure project or their remaining land or structure is no longer viable for continued use or occupancy. The PAPs who will lose those assets will be entitled to full payment for the fair market value of the entire land and the full replacement cost of the entire structure and other improvements affected.”***

PAPs who will lose less than 20% of their assets because of the ROW to be acquired for the project or if the remaining structure that is affected is still viable for continued use or occupancy. Those PAPs who will lose those assets will be entitled to full payment for the fair market value of the land to be taken and the full replacement cost of the portions of the structures and other improvements affected”. (Annex B, Guidelines for Qualifications of PAPs, Entitlements and Compensation, D.O. 327, Series of 2003).

Property ID	Title/Reference Number	Land Area of Owners (Hectares)	Estimated Land Area Affected by RP 8 (Hectares)	% of Land Affected ²	Dominant Land Use	Dominant Permanent Crops planted
RP8-14	T-100627	2.14	2.13	99.81%	Agricultural	Open / Cultivated
RP8-15	T-100629	1.68	1.68	99.99%	Agricultural	Open / Cultivated
RP8-16	T-162310	9.90	9.23	93.22%	Agricultural	Coconut / Mixed
RP8-17	T-307153	3.59	2.09	58.13%	Agricultural	Open / Cultivated
RP8-18	T-307154	2.97	1.94	65.41%	Agricultural	Open / Cultivated
RP8-19	T-307155	3.53	2.15	60.85%	Agricultural	Coconut / Mixed
RP8-20	T-307156	4.02	2.18	54.09%	Agricultural	Open / Cultivated
RP8-21	T-307157	3.63	1.49	41.00%	Agricultural	Coconut / Banana
RP8-22	T-307158	0.59	0.59	100.00%	Agricultural	Trees
RP8-23	T-307159	0.52	0.52	100.00%	Agricultural	Trees
RP8-24	T-307160	0.58	0.25	43.73%	Agricultural	Trees
RP8-25	T-307161	0.62	0.33	53.84%	Agricultural	Open / Cultivated / Vegetables
RP8-26	T-307162	0.52	0.24	46.97%	Agricultural	Open / Cultivated / Vegetables
2 Parcel of Property with no Reference Documents of Ownership and Tax Assessment		1.53	1.53	100.00%	Agricultural	Open / Cultivated
GRAND TOTAL		116.78	78.13			

The total number of parcel of lands affected by RP8 is 28. The total estimated land area affected by RP8 is 78.13 hectares. The dominant land use is agricultural and the dominant permanent crops planted coconut, trees, fruit trees, and banana.

Figure A.1.1 shows the detailed overlay of all the affected properties with corresponding land reference documents (Titles, Certificate of land transfer by the DAR, patents and so on) inside the RP 8 area constituting 76.60 hectares and area shaded with diagonal lines which are land areas with no reference documents of ownership and tax assessment constituting 1.53 hectares. These areas are believed to be an old riverbed that grew from redirected and eroded earth by previous floods in the past. The City Environment and Natural Resources Office (CENRO) of the Department of Environment and Natural Resources (DENR)- X1 certified that these two parcels of lands are classified as Alienable or Disposable Land (A&D) (See Annex 6a). These areas should be excluded from acquisition payment during the ROWA implementation in the DED stage. These should be secured by the DPWH during the ROWA implementation in order that acquisition cost of land will be substantially reduced. There are similar lands in RP 9 and RP 11. In all, acquisition cost reduction because of such areas will add up and will be substantial.

Table A.1.2. Total Project Area of RP 8

Components	Area (Hectares)
Properties with Documents of Ownership Affected by RP 8	76.60
Property with no Reference Documents of Ownership and Tax Assessment that needs further verification	1.53
Total Project Area	78.13

Figure A.1.1. Overlay of Private Properties inside the RP 8 Area.



1.2 PAP Inventory

The affected 26 land owners shall be counted as PAPs without resettlement. There are no informal settlers that will be relocated in the area.

1.3 Property Assessment and Zoning Valuation of Land Property in RP 8

Using the valuation based on Current Market Values (per m²) values from DPWH-XI ROW Acquisition & Legal Division for Barangay Callawa and applying the guidelines for the qualification of PAPs and extent of impact, the estimated cost of land affected by RP 8 amounts to PhP **2,261,107,235.3**.

Table A.1.3. Property Assessment of Land Property Affected by RP 8.

Property ID	Land Area (ha)	Land Area for Compensation (ha)	Severity	Market Value*	Estimated Cost of Land Affected by RP8 based on Market Value
				(PhP/m2)	
A	B	C		D	C * D
MARGINALLY AFFECTED					
RP8-11	2.29	0.1	marginally	2,000	1,959,364.50
TOTAL	2.29	0.1			1,959,364.50
SEVERELY AFFECTED					
RP8-01	3.01	3.01	severely	2,000	60,216,196.29
RP8-02	8.59	8.59	severely	2,000	171,853,714.65
RP8-03	3.85	3.85	severely	2,000	77,057,406.31
RP8-04	6.15	6.15	severely	2,000	123,010,121.03
RP8-05	2.13	2.13	severely	2,000	42,608,705.11
RP8-06	41.06	41.06	severely	2,000	821,288,944.21
RP8-07	1.52	1.52	severely	2,000	30,335,118.17
RP8-08	3.2	3.2	severely	2,000	63,900,677.51
RP8-09	3.36	3.36	severely	2,000	67,147,425.12
RP8-10	1.56	1.56	severely	2,000	31,200,631.07
RP8-12	2.18	2.18	severely	2,000	43,657,212.89
RP8-13	2.05	2.05	severely	2,000	41,032,164.00
RP8-14	2.14	2.14	severely	2,000	42,702,590.60
RP8-15	1.68	1.68	severely	2,000	33,568,007.04
RP8-16	9.9	9.9	severely	2,000	198,067,130.45
RP8-17	3.59	3.59	severely	2,000	71,791,948.90
RP8-18	2.97	2.97	severely	2,000	59,356,920.89
RP8-19	3.53	3.53	severely	2,000	70,655,107.90
RP8-20	4.02	4.02	severely	2,000	80,478,667.32
RP8-21	3.63	3.63	severely	2,000	72,694,890.02
RP8-22	0.59	0.59	severely	2,000	11,794,892.27
RP8-23	0.52	0.52	severely	2,000	10,390,171.47
RP8-24	0.58	0.58	severely	2,000	11,544,333.07
RP8-25	0.62	0.62	severely	2,000	12,403,076.85
RP8-26	0.52	0.52	severely	2,000	10,391,817.69
TOTAL	112.95	112.95			2,259,147,870.85

NO OWNERSHIP RECORD					
2 parcel lots with no ownership documents (Alienable & Disposable)	1.53				
GRAND TOTAL	116.77	113.05			2,261,107,235.36

* Valuation based on Current Market Values (per m²) values from DPWH-XI ROW Acquisition & Legal Division for Barangay Callawa

Table A.1.4. RAP Preliminary Cost Estimates for Land in RP 8

(1)	(2)	(3)	(4)	(5)	(6)	(7) = (5)x(6)	(8)
Barangay	Land Use Type	Lot Number	ROW Area, sqm	Land Area for Compensation	Price/m2 based on BIR zonal value	Price of Land based on BIR ZV	Price of Land based on CMV***
New Valencia	Agricultural	RP8-01 (146-2010008840)	26,010.46	30,108.10	180	5,419,457.67	60,216,196.29
New Valencia	Agricultural	RP8-02 (CL-4553)	60,601.37	85,926.86	180	15,466,834.32	171,853,714.65
New Valencia	Agricultural	RP8-03 (CL-4554)	38,527.39	38,528.70	180	6,935,166.57	77,057,406.31
New Valencia	Agricultural	RP8-04 (CL-4556)	61,503.58	61,505.06	160	9,840,809.68	123,010,121.03
New Valencia	Agricultural	RP8-05 (CL-4557)	21,278.91	21,304.35	180	3,834,783.46	42,608,705.11
New Valencia	Agricultural	RP8-06 (CL-6068)	199,282.62	410,644.47	110	45,170,891.93	821,288,944.21
New Valencia	Agricultural	RP8-07 (Lot 1041-A)	7,550.78	15,167.56	180	2,730,160.64	30,335,118.17
New Valencia	Agricultural	RP8-08 (Lot 1041-B/T-69394)	31,950.33	31,950.34	180	5,751,060.98	63,900,677.51
New Valencia	Agricultural	RP8-09 (Lot 1041-E)	29,429.95	33,573.71	180	6,043,268.26	67,147,425.12
New Valencia	Agricultural	RP8-10 (Lot 2)	11,752.14	15,600.32	160	2,496,050.49	31,200,631.07
New Valencia	Agricultural	RP8-11 (Lot 4-8376)	979.68	979.68	180	176,342.81	1,959,364.50
New Valencia	Agricultural	RP8-12 (Lot 8373)	21,199.82	21,828.61	160	3,492,577.03	43,657,212.89
New Valencia	Agricultural	RP8-13 (P-9018)	7,549.94	20,516.08	** 167.00	3,426,185.69	41,032,164.00
New Valencia	Agricultural	RP8-14 (T-100627)	21,311.70	21,351.30	180	3,843,233.15	42,702,590.60
New Valencia	Agricultural	RP8-15 (T-100629)	16,782.60	16,784.00	180	3,021,120.63	33,568,007.04
New Valencia	Agricultural	RP8-16 (T-162310)	92,316.59	99,033.57	160	15,845,370.44	198,067,130.45
New Valencia	Agricultural	RP8-17 (T-307153)	20,866.02	35,895.97	160	5,743,355.91	71,791,948.90
New Valencia	Agricultural	RP8-18 (T-307154)	19,412.62	29,678.46	160	4,748,553.67	59,356,920.89
New Valencia	Agricultural	RP8-19 (T-307155)	21,497.53	35,327.55	160	5,652,408.63	70,655,107.90
New Valencia	Agricultural	RP8-20 (T-307156)	21,765.19	40,239.33	160	6,438,293.39	80,478,667.32
New Valencia	Agricultural	RP8-21 (T-307157)	14,902.28	36,347.45	160	5,815,591.20	72,694,890.02
New Valencia	Agricultural	RP8-22 (T-307158)	5,897.44	5,897.45	180	1,061,540.30	11,794,892.27
New Valencia	Agricultural	RP8-23 (T-307159)	5,195.07	5,195.09	160	831,213.72	10,390,171.47
New Valencia	Agricultural	RP8-24 (T-307160)	2,524.20	5,772.17	160	923,546.65	11,544,333.07
New Valencia	Agricultural	RP8-25 (T-307161)	3,339.03	6,201.54	160	992,246.15	12,403,076.85

New Valencia	Agricultural	RP8-26 (T-307162)	2,440.43	5,195.91	160	831,345.42	10,391,817.69
Total						166,531,408.77	2,261,107,235.36

*** computed from DPWH-XI market value for Brgy Callawa (2000 / sqm)

Figure A.1.2. Map indicating the Zonal Value and CMV of Lands affected by RP8.



1.4 Inventory and Compensation of Crops and Trees

Some land owners provided information on the number of crops and trees planted in their respective land. For the rest of the landowners, the estimates of the number of crops and trees are based on the practices of the landowner's declaration and land cover data.

DENR-X1 (CENRO) provided also technical assistance in the evaluation and estimation of trees in Barangays New Valencia, Callawa, and Mandug that would be impacted by the proposed retarding ponds (See Annex 6b).

Table A.1.5. Inventory of Permanent Crops and Trees in RP 8.

Property ID	Banana	Coconut	Cacao	Trees * (Lesser-used)	Trees * (Premium Species)	Other Fruit Trees **
RP8-01				1		
RP8-02				2		
RP8-03				5		
RP8-04	1		1			
RP8-05						
RP8-06	10,000					
RP8-07				3		
RP8-08				160		
RP8-09		135		6		
RP8-10	8					
RP8-11						
RP8-12	246					145
RP8-13				38		
RP8-14						
RP8-15						
RP8-16		734		1		
RP8-17	1,213	116	291			
RP8-18						
RP8-19		154				
RP8-20		30				
RP8-21		41				40
RP8-22		6				
RP8-23		7				
RP8-24					400	1,000
RP8-25						
RP8-26						
No Ownership Record				-	-	23
TOTAL	11,468	1,223	292	216	400	1,185

*Based on the assessment of DENR, there is an average of 57 planted trees (of lesser-used species) per hectare, where average volume is computed at 0.306 cu m per tree. For premium species, average volume is 2.65 cum

**Based on the practices and responses of the farmers, it is estimated that there are 100 fruit trees per hectare and it could be a mix of cacao, durian, mangosteen, lanzones, and marang.

Table A.1.6 Compensation for Crops and Trees in RP8.

Crops/Trees	Numbers	Cost (PhP)	Total (PhP)
Banana	11,468 hills	280/hill*	3,211,040
Coconut	1,223	2730/plant*	3,338,790
Cacao	292	320/plant)*	93,440
Fruit Trees	1,185	3435/plant**	4,070,475
Lesser-used Trees	216	215/tree***	46,440
Premium Trees	400	7,950/tree***	3,180,000
Total			13,940,185

* Based on Davao City Assessor's Office (CASSO) fruit trees valuation.

**The average value of cacao, durian, mangosteen, lanzones, and marang.

*** Based on forest charges (DAO 2021-11) for lesser-used species (700 per cu m) and premium species for RP8-24 (3000 per cu m)

1.5 Replacement Cost

There is only one (1) Agricultural/Farming related facility affected by RP 8 as shown in Figures A.1.3. and A.1.4. The estimate cost for the agricultural facility (resting shed) is PhP 5,000.00.

Table A.1.7. Structures and Facility Affected by RP8

Property ID	Agriculture/Farming related Facility	Replacement Cost* (PhP)
RP8-01	1	5,000
TOTAL	1	5,000

*Adopting the "Detailed Unit Price Analysis (DUPA)" method used by the DPWH-X1

Figure A.1.3. Initial Structure Overlay Map in RP8.



Figure A.1.4. Structure Affected in RP8.



Table A.1.8. RAP Preliminary Cost Estimates for Structures/Improvements and Crop/Trees in RP 8.

(1)	(2)	(3)	(4)	(5)	(6) = (4)x(5)
Barangay	Type of Improvement	Lot Number	Estimated Replacement Cost of Structures/Impvts	Estimated Market Value of Crops/Trees	Total Cost
New Valencia	Banana	RP8-04	1	280	280
New Valencia	Banana	RP8-06	10,000	280	2,800,000
New Valencia	Banana	RP8-10	8	280	2,240
New Valencia	Banana	RP8-12	246	280	68,880
New Valencia	Banana	RP8-17	1213	280	339,528
New Valencia	Cacao	RP8-04	1	320	320
New Valencia	Cacao	RP8-17	291	320	93,165
New Valencia	Coconut	RP8-09	135	2,730	368,550
New Valencia	Coconut	RP8-16	734	2,730	2,003,820
New Valencia	Coconut	RP8-17	116	2,730	317,925
New Valencia	Coconut	RP8-19	154	2,730	419,253
New Valencia	Coconut	RP8-20	30	2,730	80,789
New Valencia	Coconut	RP8-21	41	2,730	113,141
New Valencia	Coconut	RP8-22	6	2,730	15,901
New Valencia	Coconut	RP8-23	7	2,730	19,274
New Valencia	Other Fruit Trees *	RP8-12	145	** 3,435	498,075
New Valencia	Other Fruit Trees *	RP8-21	40	** 3,435	137,400
New Valencia	Other Fruit Trees *	RP8-24	1,000	** 3,435	3,435,000
New Valencia	Trees (lesser-used)	RP8-01	1	*** 215	215
New Valencia	Trees (lesser-used)	RP8-02	2	*** 215	430
New Valencia	Trees (lesser-used)	RP8-03	5	*** 215	1,075
New Valencia	Trees (lesser-used)	RP8-07	3	*** 215	645
New Valencia	Trees (lesser-used)	RP8-08	160	*** 215	34,400
New Valencia	Trees (lesser-used)	RP8-09	6	*** 215	1,290
New Valencia	Trees (lesser-used)	RP8-13	38	*** 215	8,170
New Valencia	Trees (lesser-used)	RP8-16	1	*** 215	215
New Valencia	Trees (premium)	RP8-24	400	**** 7,950	3,180,000
New Valencia	Agri Facility (Resting Shed)	RP8-01	5,000		5,000

* mix of cacao, durian, mangosteen, lanzones, and marang.

** The average value of cacao, durian, mangosteen, lanzones, and marang.

*** Average computed cost for lesser-used trees pegged at 700/cum covered by DENR AO No 2021-11

*** Average computed cost for trees considered premium species pegged at 3000/cum covered by DENR AO No 2021-11

DENR AO No 2021-11 - Guidelines in the processing and issuance of permits for the cutting, removal and relocation of naturally growing trees

1.6 Informal Settlers

There are no informal settlers that will be relocated.

1.7 Summary

Table A.1.9. Summary of Entitlements per Category of PAPs in RP 8.

Entitlement	Category of PAP	Impact	Computation of Amount
Payment for Land	PAP who owns land (i.e., holds title or tax declarations)	<u>Severely Affected:</u> 25 Property Owners Total Area: 112.95 hectares	Current Market Value PhP 2,259,147,870.85
		<u>Marginally Affected</u> 1 Property Owner Total Area: 0.1 hectare	PhP 1,959,364.50
	Property with no Ownership Documents	<u>Severely Affected:</u> 2 Parcels of Property Total Area: 1.53 hectares	Certified as A & D by CENRO
Total		Total Area to be Compensated 113.05 hectares	PhP 2,261,107,235.36
Payment for Crops and Trees	PAP who is owner or tenant or occupant who owns the crops and trees	Banana- 11,468 hills Coconut- 1,223 Cacao – 292 Fruit Trees- 1,185 Trees Lesser-used species– 216 Premium species - 400	Banana- PhP 3,211,040 Coconut- PhP 3,338,790 Cacao - PhP 93,440 Fruit Trees- PhP 4,070,475 Trees Lesser-used - PhP 46,440 Premium – PhP 3,180,000 Total 13,940,185
Payment for Replacement Cost for Structure and other Improvements	PAP who owns the structures	1 Agricultural/Farming related facility	PhP 5,000
Relocation Cost	Informal Settlers	None	None
Financial Assistance (Subsistence Allowance)	PAP who owns land used for agricultural purposes	Severely affected only @ PhP 15,000.00/PAP X 25 PAPs severely affected	PhP 375,000.00

Inventory of Project Affected Persons (PAPs), Properties, and Compensation Packages in the RP 9

2. Land Appraisal and PAPs Inventory

2.1 Land Appraisal

Table A.2.1 shows the list of properties, land use, and dominant permanent crops in RP 9 in Brgy. Callawa. The affected properties are largely owned by the families of Collado, Olaguer and Cabaguio. The Cabaguio family also owns land in RP 8 in New Valencia. The table also shows that these families have land ownership of about 5 hectares and less distributed to family members, which appear to have been the remainder of larger properties that have been parceled into small pieces of land with sequentially numbered land documentary ownership references for the agrarian reform compliance.

Table A.2.1. List of Properties, Dominant Land Use & Dominant Permanent Crops in RP 9

Property ID	Title/Reference Number	Land Area of Owners (ha)	Estimated Land Area Affected by RP 9 (ha)	% Affected	Dominant Land Use	Dominant Permanent Crops planted
RP9-01	146-2017007416	5.46	1.22	22.29%	Agricultural	Cultivated
RP9-02	CL-4114	1.91	0.82	42.78%	Agricultural	Banana Plantation
RP9-03	CL-4115	1.96	0.43	21.91%	Agricultural	Banana Plantation
RP9-04	CL-4117	2.48	1.51	60.79%	Agricultural	Banana Plantation
RP9-05	CL-4118	1.27	0.08	6.52%	Agricultural	Banana Plantation
RP9-06	P-17431	3.55	0.49	13.82%	Agricultural	Banana Plantation
RP9-07	T-315673	1.63	0.24	14.47%	Agricultural	Trees
RP9-08	T-315674 PT	5.02	1.56	31.10%	Agricultural	Trees
RP9-09	T-315678	5.06	4.86	96.21%	Agricultural	Banana Plantation
RP9-10	T-315679	0.86	0.86	100.00%	Agricultural	Trees
RP9-11	T-315680	0.78	0.78	100.00%	Agricultural	Trees
RP9-12	T-315681	0.85	0.85	100.00%	Agricultural	Trees
RP9-13	T-315682	0.78	0.78	100.00%	Agricultural	Trees
RP9-14	T-315683	0.39	0.39	100.00%	Agricultural	Banana Plantation
RP9-15	T-315684	0.62	0.61	98.61%	Agricultural	Trees
RP9-16	T-315685	0.89	0.85	95.78%	Agricultural	Trees
RP9-17	T-315686	5.51	4.34	78.83%	Agricultural	Trees
RP9-18	T-315687	5.26	3.54	67.42%	Agricultural	Banana Plantation
RP9-19	No data available (nda)	12.84	0.33	2.59%	Agricultural	Banana Plantation
RP9-20	nda	4.49	1.94	43.21%	Agricultural	Trees
RP9-21	(F-11-002379)	2.13	2.13	99.77%	Agricultural	Banana Plantation
3 Parcels of Property with no Reference Documents of Ownership and Tax Assessment		11.71	11.71	100.00 %	Agricultural	Banana Plantation
TOTAL		75.45	40.32			

Like the other project areas, the total land area of private landowners is always greater than the proposed project area. The later parcellary survey to be still conducted in the DED stage will be able to precisely identify the exact project area of the retarding pond and will then exclude the excess from the affected properties within the proposed pond area.

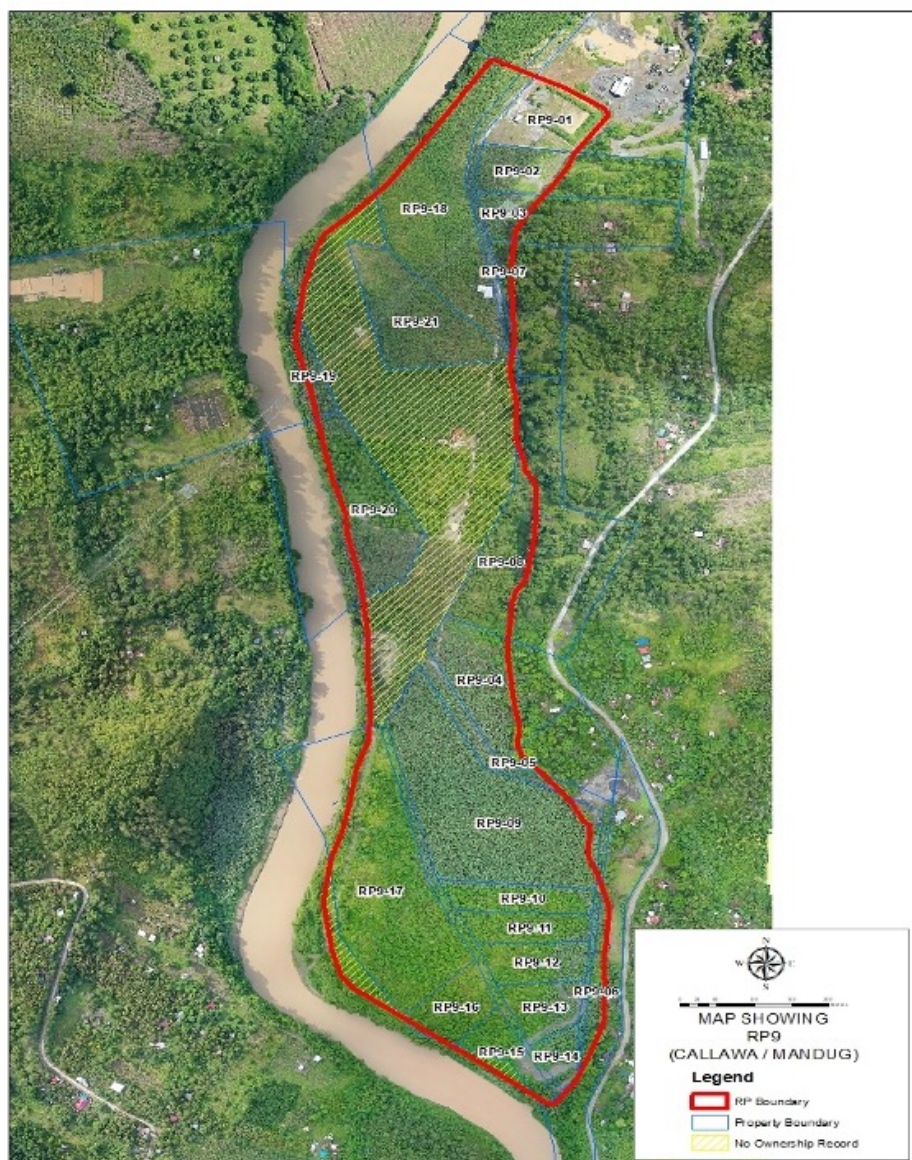
Figure A.2.1 shows the detailed overlay of all the affected properties with corresponding land reference documents (titles, Certificate of land transfer by the DAR, patents and so on) inside the RP 9 area constituting 26.61 hectares and area shaded with diagonal lines which are land areas with no reference documents of ownership and tax assessment constituting 11.71 hectares. The total project area of RP 9 is 40.32 hectares.

Table A.2.2. Total Project Area of RP 9

Components	Area (Hectares)
Properties with Documents of Ownership Affected by RP 9	28.61
Property with no Reference Documents of Ownership and Tax Assessment that needs further verification	11.71
Total Project Area	40.32

Also like in all the retarding pond areas, Figure A.2.1 shows that the RP 9 proposed area has a large portion along the river which is without documentary reference. The area used to be part of the riverbed that has been altered by past floods over a long period of time. Based on the cadastral and tax maps, the large tract of land in the middle of RP 9 (approx. 11.71 hectares) used to be part of the Davao River. The current Barangay Chair explained that the river path used to be in higher elevation which has now decreased to a drop of an estimated 50 feet. According to DENR-X1, these parcels of lands with no documents of ownership are certified as Alienable and Disposable Land (A & D) (See Annex 6a). The undocumented property can be applied for ownership through reclamation with the Philippine Reclamation Authority and should be secured by the project without need for the regular acquisition/procurement cost. This is a significant area that should be diligently secured by the DPWH and save a significant amount in the acquisition cost of lands for the project.

Figure A.2.1. Overlay of properties inside the RP 9 project area.



2.2 PAPs Inventory

The affected 21 land owners shall be counted as PAPs without resettlement.

There are no informal settlers inside the area of RP9. The reason why there are no ISFs in the pond area is because informal settling is strictly disallowed in Callawa which is an aggregate quarrying Barangay and where employment is claimed to be amply provided to its citizens by the quarry operators and aggregate haulers.

2.3 Property Assessment and Zoning Valuation of Land Property in RP 9

Using the valuation based on Current Market Values (per m²) values from DPWH-XI ROW Acquisition & Legal Division for Barangay Callawa and applying the guidelines for the qualification of PAPs and extent of impact, the estimated cost of land affected by RP 8 amounts to **PhP 912,206,993.76**.

Table A. 2.3. Property Assessment of Land Property Affected by RP9

Property ID	Land Area (ha)	Land Area for Compensation (ha)	Severity	Market Value* (Php/m ²)	Price of Land based on Market Value (Php/m ²)
A	B	C		D	C * D
MARGINALLY AFFECTED					
RP9-05	1.27	0.08	marginally	2,000	1,659,834.06
RP9-06	3.55	0.49	marginally	2,000	9,822,514.45
RP9-07	1.63	0.24	marginally	2,000	4,715,007.73
RP9-19	12.59	0.33	marginally	2,000	6,649,902.07
TOTAL	19.04	1.14			22,847,258.31
SEVERELY AFFECTED					
RP9-01	5.46	5.46	totally	2,000	109,278,258.00
RP9-02	1.91	1.91	totally	2,000	38,257,019.35
RP9-03	1.96	1.96	totally	2,000	39,190,768.53
RP9-04	2.48	2.48	totally	2,000	49,682,467.25
RP9-08	5.02	5.02	totally	2,000	100,310,206.99
RP9-09	5.06	5.06	totally	2,000	101,122,156.01
RP9-10	0.86	0.86	totally	2,000	17,255,006.34
RP9-11	0.78	0.78	totally	2,000	15,672,167.90
RP9-12	0.85	0.85	totally	2,000	17,011,508.51
RP9-13	0.78	0.78	totally	2,000	15,689,833.94
RP9-14	0.39	0.39	totally	2,000	7,890,701.98
RP9-15	0.62	0.62	totally	2,000	12,438,433.19
RP9-16	0.89	0.89	totally	2,000	17,839,806.35
RP9-17	5.51	5.51	totally	2,000	110,108,543.23
RP9-18	5.26	5.26	totally	2,000	105,161,053.87
RP9-20	4.49	4.49	totally	2,000	89,838,244.00
RP9-21	2.13	2.13	totally	2,000	42,613,560.00
TOTAL	44.45	44.45			889,359,735.46
NO OWNERSHIP RECORDS					
3 parcels with no Ownership Documents (Alienable & Disposable)	11.71				
GRAND TOTAL	75.20	45.59			912,206,993.76

* Valuation based on Current Market Values (per m²) values from DPWH-XI ROW Acquisition & Legal Division for Barangay Callawa

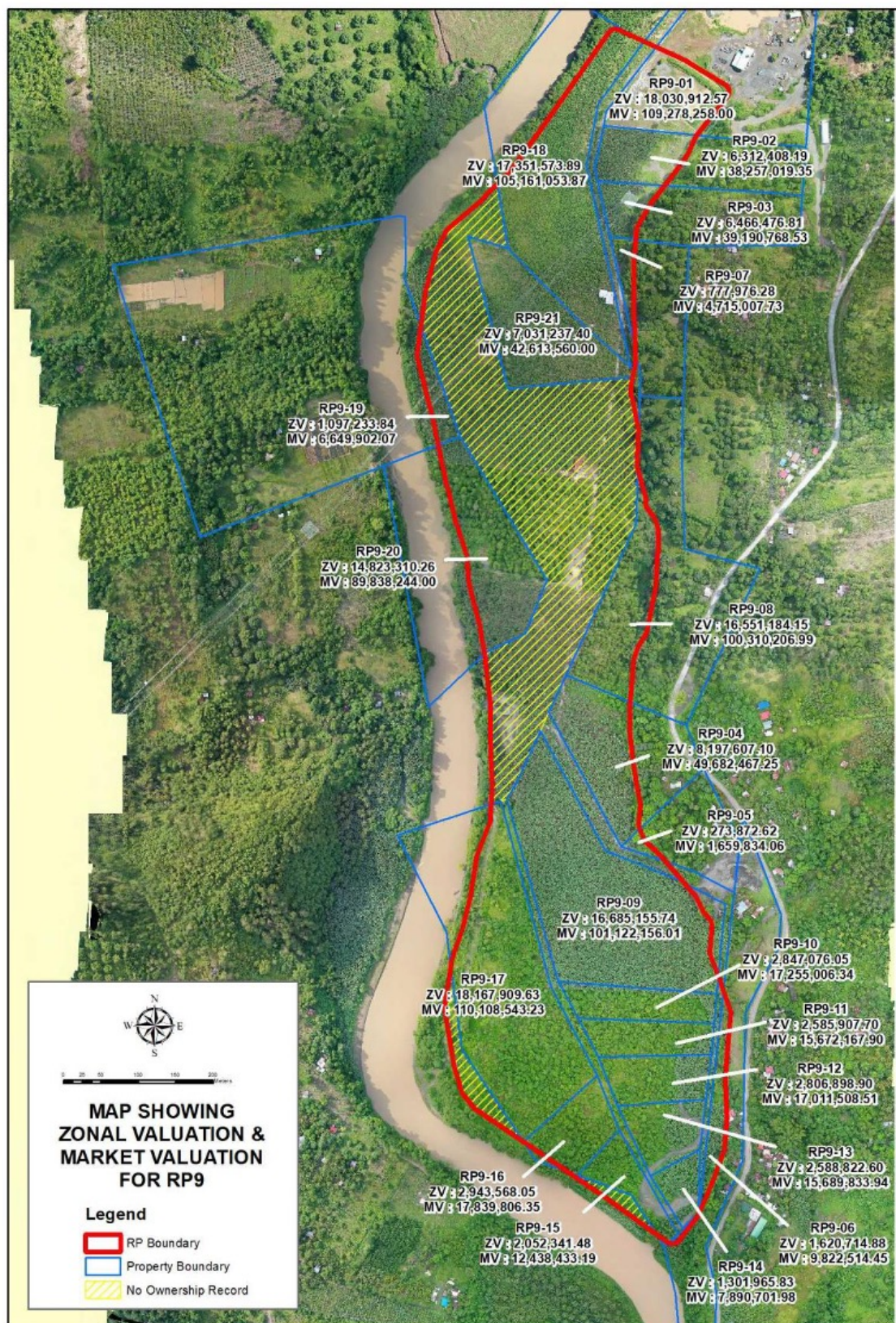
Table A.2.4. RAP Preliminary Cost Estimates for Land in RP 9

(1)	(2)	(3)	(4)	(5)	(6)	(7) = (5)x(6)	(8)
Barangay	Land Use Type	Lot Number	ROW Area, sqm	Land Area for Compensation	Price/m ² based on BIR zonal value	Price of Land based on BIR ZV	Price of Land based on CMV***
Callawa	Agricultural	RP9-01 (146-2017007416)	12,180.51	54,639.13	330	18,030,912.57	109,278,258.00

Callawa	Agricultural	RP9-02 (CL-4114)	8,183.63	19,128.51	330	6,312,408.19	38,257,019.35
Callawa	Agricultural	RP9-03 (CL-4115)	4,293.43	19,595.38	330	6,466,476.81	39,190,768.53
Callawa	Agricultural	RP9-04 (CL-4117)	15,100.72	24,841.23	330	8,197,607.10	49,682,467.25
Callawa	Agricultural	RP9-05 (CL-4118)	829.92	829.92	330	273,872.62	1,659,834.06
Callawa	Agricultural	RP9-06 (P-17431)	4,911.26	4,911.26	330	1,620,714.88	9,822,514.45
Callawa	Agricultural	RP9-07 (T-315673)	2,357.50	2,357.50	330	777,976.28	4,715,007.73
Callawa	Agricultural	RP9-08 (T-315674 PT)	15,596.84	50,155.10	330	16,551,184.15	100,310,206.99
Callawa	Agricultural	RP9-09 (T-315678)	48,645.31	50,561.08	330	16,685,155.74	101,122,156.01
Callawa	Agricultural	RP9-10 (T-315679)	8,627.50	8,627.50	330	2,847,076.05	17,255,006.34
Callawa	Agricultural	RP9-11 (T-315680)	7,836.08	7,836.08	330	2,585,907.70	15,672,167.90
Callawa	Agricultural	RP9-12 (T-315681)	8,505.75	8,505.75	330	2,806,898.90	17,011,508.51
Callawa	Agricultural	RP9-13 (T-315682)	7,844.92	7,844.92	330	2,588,822.60	15,689,833.94
Callawa	Agricultural	RP9-14 (T-315683)	3,945.35	3,945.35	330	1,301,965.83	7,890,701.98
Callawa	Agricultural	RP9-15 (T-315684)	6,132.55	6,219.22	330	2,052,341.48	12,438,433.19
Callawa	Agricultural	RP9-16 (T-315685)	8,543.83	8,919.90	330	2,943,568.05	17,839,806.35
Callawa	Agricultural	RP9-17 (T-315686)	43,401.58	55,054.27	330	18,167,909.63	110,108,543.23
Callawa	Agricultural	RP9-18 (T-315687)	35,448.19	52,580.53	330	17,351,573.89	105,161,053.87
Callawa	Agricultural	RP9-19	3,324.95	3,324.95	330	1,097,233.84	6,649,902.07
Callawa	Agricultural	RP9-20 (nda)	19,411.73	44,919.12	330	14,823,310.26	89,838,244.00
Callawa	Agricultural	RP9-21 ((F-11-002379))	21,258.44	21,306.78	330	7,031,237.40	42,613,560.00
Total						150,514,153.97	912,206,993.76

*** computed from DPWH-XI market value for Brgy Callawa (2000 / sqm)

Figure A.2.2. Map indicating the Zonal Value and CMV of Lands affected by RP9



2.4 Inventory and Compensation of Crops and Trees

The estimates of the number of crops and trees for the rest of the landowners are based on the practices of the landowner's declaration and land cover data. DENR-X1 (CENRO) provided also technical assistance in the evaluation and estimation of trees in Barangays New Valencia, Callawa, and Mandug that would be impacted by the proposed retarding ponds.

Table A.2.5. Permanent Crops in RP 9

Property ID	Banana Local	Banana Cavendish	Trees*
RP9-01	1	-	-
RP9-02	403	-	-
RP9-03	204	-	3
RP9-04	973	-	11
RP9-05	4	-	3
RP9-06	307	-	0
RP9-07	-	-	11
RP9-08	17	-	75
RP9-09	3,969	-	1
RP9-10	160	-	31
RP9-11	-	-	39
RP9-12	94	-	35
RP9-13	192	-	24
RP9-14	289	-	1
RP9-15	109	-	22
RP9-16	-	-	42
RP9-17	101	-	194
RP9-18	-	2,925	-
RP9-19	277	-	-
RP9-20	675	-	51
RP9-21	-	1,749	1
No Ownership Record	4,575	-	213
TOTAL	12,350	4,674	757

* Based on the assessment of DENR, there is an average of 57 planted trees (of lesser-used species) per hectare, where average volume is computed at 0.306 cu m per tree. For premium species, average volume is 2.65 cum

Table A. 2.6 Compensation for Crops and Trees in RP9

Crops/Trees	Numbers	Cost	Total
Banana – Local	12,350 hills	280/hill*	3,458,000
Banana – Cavendish	4,674 hills	960/hill*	4,487,040
Trees – less used	757	215/tree**	162,755
Total			8,107,795

* Based on Davao City Assessor's Office (CASSO) fruit trees valuation.

** Based on forest charges (DAO 2021-11) for lesser-used species (700 per cu m) and premium species for RP8-24 (3000 per cu m)

2.5 Replacement Cost

There are two (2) Transmission Towers and three (3) Agricultural Facilities that will be affected by RP 9 as shown in Figures 2.2 and 2.3.

The RAP Team has contacted the National Grid Corporation of the Philippines (NGCP) for technical assistance in the estimation of the payment of compensation and/or recovery of cost in the event of the need to relocate the transmission line as indicated in the Joint Circular of the Department of Energy (DOE) and the Department of Public Works and Highways (DPWH) No. 01, Series of 2017.

Table A.2.7. Structures and Improvements that will be affected by RP 9.

Property ID	Agricultural Facility	Transmission Tower
RP9-03		1
RP9-18	2	
No Ownership Record	1	1
TOTAL	3	2

Table A.2.8 Estimated Replacement Cost of Structures in RP 9.

Structures and Improvements	Lot Number	Estimated Replacement Cost of Structures and Improvements (PhP)
Agricultural/Banana Sorting/Packing Facility	RP9-18	500,000
Open Storage Area with Roofing	RP9-18	250,000
Concrete Products Facility	N/A	1,500,000
NGCP Transmission Tower*	RP9-03	80,840,148.05

Figure A.2.3. Structures Affected by RP 9.

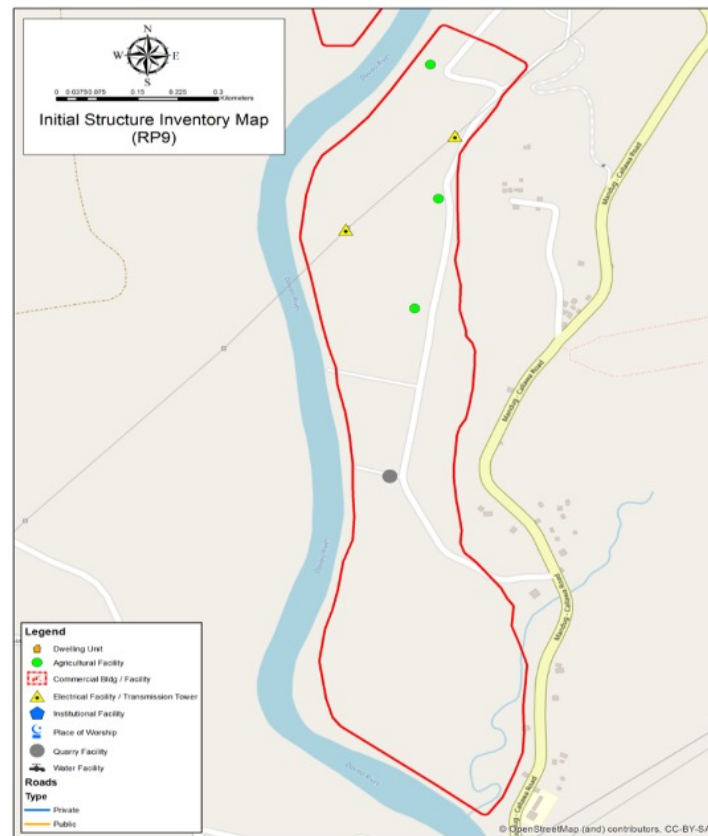


Figure A. 2.4. Picture showing Agricultural Facility and Transmission Tower in RP 9.



Figure A.2.5 Picture showing Agricultural Facility in RP 9.



Table A.2.9. RAP Preliminary Cost Estimates for Structures/Improvements and Crop/Trees in RP 9

(1)	(2)	(3)	(4)	(5)	(6) = (4)x(5)
Barangay	Type of Improvement	Lot Number	Estimated Replacement Cost of Structures/ Impvts	Estimated Market Value of Crops/Trees	Total Cost
Callawa	Banana – Local	RP9-01	1	280	280
Callawa	Banana – Local	RP9-02	403	280	112,840
Callawa	Banana – Local	RP9-03	204	280	57,120
Callawa	Banana – Local	RP9-04	973	280	272,440
Callawa	Banana – Local	RP9-05	4	280	1,120
Callawa	Banana – Local	RP9-06	307	280	85,960
Callawa	Banana – Local	RP9-08	17	280	4,760
Callawa	Banana – Local	RP9-09	3,969	280	1,111,320
Callawa	Banana – Local	RP9-10	160	280	44,800
Callawa	Banana – Local	RP9-12	94	280	26,320
Callawa	Banana – Local	RP9-13	192	280	53,760
Callawa	Banana – Local	RP9-14	289	280	80,920
Callawa	Banana – Local	RP9-15	109	280	30,520
Callawa	Banana – Local	RP9-17	101	280	28,280
Callawa	Banana – Cavendish	RP9-18	2,925	960	2,808,000
Callawa	Banana – Local	RP9-19	277	280	77,560
Callawa	Banana – Local	RP9-20	675	280	189,000
Callawa	Banana – Cavendish	RP9-21	1,749	960	1,679,040
Callawa	Less-used Tree species	RP9-03	3	* 215	645
Callawa	Less-used Tree species	RP9-04	11	* 215	2,365
Callawa	Less-used Tree species	RP9-05	3	* 215	645
Callawa	Less-used Tree species	RP9-07	11	* 215	2,365
Callawa	Less-used Tree species	RP9-08	75	* 215	16,125
Callawa	Less-used Tree species	RP9-09	1	* 215	215
Callawa	Less-used Tree species	RP9-10	31	* 215	6,665
Callawa	Less-used Tree species	RP9-11	39	* 215	8,385

(1)	(2)	(3)	(4)	(5)	(6) = (4)x(5)
Barangay	Type of Improvement	Lot Number	Estimated Replacement Cost of Structures/ Impvts	Estimated Market Value of Crops/Trees	Total Cost
Callawa	Less-used Tree species	RP9-12	35	* 215	7,525
Callawa	Less-used Tree species	RP9-13	24	* 215	5,160
Callawa	Less-used Tree species	RP9-14	1	* 215	215
Callawa	Less-used Tree species	RP9-15	22	* 215	4,730
Callawa	Less-used Tree species	RP9-16	42	* 215	9,030
Callawa	Less-used Tree species	RP9-17	194	* 215	41,710
Callawa	Less-used Tree species	RP9-20	51	* 215	10,965
Callawa	Less-used Tree species	RP9-21	1	* 215	215
Callawa	Agricultural/ Banana Sorting/Packing Facility	RP9-18	500,000		500,000
Callawa	Open Storage Area with Roofing	RP9-18	250,000		250,000
Callawa	Concrete Products Facility	N/A	1,500,000		1,500,000
Callawa	NGCP Transmission Tower	N/A	80,840,148.05		

* Average computed cost for lesser-used trees

11.3 Informal Settlers

There are no informal settlers that will be relocated.

2.7 Summary

A.2.10. Summary of Entitlements per Category of PAPs in RP 9.

Entitlement	Category of PAP	Impact	Computation of Amount
Payment for Land	PAP who owns land (i.e., holds title or tax declarations)	<u>Severely Affected:</u> 17 Property Owners Total Area: 44.45 hectares	PhP 889,359,735.46
		<u>Marginally Affected</u> 11 Property Owners Total Area: 1.14 hectares	PhP 22,847,258.31
	Property with no Ownership Documents	11 Parcels of Property Total Area: 11.71 hectares	Certified as A & D by CENRO
Total		Land Area to be compensated 45.59 hectares	PhP 912,206,993.76
Payment for Crops and Trees	PAP who is owner or tenant or occupant who owns the crops and trees	Severely Affected Banana Local- 12,350 hills Cavendish – 4,674 hills Trees - 757	Banana Local – PhP 3,458,000 Cavendish- PhP 4,487,040 Trees – PhP 162,755 Total 8,107,795
Payment for Replacement Cost for Structure and other Improvements	PAP who owns the structures	2 Transmission Towers 11 Agricultural Facilities	PhP 80,840,148.05 PhP 2,250,000
Relocation Cost	Informal Settlers	None	None
Financial Assistance (Subsistence Allowance)	PAP who owns land used for agricultural purposes	Severely affected only @ PhP 15,000.00/PAP X 17 PAPs with Lots severely affected	PhP 255,000.00

Annex 3

Inventory of Project Affected Persons (PAPs), Properties, and Compensation Packages in RP 11

11. Land Appraisal and PAPs Inventory

3.1. Land Appraisal

Table A.3.1 shows the list of properties, dominant land use & dominant permanent crops in RP 11. The largest property is the land reform area transferred to the LABEARCO (Lapuy-Batallion Employees Agrarian Reform Beneficiaries Cooperative). The rest is owned by the Babao-Co families with an average of 3 to 4 hectares per land parcel.

Table A.3.1. List of Properties, Dominant Land Use & Dominant Permanent Crops in RP 11

Property ID	Title/Reference Number	Land Area of Owners (ha)	Estimated Land Area Affected by RP 11 (ha)	% Affected	Dominant Land Use	Dominant Permanent Crops planted
RP11-01	T-522	8.86	0.16	1.78%	Agricultural	Banana Plantation
RP11-02	T-314203	4.00	0.78	19.39%	Agricultural	Cultivated
RP11-03	T-314206	4.00	3.14	78.41%	Agricultural	Cultivated
RP11-04	T-314357	4.00	3.28	81.92%	Agricultural	Cultivated
RP11-05	T-314358	4.00	2.85	71.14%	Agricultural	Banana Plantation
RP11-06	T-314361	4.00	4.00	100.00%	Agricultural	Banana Plantation
RP11-07	T-314364	4.00	3.96	99.01%	Agricultural	Banana Plantation
RP11-08	T-315812	3.19	3.19	99.97%	Agricultural	Banana Plantation
RP11-09	T-315813	3.20	2.54	79.35%	Agricultural	Banana Plantation
RP11-10	T-315814	3.20	2.32	72.67%	Agricultural	Cultivated
RP11-11	T-315815	3.20	3.20	99.89%	Agricultural	Banana Plantation
RP11-12	T-315816	3.19	2.78	87.09%	Agricultural	Banana Plantation
RP11-13	T-315817	3.20	2.58	80.81%	Agricultural	Cultivated
RP11-14	T-315818	3.20	2.27	71.18%	Agricultural	Banana Plantation
RP11-15	T-315819	3.20	3.20	99.91%	Agricultural	Banana Plantation
RP11-16	T-315820	3.20	3.20	99.90%	Agricultural	Banana Plantation
RP11-17	T-315821	3.20	1.80	56.29%	Agricultural	Cultivated
RP11-18	T-315822	3.20	2.01	62.73%	Agricultural	Cultivated
RP11-19	T-280973	4.07	3.18	78.05%	Agricultural	Agricultural
RP11-20	T-186108	3.33	2.57	77.22%	Agricultural	Trees
RP11-21	T-405261	2.83	2.62	92.63%	Agricultural	Trees
RP11-22	T-292362	2.47	2.47	100.00%	Agricultural	Trees
RP11-23	T-286106	1.75	1.75	100.00%	Agricultural	Trees
RP11-24	nda	2.50	2.43	96.99%	Agricultural	Trees
RP11-25	nda	4.18	2.58	61.78%	Agricultural	Trees
RP11-26	T-285107	0.31	0.15	47.31%	Agricultural	Trees
RP11-27	T-2153	12.22	1.02	8.36%	Agricultural	Agricultural
4 parcels of Property with no Reference Documents of Ownership and Tax Assessment		5.26	5.26	100 %	Agricultural	Banana Plantation
Total		106.96	71.29			

Figure A.3.1 shows the detailed overlay of all the affected properties with corresponding land reference documents (titles, Certificate of land transfer by the DAR, patents and so on) inside the RP 11 area constituting 66.03 hectares and area shaded with diagonal lines are land areas with no reference documents of ownership and tax assessment constituting 5.26 hectares. The total project area of RP 11 is 71.29 hectares.

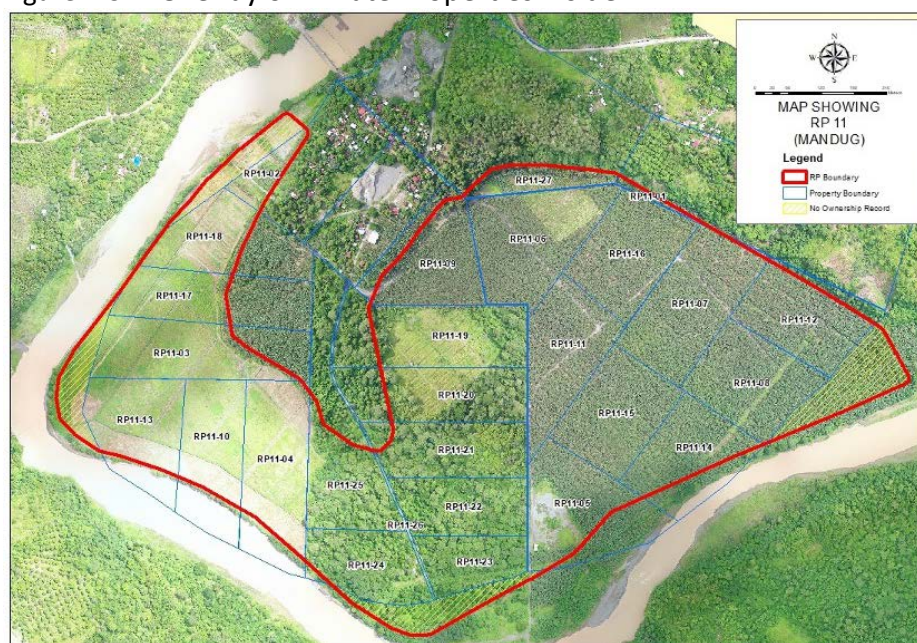
Table A.3.2. Total Project Area of RP 11

Components	Area (Hectares)
Properties with Documents of Ownership Affected by RP 11	66.03
Property with no Reference Documents of Ownership and Tax Assessment that needs further verification	5.26
Total Project Area	71.29

In Figure A.3.1 below, the diagonal-shaded portion are areas without land document references. These areas are located along the river were old river paths, and another shaded property not along the river maybe an A & D land without title, tax declaration and assessment. According to the DENR-X1, these parcels of land with no documents of ownership are certified as Alienable and Disposable Land (A & D) (See Annex 6a).

These undocumented properties, like the other diagonal-shaded areas in RP 8 and RP 9, should be secured without acquisition cost during the ROWA in the DED stage of the flood control project. The 5.26 hectares of untitled land or land without tax declaration and assessment with diagonal shade in five points of the pond area should be secured soonest by the DPWH, along with the other similar areas in RP 8 and RP 9 to significantly save on procurement cost.

Figure A.3.1. Overlay of Private Properties inside RP 11



3.2 PAP Inventory

The affected 27 land owners shall be counted as PAPs without resettlement. There is one informal settler that will be relocated in the area.

3.3 Property Assessment and Zoning Valuation of Land Property in RP 11

Using the valuation based on Current Market Values (per m²) values from DPWH-XI ROW Acquisition & Legal Division for Barangay Mandug and applying the guidelines for the qualification of PAPs and extent of impact, the estimated cost of land affected by RP 8 amounts to **PhP 2,356,933,642.24**.

Table A.3.3. Property Assessment of Land Properties Affected by RP 11.

Property ID	Land Area (ha)	Land Area for Compensation (ha)	Severity	Current Market Value* (PhP/m2)	Estimated Cost of Land Affected by RP11 based on Current Market Value
A	B	C		D	C*D
MARGINALLY AFFECTED					
RP11-01	8.86	0.16	marginally	3,000	4,733,801.71
RP11-02	4	0.78	marginally	3,000	23,272,760.33
RP11-27	12.22	1.02	marginally	3,000	30,666,665.43
TOTAL	25.08	1.96			58,673,227.47
SEVERELY AFFECTED					
RP11-03	4	4	severely	3,000	119,990,343.33
RP11-04	4	4	severely	3,000	120,105,044.38
RP11-05	4	4	severely	3,000	120,002,487.00
RP11-06	4	4	severely	3,000	120,007,017.54
RP11-07	4	4	severely	3,000	120,127,656.12
RP11-08	3.19	3.19	severely	3,000	95,816,506.55
RP11-09	3.2	3.2	severely	3,000	96,060,373.64
RP11-10	3.2	3.2	severely	3,000	95,981,589.07
RP11-11	3.2	3.2	severely	3,000	95,969,302.07
RP11-12	3.19	3.19	severely	3,000	95,702,800.23
RP11-13	3.2	3.2	severely	3,000	95,887,922.07
RP11-14	3.2	3.2	severely	3,000	95,863,166.95
RP11-15	3.2	3.2	severely	3,000	95,960,487.90
RP11-16	3.2	3.2	severely	3,000	95,956,553.66
RP11-17	3.2	3.2	severely	3,000	95,865,711.00
RP11-18	3.2	3.2	severely	3,000	95,919,546.25
RP11-19 *	4.07	4.07	severely	3,000	122,181,159.00
RP11-20 *	3.33	3.33	severely	3,000	99,824,943.00
RP11-21 *	2.83	2.83	severely	3,000	84,750,240.00
RP11-22 *	2.47	2.47	severely	3,000	74,180,046.00
RP11-23 *	1.75	1.75	severely	3,000	52,366,536.00
RP11-24 *	2.5	2.5	severely	3,000	75,061,113.00
RP11-25 *	4.18	4.18	severely	3,000	125,295,114.00
RP11-26 *	0.31	0.31	severely	3,000	9,384,756.00
TOTAL	76.62	76.62			2,298,260,414.77
NO OWNERSHIP RECORDS					
Property with no Ownership Documents	5.26				
TOTAL	106.96	78.58			2,356,933,642.24

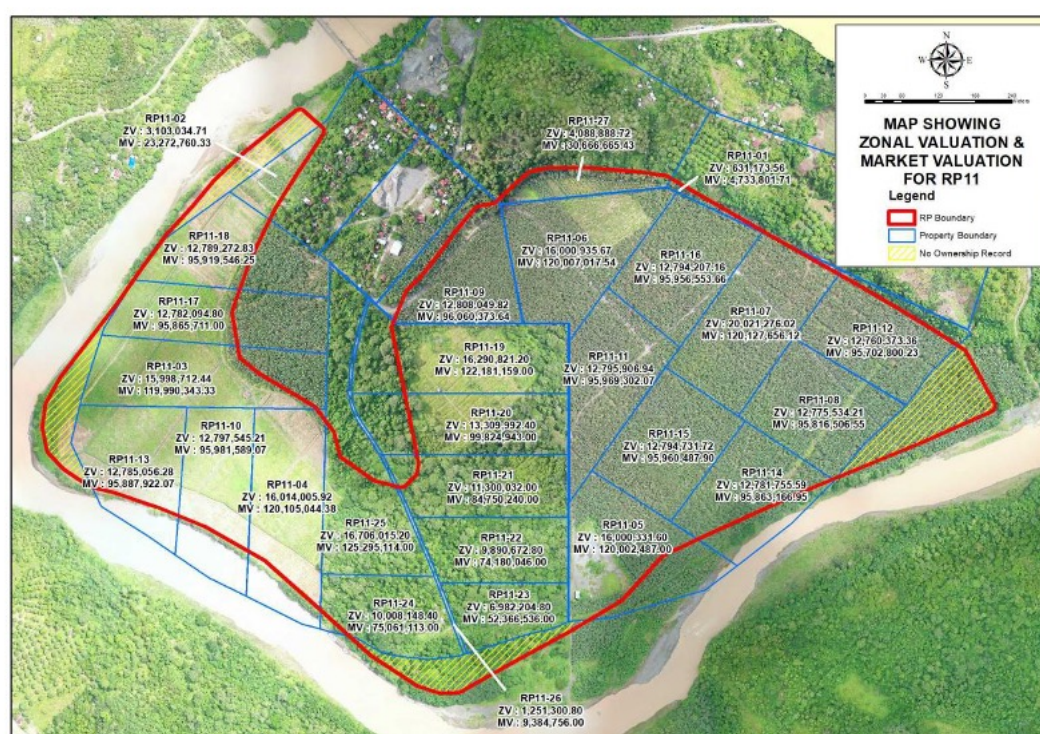
* Valuation based on Current Market Values (per m²) values from DPWH-XI ROW Acquisition & Legal Division in Barangay Mandug

Table A.3.4. RAP Preliminary Cost Estimates for Land in RP 11

(1)	(2)	(3)	(4)	(5)	(6)	(7) = (5)x(6)	(8)
Barangay	Land Use Type	Lot Number	ROW Area, sqm	Land Area for Compensation	Price/m2 based on BIR zonal value	Price of Land based on BIR ZV	Price of Land based on GFI/IPA Appraisal Reports***
Mandug	Agricultural	RP11-01 (T-522)	1,577.93	1,577.93	400	631,173.56	4,733,801.71
Mandug	Agricultural	RP11-02 (T-314203)	7,757.59	7,757.59	400	3,103,034.71	23,272,760.33
Mandug	Agricultural	RP11-03 (T-314206)	31,360.18	39,996.78	400	15,998,712.44	119,990,343.33
Mandug	Agricultural	RP11-04 (T-314357)	32,795.57	40,035.01	400	16,014,005.92	120,105,044.38
Mandug	Agricultural	RP11-05 (T-314358)	28,455.08	40,000.83	400	16,000,331.60	120,002,487.00
Mandug	Agricultural	RP11-06 (T-314361)	40,002.34	40,002.34	400	16,000,935.67	120,007,017.54
Mandug	Agricultural	RP11-07 (T-314364)	39,644.22	40,042.55	500	20,021,276.02	120,127,656.12
Mandug	Agricultural	RP11-08 (T-315812)	31,928.06	31,938.84	400	12,775,534.21	95,816,506.55
Mandug	Agricultural	RP11-09 (T-315813)	25,406.56	32,020.12	400	12,808,049.82	96,060,373.64
Mandug	Agricultural	RP11-10 (T-315814)	23,248.92	31,993.86	400	12,797,545.21	95,981,589.07
Mandug	Agricultural	RP11-11 (T-315815)	31,953.14	31,989.77	400	12,795,906.94	95,969,302.07
Mandug	Agricultural	RP11-12 (T-315816)	27,783.33	31,900.93	400	12,760,373.36	95,702,800.23
Mandug	Agricultural	RP11-13 (T-315817)	25,828.23	31,962.64	400	12,785,056.28	95,887,922.07
Mandug	Agricultural	RP11-14 (T-315818)	22,744.17	31,954.39	400	12,781,755.59	95,863,166.95
Mandug	Agricultural	RP11-15 (T-315819)	31,957.73	31,986.83	400	12,794,731.72	95,960,487.90
Mandug	Agricultural	RP11-16 (T-315820)	31,952.91	31,985.52	400	12,794,207.16	95,956,553.66
Mandug	Agricultural	RP11-17 (T-315821)	17,986.91	31,955.24	400	12,782,094.80	95,865,711.00
Mandug	Agricultural	RP11-18 (T-315822)	20,058.14	31,973.18	400	12,789,272.83	95,919,546.25
Mandug	Agricultural	RP11-19 (T-280973)	31,786.69	40,727.05	400	16,290,821.20	122,181,159.00
Mandug	Agricultural	RP11-20 (T-186108)	25,696.23	33,274.98	400	13,309,992.40	99,824,943.00
Mandug	Agricultural	RP11-21 (T-405261)	26,167.23	28,250.08	400	11,300,032.00	84,750,240.00
Mandug	Agricultural	RP11-22 (T-292362)	24,726.58	24,726.68	400	9,890,672.80	74,180,046.00
Mandug	Agricultural	RP11-23 (T-286106)	17,455.37	17,455.51	400	6,982,204.80	52,366,536.00
Mandug	Agricultural	RP11-24 (nda)	24,268.14	25,020.37	400	10,008,148.40	75,061,113.00
Mandug	Agricultural	RP11-25 (nda)	25,804.10	41,765.04	400	16,706,015.20	125,295,114.00
Mandug	Agricultural	RP11-26 (T-285107)	1,480.09	3,128.25	400	1,251,300.80	9,384,756.00
Mandug	Agricultural	RP11-27 (T-2153)	10,222.22	10,222.22	400	4,088,888.72	30,666,665.43
Total						318,262,074.17	2,356,933,642.24

*** computed from DPWH-XI market value for Brgy Callawa (3000 / sqm)

Figure A.3.2. Map indicating the Zonal Value and CMV of Lands affected by RP11.



3.4 Inventory and Compensation of Crops and Trees

Some property land owners provided information on the number of crops and trees planted in their respective land. For the rest of the landowners, the estimates of the number of crops and trees are based on the practices of the landowner's declaration and land cover data.

DENR-X1 (CENRO) provided technical assistance in the evaluation and estimation of trees in Barangays New Valencia, Callawa, and Mandug that would be impacted by the proposed retarding ponds.

Table A. 3.5. Permanent Crops and Trees in RP11.

Property ID	Banana	Trees*
RP11-01	60	-
RP11-02	344	-
RP11-03	1,852	-
RP11-04	1,998	-
RP11-05	1,588	4
RP11-06	3,332	-
RP11-07	3,249	-
RP11-08	2,660	-
RP11-09	1,878	1
RP11-10	1,431	-
RP11-11	1,955	1
RP11-12	2,200	-
RP11-13	1,584	-
RP11-14	1,895	-

Property ID	Banana	Trees*
RP11-15	2,665	-
RP11-16	2,664	-
RP11-17	1,051	-
RP11-18	1,184	-
RP11-19	47	146
RP11-20	-	128
RP11-21	-	131
RP11-22	-	124
RP11-23	-	87
RP11-24	9	115
RP11-25	141	115
RP11-26	-	7
RP11-27	492	-
No Ownership Record	4,222	77
TOTAL	38,501	936

* Based on the assessment of DENR, there is an average of 57 planted trees (of lesser-used species) per hectare, where average volume is computed at 0.306 cu m per tree. For premium species, average volume is 2.65 cum

Table A.3.6 Compensation for Crops and Trees in RP11.

Crops/Trees	Numbers	Cost	Total
Banana	38,501 hills	280/hill*	10,780,280
Trees	936	215/tree**	201,240
Total			10,981,520

* Based on Davao City Assessor's Office (CASSO) fruit trees valuation.

** Based on forest charges (DAO 2021-11) for lesser-used species (700 per cu m) and premium species for RP8-24 (3000 per cu m)

3.5 Replacement Cost

Table A.3.7 shows the structures and Improvements that will be affected by RP 11. There are eleven (11) Electric Poles, four (4) dwelling units, and one (1) water facility that will be affected by RP 11 as shown in Figures A.3.3, A.3.4, and A.3.5.

From Davao Light and Power Company (DLPC), the cost estimate for the relocation of the existing 69 kV line is Php 660,000 and it will be charged to the project implementor. Estimated removal is in the 5th year after the new line is constructed in 2027. However, the cost of the new line that will be constructed will be part of Davao Light's CAPEX.

Table A.3.7 Structures and Improvements that will be affected by RP 11

Property ID	Electric Post	Dwelling Units	Water Facility
RP11-01		1	
RP11-05	2		
RP11-07		1	
RP11-08	2		
RP11-09			1
RP11-12	1		

Property ID	Electric Post	Dwelling Units	Water Facility
RP11-14	3		
RP11-23	2		
RP11-24	1		
No Ownership Record		2	
TOTAL	11	4	1

Table A.3.8 Estimated Replacement Cost of Structures in RP 11.

Structures and Improvements	Lot Number	Estimated Replacement Cost of Structures and Improvements (PhP)
11 DLPC Electric Posts	RP11-05, RP11-08, RP11-12, RP11-14, RP11-23, RP11-24	660,000.00
Water Facility	RP11-09	3,000,000.00
Dwelling Unit	RP11-07	22,200.00
Dwelling Unit	RP11-07	66,600.00
Dwelling Unit	N/A	66,600.00
Dwelling Unit	N/A	17,760.00
Total		3,833,160.00

Figure A.3.3. Structures and Improvements that will be affected by RP 11.



Figure A.3.4. Picture showing Davao Light & Power Company Electric Poles in RP 11.



Figure A.3.5. Picture showing Water Pump in RP 11



Figure A. 3.6. Pictures showing Houses that will be affected by RP 11.



Table A.3.9. Preliminary Cost Estimates for Structures/Improvements and Crops/Trees in RP 11.

(1)	(2)	(3)	(4)	(5)	(6) = (4)x(5)
Barangay	Type of Improvement	Lot Number	Estimated Replacement Cost of Structures/ Impvts (PhP)	Estimated Market Value of Crops/Trees (PhP)	Total Cost
Mandug	Banana	RP11-01	60	280	16,800
Mandug	Banana	RP11-02	344	280	96,320
Mandug	Banana	RP11-03	1,852	280	518,560

(1)	(2)	(3)	(4)	(5)	(6) = (4)x(5)
Barangay	Type of Improvement	Lot Number	Estimated Replacement Cost of Structures/ Impvts (Php)	Estimated Market Value of Crops/Trees (Php)	Total Cost
Mandug	Banana	RP11-04	1,998	280	559,440
Mandug	Banana	RP11-05	1,588	280	444,640
Mandug	Banana	RP11-06	3,332	280	932,960
Mandug	Banana	RP11-07	3,249	280	909,720
Mandug	Banana	RP11-08	2,660	280	744,800
Mandug	Banana	RP11-09	1,878	280	525,840
Mandug	Banana	RP11-10	1,431	280	400,680
Mandug	Banana	RP11-11	1,955	280	547,400
Mandug	Banana	RP11-12	2,200	280	616,000
Mandug	Banana	RP11-13	1,584	280	443,520
Mandug	Banana	RP11-14	1,895	280	530,600
Mandug	Banana	RP11-15	2,665	280	746,200
Mandug	Banana	RP11-16	2,664	280	745,920
Mandug	Banana	RP11-17	1,051	280	294,280
Mandug	Banana	RP11-18	1,184	280	331,520
Mandug	Banana	RP11-19	47	280	13,160
Mandug	Banana	RP11-24	9	280	2,520
Mandug	Banana	RP11-25	141	280	39,480
Mandug	Banana	RP11-27	492	280	137,760
Mandug	Less-used Trees	RP11-05	4	* 215	860
Mandug	Less-used Trees	RP11-09	1	* 215	215
Mandug	Less-used Trees	RP11-11	1	* 215	215
Mandug	Less-used Trees	RP11-19	146	* 215	31,390
Mandug	Less-used Trees	RP11-20	128	* 215	27,520
Mandug	Less-used Trees	RP11-21	131	* 215	28,165
Mandug	Less-used Trees	RP11-22	124	* 215	26,660
Mandug	Less-used Trees	RP11-23	87	* 215	18,705
Mandug	Less-used Trees	RP11-24	115	* 215	24,725
Mandug	Less-used Trees	RP11-25	115	* 215	24,725
Mandug	Less-used Trees	RP11-26	7	* 215	1,505
Mandug	11 DLPC Electric Posts	RP11-05, RP11-08, RP11-12, RP11-14, RP11-23, RP11-24	** 660,000		660,000
Mandug	Water Facility	RP11-09	3,000,000.00		3,000,000.00
Mandug	Dwelling Unit	RP11-07	22,200.00		22,200.00
Mandug	Dwelling Unit	RP11-07	66,600.00		66,600.00
Mandug	Dwelling Unit	N/A	66,600.00		66,600.00
Mandug	Dwelling Unit	N/A	17,760.00		17,760.00

* Average computed cost for lesser-used trees

** DLPC cost estimate for the removal of the existing 69 kV line. Estimated removal is in the 5th year after the new line is constructed in 2027. However, the cost of the new line that will be constructed will be part of Davao Light's CAPEX.

3.6 Informal Settler

There is only one household qualified and eligible for relocation residing inside the proposed project area of RP 11.

There were 10 dwelling units originally identified as residential structures, but when the project boundary was requested to be adjusted to exclude the built-up section of the pond area near Sitio Lapuy, about 6 of the 10 households were excluded early during the study period. There were then only 4 remaining dwelling units after the boundary adjustment that were the subject of ground validation, and eventually identified as respondents of the household surveys. In both the presentation of survey results and follow up consultation meetings with the four household respondents, only one household is found to be qualified using the criteria of the Right-Of-Way Act and UDHA for relocation assistance and other entitlements.

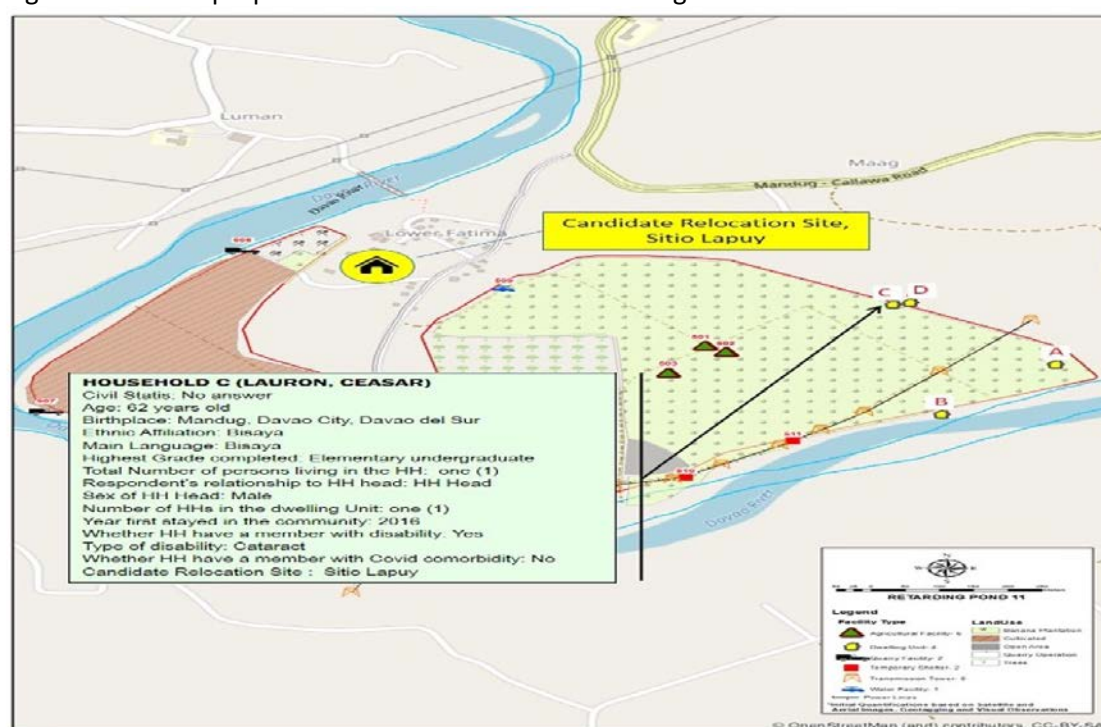
In particular, the eligibility criteria of the City on (a) no residential property ownership anywhere in the City, and (b) not a recipient of earlier relocation and social housing assistance from the City or any national housing agencies (National Housing Authority and Social Housing Finance Corporation) were used. Three (3) of the four (4) identified households were found to be owning other residential units outside of the RP11 area where the members of their respective families regularly reside. The dwelling units of the 3 households were made of very temporary materials, at most 10 square meters in floor area and merely used as resting places during field plantation and farm work. As a result, 3 more households became excluded from the relocation candidate list. At most, the 3 excluded households will receive compensation for the temporary structures used for work-related resting sheds.

As to the final remaining household found eligible for relocation assistance, the preference of the household head is ironically just mere compensation for the cost of the structure used as residence. Figure A.3.7 shows the location of the lone eligible household inside RP 11. The proposed site for his near-site relocation is in Sitio Lapuy, based on the assumption that he changes his preference over cash entitlement. The total cost of the relocation is PhP 295,803.58.

Table A.3.10. Relocation Cost for lone ISF in RP 11.

Work Item	Quantity	Unit	Unit Cost (Php)	Amount (Php)	Total (Php)
1. Construction Cost					175,678.57
2. Land Acquisition Cost	RP 11 (lot in Sitio Lapuy)	100.00	sqm	500.00	50,000.00
<i>4. No site development cost of 100 sqm lot</i>					
4. Survey Cost			150.00	15,000.00	15,000.00
5. Land Titling			100.00	10,000.00	10,000.00
Total					250,678.67

Figure A.3.7. The proposed relocation site of the lone eligible household inside RP 11



3.7 Summary

Table A.3.11. Summary of Entitlements per Category of PAPs in RP11.

Entitlement	Category of PAP	Impact	Computation of Amount (PhP)
Payment for Land	PAP who owns land (i.e., holds title or tax declarations)	<u>Severely Affected:</u> 24 Property Owners Total Area: 76.62 hectares	PhP 2,298,260,414.77
		<u>Marginally Affected</u> 3 Property Owners Total Area: 1.96 hectares	PhP 58,673,227.47
	Property with no Ownership Documents	<u>Severely Affected:</u> 4 Parcels of Property Total Area: 5.26	Certified as A & D by CENRO
Total		Land Area to be compensated 78.58 hectares	PhP 2,356,933,642.24
Payment for Crops and Trees	PAP who is owner or tenant or occupant who owns the crops and trees	<u>Severely Affected</u> Banana- 38,501 hills Trees - 936	Banana- PhP 10,780,280 Trees – PhP 201,240

			Total PhP 10,981,520
Payment for Replacement Cost for Structure and other Improvements	PAP who owns the structures	11 DLPC Electric Poles (Cost of removal of DLPC electric poles) 4 Houses (Dwelling Facility) 1 Water Facility	PhP 660,000 PhP 173,160 PhP 3,000,000 Total PhP 3,833,160.00
Relocation Cost	1 Informal Settler	Relocation Cost	PhP 250,678.67
Financial Assistance (Subsistence Allowance)	PAP who owns land used for agricultural purposes	Severely affected only @ PhP 15,000.00/PAP X 24 severely affected PAPs	PhP 360,000.00

Inventory of Project Affected Persons (PAPs), Properties, and Compensation Packages in COW Area

4. Land Appraisal and PAPs Inventory

4.1. Land Appraisal

The Cut Off Works (COW) area is a long stretch of river diversion channel of the meandering segment of the Davao River from the Crocodile Park of Barangay Ma-a in the northern part before the Davao Bridge along CP Garcia Highway, to the southern part within Purok 27 of Barangay Ma-a. The proposed channel comprises a little less than 19.40 hectares affecting 17 properties with ownership document references. All data reflected in Table A.4.1 below. All the 22.74 hectares shall be sliced off from the affected properties through parcellary survey during the DED stage to precisely segregate about 19.40 hectares needed for the COW channels.

Table A.4.1. List of Properties, Dominant Land Use & Dominant Permanent Crops in COW

Property ID	Title/ Reference Number	Land Area of Owners (Hectares)	Estimated Land Area Affected by RP 11 (Hectares)	% Affected	Dominant Land Use	Dominant Permanent Crops planted
COW-01	146- 2017001165	4.86	0.003	0.06%	Residential	Open Space / Water
COW-02	T-10349	5.48	0.11	1.95%	Residential	Open Space / Water
COW-03	T-119114	9.47	1.66	17.55%	Residential	Open Area
COW-04	T-128323	6.59	2.35	35.64%	Agricultural	Banana Plantation
COW-05	T-181106	1.66	0.49	29.25%	Commercial	Golf
COW-06	T-181107	2.05	1.97	96.12%	Agricultural	Banana Plantation
COW-07	T-184130	1.1	0.16	14.26%	Agricultural	Banana Plantation
COW-08	T-186109	1.02	0.14	13.53%	Agricultural	Banana Plantation
COW-09	T-220942	2.42	1.99	81.99%	Agricultural	Banana Plantation
COW-10	T-226405	0.64	0.46	71.28%	Residential	Built-up
COW-11	T-257617	0.55	0.06	11.11%	Residential	Built-up
COW-12	T-27726	0.98	0.91	92.17%	Residential	Built-up
COW-13	T-287752	1.72	1.69	98.64%	Agricultural	Banana Plantation
COW-14	T-303432	8.48	2.09	24.67%	Agricultural	Banana Plantation
COW-15	T-381128	0.38	0.38	99.34%	Residential	Built-up
COW-16	T-381129	0.3	0.15	49.30%	Residential	Built-up
COW-17	T-54788	54.13	6.99	12.90%	Commercial	Golf / Open
COW-18	T-157557	3.54	0.01	0.16%	Residential	Built-up
COW-19	T-379241	0.01	0.001	15.68%	Commercial	Built-up
COW-20	Lot 420, Cad 102	3.15	0.82	26.16%	Residential	Built-up
COW-21	3255-B-2-I-2-F	0.16	0.16	100.00%	N/A	Open
COW-22	Pcs-11- 003918	0.17	0.17	100.00%	Residential	Built-up
Total		108.86	22.74			

Figure A.4.1 shows the detailed overlay of all the affected properties with corresponding land reference documents (titles, Certificate of land transfer by the DAR, patents and so on) inside the COW area in Brgys. Maa & 19-B. The total project area of COW is 22.74 hectares.

Figure A.4.1. Overlay of Private Properties inside the COW Area.



Referring to the second rightmost column of Table A.4.1, the dominant land use of the affected lands in the COW area is mainly residential and recreational in the uppermost channel section, agricultural in the middle channel section, and residential in the bottom channel section. Most of the subdivision lots in the upper channel section remain largely unsold and unoccupied if sold because of the history of the area being constantly flooded in and around the meandering river area.

All affected areas are flood prone. Experienced during the height of Typhoon *Vinta* in 2017, the meandering portion of the Davao River, served as a meandering natural mechanism that slowed down water surge in the downstream highly built-up urban section of the city. During the *Vinta* storm, the Jade Valley subdivisions were flooded, and the whole upper river riverbanks from Davao Bridge to Mandug were overflowing and inundated. From the lower portion downstream after San Rafael Bridge up to the mouth of the river in Bucana was surprisingly not inundated but was merely experiencing water surge and high turbidity. Moving forward, as simulated in the 25-year and 100-year flooding projections in the JICA Interim Report of the flood control project, the proposed channels in the Cut Off Works, along with the combined functions of 23-kilometer river dredging and the upstream retarding ponds, Callawa, the uptown portion in Mandug and Tigatto, including the downstream meandering section in Maa, will have mitigated the worst flooding brought about by the worsening climate change.

4.2 PAP Inventory

The affected 22 land owners shall be counted as PAPs without resettlement. There are 103 ISF that will be relocated.

4.3 Property Assessment and Zoning Valuation of Land Property in COW

Using the valuation based on Current Market Values (per m²) values from the Development Bank of the Philippines (DBP) and Davao City Brokers and Appraisers Association for Barangay Ma-a and applying the guidelines for the qualification of PAPs and extent of impact, the estimated cost of land affected by COW amounts to PhP **3,455,323,465.66**.

Table A.4.2. Property Assessment and Zoning Valuation of Land Property Affected by COW

Property ID	Land Area (Hectares)	Land Area for Compensation (Hectares)	Severity	Current Market Value* (PhP/m ²)	Estimated Cost of Land Affected by COW based on Current Market Value
A	B	C		D	C*D
MARGINALLY AFFECTED					
COW-01	4.86	0.003	marginally	3,600	100,324.68
COW-02	5.48	0.11	marginally	3,600	3,859,911.14
COW-03	9.47	1.66	marginally	3,600	59,841,311.28
COW-07	1.1	0.16	marginally	24,800	39,074,718.26
COW-08	1.02	0.14	marginally	24,800	34,068,989.54
COW-11	0.55	0.06	marginally	3,600	2,204,113.99
COW-17	54.13	6.99	marginally	25,300	1,767,344,247.55
COW-18	3.54	0.01	marginally	24,800	1,403,481.24
COW-19	0.01	0.001	marginally	20,250	303,262.07
TOTAL	80.16	9.13			1,908,200,359.75
SEVERELY AFFECTED					

COW-04	6.59	6.59	severely	3,600	237,160,742.73
COW-05	1.66	1.66	severely	24,800	411,869,047.17
COW-06	2.05	2.05	severely	3,600	73,912,233.19
COW-09	2.42	2.42	severely	3,600	87,173,154.21
COW-10	0.64	0.64	severely	20,250	129,445,640.30
COW-12	0.98	0.98	severely	3,600	35,410,015.39
COW-13	1.72	1.72	severely	3,600	61,835,635.76
COW-14	8.48	8.48	severely	3,600	305,321,958.83
COW-15	0.38	0.38	severely	3,600	13,684,150.80
COW-16	0.3	0.3	severely	3,600	10,679,294.52
COW-20	3.15	3.15	severely	3,600	113,274,468.00
COW-21	0.16	0.16	severely	20,250	32,167,530.00
COW-22	0.17	0.17	severely	20,250	35,189,235.00
TOTAL	28.7	28.7			1,547,123,105.91
TOTAL	108.86	37.83			3,455,323,465.66

*Based on data provided by the DBP and estimation of the CMV of the Davao Brokers and Appraisers Association

Table A.4.3. Preliminary Cost Estimates for Land in COW Area.

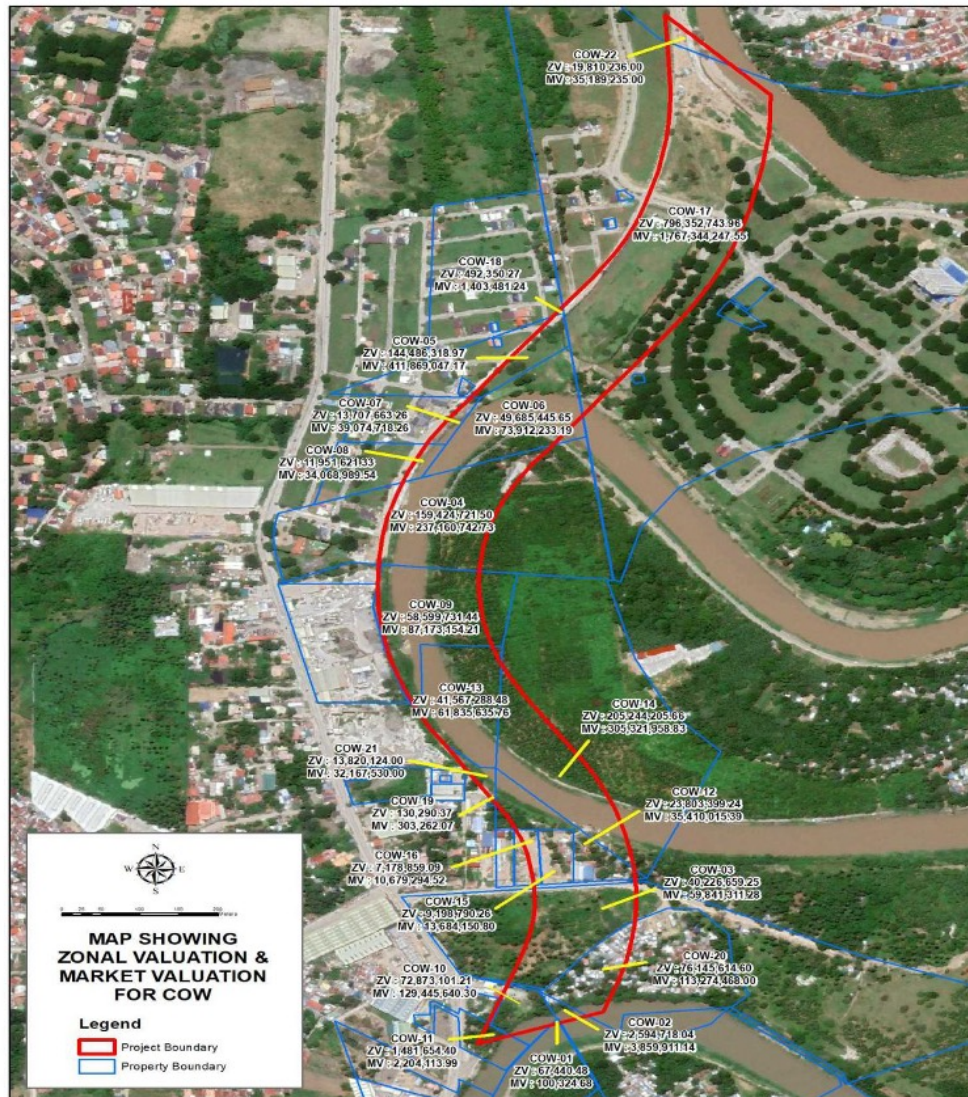
(1)	(2)	(3)	(4)	(5)	(6)	(7) = (5)x(6)	(8)
Barangay	Land Use Type	Lot Number	ROW Area, sqm	Land Area for Compensation, sqm	Price/m ² based on BIR zonal value	Price of Land based on BIR ZV	Price of Land based on CMV***
Maa	Agricultural	COW-01	27.87	27.87	2,420	67,440.48	100,324.68
Maa	Residential	COW-02	1,072.20	1,072.20	2,420	2,594,718.04	3,859,911.14
Maa	Agricultural	COW-03	16,622.59	16,622.59	2,420	40,226,659.25	59,841,311.28
Maa	Agricultural	COW-04	23,480.80	65,877.98	2,420	159,424,721.50	237,160,742.73
Maa	Residential	COW-05	4,858.33	16,607.62	8,700	144,486,318.97	411,869,047.17
Maa	Agricultural	COW-06	19,734.26	20,531.18	2,420	49,685,445.65	73,912,233.19
Maa	Residential	COW-07	1,575.59	1,575.59	8,700	13,707,663.26	39,074,718.26
Maa	Residential	COW-08	1,373.75	1,373.75	8,700	11,951,621.33	34,068,989.54
Maa	Agricultural	COW-09	19,853.26	24,214.77	2,420	58,599,731.44	87,173,154.21
Maa	Commercial	COW-10	4,556.43	6,392.38	11,400	72,873,101.21	129,445,640.30
Maa	Residential	COW-11	612.25	612.25	2,420	1,481,654.40	2,204,113.99
Maa	Residential	COW-12	9,065.78	9,836.12	2,420	23,803,399.24	35,410,015.39
Maa	Agricultural	COW-13	16,942.81	17,176.57	2,420	41,567,288.48	61,835,635.76
Maa	Agricultural	COW-14	20,920.90	84,811.66	2,420	205,244,205.66	305,321,958.83
Maa	Residential	COW-15	3,776.10	3,801.15	2,420	9,198,790.26	13,684,150.80
Maa	Residential	COW-16	1,462.58	2,966.47	2,420	7,178,859.09	10,679,294.52
Maa	Commercial	COW-17	69,855.50	69,855.50	11,400	796,352,743.96	1,767,344,247.55
Maa	Residential	COW-18	56.59	56.59	8,700	492,350.27	1,403,481.24
Maa	Commercial	COW-19	14.98	14.98	8,700	130,290.37	303,262.07
Maa	Residential	COW-20	8,232.36	31,465.13	2,420	76,145,614.60	113,274,468.00
Maa	Commercial	COW-21	1,588.52	1,588.52	8,700	13,820,124.00	32,167,530.00
Maa	Commercial	COW-22	1,737.74	1,737.74	11,400	19,810,236.00	35,189,235.00
Total						1,748,842,977.46	3,455,323,465.66

*** Agricultural (per m²)

3,600

Commercial/Recreational (per m ²)	20,250
Residential (per m ²)	3,600
Residential-High-end (per m ²)	24,800
COW-17	25,300

Figure A.4.2. Map indicating the Zonal Value and CMV of Lands affected by COW.



4.4 Inventory and Compensation of Crops and Trees

Table A.4.4 Permanent Crops and Trees in COW.

Property ID	Banana Local	Coconut	Durian	Lanzones	Lemon	Mango	Pomelo	Avocado	Guyabano	Langka	Santol	Watery Rose Apple (Tambis)
COW-04	1,215	6			4	1				2		
COW-06	389											
COW-09	712											
COW-12	11	2	3	3		1	2	1		2	1	1
COW-13	648											
COW-14	1,010											
COW-20		12						2	1			
Total	3,985	20	3	3	4	2	2	3	1	4	1	1

Table A. 4.5 Compensation for Crops and Trees in COW.

Crops/Trees	Numbers	Cost*	Total
Banana	3,985	280	1,115,800
Coconut	20	2,730	54,600
Durian	3	7,900	23,700
Lanzones	3	590	1,770
Lemon	4	350	1,400
Mango	2	3,900	7,800
Pomelo	2	8,390	16,780
Guyabano	1	3,900	3,900
Langka	4	3,900	15,600
Avocado	3	3,900	11,700
Santol	1	3,900	3,900
Watery Rose Apple (Tambis)	1	3,900	3,900
Total			1,260,850

* Based on Davao City Assessor's Office (CASSO) fruit trees valuation.

4.5 Replacement Cost

Table A.4.6. Structures and Improvements that will be affected by COW.

PROP ID	Commercial	Cacao Processing Plant	Dwelling Unit	Madrasah	Covered Court	Mosque	Water Facility
COW-04		1	6				
COW-12			31	2	1	1	
COW-17	3						
COW-20	1		96			1	1
TOTAL	4	1	133	2	1	2	1

Figure A.4.3 Structures and Improvements that will be affected by COW.



Table A.4.7 Compensation for Houses (Dwelling Units) by Type of Structure.

Type of Structure	Count	Sum of Appraisal
Strong materials (galvanized iron, tile, concrete, brick stone)	11	5,070,000.00
Light materials (cogon, nipa, anahaw, wood);	19	2,007,660.00
Mixed but predominantly strong materials	50	20,744,528.50
Mixed but predominantly light materials	44	10,521,110.00
Salvaged/makeshift materials	2	222,000.00
Others	7	2,175,600.00
Grand Total	133	40,740,898.50

Table A.4.8 Estimated Replacement Cost of Other Structures in COW.

Barangay	Infrastructure	Lot Number	Estimated Replacement Cost of the Infrastructure.
Ma-a	Driving Range Shed/Restaurant/Office and Caddies' House	COW-17	2,500,000
Ma-a	Hollow-blocks making facility	COW-20	750,000
Ma-a	Water Facility	COW-20	20,000
Ma-a	Mosque	COW-12	1,000,000
Ma-a	Mosque	COW-20	1,000,000
Ma-a	Covered Court	COW-12	7,500,000
Ma-a	Madrasah with 2 classrooms	COW-12	1,000,000
Ma-a	Madrasah with 2 classrooms	COW-12	1,000,000
Brgy 19-B	Cacao Processing Plant	COW-04	1,500,000
TOTAL			16,270,000

Table A.4.9. RAP Preliminary Cost Estimates for Structures/Improvements and Crop/Trees in COW.

(1) Barangay	(2) Type of Improvement	(3) Lot Number	(4) Estimated Replacement Cost of Structures/Impvts	(5) Estimated Market Value of Crops/Trees	(6) = (4)x(5) Total Cost
Ma-a	House	COW-12	99,000		99,000
Ma-a	House	COW-12	90,000		90,000
Ma-a	House	COW-12	180,000		180,000
Ma-a	House	COW-12	40,000		40,000
Ma-a	House	COW-12	148,000		148,000
Ma-a	House	COW-12	44,400		44,400
Ma-a	House	COW-12	222,000		222,000
Ma-a	House	COW-12	360,000		360,000
Ma-a	House	COW-12	450,000		450,000
Ma-a	House	COW-12	740,000		740,000
Ma-a	House	COW-12	222,000		222,000
Ma-a	House	COW-12	555,000		555,000
Ma-a	House	COW-12	450,000		450,000
Ma-a	House	COW-12	22,200		22,200
Ma-a	House	COW-12	148,000		148,000
Ma-a	House	COW-12	185,000		185,000
Ma-a	House	COW-12	111,000		111,000
Ma-a	House	COW-12	666,000		666,000
Ma-a	House	COW-12	17,760		17,760
Ma-a	House	COW-12	405,000		405,000
Ma-a	House	COW-12	300,000		300,000
Ma-a	House	COW-12	370,000		370,000
Ma-a	House	COW-12	22,200		22,200
Ma-a	House	COW-12	900,000		900,000
Ma-a	House	COW-12	225,000		225,000
Ma-a	House	COW-12	74,000		74,000
Ma-a	House	COW-12	266,400		266,400
Ma-a	House	COW-12	900,000		900,000

(1)	(2)	(3)	(4)	(5)	(6) = (4)x(5)
Barangay	Type of Improvement	Lot Number	Estimated Replacement Cost of Structures/Impvts	Estimated Market Value of Crops/Trees	Total Cost
Ma-a	House	COW-12	675,000		675,000
Ma-a	House	COW-12	450,000		450,000
Ma-a	House	COW-12	370,000		370,000
Ma-a	House	COW-20	185,000		185,000
Ma-a	House	COW-20	112,500		112,500
Ma-a	House	COW-20	222,000		222,000
Ma-a	House	COW-20	360,000		360,000
Ma-a	House	COW-20	333,000		333,000
Ma-a	House	COW-20	296,000		296,000
Ma-a	House	COW-20	270,000		270,000
Ma-a	House	COW-20	270,000		270,000
Ma-a	House	COW-20	185,000		185,000
Ma-a	House	COW-20	270,000		270,000
Ma-a	House	COW-20	296,000		296,000
Ma-a	House	COW-20	266,400		266,400
Ma-a	House	COW-20	185,000		185,000
Ma-a	House	COW-20	44,400		44,400
Ma-a	House	COW-20	177,600		177,600
Ma-a	House	COW-20	185,000		185,000
Ma-a	House	COW-20	450,000		450,000
Ma-a	House	COW-20	222,000		222,000
Ma-a	House	COW-20	333,000		333,000
Ma-a	House	COW-20	360,000		360,000
Ma-a	House	COW-20	450,000		450,000
Ma-a	House	COW-20	127,440		127,440
Ma-a	House	COW-20	74,000		74,000
Ma-a	House	COW-20	111,000		111,000
Ma-a	House	COW-20	148,000		148,000
Ma-a	House	COW-20	67,500		67,500
Ma-a	House	COW-20	900,000		900,000
Ma-a	House	COW-20	44,400		44,400
Ma-a	House	COW-20	44,400		44,400
Ma-a	House	COW-20	405,000		405,000
Ma-a	House	COW-20	296,000		296,000
Ma-a	House	COW-20	1,350,000		1,350,000
Ma-a	House	COW-20	90,000		90,000
Ma-a	House	COW-20	222,000		222,000
Ma-a	House	COW-20	225,000		225,000
Ma-a	House	COW-20	555,000		555,000
Ma-a	House	COW-20	370,000		370,000
Ma-a	House	COW-20	540,000		540,000
Ma-a	House	COW-20	88,800		88,800
Ma-a	House	COW-20	148,000		148,000
Ma-a	House	COW-20	63,000		63,000
Ma-a	House	COW-20	297,000		297,000
Ma-a	House	COW-20	148,000		148,000
Ma-a	House	COW-20	66,600		66,600

(1)	(2)	(3)	(4)	(5)	(6) = (4)x(5)
Barangay	Type of Improvement	Lot Number	Estimated Replacement Cost of Structures/Impvts	Estimated Market Value of Crops/Trees	Total Cost
Ma-a	House	COW-20	450,000		450,000
Ma-a	House	COW-20	199,800		199,800
Ma-a	House	COW-20	540,689		540,689
Ma-a	House	COW-20	90,900		90,900
Ma-a	House	COW-20	444,000		444,000
Ma-a	House	COW-20	540,000		540,000
Ma-a	House	COW-20	185,000		185,000
Ma-a	House	COW-20	444,000		444,000
Ma-a	House	COW-20	63,000		63,000
Ma-a	House	COW-20	58,500		58,500
Ma-a	House	COW-20	185,000		185,000
Ma-a	House	COW-20	225,000		225,000
Ma-a	House	COW-20	810,000		810,000
Ma-a	House	COW-20	33,300		33,300
Ma-a	House	COW-20	405,000		405,000
Ma-a	House	COW-20	90,000		90,000
Ma-a	House	COW-20	296,000		296,000
Ma-a	House	COW-20	74,000		74,000
Ma-a	House	COW-20	111,000		111,000
Ma-a	House	COW-20	44,400		44,400
Ma-a	House	COW-20	135,000		135,000
Ma-a	House	COW-20	450,000		450,000
Ma-a	House	COW-20	900,000		900,000
Ma-a	House	COW-20	177,600		177,600
Ma-a	House	COW-20	450,000		450,000
Ma-a	House	COW-20	900,000		900,000
Ma-a	House	COW-20	90,000		90,000
Ma-a	House	COW-20	296,000		296,000
Ma-a	House	COW-20	67,500		67,500
Ma-a	House	COW-20	166,500		166,500
Ma-a	House	COW-20	675,000		675,000
Ma-a	House	COW-20	450,000		450,000
Ma-a	House	COW-20	270,000		270,000
Ma-a	House	COW-20	540,000		540,000
Ma-a	House	COW-20	810,000		810,000
Ma-a	House	COW-20	111,000		111,000
Ma-a	House	COW-20	900,000		900,000
Ma-a	House	COW-20	333,000		333,000
Ma-a	House	COW-20	592,000		592,000
Ma-a	House	COW-20	222,000		222,000
Ma-a	House	COW-20	90,810		90,810
Ma-a	House	COW-20	296,000		296,000
Ma-a	House	COW-20	270,000		270,000
Ma-a	House	COW-20	185,000		185,000
Ma-a	House	COW-20	450,000		450,000
Ma-a	House	COW-20	88,800		88,800
Ma-a	House	COW-20	296,000		296,000
Ma-a	House	COW-20	333,000		333,000
Ma-a	House	COW-20	450,000		450,000
Ma-a	House	COW-20	405,000		405,000

(1)	(2)	(3)	(4)	(5)	(6) = (4)x(5)
Barangay	Type of Improvement	Lot Number	Estimated Replacement Cost of Structures/Impvts	Estimated Market Value of Crops/Trees	Total Cost
Ma-a	House	COW-20	1,800,000		1,800,000
Ma-a	House	COW-20	67,500		67,500
Brgy 19-B	House	COW-04	22,200		22,200
Brgy 19-B	House	COW-04	177,600		177,600
Brgy 19-B	House	COW-04	111,000		111,000
Brgy 19-B	House	COW-04	44,400		44,400
Brgy 19-B	House	COW-04	133,200		133,200
Brgy 19-B	Banana plants	COW-04	1,215	280	340,200
Brgy 19-B	Banana plants	COW-06	389	280	108,920
Brgy 19-B	Banana plants	COW-09	712	280	199,360
Brgy 19-B	Banana plants	COW-13	648	280	181,440
Brgy 19-B	Banana plants	COW-14	1,010	280	282,800
Brgy 19-B	Coconut	COW-04	6	2,730	16,380
Brgy 19-B	Langka	COW-04	2	*3,900	7,800
Brgy 19-B	Lemon	COW-04	4	350	1,400
Brgy 19-B	Mango	COW-04	1	3,900	3,900
Ma-a	Avocado	COW-12	1	*3,900	3,900
Ma-a	Banana	COW-12	11	280	3,080
Ma-a	Coconut	COW-12	2	2,730	5,460
Ma-a	Durian	COW-12	3	7,900	23,700
Ma-a	Langka	COW-12	4	*3,900	15,600
Ma-a	Lanzones	COW-12	3	590	1,770
Ma-a	Mango	COW-12	1	3,900	3,900
Ma-a	Pomelo	COW-12	2	8,390	16,780
Ma-a	Santol	COW-12	1	*3,900	3,900
Ma-a	Watery Rose Apple (Tambis)	COW-12	1	*3,900	3,900
Ma-a	Avocado	COW-20	2	*3,900	7,800
Ma-a	Coconut	COW-20	12	2,730	32,760
Ma-a	Guyabano	COW-20	1	*3,900	3,900
Ma-a	Driving Range Shed/ Restaurant/ Office for Caddies	COW-17	2,500,000		2,500,000
Ma-a	Hollow-block making facility	COW-20	750,000		750,000
Ma-a	Water Facility	COW-20	20,000		20,000
Ma-a	Mosque	COW-12	1,000,000		1,000,000
Ma-a	Mosque	COW-20	1,000,000		1,000,000
Ma-a	Covered Court	COW-12	7,500,000		7,500,000
Ma-a	Madrasah with 2 classrooms	COW-12	1,000,000		1,000,000
Ma-a	Madrasah with 2 classrooms	COW-12	1,000,000		1,000,000
Brgy 19-B	Cacao Processing Plant	COW-04	1,500,000		1,500,000

* Unit value for Mango applied for fruit trees not in the schedule of unit values for Trees from the City Assessor's Office

4.6 Informal Settler Families (ISFs)

4.4.1 Identification of ISFs

The affected barangays in COW areas are Barangay 19B and Barangay Ma-a, Davao City. The affected area in Barangay 19-B is an agricultural land owned by Dizon and the corresponding six affected

households are basically workers of the Dizon Farms occupying workers' sheds not used as residence of their families. In contrast, the affected households in Ma-a are found in two locations in Purok 27, Barangay Ma-a: the Upper Padaman and Lower Padaman. There are 31 affected households in Upper Padaman of Ma-a, all of whom have claimed to be relatives and heirs of Padaman who owns the lot they occupy (T27726). Likewise, 96 affected households are located in Lower Padaman.

Table A.4.10. Distribution of Project Affected Households

Barangays	Number of Affected Households	Total
Barangay 19-B	6	6
Purko 27, Ma-a (Upper Padaman)	31	127
Purok 27, Ma-a (Lower Padaman)	96	

Table A.4.11. HH Survey Results on Land and House Ownership

Housing and Land Ownership	MAA	
	Frequency	%
Own the lot and the house	59	46.5
Own the house but rent/lease the land/lot/ land is a government property and or shared with family/relatives	43	33.9
Own the house but no response on the land	1	0.8
Renter (both house and lot)	18	14.1
House renter but no response on the land ownership	5	3.9
Rent free occupant (both house and land)	1	0.8
Total	127	100.0

The HH Survey results in Table A.4.10 show the housing and land ownership of the affected households in Purok 27. All households in Brgy 19-B are rent-free occupants. They stay in the affected area for free for both house and lot.

For Purok 27, Ma-a, 32 of the 59 project affected persons who claimed that they own both the house and land are located at upper Maa (Padaman area). The lot is owned by Padaman with title – T27726. They claim to be the heirs of Padaman, as mentioned both in the interview and the three consultations conducted with them.

Twenty seven (27) of the 59 affected households who claim ownership of both house and lot are situated at Lower Ma-a. They perceived that they own the land but actually are sitting on a privately owned land (Lot 420 and CAD 102). The owner of this land is undetermined, without title and without tax declaration on record.

The rest of the 43 affected households (33.9%) claim that they own the house but rent or lease the land; the land is claimed to be a government property, or are sharing the land with relatives. One respondent mentioned owning the house but gave no response on the land ownership. There are 23 affected households who are renters of both house and land, and 1 house renter but no response on the land. There is also a respondent who claims to be a rent- free occupant.

Table A.4.12. Classification of Households in Purok 27, Barangay Maa.

	Frequency	Percentage
Informal Settler Families	103	81.1
Renters	23	18.1
Sharers	1	8
Total	127	100

The informal settler families include those who claim to be heirs (but are not land title holders) of the Padaman property and those who claim to own both house and land.

4.4.2 Location of the three candidate relocation sites.

As reported in the Interim Report of the *Project For Master Plan And Feasibility Study On Flood Control And Drainage In Davao City* dated March 2021, one of the critical issues on resettlement in Davao City is the “lack of relocation site”, and the current relocation sites of both the NHA and the City are of significant distance from the ISFs’ current sources of work and basic social services. They are not only far away from the COW area, but will be incurring very costly transportation costs especially now with the spiralling prices of fuel caused by the global energy crisis and inflation. To mitigate these issues, on-site or near-site relocation is highly recommended and is a commonly shared measure among the DPWH, DCPDO and the Project team. The on-site or near-site relocation aims to accomplish “building back better” from the previous conditions of the ISFs maintaining their proximity and high accessibility to their current economic activities and basic social services. (Interim Report, p. 473)

The location of the candidate on-site/near-site relocation areas is at the bottom section of the COW as shown in Figures A.4.4 and A.4.5.

Figure A.4.4 Location of three Candidate Relocation Sites.

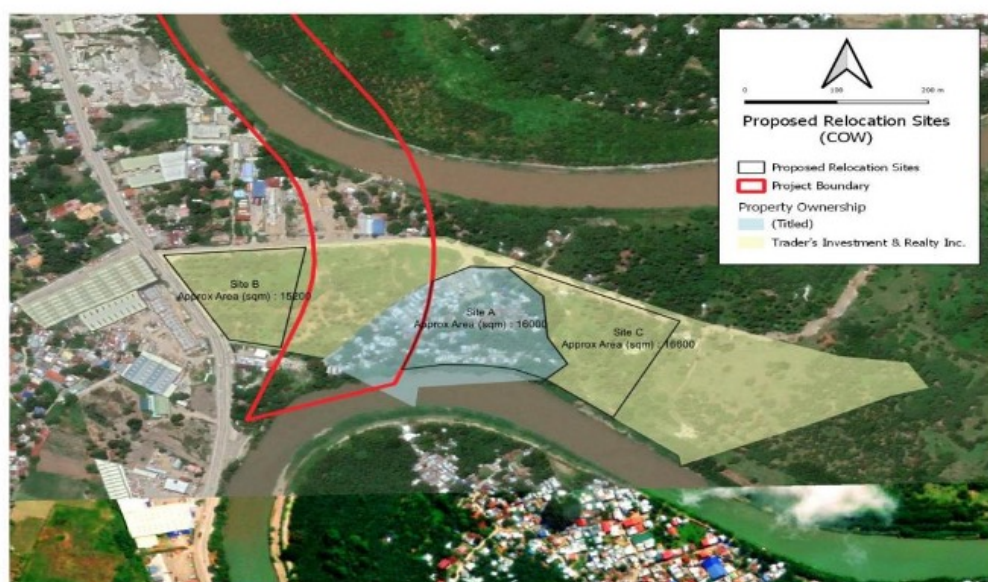
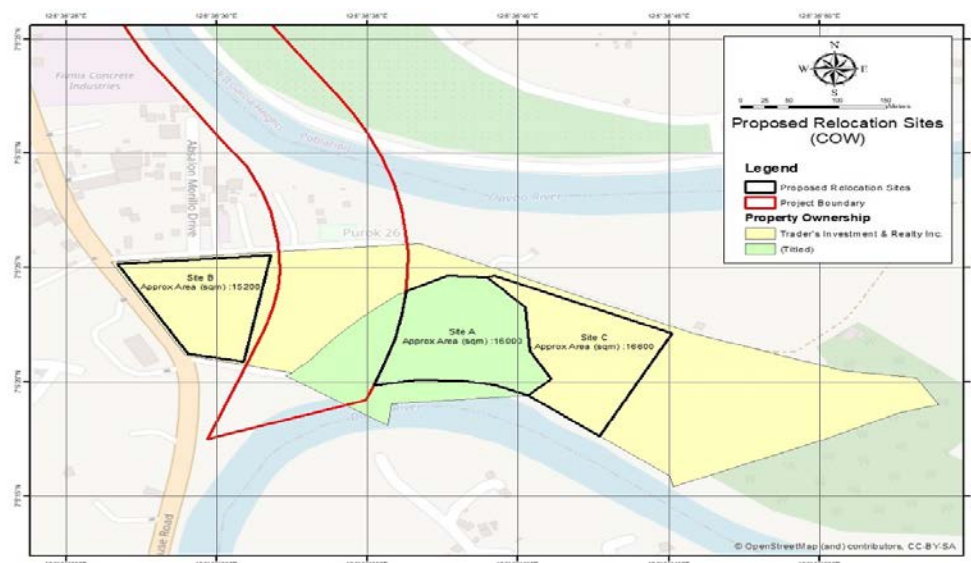


Figure A.4.5 Close up image of candidate near-site relocation areas A, B & C.



Assuming the subject properties have space limitations, medium rise buildings (MRBs) as the 4-storey housing structures, can be considered to accommodate the Kagan ISFs. Freed up land horizontal space because of the use of MRBs, may be planned with the Kagan community with integrated devoted areas for social, cultural, and economic activities.

4.4.3 Estimated Relocation Cost

Table A.4.13 Construction/Procurement Cost and Land Acquisition Cost and Other Cost (COW)- Phase 1

ITEM NO.	DESCRIPTION	UNIT COST	UNIT	QTY	Amount (PhP)
A. SITE DEVELOPMENT COST					
1.00	PRELIMINARIES				150,000.00
2.00	EARTHWORKS				1,662,600.00
3.00	ROAD CONCRETING AND DRAINAGE SYSTEM				745,337.10
4.00	EXTERIOR WATER LINE SYSTEM				184,000.00
5.00	EXTERIOR ELECTRICAL WORKS				645,300.00
B. MEDIUM RISE BUILDINGS (MRBs)– Phase 1					
6.00	MEDIUM RISE BUILDINGS (MRB)				
6.10	MRB 1	32,956,000.00	LOT	1.00	32,956,000.00
6.20	MRB 2	32,956,000.00	LOT	1.00	32,956,000.00
6.30	MRB 3	32,956,000.00	LOT	1.00	32,956,000.00
SUBTOTAL for 3 MEDIUM RISE BUILDINGS (Item 6 only)					98,868,000.00
TOTAL OF SITE DEVELOPMENT & MRBs (Items 1-6 above)					102,255,237.10
7.10	OVERHEAD, CONTINGENCIES, MISCELLANEOUS (OCM) - 15%				15,338,285.57
7.20	CONTRACTOR'S PROFIT -10%				10,225,523.71
7.30	VALUE ADDED TAX (VAT) - 5%				6,390,952.32
8.00	COST OF LAND				57,600,000.00

ITEM NO.	DESCRIPTION	UNIT COST	UNIT	QTY	Amount (PhP)
TOTAL ESTIMATED PROJECT COST FOR PHASE 1					191,809,998.70
					Area: 1.60 has
					At 3600/sqm

Table A.4.14 Construction/Procurement Cost and Land Acquisition Cost and Other Cost (COW)- Phase 2

ITEM NO.	DESCRIPTION	UNIT COST	UNIT	QTY	Amount (PhP)
A. SITE DEVELOPMENT (Items 1-6)					
1.00	PRELIMINARIES				200,000.00
2.00	EARTHWORKS				100,000.00
3.00	ROAD CONCRETING AND DRAINAGE SYSTEM				3,927,490.80
4.00	EXTERIOR WATER LINE SYSTEM				184,000.00
5.00	EXTERIOR ELECTRICAL WORKS				1,080,600.00
SUBTOTAL SITE DEVELOPMENT (Items 1-5)					
6.00	MEDIUM RISE BUILDING (MRB)				
6.10	MRB 1	32,956,000.00	LOT	1.00	32,956,000.00
6.20	MRB 2	32,956,000.00	LOT	1.00	32,956,000.00
6.30	MRB 3	32,956,000.00	LOT	1.00	32,956,000.00
SUBTOTAL - 3 MEDIUM RISE BUILDINGS					
7.00	AMENITIES				
7.10	TWO-STOREY OFFICE BUILDING	23,000.00	SQ. M.	120.00	2,760,000.00
7.20	PARKS & PLAYGROUNDS				0.00
7.30	PROMENADE AND LANDSCAPE				0.00
SUBTOTAL - AMENITIES					
ESTIMATED TOTAL COST OF ITEMS 1-7					
	OVERHEAD, CONTINGENCIES, MISCELLANEOUS (OCM) - 15%				16,068,013.62
	CONTRACTOR'S PROFIT -10%				10,712,009.08
	VALUE ADDED TAX (VAT) - 5%				6,695,005.68
TOTAL PROJECT COST FOR PHASE 2					
	Add: Total Project Cost for Phase 1				191,809,998.70
TOTAL COST FOR PHASES 1 & 2					
					332,485,117.88

4.7 Summary

Table A.4.15. Summary of Entitlements per Category of PAPs in COW.

Entitlement	Category of PAP	Impact	Computation of Amount
Payment for Land	PAP who owns land (i.e., holds title or tax declarations)	<u>Severely Affected:</u> 13 Property Owners Total Area: 28.7 hectares	PhP 1,547,123,105.91

		<u>Marginally Affected</u> 9 Property Owners Total Area: 9.13 hectares	PhP 1,908,200,359.75
Total		Land Area to be compensated 37.83 hectares	PhP 3,455,323,465.66
Payment for Crops and Trees	PAPs as owners or tenants or occupants who planted crops and trees to the land used by them	Banana – 3,985 Coconut - 20 Durian - 3 Lanzones - 3 Lemon - 4 Mango - 2 Pomelo - 2 Guyabano - 1 Langka - 4 Avocado - 3 Santol - 1 Watery Rose Apple (Tambis) – 1	Banana – 1,115,800 Coconut – 54,600 Durian – 23,700 Lanzones – 1,770 Lemon – 1,400 Mango – 7,800 Pomelo – 16,780 Guyabano – 3,900 Langka – 15,600 Avocado – 11,700 Santol - 3,900 Watery Rose Apple (Tambis) – 3,900 Total 1,260,850
Payment for Replacement Cost of Structures and other Improvements	PAPs who own the structures	4 Commercial Facilities 1 Agri Facility (Cacao Processing Plant) 133 Houses (Dwelling Facility) 1 Covered Court 2 Madrasah 2 Mosques 1 Water Facility	PhP 3,250,000 PhP 1,500,000 PhP 40,607,699 PhP 7,500,000 PhP 2,000,000 PhP 2,000,000 PhP 20,000 Total PhP 57,010,898.50
Relocation Cost for 103 ISFs		Relocation Cost	PhP 332,485.117.88
Financial Assistance (Subsistence Allowance)	PAPs who own land used for agricultural purposes	Severely affected only @ PhP 15,000.00/ PAP x 5 PAPs severely affected agricultural lots	PhP 75,000.00

RP 11 Resettlement Plan

Figure A.5A.1. Relocation Candidate Sites in RP 11. The candidate sites are from 800 to 1,000 square meters each. In the purchase of the needed lot for Mr. Lauron as lone ISF, a slice of about 100 square meters from any of the three candidate sites shall be negotiated.



Figure A.5A.2. RP 11 Model House and Floor Plan.

The floor plan of the model house excludes the internal wall partition. The house is a studio-type which is suitable to the relocation beneficiary who is single, a PWD, and a senior citizen. The relocation site is also in a low density community in Sitio Lapuy with existing basic social amenities, near his relatives and near the cooperative office and warehouse. The option to secure a lot area in Sitio Lapuy is akin to purchasing a lot in an existing subdivision which therefore excludes the need for site development. There is no site development cost reflected in the costs for the relocation of a single ISF beneficiary.

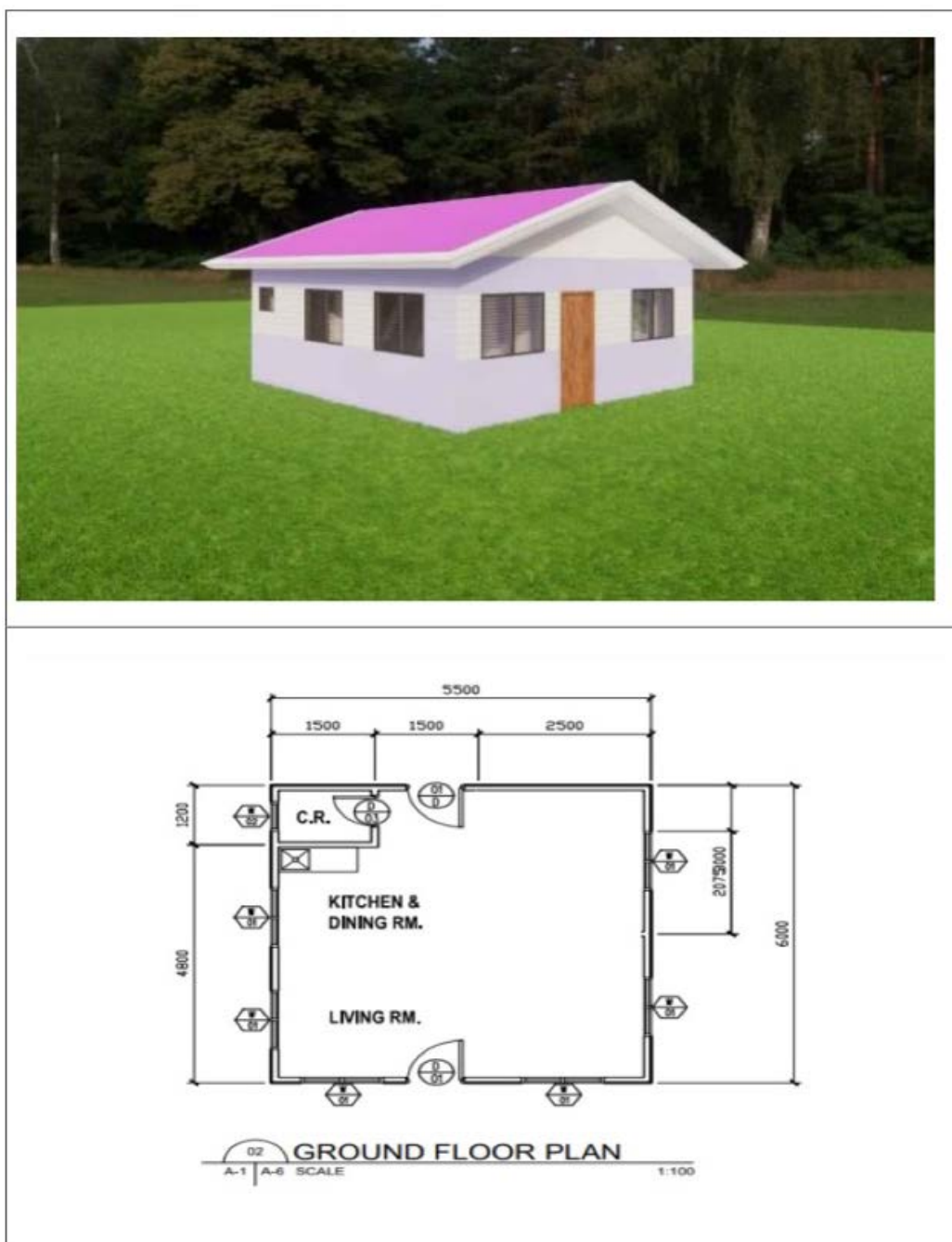


Table A.5A.1. Construction/Procurement Cost and Land Acquisition Cost and Others Cost (RP 11)

Case	Work Item		Quantity	Unit	Unit Cost (Php)	Amount (Php)	Total (Php)
Model 1	1. Construction Cost	Earthworks	8.29	cm	472.50	3,918.92	175,678.57
		Concrete works	6.41	cm	6,406.65	41,060.21	
		Masonry works	84.46	sqm	517.39	43,698.55	
		Roofing and Tinsmithry	49.00	sqm	409.16	20,048.85	
		Doors	5.00	pc	3,148.20	15,741.00	
		Windows	6.25	pc	2,148.19	13,426.17	
		Ceiling Works	45.50	sqm	286.76	13,047.75	
		Wall Partitions	25.50	sqm	347.81	8,869.22	
		Electrical Works	13.00	pc	877.50	11,407.50	
		Plumbing Works & rain water tank	4.00	pc	1,115.10	4,460.40	
	2. Land Acquisition Cost	RP 11 (lot in Sitio Lapuy)	100.00	sqm	500.00	50,000.00	50,000.00
	3. No site development cost of 100 sqm lot		-	-	-	-	-
	4. Survey Cost				150.00	15,000.00	15,000.00
	5. Land Titling				100.00	10,000.00	10,000.00
TOTAL							250,678.67
Model 1 has no internal partition compared to Model 2. This is the preferred studio-type model for Mr Lauron, the sole relocation beneficiary in RP 11 who has no family but who is a person with disability and senior citizen retiree, .							

Case	Work Item		Quantity	Unit	Unit Cost (Php)	Amount (Php)	Total (Php)
Model 2	1. Construction Cost	Earthworks	8.29	cm	472.50	3,918.92	177,034.78
		Concrete works	6.41	cm	6,406.65	41,060.21	
		Masonry works	88.06	sqm	517.39	45,561.15	
		Roofing and Tinsmithry	49.00	sqm	409.16	20,048.85	
		Doors	5.00	pc	3,148.20	15,741.00	
		Windows	6.50	pc	2,148.19	13,963.22	
		Ceiling Works	45.50	sqm	286.76	13,047.75	
		Wall Partitions	22.50	sqm	347.81	7,825.78	
		Electrical Works	13.00	pc	877.50	11,407.50	
		Plumbing Works & rain water tank	4.00	pc	1,115.10	4,460.40	
	2. Land Acquisition Cost	RP 11 (Sitio Lapuy)	100.00	sqm	500.00	50,000.00	50,000.00
	3. No site development cost for a small lot		-	-	-	-	-
	4. Survey Cost				150.00	15,000.00	15,000.00
	5. Land Titling				100.00	10,000.00	10,000.00
TOTAL							252,034.78
Model 2 has internal partition which increases the cost in masonry and walling materials compared to Model 1 which has no internal partition. Models 1 and 2 are shown for cost comparison.							

COW Resettlement Plans

Shown below are the candidate near-site relocation candidate areas for the COW-affected ISFs. It may be noted this early that candidate sites A, B and C are also good near-sites for the CITY relocation for those to be affected by the Promenade and 30-meter riverside easement expansion from Bucana, southwest of the Davao River, to Davao Bridge, northeast along CP Garcia highway. Further down candidate site C in the map below, is a vast expanse of still relatively un-urbanized but flood-prone area which is a good key near-site for MRB settlements of the City and DPWH relocation program. These areas are also good destination of the immense COW excavation materials to elevate them and effectively reduce flooding caused by Vinta-like typhoons now affecting the City and the region due to climate change.

Figure A.5B.1. Candidate Relocation Sites in the COW Area.

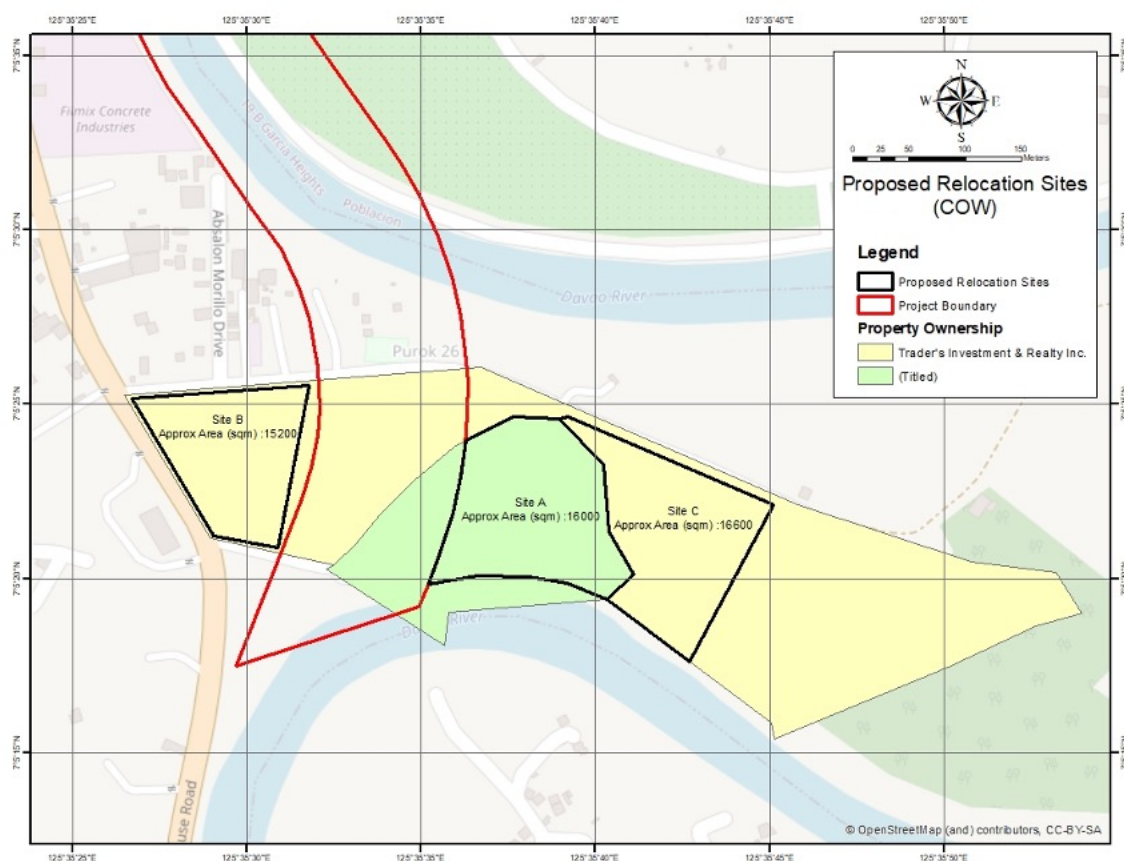


Figure A.5B.2. Site Development Plan COW Candidate Site A.

Candidate A is immediately located within the COW area. The excavation materials from the COW may be used to fill-up any of the candidate sites A, B and C because their present elevation is flood-prone. In 2017, Tropical Storm *Vinta* inundated the area with about 1 to 2 meters of flood waters. The excavation materials from the COW may also be used to fill up parts of the river front (area 2 below) so that community park space and vegetation without structures is provided, and hence used as open recreational space for candidate sites A or C, when it is not the season for flooding.



Figure A.5B.3. Site Development Plan COW Candidate Site B.



This candidate site may also be affected by the eventual road expansion in both eastern and northern roads and the social space saved through the use of MRBs may be compromised.

Figure A.5B.4. Site Development Plan COW Candidate Site C.



Figure A.5B.5. Perspective of COW Medium Rise Building (MRB).



The use of MRBs will free-up a lot of space for essential spatial use for the relocated community: space for recreation, economic and socio-cultural functions which are otherwise taken for granted in any high density relocation and housing programs.



Figure A.5B.6. COW MRB Ground Floor Plan



Figure A.5B.7. COW MRB Roof Deck Plan

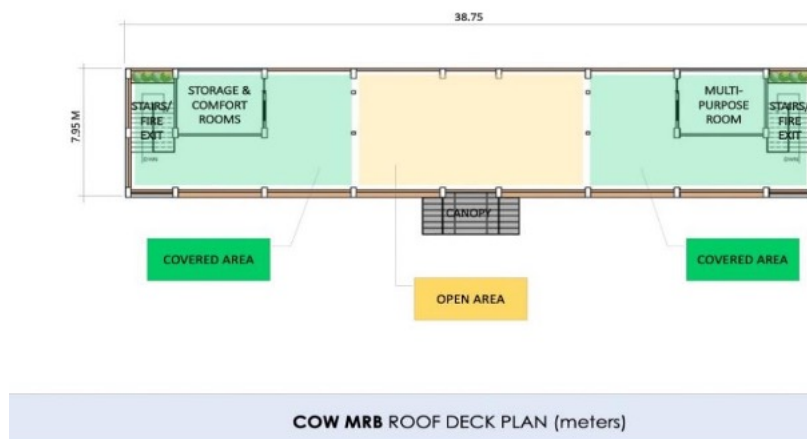


Figure A.5B.8. COW MRB Model Unit Ground Floor and Mezzanine Plans.

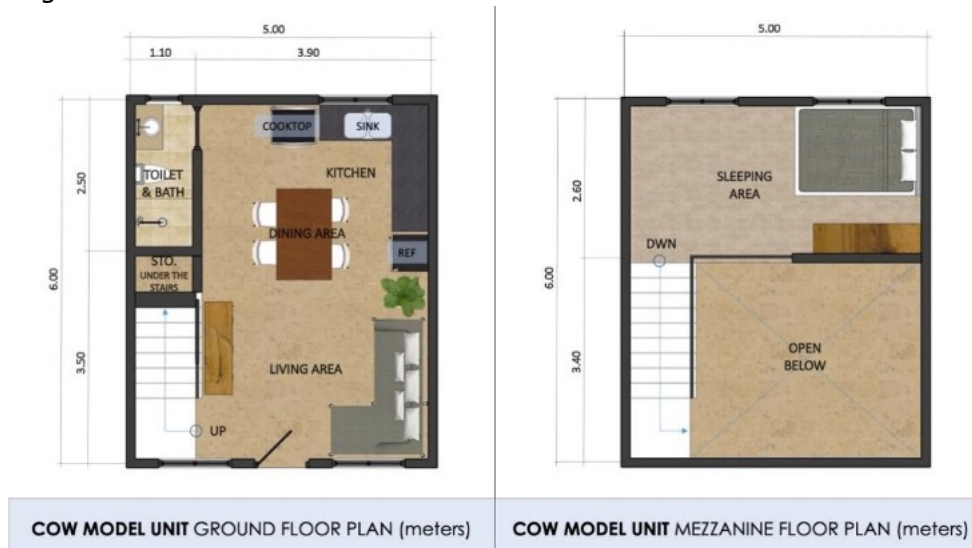


Figure A.5B.9. Perspective of COW ISF Association Multi-Purpose Office



Figure A.5B.10. COW ISF Office Ground and Second Floor Plans.

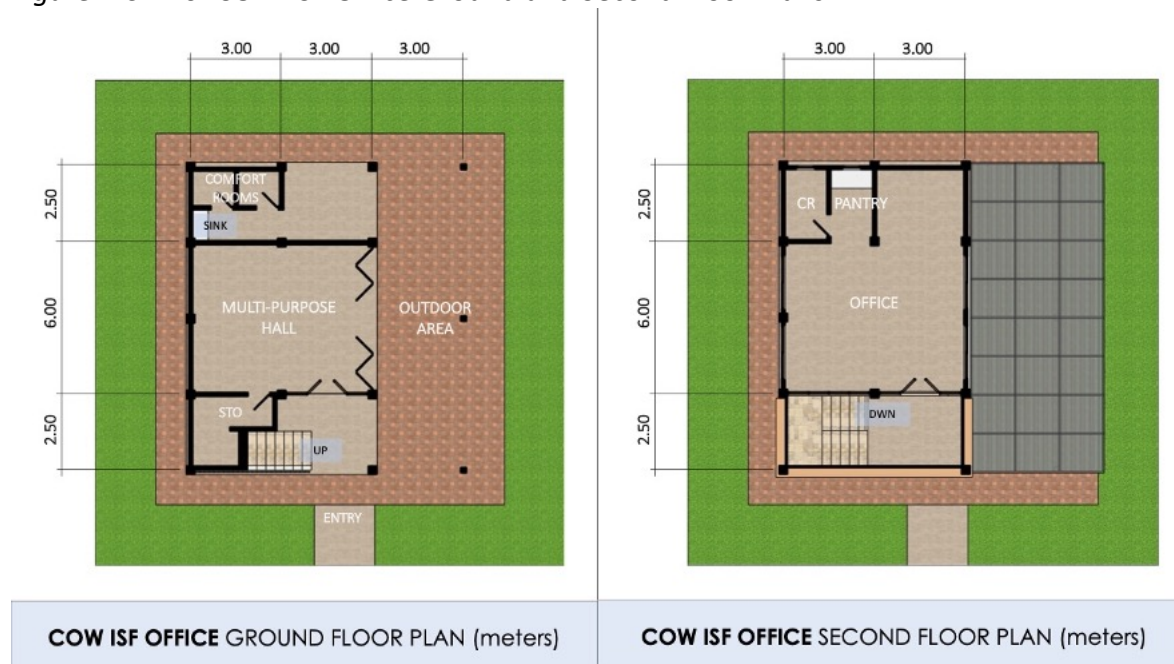


Table A.5B.1. PROJECT: RESETTLEMENT ACTION PLAN (FEASIBILITY STUDY OF THE FLOOD CONTROL AND DRAINAGE IN DAVAO CITY)- Phase 1

LOCATION: MA-A, DAVAO CITY

SUBJECT: BUDGETARY COST ESTIMATES - PHASE 1

ITEM NO.	DESCRIPTION	UNIT COST	UNIT	QTY	Option SITE A	QTY	Option SITE B	QTY	Option SITE C
A. SITE DEVELOPMENT COST									
1.00	PRELIMINARIES								
1.10	MOBILIZATION AND DEMOBILIZATION	100,000.00	LOT	1.00	100,000.00	1.00	100,000.00	1.00	100,000.00
1.20	TEMPORARY FACILITIES	50,000.00	LOT	1.00	50,000.00	1.00	50,000.00	1.00	50,000.00
	SUBTOTAL - PRELIMINARIES				150,000.00		150,000.00		150,000.00
2.00	EARTHWORKS								
2.10	CLEARING AND GRUBBING	50.00	SQ.M	19,315.00	965,750.00	15,227.00	761,350.00	16,626.00	831,300.00
2.20	REMOVAL AND DISPOSAL OF EXISTING STRUCTURES	35,000.00	UNIT	80.00	2,800,000.00				
2.30	EMBANKMENT FILL (ASSUME 2M DEPTH)	FREE	CU. M.	38,630.00	FREE	30,454.00	FREE	33,252.00	FREE
2.40	TOPSOILING	500.00	CU. M.	1,931.50	965,750.00	1,522.70	761,350.00	1,662.60	831,300.00
	SUBTOTAL - EARTHWORKS				4,731,500.00		1,522,700.00		1,662,600.00
3.00	ROAD CONCRETING AND DRAINAGE SYSTEM								
3.10	EARTHWORKS AND EXCAVATION	400.00	CU. M.	508.27	203,307.20	506.07	202,427.80	458.86	183,545.40
3.20	SUBGRADE PREPARATION (ITEM 201 @150MM)	30.00	SQ. M.	841.48	25,244.40	841.64	25,249.20	763.89	22,916.70
3.30	AGGREGATE BASE COURSE (GRAVEL BEDDING @100MM)	860.00	CU. M.	23.75	20,425.00	23.50	20,210.00	21.25	18,275.00
3.40	DRAINAGE	2,000.00	SQ. M.	237.50	475,000.00	235.00	470,000.00	212.80	425,600.00
3.50	OUTFALL SEWER LINE/ DRAINAGE (900MM DEPTH)	1,900.00	LN. M.	50.00	95,000.00	50.00	95,000.00	50.00	95,000.00
	SUBTOTAL - ROAD CONCRETING AND DRAINAGE SYSTEM				818,976.60		812,887.00		745,337.10
4.00	EXTERIOR WATER LINE SYSTEM								
4.10	WATER DISTRIBUTION	800.00	LN. M.	230.00	184,000.00	212.50	170,000.00	155.00	124,000.00

ITEM NO.	DESCRIPTION	UNIT COST	UNIT	QTY	Option SITE A	QTY	Option SITE B	QTY	Option SITE C
4.20	FIRE HYDRANT	60,000.00	UNIT	1.00	60,000.00	1.00	60,000.00	1.00	60,000.00
	SUBTOTAL - EXTERIOR WATER LINE SYSTEM				244,000.00		230,000.00		184,000.00
5.00	EXTERIOR ELECTRICAL WORKS								
5.10	OVERHEAD POWER DISTRIBUTION SYSTEM	3,260.00	LN. M.	230.00	749,800.00	212.50	692,750.00	155.00	505,300.00
5.20	POLE STREET LIGHTS (SOLAR POWERED)	35,000.00	UNIT	4.00	140,000.00	4.00	140,000.00	4.00	140,000.00
	SUBTOTAL - EXTERIOR ELECTRICAL WORKS				889,800.00		832,750.00		645,300.00
B. MEDIUM RISE BUILDINGS (MRBs)– Phase 1									
6.00	MEDIUM RISE BUILDINGS (MRB)								
6.10	MRB 1	32,956,000.00	LOT	1.00	32,956,000.00	1.00	32,956,000.00	1.00	32,956,000.00
6.20	MRB 2	32,956,000.00	LOT	1.00	32,956,000.00	1.00	32,956,000.00	1.00	32,956,000.00
6.30	MRB 3	32,956,000.00	LOT	1.00	32,956,000.00	1.00	32,956,000.00	1.00	32,956,000.00
SUBTOTAL for 3 MEDIUM RISE BUILDINGS (Item 6 only)					98,868,000.00		98,868,000.00		98,868,000.00
TOTAL OF SITE DEVELOPMENT & MRBs (Items 1-6 above)					105,702,276.60		102,416,337.00		102,255,237.10
7.10	OVERHEAD, CONTINGENCIES, MISCELLANEOUS (OCM) - 15%				15,855,341.49		15,362,450.55		15,338,285.57
7.20	CONTRACTOR'S PROFIT -10%				10,570,227.66		10,241,633.70		10,225,523.71
7.30	VALUE ADDED TAX (VAT) - 5%				6,606,392.29		6,401,021.06		6,390,952.32
8.00	COST OF LAND				57,600,000.00		54,720,000.00		57,600,000.00
TOTAL ESTIMATED PROJECT COST FOR PHASE 1					196,334,238.04		189,141,442.31		191,809,998.70
					Area: 1.60 has		Area: 1.52 has		Area: 1.60 has
					3600/sqm		At 3600/sqm		At 3600/sqm

Max of 12 MRBs may be accommodated in any of the three candidate near sites A, B and C

Table A.5B.2. PROJECT: RESETTLEMENT ACTION PLAN (FEASIBILITY STUDY OF THE FLOOD CONTROL AND DRAINAGE IN DAVAO CITY)- Phase 2

LOCATION: MA-A, DAVAO CITY

SUBJECT: BUDGETARY COST ESTIMATES - PHASE 2

ITEM NO.	DESCRIPTION	UNIT COST	UNIT	QTY	Option SITE A	QTY	Option SITE B	QTY	Option SITE C
A. SITE DEVELOPMENT (Items 1-6)									
1.00	PRELIMINARIES								
1.10	MOBILIZATION AND DEMOBILIZATION	150,000.00	LOT	1.00	150,000.00	1.00	150,000.00	1.00	150,000.00
1.20	TEMPORARY FACILITIES	50,000.00	LOT	1.00	50,000.00	1.00	50,000.00	1.00	50,000.00
	<i>SUBTOTAL - PRELIMINARIES</i>				200,000.00		200,000.00		200,000.00
2.00	EARTHWORKS								
2.10	CLEARING AND GRUBBING	100,000.00	LOT	1.00	100,000.00	1.00	100,000.00	1.00	100,000.00
	<i>SUBTOTAL - EARTHWORKS</i>				100,000.00		100,000.00		100,000.00
3.00	ROAD CONCRETING AND DRAINAGE SYSTEM								
3.10	EARTHWORKS AND EXCAVATION	400.00	CU. M.	508.27	203,307.20	506.07	202,427.80	458.86	183,545.40
3.20	SUBGRADE PREPARATION (ITEM 201 @150MM)	30.00	SQ. M.	1,682.96	50,488.80	1,683.28	50,498.40	1,527.78	45,833.40
3.30	AGGREGATE BASE COURSE (GRAVEL BEDDING @100MM)	860.00	CU. M.	23.75	20,425.00	23.50	20,210.00	21.25	18,275.00
3.40	SURFACE COURSE (ROAD PAVEMENT @23MM THICK)	1,650.00	SQ. M.	1,682.96	2,776,884.00	1,683.28	2,777,412.00	1,527.78	2,520,837.00
3.50	SIDEWALK ONLY	1,500.00	SQ. M.	237.50	356,250.00	235.00	352,500.00	212.80	319,200.00
3.60	ADDITIONAL SIDEWALK WITH DRAINAGE	3,500.00	SQ. M.	237.50	831,250.00	235.00	822,500.00	212.80	744,800.00
3.70	OUTFALL SEWER LINE/ DRAINAGE (900MM DEPTH)	1,900.00	LN. M.	50.00	95,000.00	50.00	95,000.00	50.00	95,000.00

ITEM NO.	DESCRIPTION	UNIT COST	UNIT	QTY	Option SITE A	QTY	Option SITE B	QTY	Option SITE C
	SUBTOTAL - ROAD CONCRETING AND DRAINAGE SYSTEM				4,333,605.00		4,320,548.20		3,927,490.80
4.00	EXTERIOR WATER LINE SYSTEM								
4.10	WATER DISTRIBUTION	800.00	LN. M.	230.00	184,000.00	212.50	170,000.00	155.00	124,000.00
4.20	FIRE HYDRANT	60,000.00	UNIT	1.00	60,000.00	1.00	60,000.00	1.00	60,000.00
	SUBTOTAL - EXTERIOR WATER LINE SYSTEM				244,000.00		230,000.00		184,000.00
5.00	EXTERIOR ELECTRICAL WORKS								
5.10	OVERHEAD POWER DISTRIBUTION SYSTEM	3,260.00	LN. M.	460.00	1,499,600.00	425.00	1,385,500.00	310.00	1,010,600.00
5.20	POLE STREET LIGHTS (SOLAR POWERED)	35,000.00	UNIT	2.00	70,000.00	2.00	70,000.00	2.00	70,000.00
	SUBTOTAL - EXTERIOR ELECTRICAL WORKS				1,569,600.00		1,455,500.00		1,080,600.00
SUBTOTAL SITE DEVELOPMENT (Items 1-5)									
6.00	MEDIUM RISE BUILDING (MRB)								
6.10	MRB 1	32,956,000.00	LOT	1.00	32,956,000.00	1.00	32,956,000.00	1.00	32,956,000.00
6.20	MRB 2	32,956,000.00	LOT	1.00	32,956,000.00	1.00	32,956,000.00	1.00	32,956,000.00
6.30	MRB 3	32,956,000.00	LOT	1.00	32,956,000.00	1.00	32,956,000.00	1.00	32,956,000.00
SUBTOTAL - 3 MEDIUM RISE BUILDINGS					98,868,000.00		98,868,000.00		98,868,000.00
7.00	AMENITIES								
7.10	TWO-STOREY OFFICE BUILDING	23,000.00	SQ. M.	120.00	2,760,000.00	120.00	2,760,000.00	120.00	2,760,000.00
7.20	PARKS & PLAYGROUNDS				0.00		0.00		0.00
7.30	PROMENADE AND LANDSCAPE				0.00		0.00		0.00
	SUBTOTAL - AMENITIES				2,760,000.00		2,760,000.00		2,760,000.00
ESTIMATED TOTAL COST OF ITEMS 1-7					108,075,205.00		107,934,048.20		107,120,090.80
	OVERHEAD, CONTINGENCIES, MISCELLANEOUS (OCM) - 15%				16,211,280.75		16,190,107.23		16,068,013.62
	CONTRACTOR'S PROFIT -10%				10,807,520.50		10,793,404.82		10,712,009.08

ITEM NO.	DESCRIPTION	UNIT COST	UNIT	QTY	Option SITE A	QTY	Option SITE B	QTY	Option SITE C
	VALUE ADDED TAX (VAT) - 5%				6,754,700.31		6,745,878.01		6,695,005.68
	TOTAL PROJECT COST FOR PHASE 2				141,848,706.56		141,663,438.26		140,595,119.18
	<i>Add: Total Project Cost for Phase 1</i>				196,334,238.04		189,141,442.31		191,809,998.70
	TOTAL COST FOR PHASES 1 & 2				338,182,944.60		330,804,675.57		332,485,117.88
	PREFERRED OPTION (Among Sites A, B & C)								<i>Candidate Site C is the most preferred option.</i>

Note: The cost reflected in Candidate Site C is also the referent data for the section on the Project Cost and Budget of the Main Report

Other important non-financial Notes:

1. Candidate Site C is the most preferred option among the near-site candidates. This is from the standpoint not only due to lower project cost (compared to Site A, but slightly higher compared to Site A) which is a key consideration, but also the comfortable proximity from the anticipated lower COW excavation and construction activities that will have least disturbance to the relocation site development and MRB construction that will come ahead of the COW construction schedule. Site C, like Site A, will also have its own share of the meandering river front which when filled up with COW excavation materials will provide devoted open space for sports, recreation, cultural activities, and food/ornamental gardens.

2. Excavation materials from the upper COW areas (Crocodile Park and Dizon properties) may be used as earth-filling materials in Site C to elevate it to levels that will not make it flood-prone using the 2017 Typhoon *Vinta* inundation benchmark.

3. A two-storey ISF association multi-purpose structure is constructed in phase 2. Its financing may be generated from a fund sourcing campaign by the COW ISF association with various local and bilateral sources. This means that the ISF association should be transformed into a viable organization which should be undertaken and completed parallel to the DED phase. Organization development and strengthening is facilitated with the help of credible and professional NGOs. This important process should be completed prior to the start of awarding and occupancy of the MRB residential units by the deserving ISFs with active participation in the formation and strengthening of the ISF association,.

Annex 6A

Department of Environment and Natural Resources
Community Environment and Natural Resources Office

CERTIFICATION



THIS IS TO CERTIFY that based on digital projection of our records on file, listed hereto are the lot numbers with the corresponding LC Map No., to wit:

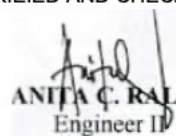
DR. JESSE B. MANUTA
Davao City

ix)t No. & Suney No.	LC Map No.
RP8-A & RP8-B	Portion of Project No. 2-A, Block 1, LC Map No. 763, certified on August 2, 1928 and classified as Alienable or Disposable Land.
RP9-A, RP9-B, & RP9-C	Portion of Project No. 2-A, Block 1, LC Map No. 763, certified on August 2, 1928 and classified as Alienable or Disposable Land. Be informed further that there is an approved survey bearing survey number F-I 1-002379 with RP9-A.
RP11-A, RP11-B, RP11-C & RP11-D	Portion of Project No. 2-A, Block 1, LC Map No. 763, certified on August 2, 1928 and classified as Alienable or Disposable Land.
COW-A, COW-B & COW-C	Davao Project No. 1, LC Map No. 47, certified on August 6, 1923 and classified as Alienable or Disposable Land. Portion of COW-A is within Block 50, Road Lot 2 and Lot 10 & 12. Block 3 of Pcs-11- 003918. Portion of COW-B is within Lot 3255-B-2- I- 2-E, Psd-11-060926, Lot 3255-B-2-I-2-I-9-A, Psd-II- 079882 and Lot 3255-B-2-I-2-I-9-I, Psd-I- 079882. COW C is within Lot 417 and 420, Cad 102.

Km. 7, SPED Road, Bangkal, Davao City
Email Add: cenrodavao@denr.gov.ph Telefax No. (082) 228-2557

Issued this 23rd day of August 2022, at Davao City, Philippines.


VERIFIED AND CHECKED BY:


ANITA C. RALLON
Engineer II

NOTED BY:

MARY JANIE TABALAN
Forester Chief, RPS

APPROVED BY: For the OIC, CENR Officer:


RONALD O. BACUIOHANON
DMO IIAOIC OFFICER, EMS
in-charge

Cc: Surveys and Mapping Division

Km. 7, SPED Road, Bangkal, Davao City
Email Add: cenrodavao@denr.gov.ph Telefax No. (082) 228-2557



Department of Environment and Natural Resources
Community Environment and Natural Resources Office

Annex 6B

DENRXI CENRO-Licenses & Permits Unit Supervision

DR. JESSE B. MANUTA
RAP Study Team Leader
Narra St. Comer Lawaan St. Awhag Subd. Garcia Hights Davao
City

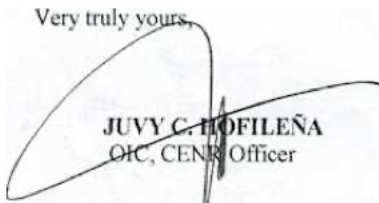


Dear Ma'ain;

This has reference to your letter requesting assistance on your proposed Project for Masterplan and Feasibility Study on Flood Control and Drainage located in three areas in Davao City (New Valencia, Callawa) particularly on the inventory of a flected trees and estimated price cost of existing trees.

Relative thereto, please see attached inventory report conducted by the technical personnel of this office and the price monitoring report gathered from the permittees that only data we have. I thank you and may this information serve as instrument to ease the interest to your concern.

Very truly yours,


JUVY C. HOFILÉÑA
OIC, CENRO Officer

Km. 7, SPED Road, Bangkai, Davao City
Email Add: cenrodavao@denr.gov.ph Telefax No. (082) 228-2557

		DBKDAB (an)	rw fm)	TH (m)	Yatem (CUJK.)	TreeLneab®		Tree Category	
	AcacaRantree	57	2	7	032	782745	754:06	Panned	2
2	ira&cnc	43	4		037	782749	75C106	Panned	2
3	ACTE a Rancree»	44	2	7	er®	TS270	WT05	pgroecj	2
	^AocaraRarCree	57	2	7	@32	7827^	79C1C6	PiamMI	2
5	Rairtnee	«9	2	7	024	782749	75UI1C6	Atarftvl	r~2^
6	'P>-P*	34	1	5	0 06	782747	79<101	PSartsS	2
		46	3	7	031	782747	794101	Ranted	2
S	Ana&crg	5C	4	7	05C	7827<7	79C101	=^arflec	2
s-	7xQ	54	4	7	056	7EZ7X7	7^4 TO?	Renee	2
10-	AcaaaRancree	47	2	7	022	782747	79*101	PlsrteC	2
m	Acaca Rancree	«5	2	7	021	782726	794022	Panted	2
12	[Acaca Ramree	43	2	7	078	T&2725	7^322	Panaea	2
12	AcacaRarcree	50	2	7	025	782734	7&W1	Pannol	2
	WAAurr	43	2	6	a-3	782725	753^S	Panel	2
IS	AcacaRarcree	50	2	7	025	782725	7*3SeS		2
15		47	2	7	022	782742	794D99	Pliarted	2
17	Acaaa Ratnfrse	50	2	7	025	782736	793937	Alartec	2
18	Vaapepaja	43	4	7	037	782735	79393'	Alartec	2
19,	V^aaosDaya	43	4	7	037	7827^	733937	carted	2
22	AfrxanTdip	54	4	7	□ 58	782736	73^37	Parted	2
?1		«J	4	7	032	782744	79GS27	Partv^	2
22		42	4	7	035	782744	7^3927	Panned	2
23-	■Mtooo	55	5	10	078	782744	793927	Panned	2
		45	4	7		782744	753327	iRannea	2
2b		40	4	7	032	782744	753927	Panned	2
X-	Vaacaosfa	43	4	7	037	782744	793927	Pantedl	2
27		51	5	10	055	782744	793927	Parted	2
--	Atm	33	2	6	Oil	782744	733927	Ptartet	2
-	Atm	37	2	6	CT4	782744	790S27	PfertEd	2
	^,napsfo	50	5	iso	062	7827«	793227	Ranted	2
31	AnnpS@	55	5	TO	075	782319	733753	Panted	2
32	Mam	33	2	6	an	782819	793753	Partee!	2
33	Akxn	35	2	6	013	782819	793753	started	2
3C	^,ga	32	2	6	013	782819	793753	Ptanoed	2
		37	2	6	014	782815	753753		2
37	-u-	--	X	6	* - d d i QUS	732819	753753	RaiEdl Partedl	2
3B	Snurqa	43	2	6	® ,HB	782819	7^3753	Partedl	2
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41	AMjn	33	2	6	011	782835	753756	PiarteC	2
<?	Acaoa Rarxree	56	2		031	782835	793756	Ptartet	2
43		30	2	5	0C9	75233o	753755	Partee	2
	AAnaRarmree	57	2	7	032	782835	753756	Panose	2
45-	Carrants	47	5	10	055	782835	753755	PSnn&c	2
	•>AMn	39	2	6	OM	78^35	793736	Pterw»	2
47	3rxn9a	43	2	6	018	782835	793756	Ranted	2
	Wa^sancas	27	2	5	aoz	782835	753756	Ptartet	2
	Srurxa	39	2	6	0.15	782835	7^6756	Ra-ued	2
	Wa?sancas	32	2	5	010	782835	793756	Ramsi	2
51		55	5	10	075	782857	753733	AtarTOBi	2
52		55	2	5	012	752557	793733	Pliart»<2	2
	Marsarrtas	29	2	5	008	782857	793733	Ranted	2
		58	5	10	383	782K7	793733	Pteted	2
	AcaeeRarrree	61	2	7	037	782857	TSST^	Parted	2
i:	Ua&apaoaya	45	4	7	OO	782857	753733	Panoea	2
57	/caca Ramree	57	2	7	□ 32	782857	793733	PanflEd	2
	TOTAL				17^S				

**Department of Environment and Natural Resources
Community Environment and Natural Resources Officer**

DENRXI-RPS (Feasibility Study)
Supervision

FOR : The OIC, CENR Officer
DENR-RXI. CENRO Davao Crty

Km. 7, Mac Arthur Highway. Bangkal. Davao City DATE : 25 August 2022

SUBJECT : INSPECTION/VERIFICATION/ASSESSMENT REPORT. This pertains to the letter request of Dr Jesse B. Manuta RAP study Team Leader of the InterDev Consulting, Inc. postal address at Narra St., corner Lawaan St., Awhag Subdivision, Garba Heights, Davao Crty requesting the assistance on Proposed Project for the Master Plan and Feasibility Study on Flood Control and Drainage in Davao Crty situated at New Valencia. Callawa and Mandug particularly on the inventory of trees affected and estimated price for the preliminary estimation of compensation cost. Based on our agreement with Mr. Denton F. Siapno, GIS Expert of InterDev Consulting, Inc we agreed to conduct only one hectare sampling situated at Brgy. Mandug area Here are the following findings and results:

- That there are fifty seven (57) planted forest trees composed of African Tulip, Acacia Rain tree, Kaiumpang, Alum, Binunga, Anabiong, Tibig, Mansantitas, Ipikipil, Anti polo, Camansi and Ma la papaya species having a corresponding total volume of 17.45 cu.m.

Attached are the following:

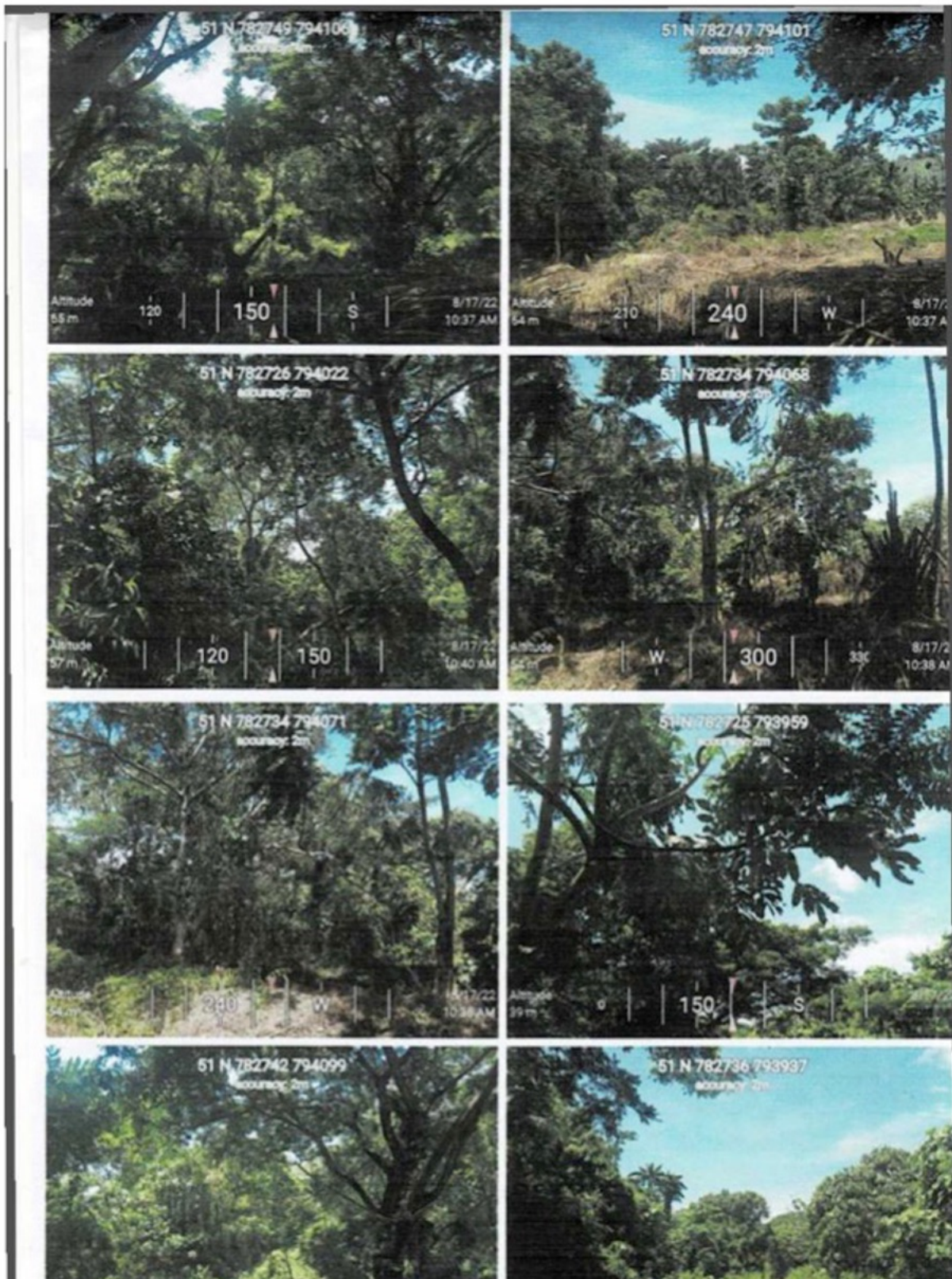
3. Market retail price of lumber gathered from permittees.

For her record and information

Inspected/Verified by:

PETER PAUL J FALMARIN
Forest Ranger/verifying Officer


REYNALD REY P FAJARDO
Carto I / Verifying Officer





Geotagged photos showing the planted forest trees species affected by the proposed development projects of the Department of Public Works and Highways (Ongoing Feasibility Study on Flood Control and Drainage Project in Davao River) situated along Lapuy, Mandug, Buhangin District, Davao City

Inspected/verified by:

PETER PAUL[^]fe. FALMARIN
Forest RangerV / Verifying Officer

REYNALD REY P. FAJARDO
Carto. I / Verifying Officer

Checked by:

MONA E. SAMPORNA
Forester II / Chief, LPU

FS-DRP 1 Survey Form

ANNEX 3

DOMESTIC RETAIL PRICE OF LUMBER

DATE OF SURVEY	AUGUST 2022		
REGION	R-XI		
PENRO	DENR-XI-4, Digos, Davao del Sur		
CENRO	DENR-XI-CENRO Davao City		
NAME OF RESPONDENT:	<u>Jerry C. Gadianc, Jr. i LUCKY 3J LUMBER TRADING</u> <div>First Name Last Name</div>		
COMPLETE BUSINESS ADDRESS	: Brqy. Tomas Monteverde Sr. Aqdao. Dvo. City	Dvo. del Sur	
	Barangay	City/Municipality	Province
CONTACT NUMBER	: 09171349207		

A. LOCAL LUMBER

SPECIES (Common Name)	PRICE per PIECE (Php)		
	2" x 4" x 6"	2" x 6" x 8"	2"x4"x10"&up
Gmelina	45	45	45
Durian	45	45	45

B. IMPORTED LUMBER

COUNTRY OF ORIGIN	PRICE per PIECE (Php)		
	2" x 4" x 6"	2" x 6" x 8"	2"x4"x10"&up

Accomplished by:

August 12, 2022 Date

WE'LCHIE C.'EVALES
 (Signature over Printed Name ASSIGNED CENRO
 PERSONNEL For. I (Pps+Hon/Designation))

Attested by:

JUVY^TUoFfiENA
 (Signature over Printed Name) QIC. CENR Officer

August 12, 2022
 Date

Annex 7

Monitoring Form (draft) for Resettlement Activities (general)

Date

Recorded by

Progress of Resettlement Activities

Activities	Number Completed	Unit	Progress (%)		Completion Date (planned)	Responsible Organization
			up to last quarter	up to this quarter		
Procurement of Consultant		MM				
RAP Survey		MM				
Validation of RAP		Date Completed				
Verification of PAPs and Properties		HHs				
Land Acquisition		m2				
Relocation		HHs				
Compensation		HHs				

Resettlement Site Development

No.	Description of Resettlement Site (e.g. location, number of HHs)	Progress (resettled HHs)	Description and Issues of Concern (if any)	Actions Required (if any)	Completion Date (planned)
1					
2					
3					
4					

Livelihood and Income Restoration

No.	Items Implemented	Description and Results	Issues of Concern (if any)	Actions Required (if any)
1				
2				
3				
4				

Public Consultation

No.	Date	Venue	Record of Discussions
1			
2			
3			
4			

Grievances and Complaints

No.	Description of Grievances/Complaints	Description of Response/Redress Measures	Actions Required (if any)
1			
2			
3			
4			

Monitoring Form (draft) for Progress of Resettlement Activities

Name of HH Head : Code No. (if applicable) : _____
 Location : _____

Activities	Completion Date	Issues of Concern (if any)	Actions Required (if any)	Recorded by
Notice of Taking				
Confirmation of Proof of Ownership				
Payment Offer*				
Acceptance of Offer				
Payment (land)				
Payment (structure)				
Payment (improvements)				
Payment (others)				
Provision of Other Assistance				
Transfer of Title				
Notification of Demolition				
Relocation/Land Clearance				
Demolition of Structure				

*Payment offer must be based on the current market value of land, replacement cost for structures and improvements and current market value for crops and trees.

Monitoring Form (draft) for Livelihood and Income Restoration

Form No. _____

Name of HH Head : Code No. (if applicable) : _____
 Location : _____

Date	Location	Occupation	Income Level		Issues of Concern	Actions Required	Recorded by
			vis-a-vis pre-relocation	monthly average (PhP)			
			better/no change/worse				
			better/no change/worse				
			better/no change/worse				
			better/no change/worse				

*Twice in the first year. Once in the second and third year.

Monitoring Form (draft) for Grievances and Complaints

Form No. _____

Name of HH Head : Code No. (if applicable) : _____
 Location : _____

Date	Grievances/Complaints	Response/Redress Measures	Acceptance	Actions Required (if any)	Recorded by
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		

7.2 External Monitoring Form (Draft)

External Monitoring Form (draft)
I. Evaluation of the RAP Process

No.	Items	Judgement	Description	Actions Required (if any)
1	Were the PAPs and their assets correctly enumerated?	Y/N/NA		
2	Was the time frame and budget sufficient to meet the objectives?	Y/N/NA		
3	Were entitlements too generous?	Y/N/NA		
4	Are activities for RAP implementation proceeding as planned?	Y/N/NA		
5	Were vulnerable groups identified and assisted?	Y/N/NA		
6	How did resettlement implementers deal with unforeseen problems?	Y/N/NA		

II. Livelihood and Income Restoration

No.	Items	Judgement	Description	Actions Required (if any)
1	Were compensation payments free of deduction for depreciation, fees or transfer costs to the PAP?	Y/N/NA		
2	Were compensation payments sufficient to replace lost assets?	Y/N/NA		
3	Did transfer and relocation payments cover these costs?	Y/N/NA		
4	Did income substitution allow for re-establishment of enterprises and production?	Y/N/NA		
5	Have enterprises affected received sufficient assistance to re-establish themselves?	Y/N/NA		
6	Have vulnerable groups been provided income-earning opportunities?	Y/N/NA		
7	Do the jobs provided restore pre-project income levels and living standards?	Y/N/NA		
8	Have PAPs adopted the housing options developed?	Y/N/NA		

III. Grievances and Complaints

No.	Items	Judgement	Description	Actions Required (if any)
1	How much do PAPs know about resettlement procedures and entitlements?	Y / N / NA		
2	Do PAPs know their entitlements?	Y / N / NA		
3	Do PAPs know if their entitlements have been met?	Y / N / NA		
4	How do PAPs assess the extent to which their own living standards and livelihoods been restored?	Y / N / NA		
5	How much do PAPs know about grievance redress and conflict resolution procedures?	Y / N / NA		
6	How satisfied are those who have used the said mechanisms?	Y / N / NA		

Source: Adopted from the “Preparatory Survey for Cebu-Mactan Bridge and Coastal Road Construction Project RESETTLEMENT ACTION PLAN (2019).

Annex 8A



DEVELOPMENT BANK OF THE PHILIPPINES
Head Office: Sen. Gil J. Puyat Avenue corner Makati Avenue, Makati City, Philippines

August 24, 2022

AURELIO C. MENDOZA

Caretaker, UPMD-FCMC
Department of Public Works and Highways
Central Office

SUBJECT: Project for Master Plan and Feasibility Study on Flood Control and Drainage in Davao City

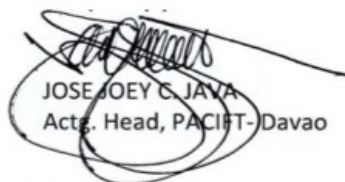
Dear Mr. Aurelio C. Mendoza:

This is relative to your letter in connection with the on-going feasibility study being conducted by your office to come up with a flood control master plan for Davao City. We would like to inform you that we have no available data for the areas and properties you've mentioned except for the areas/properties that we've appraised viz:

PROP ID	LOCATION	TCT#	REGISTERED OWNER	AREA (sqm.)	VALUATION (Per sqm)
COW-15	Maa	T-381128	Die Togonon	3,801.15	3,600
COW-16	Maa	T-381129	Die G. Togonon	2,968.47	3,600
COW-17	Maa	T-54788	FS Dizon & Sons, Inc.	541,309	25,300

Our appraisal data base is only limited to properties offered or mortgaged with the Bank and ROW claims of properties affected by various road expansion projects of DPWH Region XI. May this information will contribute to your data base to be able to come up with a fair market value of properties that will be affected by the proposed project

Very truly yours.


JOSE JOEY C. JAVA
Actg. Head, PACIFT-Davao

Annex 8B

Determination of Indicative Values for the Proposed Maa Right-of-Way

Data Collection

I. Government Valuation

A. Fair Market Values
(Davao City Assessor)Property Assessment
and Zoning Valuation
of Land Propertiesand Zonal Values
(BIR)

Property ID	Land Area (Has)	Affected by COW (Assessor)	ROW (BIR)	Class
		sqm	sqm	
A	B	C	D	E
COW-01	4.86	3200	27.87	Residential
COW-02	5.47	2600	1,072.20	Residential
COW-09	2.15	16100	19,853.26	Residential
COW-10	0.64	4300	4,556.43	Residential
COW-11	0.55	600	612.25	Residential
COW-15	0.38	3800	3,776.10	Residential
COW-16	0.3	300	1,462.58	Residential
COW-18	no data	no data	56.59	Residential
COW-20	no data	no data	8,232.36	Agricultural
COW-06	2.05	18900	19,734.26	Agricultural
COW-07	1.10	1200	1,575.59	Agricultural
COW-08	1.02	1000	1,373.75	Agricultural
COW-03	9.13	14500	16,622.59	Agricultural
COW-04	6.59	19500	23,480.80	Agricultural
COW-12	0.98	8100	9,065.78	Agricultural

Data Collection**I. Government Valuation****A. Fair Market Values
(Davao City Assessor)****Property Assessment
and Zoning Valuation
of Land Properties****and Zonal Values
(BIR)**

Property ID	Land Area (Has)	Affected by COW (Assessor)	ROW (BIR)	Class	City Assessor Value*	BIR Zonal Valuation
		sqm	sqm		/sqm	/sqm
A	B	C	D	E	F	G
COW-13	1.76	16300	16,942.81	Agricultural	21.55	2,420
COW-14	8.88	18100	20,920.90	Agricultural	25.95	2,420
COW-05	1.71	3400	4,858.33	Recreational	2150	6,200
COW-19	no data	no data	14.98	Commercial	no data	8,700
COW-21	no data	no data	1,588.52	Commercial	no data	8,700
COW-22	no data	no data	1,737.74	Commercial	no data	11,400
COW-17	54.13	62100	69,855.50	Recreational/Com mercial	2150	11,400
TOTAL	101.71	194000	227421.19			

**II. MARKET DATA (To Be
Used For Market Value
Assessment)**

Prices of Comparable
Properties Within Close
Proximity to the Area

A. Sold Properties

Area/Size	Location	Class	Date of Sale	Price	Adjustment to Current Price	Adjustment due to
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Data Collection

I. Government Valuation

A. Fair Market Values
(Davao City Assessor)Property Assessment
and Zoning Valuation
of Land Propertiesand Zonal Values
(BIR)

Property ID	Land Area (Has)	Affected by COW (Assessor)	ROW (BIR)	Class	City Assessor Value*	BIR Zonal Valuation	
		sqm	sqm		/sqm	/sqm	
A	B	C	D	E	F	G	
						10% appreciation/ yr	4 lane concreting (20%)
1)	1 Ha	Maa Near Slaughterhouse	Agri/Comm/Industrial	2017	6500	comparable to Safecon	10500
2)	1 Ha	Maa Near Slaughterhouse	Agri/Comm/Industrial	2017	5000	comparable to Safecon	8100
							Average = 11160

B. Listings

COMMERCIAL

	Area/Size	Location	Class	Price/sqm			
						Negotiation and Bargaining Allowance Adjustment less: 10%	
1)	7.5 Ha	Marfori	Residential/Commerci al	30000	Comparable to Crocodile Park		27000
2)	3.1 Ha	GAP Maa	Recreational/Commer cial	15000	Comparable to Crocodile Park		13500

Data Collection

I. Government Valuation

A. Fair Market Values
(Davao City Assessor)Property Assessment
and Zoning Valuation
of Land Propertiesand Zonal Values
(BIR)

Property ID	Land Area (Has)	Affected by COW (Assessor)	ROW (BIR)	Class	City Assessor Value*	BIR Zonal Valuation
		sqm	sqm		/sqm	/sqm
A	B	C	D	E	F	G

Average =
20250

RESIDENTIAL High End

less:20%

1)	150 sqm	Ciudad verde (Developers Price)	Residential	30000	Sta Lucia Sta Lucia Comparable	24000
2)	551 sqm	Woodridge	Residential	32000	Sta Lucia Comparable	25600
						Average = 24800
3)	150 sqm	Ciudad verde				

Negotiation
and Bargaining
Allowance
AdjustmentAGRICULTURAL/
RESIDENTIAL

less: 20%

1)	3801 sqm	Brgy 19-B	Agri/Residential	3600		2880
2)	2968 sqm	Brgy 19-B	Agri/Residential	3600		2880

Data Collection**I. Government Valuation****A. Fair Market Values
(Davao City Assessor)****Property Assessment
and Zoning Valuation
of Land Properties****and Zonal Values
(BIR)**

Property ID	Land Area (Has)	Affected by COW (Assessor)	ROW (BIR)	Class	City Assessor Value*	BIR Zonal Valuation
		sqm	sqm		/sqm	/sqm
A	B	C	D	E	F	G

Average. =.
2880

**III. Suggested Values (Lot
Only)**

A. Commercial/ Recreational	Php 20250/sqm
B. Residential - High	
End	Php 24800/sqm
B. Residential – Open Community (Low Cost)	Php 2880
D. Industrial/ Commercial	Php 11160/sqm
E. Agricultural	Php 2880

Prepared by:



**MR. JAPHETH L.
DIONES REB**

PRC # 0016244

DHSUD # 000155

PCM Documentation

9.1 Proceedings of the Orientation and Coordination with Barangay Officials of Barangays New Valencia and Talandang

Feasibility Study on Flood Control and Drainage Project in Davao City
12 October 2021, New Valencia Barangay Hall

Time started: 9:45 a.m.

I. Preliminaries

InterDev facilitators Sheila Z. Labos and Niño G. Coquilla started the activity with an Opening Prayer. This was followed by the introduction of all participants (*NOTE: DPWH representatives from the Tugbok District Engineering Office came late, during Open Forum*).

A short Welcome Message was given by New Valencia Punong Barangay, Hon. Delia T. Saturinas, who expressed her gratitude for the meeting and for the presence of the Talandang Brgy. Captain and her officials. The officials from the neighboring barangay were invited as the residents in the affected area are interacting more with Barangay Talandang. She expressed her thanks for the project which is not only a development for the barangay but for the whole city related to flood control.

On behalf of the City LGU, Mr. Roque Magpuyo Jr. from the CPDO-Housing Division gave his own short message. Activity is focused on getting feedback from affected barangays with this barangay as first consultation area.

II. Presentation of Consultation Objectives and Program Flow



RAP Team Leader presenting highlights of the proposed flood control and drainage

InterDev facilitator, Mr. Niño Coquilla, presented the flow of activities for the consultation. Two major highlights were discussed: 1) Overview of the master plan and feasibility study on flood control and the related RAP objectives, components and processes. This was followed by the 2) Open Forum to generate clarifications and concerns from the barangay. This was the opportunity to identify what were major community concerns that the project proponents need to consider prior to finalization of plans.

III. Project Orientation

InterDev Team Leader for consultation and participation, Rd. Rosalinda Tomas, provided the overall picture of the RAP in relation to the proposed flood control project following this presentation format: a) overview of Flood Control and Drainage Project in Davao City and associated feasibility study on EIA and RAP; b) Resettlement Action Plan Components and Maps; c) RAP Basis; d) Objectives of the RAP Study; and e) Surveys to Be Done.

IV. Open Forum

Clarifications/Comments	Responses	Suggestions
Project site and ownership		
Talandang Brgy. Kagawad: What is the exact area that will be affected?	InterDev: Most affected area will fall under Purok Saging (Bonggan), as identified in the map.	
New Valencia Brgy. Capt: Most of the lands that will be affected are privately owned, with no households or informal settlers. Most properties are titled. In case there are no titles, what will happen?	InterDev: If the owner cannot present title, DPWH will verify it with the Bureau of Lands. But there has to be a document as evidence of ownership.	
InterDev: Can you identify who are the landowners that will be affected?	1) CABEARBCO (<i>Callawa Bonggan Employees Agrarian Reform Beneficiaries Cooperative</i>); 2) Cabaguio (large portion); 3) Sarona; 4) Navarro (family of purok leader's husband); 5) Garay (owner of quarry on the opposite side of river - Callawa); 6) Tiu - recent buyer who plans to build a poultry farm; has a farm worker named Arnold who lives in Mandug; and 7) Igagamao. Biggest landowners are Cabaguio family and the Cooperative. President of cooperative is Roger Jacomilla.	
Talandang Brgy. Kagawad: Cabaguio family holds original Certificate of Title but the land / property was divided among the family members.	InterDev: DPWH will finalize this since they have the verified instruments that can identify the affected areas.	
InterDev: What's inside the Cabaguio property?	Bananas, vegetables, coconuts Portion of land is being rented now by Lapanday Co. which started land preparation. Backhoes are present in the area.	
Talandang Brgy. Kagawad: What will happen to the affected landowners? What is worrisome is when landowners [or renters] have started to plant crops.	DPWH: What will be compensated are the crops and any structures in area. For titled lands, there will be parcellary survey and concerns related to such lands will be passed on to DPWH Regional Office c/o Legal Unit to determine compensation. Those from District office will prepare the documents only and pass these on to the Regional office.	
InterDev: Where do Lapanday and Cooperative get their business permit? Also for other landowners, where do they pay their pay their real property tax (RPT)? Does barangay have reference papers for these permits?	Talandang Brgy Kagawad: Lapanday from Barangay Callawa; for other landowners, pay their RPT in Barangay Valencia but residents vote under Barangay Talandang. Barangay New Valencia has copies of the papers.	In case needed, form of communication can be through Messenger. Mobile phone connectivity is weak in barangay.
From RAP team: We will need the help of the barangay officials to inform the landowners about 'cut-off date' (for landowners - Notice of Taking) so they will not pursue activities (improvements in terms of permanent crops or structures) after the cut-off.		Barangay New Valencia: Consultations should be done individually. It should be a composite team (DPWH, City, consultants) to inform about the project and facilitate consultations with landowners.
Talandang Brgy. Kagawad: Observation about the river: This has changed because of quarry activities in Callawa -Ilihan and Fatima. What is barangay's biggest problem is the quarrying.		

This has destroyed the riverbed [<i>'Problema namo ang quarry. Sila nag-guba sa riverbed.'</i>]		
---	--	--

NOTES:

1. In the context of the affected areas, these are mostly located in Brgy. Talandang. Hence, the Barangay Captain of New Valencia invited the Brgy. Captain, Barangay Councilors and Purok Leader of Talandang in the orientation.
2. Most of the comments and clarifications were coming from barangay officials of Talandang.
3. Participants showed interest in the discussion and eagerness to help the team identify the area, the land and business or landowners.

V. Roles of the Barangay in the RAP Study

Consultation Period	Roles	Comments
Scale of possible Affected Households (AHs)	Help identify the affected land/business owners Facilitate introduction and discussion with landowners	This data will be passed on to our Survey Team for tagging. But in this case with no affected households, there might be a bilateral agreement with the landowners
Necessary procedures with DPWH and Davao City: Cut-off Date (COD)/Notice of Taking	The Barangay officials (both New Valencia and Talandang) will help in the announcement the COD/Notice of Taking	RAP team, DPWH, and City must be present during this activity Schedule a separate session with Lapanday Corp.
Social Character and Extent of impact	Generally, the Barangay officials will assist the team in any activity that will be conducted related to the Project.	Discuss the project and the impact to the land/business owners individually.
Survey	Barangay officials of Talandang can assist and guide the team in going to the area. Barangay Police will accompany the team to ensure safety.	The barangay officials will help in contacting the landowners especially those who are living in barangay. Guide the team in going to the area proper (Leah Navarro, Sarona, Igagamao); Brgy. can provide list/address of those who are in Davao City: Lapanday, CABEARBCO, Tiu, Garay Set schedule of consultation and inform the Barangay Captain of Talandang.
Total Financing Cost of RAP	Provide barangay records on buying cost/rates	
Public Consultation and Participation		Result of the survey will be presented to the barangay Suggestion: Next meeting to be held in Talandang, in the area. Response: As per guideline of DPWH, consultations and dialogues should be conducted in neutral grounds.

VI. Next Steps and Closing

RAP Consultation Team Leader presented the next activities after the consultation. These include: a) survey and tagging, b) community consultations; c) Resettlement Action Planning; and d) consultations with affected stakeholders, including the BLGU.

With no further concerns, the consultation was ended. Participants were invited to share in the lunch prepared as a form of appreciation.


Time ended: 11:05 a.m.

Documented by: J.A. Lamanilao, InterDev







(Top) Barangay officials from New Valencia and Talandang in attendance for the Project Orientation. (Below, left) DPWH-DEO representative clarifying some points. (Below, right) CPDO-Housing Unit representative presenting their views related to the project.

Attendance Sheet



RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City



Registration Sheet

Barangay NEW VALENCIA Venue BRGY HALL Date of Orientation OCT. 12, 2021

Name of Participant	Position / Organization	Contact Number	Signature	Messenger
1. DELA I. SATURINAE	(P.D) Punong Barangay	09674493931		
2. Eduardo Tuccant	B/Sec.	09218185944		
3. JM Cadano P. RAMON	Asst. Punong Barangay	0934103976		
4. Crisela Duragan-Hipar	Punong Brgy/Talandang	09182471012-Vibor		Sapphire Hipar-Go
5. Genelbi Ayangun-hale	Asst Punong Talandang	09611127980		
6. MAVER C. GALT	Barangay Kagawad/Talandang	09157637644		
7. GONGIO LAPUT JR	BG KAGAWAD	09109951050		
8. ROQUE MAGPUYO JR	CPDO-HOUSING	09674192015		
9. JAYMUND PARELONIA	ENGR. II / DPWH	09053733936		
10. SHEILA LAYOS	INTERDEV Research	09334450157		
11. JELITA LAMANILA	INTERDEV Research	09118167626		
12. Dava Vertido	"II	09063221372		
13. NINO G. COAYILLA	"II	09457932310		
14. Roselinda Tames	InterDev / Team leader	0955-9553458		
15. PAUL PAJO	INTERDEV	09672806050		
16. Rommel	DPWH / INTERDEV	09171473896		

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

9.2 Proceedings: Orientation and Coordination with Barangay Officials of Barangay Mandug

Feasibility Study on Flood Control and Drainage Project in Davao City 13 October 2021, Mandug Barangay Hall

Time started: 1:40 p.m.

I. Preliminaries

The activity started with an Opening Prayer led by InterDev Team Ms. Sheila Labos and Mr. Niño Coquilla. Thereafter, introduction of the participants was done facilitated by Mr. Coquilla.

Welcome Message was provided by the Punong Barangay, Hon. Rey Ototan. After him, the CPDO representative from the Housing Division, Mr. Roque Magpuyo Jr., also provided a short opening message on behalf of the RAP team.

II. Presentation of Consultation Objectives and Program Flow

InterDev facilitator Mr. Coquilla proceeded to present the flow of activities for the consultation targeting the following topics: 1) overview of the master plan and feasibility study on flood control and the related RAP objectives, components and processes. This will then be followed by the 2) Open Forum to generate clarifications and concerns from the barangay that the project proponents can consider prior to finalization of project plans.

III. Project Orientation

To provide an overview of the RAP Study, Dr. Rosalinda Tomas, Team Leader of InterDev's public consultation and participation was called. Major highlights discussed were on the following: 1) Master Plan and Feasibility Study on the Flood Control and Drainage Project in Davao City, and 2) RAP objectives, components, project sites and processes. A map of the project site was presented to provide clear visualization of the project area. Sitio Lapuy was identified as the project site.

IV. Open Forum

NOTE: DPWH representatives from the District Office came late, with the open forum already ongoing. Those who attended were not very familiar with the JICA project.

Clarifications/Comments	Responses	Suggestions
Project Design		
Brgy. Kagawad: What's the design? How deep is the Retarding pond? It would be good if we can see the structural design. We trust that the project is for the good of everyone.	InterDev: There is already an initial design made by JICA but not yet final. Some of the technical details can be better explained by DPWH.	
It is unlikely to control the waters of Davao River.	DPWH: Water cannot be controlled but can be diverted to control the massive flow during flooding. It is important also that the delta river will be dredged so that water can flow.	
Project Site and properties		
Brgy. Kagawad: Will the church be affected?	InterDev: No, it is outside the RP area.	
Brgy. Kagawad: Is it correct that there are 6 households inside the retarding pond area?	InterDev: Confirmed that there are six (6) households (permanent) that will be	

Clarifications/Comments	Responses	Suggestions
	affected and one (1) temporary (animal steward's hut).	
InterDev: Does LABEARBCO own most of the area?	Brgy. Kagawad: Total lot area is 72 hectares; 59 hectares is under LABEARBCO.	
InterDev: Who owns the rest of the land? Are they paying their real property tax (RPT) in Mandug?	<p>We don't know the exact boundary of LABEARBCO and the property of Babao family. Original owner is Babao family. The 59 hectares was awarded to LABEARBCO as part of CARP. On RPT, they are paying under the barangay.</p> <p>Other land property owner is Panlilio (going to packing house); land is already awarded under CARP and now owned by LABEARBCO.</p> <p>There is plan to sell the 72 hectares owned by Babao family.</p>	<p>We can check with DAR to verify the boundaries.</p> <p>The team will talk to LABEARBCO and Babao family for the survey.</p> <p>We can suggest that those who will be affected will be resettled in the upper part (of Babao's property) and to acquire ownership of the land [example, through community mortgage program].</p>
InterDev: Is there an agricultural facility and is it operational? Is it under the LABEARBCO area?	Brgy. Kagawad: Yes, it is an abandoned packing house where the employees stayed before temporarily. It is under LABEARBCO and is used now as stock room for rice hull.	
On Relocation		
Brgy. Kagawad: Do you have plans where to relocate the affected households?	InterDev: It is part of process to look into the potential plans including their relocation.	
<p>Brgy. Kagawad: For banana plantation workers, are they going to be relocated?</p> <p>And for properties that will be affected, what will be compensation? What will be basis for appraisal of property?</p>	<p>InterDev: After this consultation, a survey and tagging will be conducted to identify affected dwellings and private landowners and verify if they are eligible for compensation. If eligible, they will be compensated for whatever loss they will incur as surveyed and will be consulted to take part in the resettlement planning. Compensation will be based on present market value.</p> <p>For the plantation workers, they will have to discuss their concerns directly with their Coop leadership. Only those plantation workers who have affected properties within the project site will be eligible for relocation and/or just compensation.</p> <p>Based on ROW Act:</p> <ul style="list-style-type: none"> - if affected owner will not agree to sell the property, there will be an expropriation case filed to allow government to get the property but with standard pay given to owner based on zonal value. - Land and existing crops (except livestock) and properties will be compensated. 	
Other Concern		
Brgy. Kagawad:		We can put this as part of the recommendation to provide

Clarifications/Comments	Responses	Suggestions
Is DPWH the contractor? Can the labor force of this project be given to the people of Mandug?		income for the barangay members.



Discussions done with barangay officials in the presence of DPWH and CPDO representatives.

V. Role of the Barangay in the RAP Study

Consultation Period	Roles	Comments
Scale of possible Affected Households (AHs)	Help in identifying affected properties, households and even livelihood	
Necessary procedures with DPWH and Davao City:	In general, the Barangay officials will assist in every activity conducted in relation to the project; ensure safety of the team; accompany the team in going to the area	City LGU and DPWH will still have to meet to finalize cut-off date.
Cut-off Date (COD)		Those properties tagged in actual time will be the only eligible for compensation.
Social Character and Extent of impact		
Total Financing Cost of RAP		Announcement of COD will be formalized to inform everyone.
Public Consultation and Participation		

VI. Next Steps and Closing

After this consultation, RAP team will prepare for the survey and tagging of the affected households as well as survey and verification of other property/landowners within the project site. After the survey results are finalized, another consultation will be done with the affected households and proceed to the resettlement action planning. Resulting RAP will be presented to the BLGU as well.

With all items discussed, InterDev Team Leader thanked all the participants and appreciated their time and participation. Prepared snacks were then provided to all participants.

Time ended: 2:40 p.m.

Documented by: J.A. Lamanilao, InterDev

Attendance



RAP Feasibility Study
Orientation for the Barangay Officials
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 Flood Control and Drainage in Davao City



Registration Sheet

Page 2

Barangay MANDUG Venue BRGY. HALL Date of Orientation Oct. 13, 2021

Name of Participant	Position / Organization	Contact Number	Signature
1. JELITA A. LAMANILAN	INTERDEV	09192167626	
2. NIÑO G. CRANILCA	InterDev	09957988310	
3. Rosalinda C. Torres	InterDev	0991-9953958	
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JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City



RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City



Registration Sheet

PAGE 1

Barangay MANDUG Venue BARANGAY HALL Date of Orientation OCT. 13, 2021

Name of Participant	Position / Organization	Contact Number	Signature
1. ELMER V. OTODAN	BRGY. KAGAWAD	09639757754	
2. ROSIE MACUYO JR.	CPDO - HODGANG	09674198013	
3. JOLLY HARTING	BRGY. KAGAWAD	07078802448	
4. RENEY OLICASTORAN	PROT. SEC.	09096938446	
5. EMMA A. ALCARO	Purok Leader Copay	09075840396	
6. REY Y. OTOTAN	BRGY. CAPTAIN	07467605229	
7. NIL DWIGHT B. MITRA	BRGY. KAGAWAD - EDUCATIONAL BRANCH	0948-805-7293	
8.			
9. SHEILA CARLOS	InterDev		
10. MANAPOL RICHARD	RAP-ED/INTERDEV	09284708091	
11. VINCENT A. ESPINOSA	DCDEO DPWH	09104354716	
12. GIL LARRY GELI	DCDEO DPWH	09282669582	
13. PAUL PAJO	INTERDEV	09672806050	
14. LAWRENCE TAN C. LARTE	INTERDEV	0943683774	
15. ROMMEL D. NODUJO	INTERDEV	09171473896	

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

9.3 Proceedings: Orientation and Coordination with Barangay Officials of Barangay Callawa

Feasibility Study on Flood Control and Drainage Project in Davao City
13 October 2021, 2/F Callawa Barangay Hall

Time started: 9:11 a.m.

I. Preliminaries

Opening Prayer was provided by InterDev Team c/o Ms. Sheila Labos and Mr. Niño Coquilla. Thereafter, introduction of the participants was done facilitated by Mr. Coquilla.

Welcome Message was provided by the Punong Barangay, Hon. Renante Gumahin Sr. who highlighted the following points.

- Provided the context of Barangay Callawa (origin of name, history, flood-prone, etc.) and his leadership.
- Commented on previous infrastructure projects wherein those affected were not yet compensated even after a number of years (*NOTE: No DPWH representative attended the meeting though agency was given prior invitation*).
- Emphasized that the barangay should be consulted first on any projects to be implemented within the barangay jurisdiction; will support projects that will bring benefits to his constituents.
- However, he lamented on issues of corruption in government.
- Lastly, he pointed out that he does not want the quarrying to stop in his barangay as this has a big part in controlling the flood.

II. Presentation of Consultation Objectives and Program Flow

InterDev facilitator Mr. Coquilla, proceeded to present the flow of activities for the consultation which consist mainly of two parts: 1) overview of the master plan and feasibility study on flood control and the related RAP objectives, components and processes. Open Forum will follow to generate clarifications and concerns from the barangay.

NOTE: Prior to the Orientation proper (during waiting period), there was an initial discussion with some of the barangay officials wherein the following points were raised: a) zoning conducted in 2016 and most recently, in 2019; b) half of the constituents in Sitio Manaklay, including in the Garay compound (quarry owner) are registered voters in Callawa and benefited services from the barangay; c) The City Council should act on the recommendation to settle disputes among barangays in relation to political boundaries, and d) There must be a dialogue and collaborative partnership between barangays.

III. Project Orientation

Dr. Rosalinda Tomas, Team Leader of InterDev's public consultation and participation, provided the overall picture of the RAP in relation to the proposed flood control project. Major highlights were on the following: 1) Master Plan and Feasibility Study on the Flood Control and Drainage Project in Davao City, and 2) RAP objectives, components, project sites and processes. Initially identified as project site was Sitio Ilihan as reflected in the map provided for the orientation.

IV. Open Forum

Clarifications/Comments	Responses	Suggestions
On Compensation		
<p>Brgy. Capt: Under RA 10752, just compensation is to be provided for those affected. But why does it take too long to pay the affected individuals/families?</p> <p>Sometimes, even other external groups get into the picture to help demand for payment to the affected parties.</p> <p>There will be no complaints if there is just compensation and paid promptly.</p>	<p>InterDev:</p> <p>We don't know the reason behind; best if DPWH representative can respond to this but they are not present. We invited them but we don't know reason why they did not attend consultation now.</p>	<p>Brgy. Capt: We should correct this practice about delayed payments. This should be settled first so that the project will run with no disruptions.</p> <p>DPWH should be present in all barangay consultations.</p>
Landowners and properties in proposed site		
<p>InterDev:</p> <p>Is the project area under the jurisdiction of the barangay?</p>	<p>Brgy. Capt. and officials:</p> <p>Yes, based on current zoning and tax mapping, RP-9 [Sitio Ilihan] is under the jurisdiction of Barangay Callawa. With regards to old political boundary, Ilihan belongs to Brgy. Mandug.</p>	
<p>On inquiry about existing owners and properties, the barangay council responded:</p> <p>No individual households residing within, only private landowners. Inside Ricky Pineda's private property are separators, culverts, hollow blocks.</p> <p>Other structures: There is an old banana packing house. Lapanday Co. rented the old packing house but they did not renew their contract and returned structure to the Cabaguio family. The structure is still existing.</p> <p>Three (3) structures inside the project area and the possible inclusion of Jun Villar's quarry. Villar's quarry (at the lower part) may not be affected but there is another quarry on the opposite side.</p>	<p>Barangay will assist in the survey and verification of claims in the area.</p>	<p>The area should be surveyed to check on land ownership and affected structures.</p>
<p>InterDev: Are the three (3) establishments including the stockyard of Villar paying tax in Callawa?</p>	<p>They pay tax in Brgy. Callawa but in terms of actual political jurisdiction, it is under Brgy. Mandug. But they benefit from social services in Callawa.</p>	
Other Concerns		
<p>Brgy. Kagawad: Who is the contractor?</p>	<p>InterDev: No idea of contractor but this study is funded by JICA.</p>	
<p>Brgy. Capt: On discussion about this project, who should be present?</p>		<p>All concerned agencies should be present in meetings and consultations</p>

		to ensure comprehensive discussions.
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Callawa Barangay Capt emphasizing a point related to the proposed project



Barangay official checking on map.

VI. Roles of the Barangay in the RAP Study

Consultation Period	Roles	Comments
Scale of possible AffectedHouseholds(AHs)	Help identify affected entities	Will talk to private owners
Necessary procedures with DPWH and Davao City: Cut-off Date (COD)	If the Barangay Captain is not around, Barangay Kagawad will assist in going to the area. This is to identify the AHs, get the full name and invite them to the barangay and the barangay will also help facilitate during the discussions.	Do not go to the area without someone from the barangay to accompany. All agencies should be present during the meeting.
Social Character and Extent of impact	Barangay Captain will assist in consulting the affected (based on survey) person/establishment and do discussions at the barangay hall.	
Total Financing Cost of RAP		We have to pay first those who will be affected before we proceed with the project.
Public Consultation and Participation	The barangay especially the Kagawad in-charge for infrastructure will assist in meeting with the affected property owners. Barangay will ensure security and safety of the RAP team.	Important: The Barangay should be informed about all activities to be conducted in the project area to ensure safety.

VII. Next Steps

After this consultation, the next activity will be the survey of the affected households (if any) and property owners. Results of the survey will then be presented to the concerned stakeholders including the BLGU.

VIII. Closing

InterDev team leader showed appreciation for the time and participation of the barangay officials. All were then invited to partake of the lunch provided.

Time ended: 10:47 a.m.

Documented by: J.A. Lamanilao, InterDev

Attendance



RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City



Registration Sheet

Barangay BRGY. CALLAWA Venue BARANGAY HALL Date of Orientation OCT. 13, 2021

Name of Participant	Position / Organization	Contact Number	Signature
1. Felipe Anding Jr.	KAGAWAD		
2. MARJORIE M. PERAL	Brgy. Secretary	09079178712	
3. NELDA T. SABIJON	KAGAWAD	0950-664-0210	
4. Leonardo D. Labarca	PRK. CHAIR	c/o Brgy. Secretary	
5. MELBA L. MANAPAL	InterDev	09187282565	
6. RICHARD P. MANAPAL	RAP-ED/INTERDEV	09284208091	
7. ARIEL LACIDA	BRGY. CALLAWA	09030538770	
8. DOMINIC C. COMARAL JR.	PRK.	09189520959	
9. RORVE MACPUYO JR.	CPDO-TEGUSING	09674198015	
10. Rosalinda Torres	InterDev	0999-9553558	
11. Nino G. Coquilla	InterDev	09957998316	
12. JELITA A. LAMANILAO	INTERDEV	09198167626	
13. SHARLA Z. LANSOS	INTERDEV	09334430451	
14. LEONARDO PAUL PALO	INTERDEV	09672806050	
15. LAMAROS JOY C. LARMA	INTERDEV	0993 6682 774	
16. RIMMEL RODRIGUEZ	INTERDEV	09171473896	

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

- Border in Lamanilao

Annex 9.4. Proceedings: Orientation and Coordination with Barangay Officials of Barangay Ma-a

JICA-DPWH-LGU Feasibility Study on Flood Control and Drainage Project
19 October 2021, Venue: 2/F Barangay Hall, Barangay Ma-a, Davao City

Time started: 9:13 a.m.

- I. **Preliminaries.** The team arrived at the venue 30 minutes before the agreed time. Registration was set up right after the door. The participants started to trickle in at 9:00 a.m. The first to arrive in the meeting hall was the Purok Leader of Purok 27. PTV-4 interviewed the Barangay Captain, the reason why he was a little bit late. The activity started with a prayer led by Ms. Sheila Labos and Mr. Niño Coquilla, both from InterDev.
- II. **Introduction of Participants, facilitators and other stakeholders present.** After the orientation, each participant was asked to introduce themselves by stating their names and designation or position. The Barangay Council first introduced themselves, followed by those from the City Planning & Development Office (CPDO) and InterDev Team.
- III. **Opening Message:** Brgy. Captain. Pacito Cañete Jr. gave the welcome/opening message. He recalled the first meeting of InterDev Team and the Council last month during the courtesy visit where the team presented the project. He was teasing everyone that the project is about “*magbuhat og sapa*” (to create a river). He also recalled that even before the courtesy meeting, he already heard about the flood control plan targeting the barangay. Initial information that reached him was that the construction will be right in his parents’ property. He jokingly said that he was happy that it was moved to Purok 27. This project is part of the “Build, build, build” project of President Duterte. He encouraged the council and the rest to listen to the presentation. He also emphasized that the Council is willing to help for the project to be implemented.
- IV. **Objectives of the Orientation Activity:** Ms. Sheila Labos presented the flow of the activity for the day which consist of two (2) parts: 1) overview of the Flood Control and Drainage Project and the feasibility study on the Resettlement Action Plan (RAP), and 2) Open Forum for participants to raise their clarifications and concerns.
- V. **Presentation of JICA-RAP Study:** The overview of the study was presented by Dr. Rosalinda Tomas, the Public Consultation and Participation Team Leader from InterDev. Her presentation focused on: a) Master Plan and Feasibility Study on Flood Control and Drainage in Davao City, and b) RAP Objectives, Components and Project Sites

After Dr. Tomas presented the legal basis of the resettlement study, the Barangay Captain commented, “*diha na jud ta magdaug sa just relocation and compensation*” (We will have our challenges on the issue of just relocation and compensation). He also shared their experience that they have a case in Ma-a where until now, some residents were not yet paid by the DPWH for the land they used for a previous project.

Around 9:36 a.m., the team from DPWH District Engineering Office arrived and was properly acknowledged.

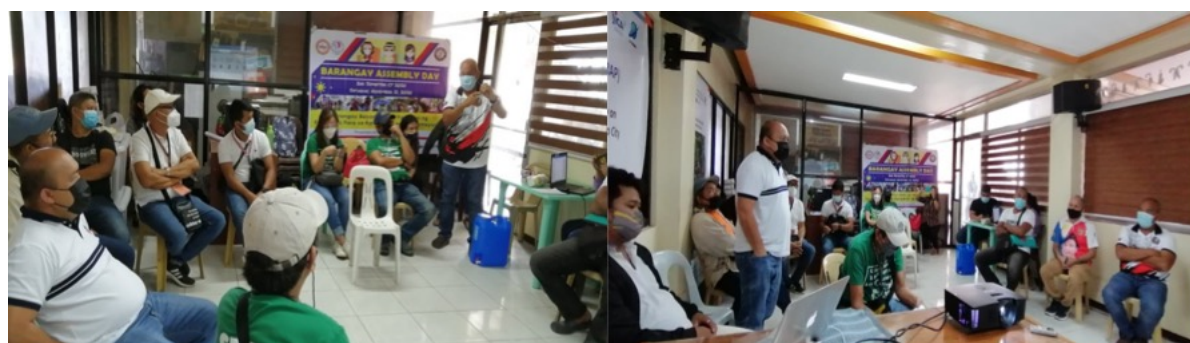
VI. Open Forum

Clarifications/Comments	Responses	Suggestions
Just Compensation and Relocation		
<p>Brgy Captain:</p> <ul style="list-style-type: none"> He shared their bad experience from a previous DPWH project wherein compensation payment was delayed for a long time. His affected constituent does not believe in just compensation anymore expressing that the government is only good in persuading people but does not fulfill its promise. What is the assurance for just compensation since in previous relocation experience, only P5000 was compensated for damages with some not even receiving payment? Also expressed that the residents of Ma-a felt that they were being 'tortured' because of the skyway, bypass road, and the train/railway projects, all located within their barangay. There were initial discussions but no follow ups. Will the projects push through? The intentions of the project are good but will there be just compensation? 	<p>DPWH (Engr. Newton Apao) responded and assured the council that there will be just compensation. He shared the preliminary plan for the relocation site and the facilities and emphasized that this is a JICA project.</p> <p>He shared his experience and what he learned in Japan during his visit. Tokyo used to be filled with water (river) but they were able to develop it using the same technology that they are proposing in Davao City. He added that in Japan's experience, the "just compensation" was four times the market value of the properties/structures that were used for the project.</p> <p>He is hopeful that the Davao residents will be as progressive and as open-minded as the Japanese.</p> <p>Other projects will push through with the help from partners like the Chinese government. Even the Davao-Samal bridge will push through.</p>	<p>DPWH representative suggested for the Brgy. Council to write and file a complaint to the DPWH Regional Office regarding delayed and unclaimed compensation.</p>
<p>InterDev: Relocation was already identified and this will be near the current community area. What will take place first, relocation or project implementation?</p> <p>Similarly, the Purok 27 leader asked same question. He noted that most of his clan will be affected. Additional question was on where is relocation site and how much will be compensation?</p>	<p>DPWH: Relocation first to happen. One proposed relocation area is the dried up river. Affected households will choose either relocation or just compensation. Compensation is still under study but will be based on fair market value and will be presented again to the community through a consultation. DPWH-ROW will take care of this.</p> <p>The government will not demolish the community structures including their houses unless the relocation site is ready and that they are already transferred.</p>	
<p>Brgy Capt: Which will come first - payment for land or structure? Can we change this system? Government should pay our land first so we can look for an area where we can transfer.</p> <p>Fair market value should be easy if and only if the institutions and its personnel will do their job.</p>	<p>DPWH: The structure will be compensated first as it does not entail legal documents and other documentations.</p> <p>For land, it will be a tedious process. The Development Bank of the Philippines will provide the standard for computing the fair market value.</p>	<p>Brgy. Capt: Payment for the land and structure should be done together as it will be difficult to transfer without money ("<i>Dunganon ang bayad sa yuta ug structure para makabalhin....</i>").</p>

Clarifications/Comments	Responses	Suggestions
InterDev: Payment for land includes the structure? Also, for affected households (structure only) will they be resettled while the land owners given just compensation?	DPWH: No. Payment for land will be different from the payment of structure. Owners of land and structure who will opt for resettlement will be given a unit from the resettlement site and will receive payment for the land. If the household owner will opt for just compensation, s/he will receive compensation for the land and structure.	
InterDev & Kag. Lyndon Banzon (Health Committee): In case the household is renting the house, will they also be compensated?	DPWH: No, only the owner of the house/structure will be compensated.	
Purok 27 leader: What if they own the house and just renting the land?	DPWH: If they own the structure, they will be paid. They can opt for resettlement or just compensation.	
Kag. Lyndon Banzon: There are madrasah and other structures in the community. Will the same structures be included in the relocation site? Purok 27 leader noted that there are 4 mosques that will be demolished.	DPWH: This is still under study, but definitely, it will be replaced. This is one of the main reasons why we are conducting this study for us to consider not just the structure but also cultural considerations. InterDev: There will be separate survey and interviews conducted in relation to structure inventory, ownership, etc.	
Cedeño/CPDO shared their experience about absentee owners. They are the ones who will have a lot of complaints.	The Council assured that this will not happen. They know everyone in the community. They will be identified already during the pre-census.	
Engineering Design and other factors		
InterDev: What is the width of the river?	DPWH: It will be 200 meters. The existing rivers (Bankerohan, Davao Rivers) will also be expanded by 30 meters each side.	
Purok 27 Leader expressed pessimism about the project. He pointed out that there are three major rivers in Davao City. Can the proposed infrastructure hold the water if there is heavy rain? Additional question: How does this differ from the dam in Manila?	DPWH: A 60 million cubic meter retarding basin (or 75 hectares) will be constructed. It can hold and withstand heavy rain. The dam in Manila is intended for drinking water while Davao is to control the flood. A simulation was already conducted and the project is intended to last for 100 years or more.	InterDev suggested that DPWH will attend other consultations or orientations so they can explain and shed light on the questions raised by the community members. He cited experience in other barangay consultations where no DPWH representatives were present so clarifications on some project details cannot be provided.
Brgy. Capt: There will come a time when the sea level will change. It will become shallow because of siltation and other factors.	DPWH: Part of the maintenance will be dredging. An equipment/machine (fixed/immovable) will be made available for this purpose.	
Others		
Brgy. Capt: If in case there will be changes in the administration, will the project still push through?	DPWH: Government planning is multi-year. Regardless of who will be the President, s/he will be obligated to implement approved projects. This project will be loaned from Japan government.	

Clarifications/Comments	Responses	Suggestions
Kag. Lyndon Banzon: Can we include skills inventory during survey? Will the plants and animals be included?	<p>InterDev : On survey, this will include the following:</p> <ul style="list-style-type: none"> • census and household survey • Inventory of loss • Replacement cost • Income recovery program: This is where skills and training will be identified. 	

After the facilitator wrapped up the discussion, the Barangay Captain assured that they will help in the process but highlighted their concern on compensation is significant.



(Left) Barangay Capt. explaining a point during the Open Forum. (Right) DPWH District representative addressing some concerns.

VII. Roles of Barangays in the RAP Study

To clarify the support and coordination with the barangay, the different roles of the barangay per project concern were highlighted and clarified.

Consultation Period	Barangay Roles	Comments
Scale of affected HH and extent of impacts	Identify AHH	The survey will be conducted face-to-face and will do complete enumeration. Household heads will be the respondent.
Social Character and extent of impact	Purok Leader and Barangay officials will help inform and assist in tagging. BHW will also assist the survey team.	
Necessary procedures with DPWH and LGU Davao City: Cut-off Date (COD)	Barangay officials will help explain the importance of COD among its constituents. COD will determine who will be eligible for compensation. COD will be on 22 October 2021.	Eight (8) days will be allotted to finish the survey.
Total Financing Costs of RAP	Costing of affected structures and land	
	Ensure that their constituents understood the RAP	
Public Consultation and Participation	Encourage the affected community members to join and participate.	

After the discussion, Barangay Captain expressed that his fears were allayed ("*nawala ang kabalaka.*")

Dr. Melba Laguna of InterDev asked the group on what establishment will be affected by the project. It was initially identified that a portion of Crocodile Park will be affected located at Purok 26B.



VIII. Next Steps. The group agreed that the InterDev survey team will meet with the Barangay Captain at 8:00 a.m. on Friday, 22 October 2021 before proceeding to the affected area. The team will have to consider the Friday prayer/*sambahayang* of some households. They can start at 8:00 a.m. and stop during prayer time.




IX. Closing Messages. Representative of DPWH shared that the Philippines can become like Tokyo within a lifetime and what we just need is political will. The Barangay Captain also acknowledged and thanked Engr. Newton Apao for sharing his ideas. He was wishful that it will indeed come true. He reiterated his support along with his Council on this project. As he emphasized "We are here to help and assist (*"Naa mi pirmi motabang ug moalalay"*).

Time ended: 10:58AM

Documented by: F.J. Lozano, InterDev

Attendance


RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City
 

Registration Sheet

Barangay MAA Venue 2/F BRGY HALL Date of Orientation 19 OCTOBER 2021
BRGY MAA

Name of Participant	Position/ Organization	Contact Number	Signature
1. REYNALTE PASORALON P 27		09556996961	
2. DE LETA, RON BRINA R.	ENGR. PASORALON	0999 347 0804	
3. MARLINA L. MANABAL	Interdev	09189284588	
4. PECTO D. CAYLA JR	Barangay	095005440990	
5. MANAPAL, Richard P	Interdev/ RAP-ED	09284208091	
6. MAAN LAND	BRGY. SECRETARY	244-0628	
7. ROQUE MAGPUGO, JR	LGU/OPDO	0967 419 8015	
8. JAMIN CASTRO	LGU/OPDO	0915 354 3299	
9. BANCAN, Lyndon	Kagawad	09338343228	
10. Portillano, Jayson B.	DPWH STAFF	09381594924	
11. REYNALTE PASORALON	Purok 26A	09188206443	
12. NEWTON L. APO	DPWH-DCO50	0933-143-2280	
13. JAMES BATERBONIA	DPWH-DCOED	09672297594	
14. GIL YAPPY F. GELI	DPWH-DCOED	09252069552	
15. FORT CHRISTIAN C. GELI	DPWH-DCOED	09172679514	
16. SAMUEL CEDENO	LGU/OPDO	09074935750	

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RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
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Registration Sheet

Barangay MAA Venue 2A BRGY BAY BAYAN MA- A Date of Orientation 19 OCT 2021

Name of Participant	Position	Mobile No.	Signature
1. <u>Jun Lopez</u>	<u>Donor</u>	<u>09058751402</u>	<u>[Signature]</u>
2. <u>Nino B. Caguilla</u>	<u>Pci-Inter Dev</u>	<u>09957938310</u>	<u>[Signature]</u>
3. <u>SHELIA LABROS</u>	<u>Facilitator-InterDev</u>	<u>09334430151</u>	<u>[Signature]</u>
4. <u>PAUL PAJO</u>	<u>INTERDEV</u>	<u>09672806050</u>	<u>[Signature]</u>
5. <u>LAWENCE LAPTE</u>	<u>INTERDEV</u>	<u>09430863772</u>	<u>[Signature]</u>
6. <u>Rosalinda Tomas</u>	<u>InterDev</u>	<u>0999-9853958</u>	<u>[Signature]</u>
7.			
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JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

Annex 9.5. ORIENTATION FOR THE BARANGAY OFFICIALS OF BARANGAY 19-B

Feasibility Study on Flood Control and Drainage Project in Davao City

19 October 2021
2/F Temporary Barangay Hall, Barangay 19A

Time started: 2:29 p.m.

VIII. Preliminaries

Ms. Sheila Labos of InterDev facilitated the orientation. The activity started with a prayer, led by Ms. Labos and Mr. Niño Coquilla.

NOTE: The orientation started late as the Barangay Council was having their session.

IX. Introduction of Participants, facilitators and other stakeholders

Participants were asked to state their name, position, and organization. The council of Barangay 19B started the round followed by the CPDO, DPWH and InterDev.

X. Opening Message

Kagawad Mercedita from the Committee on Gender and Development, Community Services gave the opening message. She was thankful that this orientation took place. With this, they will be able to understand the plans and will enable them disseminate the right information to their constituents.

XI. Objectives of the Orientation Activity

Ms. Labos presented the flow of the activity for the day which primarily will focus on two main points: 1) objectives, components and processes of the research study for Resettlement Action Plan (RAP), and 2) Open Forum for the LGU to raise their clarifications and concerns.

XII. Presentation of JICA-RAP Study

The study was presented by Dr. Rosalinda Tomas, the InterDev Team Leader for public consultation and participation. Her presentation focused on the following:

- a. Master Plan and Feasibility Study on Flood Control and Drainage in Davao City
- b. RAP Objectives, Components and Project Sites

XIII. Open Forum

Clarifications/Comments	Responses	Suggestions
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RAP Process		
Mr .Viray/Admin Assistant: Pointing to the map of Brgy 19B - - Is this the only affected area identified? Will the community near the bridge be affected?	Based on the data gathered by JICA, this is the affected community / area within the project.	
Kagawad Mercidita: The affected community will still be surveyed? According to the satellite data, there are 17 households but based on the actual count, there are 11 households living in the area. The important issue here is relocation and who are the affected households as this project is for the good of everyone.	InterDev: The survey has not started yet. If the barangay will agree, we can immediately start with survey (even by tomorrow). What is important is the setting of the Cut-Off Date (COD) as this will determine who will be eligible for compensation. There will be actual tagging for the 11 households. Survey will include socio-demographic profile, inventory of loss, replacement cost and income recovery. The RAP survey team requested if there is somebody from the barangay who could accompany the survey team. This is where the team needs help from the Brgy. Council. Enumerators are from the social work profession. The CPDO will also join the survey team to help explain the process.	Kagawad Ricones (Senior Citizen Committee): He shared that most of the AHs are Muslims (Kagan), and based on experience they are fierce ("isog"). He suggested to talk to them in a calm manner and always be humble in dealing with them. Inform CPDO ahead of time when dealing with the Kagan and to set a meeting with the Kagan Deputy Mayor as he can help explain.
Kagawad Nicolas: Has the survey started?		
The Council realized that the affected area is part of Dizon Farms. The affected households are within the property and are workers of Dizon Farms.		Inform the owner (Dizon family) before start of survey. InterDev will write a letter to: <i>Madeline Marfori-Dizon</i> <i>Dizon Farms Office</i> <i>Bacaca, Barangay 19-B</i> <i>Davao City</i> BLGU will deliver the letter on 20 October 2021. DPWH must be present in the meeting.

XIV. Roles of the Barangay in the RAP Study

Consultation Period	Roles	Comments
Scale of affected HH and extent of impacts	Inform Dizon family before start of survey	InterDev will get information from Brgy Secretary address of Dizon representative. InterDev will craft the letter for BLGU to deliver. The consultation will include DPWH, CPDO (will be represented by the BLGU), and InterDev. Tentative date: 22 October 2021, Friday, 2PM
Social Character and extent of impact	Can provide any information available	
Necessary procedures with DPWH and Davao City: Cut-off Date (COD)	Will help inform	
Total Financing Costs of RAP	Will help inform	
Public Consultation and Participation	Will help inform and facilitate consultation among AHH	

While the group is discussing about the roles of the BLGU, some officials notably, the Barangay Secretary and the Admin Assistant are also having a discussion on how to handle the affected households. They said that the key to everything is the consent of the Dizon-Marfori clan.

After the discussion, Engr. Newton Apao of DPWH shared some background of the Project. This initiative started during the Davao visit of Japan Prime Minister Abe. The study is funded by Japan, while the construction will be handled by the Philippine Government. The budget will be loaned from Japan government.

He discussed the reasons why the need to make it as wide as 200 meters and why focus on Davao River. He pointed out that Davao City needs to be ready for the sea level rise due to climate change. He explained that Davao River is at the city center. Also, he discussed about the hydraulic loss hence, the need to shorten the length of the river (cut-off works).

VIII. Next Steps

Survey should be the next step, followed by consultation on the RAP results and the actual RAP. The team decided to put on hold the survey until a conference meeting with Dizon and Marfori families is undertaken.

IX. Closing Message



Dr. Tomas, on behalf of InterDev, thanked everyone for their time and the suggestion to present this matter to the Dizon-Marfori families before proceeding to survey.




Time ended: 3:23 p.m.

Documented by:

F.J. Lozano, InterDev

Attendance


RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City
 

Registration Sheet

Barangay 19-B Venue Temporary Brgy Hall Date of Orientation 19 October 2021

1. BENITO V. VILAR	ADMIN. ASST	09164948076	
2. MERCEDITA E. ALBISO	PRGM. KAPANGAD	09958543890	
3. VIKTORIYA, JULIUS I.	PRGM.	09254450552	
4. MARY ANTONETTE ARABLE	DRGN. SECRETARY	09650300678	
5. JIMIN CASTRO	LEG. COO	9515 354 3277	
6. SAMUEL CORTIJO	LEG. COO		
7. ANTONIO J. BIRIO	DRGN. - ODED		
8. GIL LARRY F. GELI	PRGM. - DED		
9. MELBA L. MANABAL	InterDev	09180284585	
10. MANABAL, RICHARD	InterDev	09284208091	
11. JAMES BATERBONIA	DRGN. - DED		
12. Rolo Amador G. Geli	PRGM. - DED	09190795519	
13. Criselda L. Xepries	Kapangad 19-B	286 09 39	
14. Jenny Ann M. Nalza	PRGM. KAPANGAD	0932-521-4741	
15. Jhon Legaspi	PRGM. KAPANGAD		

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Project 19-B MACT 2021



RAP Feasibility Study
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 Flood Control and Drainage in Davao City



Registration Sheet

Barangay 19B Venue S/P Temporary Brgy Hall Date of Orientation 19 October 2021

No.	Name of Participant	Position / Organization	Contact Number	Signature
1.	Rosalinda Torres	Inter Dev	0995-9853958	
2.	Cheriz Labor	Inter Dev	098334430157	
3.	Nino G. Cayula	Inter Dev	09957938310	
4.	Lamarie Labor	Inter Dev	0943 6143454	
5.	Marina Mervilla	Inter Dev	09171473896	
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JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

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19B Oct 2021

Annex 9.6. Proceedings: Orientation and Coordination with Barangay Officials of Barangay New Carmen

Feasibility Study on Flood Control and Drainage Project in Davao City
9 November 2021, New Carmen Barangay Hall

Time started: 1:40 p.m.

I. Preliminaries

Ms. Sheila Labos led the prayer and Mr. Niño Coquilla facilitated the orientation. He explained that the meeting is set to discuss one of the flood control project plans of JICA-DPWH.

II. Introduction of Participants, facilitators and other stakeholders present

Mr. Coquilla facilitated the introduction of participants. Most were purok leaders of Barangay New Carmen. Barangay Kagawads, along with the SK Chairman and the Brgy. Captain, were also present apart from representatives of DPWH, JICA, DCDEO, and CPDO. The InterDev team was there to facilitate and document the orientation.

III. Opening Message

Barangay Captain Jerry T. Ceballos gave the opening message. He said he deliberately did not invite a lot of people. He only invited the purok leaders. Brgy. Captain Ceballos requested the purok leaders to listen and to ask questions particularly because the project will have an impact on their barangay. He said the orientation is necessary so everyone will be made aware of the project of the city. Brgy. Captain Ceballos then thanked DPWH and JICA for heading t



Barangay Captain of New Carmen sharing his opening message for the activity.

IV. Objectives of the Orientation Activity

Mr. Niño Coquilla presented the objectives of the orientation activity: 1) to present the RAP study, and 2) to generate feedback and see possible points of engagement and support. Mr. Coquilla then presented the activity flow.

IV. Presentation of JICA-RAP Study

Team Leader for Stakeholders' Participation, Dr. Rosalinda Tomas, informed everyone that InterDev was subcontracted to conduct a study. The whole project involves the production of a masterplan and a feasibility study on flood control and drainage in Davao City with DPWH as main proponent. For the feasibility study, InterDev is responsible for the RAP which focuses on the affected people. There is no implementation yet. Dr. Tomas then showed the participants the Notice to Proceed from the Office of the City Mayor.

The RAP objectives, legal basis and components were presented. For the barangay, they will be involved in the retarding ponds though there is no specific area that will be directly affected in the barangay. The contiguous barangay, Mandug, will host one of the RPs (RP 11). Samples of RPs were presented particularly in Cavite and in Japan (Watarase RP). After the initial consultations, surveys will be done with affected households and property owners. Finally, results of the survey and initial RAP plans will be presented to affected stakeholders and other support groups.



(Left) DPWH representative explaining some points related to the JICA Flood Control and Drainage Project. Right) RAP Team facilitator engaging the participants.

V. Open Forum

Clarifications/Comments	Responses	Suggestions
Project design and impact		
Purok 5 Leader expressed their area has around 5 residents and the lands are titled. If the river will be straightened, what will happen to them?	<p>InterDev responded that the cut-off work is only in the Ma-a area. Their purok and barangay is within the proposed RP sites. The cut-off work is near Crocodile Park while New Carmen is along the RP area. The infrastructure involved is a water storage but their barangay is not directly affected since it is along the boundary. However, the construction will be near New Carmen so some impacts might be felt. This is why the RAP team decided to conduct an orientation with the barangay.</p> <p>*There was confusion concerning the dredging marker (blue line on the map). Some of the participants thought it pertains to the straightening of the river. Dr. Tomas explained that the line is for dredging only and that there is no infrastructure in that area.</p>	
Brgy. Captain Ceballos asked about the size of the RP in New Carmen and New Valencia. SK Chairperson Edsil Gumalane inquired about the volume capacity of the RP.	Engr. Newton Apao responded that RP size will be around 50 hectares. More details will be provided once the masterplan is completed. As of now, everything is under assessment and are still proposals. Once these are approved, the team will come back to present the proposed design with all the necessary details.	

Clarifications/Comments	Responses	Suggestions
Another purok leader asked if the RP could be used as a fishpond.	Engr. N. Apao cannot provide any clear answer since this is currently under study. That will be considered during the planning process after assessing as well if the water in the RP will be year-round or not. Someone from barangay shared that Sta. Lucia developed a residential area with a six-hectare man-made lake. SK Chairperson and VP of the LGBTQ organization, Edsil Gumalane, responded that the construction of the lake is already done with report that someone died there.	
CPDO Roque Magpuyo, Jr. asked if there are any purok in New Carmen that becomes flooded during heavy rains.	SK Chairperson presented that puroks 4, 5, and 6 experience gets flooded. Back in 2017 or 2018, they rescued people who were stranded on their rooftops. CPDO Magpuyo Jr. then said that the barangay will still benefit from the project should it be continued.	
Appraisal and Compensation		
Purok 4 Leader asked about the likely appraisal and compensation.	Engr. Newton Apao pointed out that the amount will be determined by government-approved appraisers. He did assure the people that the team will come back for more consultation should the project push through. As of now, everything is still being studied. He added that if there are problems in titling, it is best that they resolve it already before the project commences. Participants responded they already have clean titles.	



VII. Closing Message




CPDO Roque Magpuyo, Jr. shared that their main concern are the residents who will be affected by the project. But seeing that their area is not directly affected, the meeting is only to inform them and ask for their understanding if and when the project construction begins. He also asked those present to help explain to other people the purpose of the project and how it can help future generations. Project primers were then distributed to all participants.

The consultation was officially ended at 2:27 p.m.

Documented by: J. Baldonado, InterDev

Attendance


RAP Feasibility Study
Orientation for the Barangay Officials
JICA-DPWH-Davao City LGU Feasibility Study
Flood Control and Drainage in Davao City











Registration Sheet

Barangay IN NEW CARMEN Venue BALY. HALL Date of Orientation NOV. 9, 2021

Name of Participant	Position / Organization	Contact Number	Signature
1. SHEILA LAPROS	InterDev / Faci		
2. LARRY LARROVER	INTERDEV		
3. Nino Caguilla	InterDev / Faci		
4. BARDONATO, JULIEN	INTERDEV		
5. NEWTON L. APAO	DPWH-OCDO		
6. RONALDO M. CALANCA	DPWH-DCDO		
7. JAMES PATERSONIA	DPWH-DCDO		
8. VINCENT A. ESPINOSA	DPWH-DCDO		
9. MANUEL MILITAMP	INTERDEV		
10. DENNIS ROMERO	INTERDEV		
11. PAUL PAJO	INTERDEV		
12. HORTANOSAS, SISA FIER	INTERDEV		
13. Rosalinda Torres	InterDev		
14.			
15.			

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City


RAP Feasibility Study
Orientation for the Barangay Officials
JICA-DPWH-Davao City LGU Feasibility Study
Flood Control and Drainage in Davao City


Registration Sheet

Barangay NEW CARMEN Venue BALY. HALL Date of Orientation NOV. 9, 2021

Name of Participant	Position / Organization	Contact Number	Signature
1. ERIL P. CUMALANG	SK CHAIRMAN/VP LGU/Org.	09102160721	
2. Felismina Indolas	Brgy. Kagawad	09374843132	
3. Danilo D. Cebanos	Purok Leader	09654501253	
4. Wilfredo R. Barrodo	Purok Leader P-2		
5. Albarracín, Sabino	Puro Leader P-3	09662070124	
6. Donal R. Chuan	P-4	09200719421	
7. Nestor D. Bending	P-5		
8. Desiderio Mabaga	P-1		
9. Johalyn D. Deada	Brgy. Kagawad	0906-3543-821	
10. JERRY T. Cepas	PB	0966211302	
11. JERRY T. Cepas	Bldg. Eng	09113026000	
12. Helen A. OCAT	utilite	09505818181	
13. Raguil T. Cardana	utilite		
14. MARK JOHN WUOT	utilite	09162070124	
15. JEDRUE C. BALBANO	BNGU. PAG.	09562294262	

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

Annex 9.7. Proceedings: Orientation and Coordination with Barangay Officials of Barangay 8A

Feasibility Study on Flood Control and Drainage Project in Davao City
11 November 2021, Brgy. 8A Barangay Hall

Time started: 9:40 a.m.

I. Preliminaries

Opening Prayer was provided by InterDev Team c/o Ms. Sheila Labos and Mr. Niño Coquilla. Thereafter, introduction of the participants was done facilitated by Mr. Coquilla.

II. Presentation of Consultation Objectives and Program Flow

InterDev facilitator, Mr. Niño Coquilla, presented the flow of activities for the consultation. This consist mainly of two main parts: 1) overview of the master plan and feasibility study on flood control and the related RAP objectives, components and processes. This is followed by the 2) Open Forum to generate clarifications and concerns from the barangay. This will be the opportunity to identify what are major concerns that the project proponents need to consider prior to finalization of plans.

III. Project Orientation

Dr. Rosalinda Tomas, Team Leader of InterDev's public consultation and participation provided the overall picture of the RAP in relation to the proposed flood control project. Major highlights emphasized focused on: 1) Master Plan and Feasibility Study on the Flood Control and Drainage Project in Davao City, and 2) RAP objectives, components, project sites and processes. Basis for doing the RAP was also highlighted. Initial maps of the affected site for the barangay was presented apart from the overall map showcasing all project components.



NOTE: Some Barangay officials were not around and some were late due to the flooding that happened the day before. Many were still attending to the flood victims apart from being flood victims themselves.

IV. Open Forum

Clarifications/Comments	Responses	Suggestions
Affected households		
When was the survey conducted?	InterDev: There was no survey yet, just ocular visit on September 2021.	
Are there households in the barangay that will be affected?	InterDev: From our initial ocular, no households will be affected.	

Clarifications/Comments	Responses	Suggestions
There were households living near the riverbank, but were removed to give way to a DPWH project. Landowners in that area were relocated to another vacant lot.		
The site of cut off works are Purok 12 and the adjacent Purok 10-B and 9-B. Purok 12 has more number of households.	InterDev: We cannot really check because we don't know yet the definite boundaries of the proposed design. This plot (map) basically reflects no household as per actual visit.	
We can locate the households that will be affected if we have an aerial view map. Purok 12 will basically be affected.	InterDev: We will note this so when the plan will be finalized by DPWH, we can check which area will be affected.	
Purok 9-B has no more households because of the fire that happened in the area; they were relocated to Los Amigos.	For now, we cannot determine yet. But as per initial visit, there are no households	
On Compensation and Resettlement		
Just in case there will be affected households in that area, what will happen to them?	InterDev: There will be a resettlement action planning with those affected wherein potential relocation will be discussed and just payment to those who want outright payment. Definitely, just compensation will be provided if households will be affected and need to leave the area.	
That area is titled property that we bought from the owner and we are sure that a portion of that will be affected by the project. So what will be the arrangement in that case? There are associations comprising that area (United 328, Aktibo, Katilingban).	InterDev: Survey will first be conducted to determine affected households within the proposed project site. Once identified, negotiations will be done. DPWH has a ROW unit that will take care of this matter.	
Agreement will be between DPWH and affected households?	InterDev: Yes, because they have a legal unit that is in-charge of this matter and they already have guidelines. The City government will also help especially on the housing matter. All of the agreements will be guided by law. For affected households, it is important to note the cut-off date (COD). The COD will be implemented when the census starts. If there are new settlers coming in after the census, they will not be included in the compensation.	
We would like to talk to DPWH, because our association already conducted an on-going census, and we already have structural survey. All the structures are already in place. We already bought the land (direct buying) and we are paying for it now. We need to arrange how it will be compensated.	InterDev: We are still in feasibility study phase. If JICA can identify the affected households, they will conduct another consultation to finalize the resettlement action plan.	We suggest that every time DPWH will implement a project, they will always pass through the barangay, then to association for smooth and proper coordination.
Association representative: We donated around 2000 square meters of lot to the barangay as a place for		

Clarifications/Comments	Responses	Suggestions
tenement that can be use as relocation site if the project will push through. At least here in our area in Lower Madapo (comprising Puroks 9B, 10A, 11, 12, and 10B), we already have our alternatives		
We still don't have individual titles, but we have mother title.	InterDev: You can get a Special Power of Attorney (SPA) to be able to negotiate.	
On Consultations		
Previous consultations were done with JICA. What happens to the discussions done?	JICA Davao representative: We conducted consultations on September 2019 with the barangay LGUs. The outputs during those consultations were already inputted by JICA to their interim report to the Davao City government and final report is on-going. These additional inputs will also be included in the report.	
With our previous consultations/meetings on September 2019 with JICA, we observed that there are changes in the plan, as presented now. They previously presented an aerial view of the area and we can really see the affected households (before the fire). Adjacent to Purok 12, there were around 27 households that were burned down. If this is the new plan, we want to ask for the aerial view map so we can really see the affected households in that community because we believe there are affected households in that area.		Barangay officials suggested that an aerial view map be presented to them so they can verify if there are households in the proposed site.
Other Concerns		
The red lined area in the map will be straightened, dried up and will useless? This will open possibility of squatting.	In the initial plan of DPWH, that area will be the dumpsite of the materials excavated from the dredging.	
Is there a possibility of constructing a gabion to support dredging? There is an ongoing project now for gabion construction. Will this be an overlap and will our project be disregarded?	No definite plan yet. Aside from straightening river flow, there will also be widening on both sides of the river. On ongoing gabion construction, we cannot answer as we don't have enough information. This is not yet sure not until master plan will be finished.	
Is Interdev in-charge of planning? Will your team still be the one to conduct the future consultations? So that there will be a connectivity of discussions.	InterDev: No, in charge of planning. We don't know yet in the future. We only provide input now for the finalization of the feasibility study related to resettlement that will be part of the master plan. This input will help project proponent/s determine the feasibility of the project. Included to our inputs are the estimated costs of affected properties.	
With this project, will they just get the 30 meters from the river bank?	InterDev: 30 meters is already included inside that red line presented in the	

Clarifications/Comments	Responses	Suggestions
	map. Those properties or households inside that red line will be compensated. But you have to present your documents, especially the titles.	
Will the project continue irregardless of political sides?	InterDev: Yes, this is a multi-year project, so regardless of whoever is sitting in the government, the project will continue.	

V. Role of the Barangay in the RAP Study


In general, the barangay through its Barangay Captain shared that they are ready to help in informing and explaining to their constituents about the project. They will provide assistance, whenever necessary.


VI. Closing


With no further concerns, the InterDev Team Leader thanked all participants and pointed out that updates will be provided when these are available once project will continue. The consultation was ended by 11:50 a.m.

Documented by: J.A. Lamanilao, InterDev

Attendance


RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City





Registration Sheet

Barangay POBLACION BRGY 8-A Venue BRGY. HALL Health Center Date of Orientation Nov. 11, 2024
Page 1

No.	Name	Position / Organization	Contact Number	Signature
1.	ADELMA CARUPA	Brngy. Kagawad	0921-448-4277	
2.	LIZA B. Panal	District Water Pk. 90	0922 926 8419	
3.	Gemma P. Joy	Brngy. Kagawad	09101368843	
4.	EDEN T. SUBINGSUBING	Brngy. Secretary	09302490753	
5.	Plina R. Pangui	Purok Leader 12	09108893825	
6.	Judith Amarillo	LUP ON	0907986 971	
7.	Ruben M. Dongza	Kagawad	09326199709	
8.	SERGIO INKES	Association Rep.	09632570579	
9.	ARIEL L. LAYMAN	Brngy. Capt.	09229725838	
10.	NELIO P. DAGATAN	BRGY KAS.	09610958893	
11.	Chel S. Andres	JICA	09218193558	
12.	Jean Andrian	PLA	09099100000	
13.	Daniel B. Apuya	Brngy 8-12 Kagawad	09193240486	
14.	Clarith B. Tamarra	unrmp the assoc.	09020064399	
15.	Nelly Dumanigan	Ikalinangan & Governance Mktg.	09161616170	
16.	ANASTACIA M. DEWSSABBS	BHW D-7	09104499700	

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

ANASTACIA M. DEWSSABBS
 UNITED 328
 KATILABAN



RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City



Registration Sheet

Barangay BRGY. 8A Venue Brgy. Hall / Health Center Date of Orientation Nov. 11, 2021

Page 2

Name of Participant	Organization	Contact No.	Signature
1. MIGUEL A. AWING	KGWD	09301974670	
2. JULIA LARDINILLO	INTERDEV	09198167126	
3. JOSEPHINE P. INDOEL	KGWD	097738595816	
4. LAMPINE DON VARGAS	INTERDEV	09430887374	
5. ELBA OLIVERA OLIVERA	Brgy. Staff	09151822285	
6. PAUL PENA	INTERDEV	09672806050	
7. NINO G. CORQUILLA	Inter Dev	09957938318	
8. Rosalind Tom	Interdev		
9. Richard P. Manapo	Interdev	09284208091	
10. STELLA LAROS	Interdev		
11.			
12.			
13.			
14.			
15.			

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

Consultation Pictures for Brgy. 8A



(Left) RAP Study consultation facilitator presenting the RAP Study to the Barangay officials and staff. (Right) Barangay Captain (in white polo shirt) intently listening to the presentation.



(Left) Group picture after the consultation.
 (Right) Barangay 8A Office front view.

Annex 9.8. Project Orientation/Community Consultation in Purok 27, Brgy. Ma-a

Feasibility Study on Flood Control and Drainage Project
25 October 2021, Purok Gymnasium, Maa, Davao City

Time started: 9:15 a.m.

NOTES: Majority of the residents in Purok 27 are Kagan. While waiting for the other members of the team to arrive, InterDev Team mingled with the community by distributing the RAP primers. Documenter was able to interact with Babu Linawan Moro Diatas. She is one of the six (6) heirs of the Diatas clan, and is the matriarch of the community. She shared that they do not want to leave their area. This is where she was born and where she will rest. She wants her family to stay in one place.

There are community members who were really angry, raising their voices, with one lady shouting. Babu Linawan was trying to pacify and telling her to manage her emotions. She also said to leave if she will just create trouble. She was even protecting the team by saying, “Inagan yani, mga NGO yani. Magatabang kanaton, mag patunga” (They are with us; they are from the NGO. They will help us, they will mediate).

The community members did not want to sign any document or even to record their attendance. Photos were also not allowed though initially, InterDev team leader asked Datu Wahab if the RAP team can take pictures. However, during the proceedings, InterDev team was forbidden from taking pictures. Nevertheless, some team members were able to take photos of the activity as other community members themselves were taking pictures.

Also, prior to the start of the activity, InterDev team asked the Purok leader if the consultation can be done in the madrasah [to contain number of participants] or if preferred outside, can the team set up their gadgets to provide a powerpoint presentation as visual. He responded that the whole activity is up to the local leaders and we can only adjust to what they want. It seems that they only want to discuss directly with no technological assistance. Ultimately, only the tarpaulin containing project map was set up for visuals. The one-page project primer was also distributed to the community members who were present.

Preliminaries. As soon as the DPWH Team arrived, the people were asked to gather. The facilitator, Ms. Sheila Labos, requested Ustadz Butch Diatas to start the activity with a prayer.

Introduction of Participants, facilitators and other stakeholders present. Each organization represented in the community was recognized – DPWH led by Engr. Newton Apao, Barangay Ma-a represented by Purok Leader Reynante Pasandan, CPDO with Roque Magpuyo Jr., InterDev and the community members (from Purok 26, Purok 27, Sangilangan/Purok 20).

Opening Message. Purok Leader R. Pasandan gave the rationale for the meeting and relayed that Brgy Captain cannot join them since he needs to be at the *Resbakuna* event at the Barangay Ma-a gymnasium.

Presentation of JICA-RAP Study. With no technological support for visuals, it was Engr. Newton Apao (DPWH DEO) who presented the study. He started by reckoning that this is not his first time in the community. He related he was the engineer of the covered court that the group is using.

In 1994, there was a study done by the CPDO on the cut-off works channel but it was not implemented since there was no budget. This time, the budget will be loaned from the Japanese government. While presenting the map, one community member interrupted and suggested to the team to divert it to other areas where there are less people to be affected. Other community members also joined in the discussion.

In between his presentations, there were concerns raised by the community members on the relocation site, about displacements and engineering design.

Engr. Apao's presentation focused mainly on the engineering design of the project. A number of the community members emphasized that a similar project was proposed before but was not pushed as the community was opposed to the idea considering its effect on their community.



DPWH Engr. Newton Apao explaining the cut-off works.



(Top, left) Purok Leader explaining his side about concern on tagging. (Top, right) Community members clarifying about project using the maps.

(Bottom, left) Community gathered for consultation at the purok gym. (Bottom, right). Woman member providing her view about the project.

Open Forum

Clarifications/Comments	Responses	Suggestions
<p>Someone raised the concern regarding the relocation site (referring to the reclaimed river) while Engr. Newton was still explaining about the project. He pointed out that the foundation is weak and will endanger their lives in times of calamity (e.g., earthquake).</p> <p>Other comments about relocation:</p> <ul style="list-style-type: none"> - They do not want to be relocated as this is where their ancestors live. (Rosalie, the person seated next to Babu Liwanagan) - Ustadz Butch also raised structural concern and location of the relocation site vs. earthquake. - One lady commented that not even one of them is willing to be relocated. 	<p>RAP Team reminded community that this project is just a study/proposal and is not yet final. If they do not want to be relocated, then nothing will happen. The team will look for other alternatives.</p> <p>The Japanese has technology that has been tested and proven to be effective. This is being proposed for transfer in the city to solve its flooding problem.</p>	
<p>Purok Leader Reynante Pasandan expressed his disappointment on how things were done, especially the tagging. He said, "<i>Nabastusan ko.</i>" The team only asked permission for the survey but not the tagging. The team in-charge of the tagging used red colored paint and marked the structures with big numbers.</p> <p>Purok Leader Reynaldo Bagad of Purok 26 was really upset with the tagging as they were not informed. He kept on interrupting Dr. Melba Manapol who was explaining about what happened and what the survey and tagging is all about.</p> <p>Ustadz Butch also pointed out that consent from community should be generated first.</p>	<p>RAP team represented by Dr. Melba Manapol (as in-charge of survey) expressed their apologies for the tagging incident. It was never the intention to hurt the feelings of anyone and to bypass the authority and disrespect the consent of the community. She asked the group to let her explain and be open to listen.</p> <p>The survey is needed for the Feasibility Study. If the community will not agree with the proposal, nothing will happen; and proof is needed whether the community agreed or disagreed to the proposal.</p> <p>In the survey, the household will be asked about the following: 1) number of family in the structure, 2) losses (properties, animals, plants, etc.), 3) cost (building, etc.), 4) skills needed, and 5) consent.</p> <p>The tagging was made to measure the actual loss (size of the property, etc.).</p> <p>At this point, the people are already complaining and sharing some precedence on displacement especially in Purok 20 (Sangilangan).</p> <p>Engr. Apao also accepted the shortcoming of the team claiming it was their fault. He requested the community not to blame their purok leader.</p>	
<p>Ustadz Butch expressed his dismay with the government. He felt that the government is unfair in dealing with them. During presentation, they will explain that people will not be affected but on the actual</p>	<p>DPWH: To straighten the river, it will entail more resources.</p>	

Clarifications/Comments	Responses	Suggestions
implementation, they will be displaced. He also shared that he does not live within the area but he owns a portion of the land as heir of his parents (sibling of Babu Linawan). He suggested why not straighten the river instead.		
<p>Babu Linawan Moro Diatas is thankful that the proposal is not yet final. She shared that she was born in this community in 1943. She has her family here for 3 generations already. She emphasized that as the mother of their community, she will not allow relocation and displacement to happen. They will not leave the community and they are not giving their consent.</p> <p>Since she was born, they never experienced that the flood reached beyond knee-level. She added that she does not want that her family will be scattered – there are about 30 houses in the community; in some houses there are 2-3 families, about 100+ grandchildren.</p> <p>Purok leader of Purok 26 also affirmed that they do not want to be relocated and a river created (<i>“butangan og sapa”</i>).</p> <p>Ustadz Butch and Rosalie shared the same sentiment.</p>	<p>Engr. N. Apao: If the community will say NO, the team will find ways on how to proceed with the project with some changes. He added that he knows how receptive the community with projects from the government but this time he felt the strong opposition from the community.</p> <p>He reiterated that their Purok Leader has nothing to do about the tagging incident.</p>	<p>Dr. R. Tomas (InterDev) suggested to the community to write a letter stating their reasons why they disapprove of the project, particularly their relocation. Each member should affix their respective signatures. This will be evidence presented to JICA and the government about the community's response.</p> <p>The Purok 27 leader said he will not draft the letter; it should come from the community. He will just facilitate receiving /sending the letter from community to InterDev.</p> <p>Dr.Tomas reiterated this suggestion and requested for Ustadz Butch to facilitate this process, who eventually agreed. InterDev will follow-up on this matter next week.</p>

Since emotions were running high and some community members already started shouting as they expressed their sentiments, InterDev team decided to end the session. Public Consultation Team Leader proposed for the community to formalize their views about the project by writing a statement to be signed by the community members. The identified community leaders can help facilitate the process and give the letter to the RAP Study Team c/o Dr. R. Tomas after three or four days. Final agreement was to wait for the community letter indicating their opposition to the project, duly signed by community members.

After the heated discussion, snacks and lunch were served almost at the same time. It was distributed to everyone. Informal discussion at the side among the community members, DPWH and with InterDev continued and dwelt on options and alternatives.

VI. Next Steps

The community will send a letter within 3-4 days, stating that they are against the cut-off works that will affect their community. InterDev will do the necessary follow-ups.

Project activity ended by 10:03 a.m.

NOTE: After the agreed period, InterDev team leader/s followed up the community leaders in relation to their letter. However, this did not materialize as nobody seemed to take responsibility for this. In the end, InterDev was not able to finish its series of activities in the area as the community will not consent to their entry. The Barangay Officials, particularly the Brgy. Capt. was informed about this incident and his help was generated to facilitate further consultations with community leaders to clarify about project matters.

Documented by: F.J. Lozano, InterDev

Attendance Sheet:

Community members refused to sign in the attendance apart from discouraging the RAP team to take pictures of the assembly. Hence, no attendance sheet can be provided.

Annex 9.9. Meeting with the Barangay Captain of Brgy. Maa and Deputy Mayor of Kagan

Feasibility Study on Flood Control and Drainage Project
11 November 2021, 3/F Ma-a Barangay Hall

Time started: 2:00 p.m.

I. Preliminaries and Objectives of meeting

The meeting started with a brief prayer from one of the InterDev facilitators, Ms. Sheila Labos. Afterwards, introductions were done among all those present. The only new participant was the Deputy Mayor for the Kagan group, who was invited to help facilitate the process with the Kagan community.

The short meeting was intended to provide updates to both the Barangay Captain and the Deputy Mayor about the community's (Purok 27) negative response to the proposed flood control project based from the community assembly done last 25 October 2022. The RAP team would like to seek advice from both on how best to proceed with this situation.

II. Discussion

InterDev team leader, Dr. Rosalinda Tomas, presented what transpired during the October 25 community consultation in Purok 27. What triggered the ire of the community leaders and members was the prior tagging done without going through proper consent process. The community was surprised with the actual activity, which was an agreement done only between InterDev and DPWH. The actual permission provided was only for the survey. The tagging process which is part of the appraisal of the property was done in a manner that was not agreeable to the community members, using red paint in marking with big numbers the house/s being tagged.

Hence, during the consultation which the community requested, there was already a manifestation of anger from the community for the incident. They resisted listening and were already fixed in their negative perception about the project. In the end, the community members expressed their strong opposition to the proposed project. However, the InterDev RAP team believes that complete project information, as initially available, was not presented and the community made a decision without knowing relevant project information. It would be good if the RAP team can be given an opportunity to do another presentation so that some details can be provided.

Deputy Mayor Mohamad expressed the need to explain the project to the community so that the community can understand. He also suggested to invite community leaders to assist during the consultations.

Points raised by Brgy. Captain Pacito Canete

- The process was wrong and not timely, the fact that the owners were not informed prior to the activity. The community were wondering why the DPWH measured their property.
- We should have had invited them here in barangay hall.
- Their system, culture is different from ours, they wanted the process to be in order and we should understand that.
- The community is not yet receptive about the project but if they are given the chance to be oriented with the purpose of the project and how they will be compensated, they may eventually understand.

Response from the RAP team

- Apology for the misunderstanding on the processes involving conduct of activity in the area.
- The anger of the community was triggered by the bold markings in their property.
- We will ask suggestion from the Barangay on what is the appropriate action to iron out what happened in the last meeting in Purok 27.

Suggested Actions:






- Schedule a meeting with Purok Leaders, Datu Wahab and the landowner/s or the representative of the family (which is actually just 1 family) to be held in the Barangay Hall.
- Brgy. Captain Cañete to meet with the leaders of the community on November 13, 2021 (Saturday) in order to arrange another meeting with them [based on their schedule] and the project team to be held in the barangay hall of Ma-a.
- Deputy Mayor Nicanor Mohamad will be invited for that meeting.
- Barangay Captain will inform the Team Leader, Dr. Rosalinda Tomas, of the meeting schedule after his talk with the community leaders.

Meeting ended at 2:30 p.m.

Documented by: J.A. Lamanilao, InterDev



Attendance


RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City
 




Registration Sheet

Barangay MA - A Venue BRGY. HALL Date of Orientation NOV. 11, 2021

1. NICANOR B. MOHAMAD	DEPUTY MAYOR / CMD	09353610043	<i>[Signature]</i>
2. MICHAEL A. MOHAMAD	C. MATO	09353610043	<i>[Signature]</i>
3. PATRICIA CACANAY	INTERVIEW	09212581712	<i>[Signature]</i>
4. JESSA ANDRAN	JICA	09091452500	<i>[Signature]</i>
5. JOSE C. ANDRAN	JICA	09181825812	<i>[Signature]</i>
6. RANITO D. CORDERO	Running Deputy	09505407990	<i>[Signature]</i>
7. SIGA FIEL T. HERRANOS	INTERVIEW	09069403628	<i>[Signature]</i>
8. SAMUEL M. CORDERO	CPDO-THIRD	09074485450	<i>[Signature]</i>
9. MERZA CATHAR	INTERVIEW	09121968492	<i>[Signature]</i>
10. NIÑO S. COBAYILLA	INTERVIEW	09957988210	<i>[Signature]</i>
11. MARJAN M. MATO	INTERVIEW	09289200011	<i>[Signature]</i>
12. JELITA LAMANILAO	INTERVIEW		<i>[Signature]</i>
13. SHEILA LAMAS	INTERVIEW		<i>[Signature]</i>
14. Rosalinda Tomas	INTERVIEW		<i>[Signature]</i>
15.			

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

Annex 9.10. Follow up Consultation: Community Leaders/Representatives of Brgy. Ma-a

Feasibility Study on Flood Control and Drainage Project
16 November 2021, 3/F Ma-a Barangay Hall, Davao City

Time started: 2:35 p.m.

I. Preliminaries

Opening prayer was led by InterDev facilitator, Ms. Sheila Labos. Immediately after, the objectives of the activity were presented, primarily to provide a venue for some of the Ma-a community leaders from Purok 27 to get more familiar about the proposed project. While there were a few others invited, only two leaders actually came as some might be busy with other activities. Along with the community leaders, the Deputy Mayor representing the Kagan was also invited to provide some clarifications on some concerns.

II. Project Overview

Dr. Rosalinda Tomas of InterDev provided the project overview. This was not presented properly during the first community consultation done in Purok 27. Some details were not discussed so this will be opportunity to share a bit more information about the proposed flood control project.

Discussion focused mainly on the RAP objectives, components, project sites and processes. This was contextualized as part of the Master Plan and feasibility study being done on the flood control and drainage project in Davao City. Several maps were presented for clearer visualization of project location as well the affected households in Purok 27.

After the brief presentation, the space was opened for the feedback coming from the community leaders.

III. Open Forum

Clarifications/Comments	Responses	Suggestions
Cultural Sensitivity and Heritage Value		
<p>Datu Abdul Wahab Diatas:</p> <p>"We are very worried and asked the big WHY? Of all the possible areas, why us? Since time immemorial, from our ancestors, we have been here. If we look at the history of Davao, we (Kagan) are the early settlers. So, why us? We are just a small community."</p> <p>During the time of Brgy Capt. Laud, this project as originally planned will not pass through our area. Instead, it will pass through the Calderohan part. Brgy. Capt. Laud insisted that it was dangerous for the community hence, did not push it.</p> <p>You have heard already the sentiments of our family and relatives about this project. They do not like the project and that is why both of us here (referring to Imam) cannot decide on this matter since we are not the only owners</p>	<p>InterDev: Good thing that you have shared these clarifications and apprehensions so that we can put these into writing and include in our report including your suggestions.</p>	

Clarifications/Comments	Responses	Suggestions
of the land. It is the community. There are more than 200 owners already, from the original six parents who originally owned the area."		
Kagawad Danilo Corias: "I really respect the rights of this Muslim community. They pay high regard to their ancestors. They have this value of <i>"bahala'g pobre basta magkatapok lang tah"</i> (does not matter if we are poor provided we are together). In fact, some of the places were named after their ancestors. This too shall vanish if they will be relocated."		
Deputy Mayor Nicanor Mohamad: "I understand their apprehension as what they said, their area is already small and may vanish along with their history as a people."		
Environmental Consideration		
Kagawad Danilo Corias: What is really the objective of the Cut-off works component of the project? JICA along with their Japanese engineers as consultants, is quite different from our country if we compare it. We, as a local resident, would know better the landscape and how nature behaves since we have grown with it, we have been in the area since the time of our ancestors. Just like how we predicted the flood every 10 years. That is why cut-off works may still not be suitable to mitigate the flood flow in Davao River considering the high and low tide of the sea level. I am also in favor of dredging because it deepens the river addressing siltation that makes the river shallow causing it to overflow. Further, the installation of the gabion is a big help.	InterDev: According to Engr. Newton of DPWH, this is to increase the river flow. Datu Abdul Wahab Dias: If the flood flow is already controlled in the upstream and only to release after high tide, surely no flood will happen in the downtown area. Thanks to Allah, we did not experience anymore flooding in our area since the installation of the gabion.	Kagawad Corias: Since this is still a study, I suggest to focus more on the development of retarding ponds in the upstream area. It will already control the flood flow downstream so might as well remain as it is the area in the cut-off works so that no households will be affected. Therefore, there is no need for relocation. Consider also to elevate the dike/gabion to prevent overflows. Ismael Yatas Ala (Imam): Gabion is very effective in controlling the overflow from the river. Putting more of this and elevating it in the area would help solve the problem.
Deputy Mayor Nicanor Mohamad: Yes, I would affirm that every 10 years, flooding occurs in the city as I have grown up here. It only became worst after the massive construction of subdivisions that blocked the natural creeks.		
Appraisal, Compensation & Relocation		
Kagawad Danilo Orias: 1. Suggested to include in the study that relocation area should not be far from the site. As much as possible, to find an area near or within Barangay Ma-a in consideration of the livelihoods of the affected households. 2. What about the renter? Will they be compensated? 3. Government should clearly define what is meant by "just compensation" because	InterDev: Based on the initial consultation with Engr. Newton Apao of DPWH, renter will be compensated only on the amount s/he spent on the structure (house) but will not be qualified for relocation. In terms of pricing/valuing DPWH can explain this better. Based on RA 10752, government has different modes of acquiring properties for its	Kagawad Corias: Frequently asked questions about compensation should be emphasized and properly explained during community consultations. Provide relocation that is on or near site, in consideration of people's livelihoods.

Clarifications/Comments	Responses	Suggestions
sometimes the way government determine value of a property is way too small.	use that will affect property owners: donation, negotiated sale, expropriation, etc. For residential, estimated replacement cost will be applied based on current market value.	
Other Concerns		
Deputy Mayor Nicanor Mohamad: Signified his full support whatever plans and what the community wants in terms of the negotiation process. He will just support any agreements or decisions that will transpire including assistance in conflict resolution.		

IV. Next Steps

While the Kagan community leaders expressed their opinion about respecting the voice of the community which is to reject the project considering its impact on their community, InterDev representatives presented a request. Request is to allow the team to proceed with the survey to gather community information and help the government decide on how to proceed with the project. There will be no tagging anymore.

Datu Wahab countered that they cannot speak on behalf of the community as they are only representatives. He can present this request to the community on Friday after their *Sambayang* (worship). He will contact Dr. Tomas next week to inform the group about the community response.

With this agreement, the consultation was ended by 3:36 p.m.

NOTE: After a week, community still responded negatively to the request and will not allow the RAP team to continue any activity in the area.

Documented by: N. Coquilla, InterDev



(Left to right) Kagan community leaders in Purok 7 and Kagan Deputy Mayor, Nicanor Mohamad Al-hadj (in green polo shirt). Representative for the barangay was Kagawad Danilo Corias (in black polo shirt).

Attendance



RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City

**Registration Sheet**

Barangay MAA Venue BRGY HALL (2nd Floor) Date of Orientation NOV. 10, 2021

Name	Position	Contact Number	Signature
1. DIATAS, ABDUL WAHAB CHAKABU- Dobric	PURK 27	0947 9622 892	
2. ISMAEL YATAS ALA		0939 2471 8363	
3. VICANOR B. MATTAMAD	DEPUTY MAYOR / CMAD	09353 619 043	
4. Hon. DANILO M. CORTIAS	LEGATARIO		
5. MARJAL, RICARDO P.	INTERVIEW-ED	0928420 8091	
6. Nino G. Cogulla	INTERVIEW	0915 7938310	
7. SHEILA LARSON	INTERVIEW	09334430151	
8. Rosalinda Torres	INTERVIEW		
9. ROBERTO ROMERO	INTERVIEW		
10. PAUL PAJO	INTERVIEW	09672806050	
11. LARTE, LAMZONUE	INTERVIEW	0940 60937524	
12.			
13.			
14.			
15.			

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

Annex 9.11. Proceedings of Orientation for Support Groups: LGUs and LGAs**Feasibility Study on Flood Control and Drainage Project
26 October 2021 via Zoom**

Time started: 10:10 AM

I. Preliminaries

The consultation/orientation meeting with representatives from the LGU and different LGAs began with a non-denominational prayer. It was followed by the National Anthem.

II. Introduction of Participants, facilitators, and other stakeholders present

Mr. Niño Coquilla of InterDev Consulting, Inc. facilitated the meeting and introduced the participants. The RAP Team also was also introduced.

III. Opening Message

Department of Public Works and Highways Regional Office representative, Engr. Allan de la Peña, delivered the opening message. He stated that Davao City has yet to develop a masterplan for flood control and drainage system. The Philippines is prone to tropical cyclones and is therefore likely to experience heavy casualties. The changes in typhoon tracks, climate, and uncontrolled development have largely affected Davao due to the city's lack of a flood control masterplan. Because of this, the Philippine Government requested assistance from the Japanese Government in formulating an integrated masterplan that covers the Davao, Matina, and Talomo rivers. The said plan aims to mitigate flood damage in Davao City.

The Project's original target completion date was on October 2020. Due to the pandemic, the Project is expected end on May 2022. The Project schedule is divided in three stages:

- (1) Basic Study Stage includes data collection, surveys, evaluation of existing flood control and drainage measures, and basic analysis;
- (2) Masterplan Study Stage includes collection of additional data, study of various alternatives to structural and nonstructural measures, and selection of priority projects;
- (3) Feasibility Study Stage includes the preliminary design of priority projects, setting of implementation schedule, formulation of construction plan, and evaluation of environmental and social impacts.

Engr. Allan de la Peña clarified that the Project is now on the Feasibility Study Stage for priority and urgent projects identified in the masterplan for Davao river only. Because of COVID restrictions, the Japanese consultants hired local consultants – Green Collar Consulting Services and InterDev Consulting, Inc. – to conduct the environmental and resettlement studies, respectively. The consultants will also assist the DPWH in conducting consultations and orientations. Engr. de la Peña requested for the stakeholders' active participation in the consultation, especially during the open forum. Finally,

IV. Objectives of the Orientation Activity

Mr. Coquilla presented the objectives of the orientation activity: 1) to present the Resettlement Action Plan (RAP) Study, and 2) to generate feedback as well as possible engagement or support from partner agencies and other stakeholders. The orientation program flow was then presented.

V. Presentation of JICA-RAP Study

The Team Leader for Stakeholders' Participation, Dr. Rosalinda Tomas, presented the objectives of the study related to the Masterplan and Feasibility Study on Flood Control and Drainage in Davao City. The feasibility study involves the engineering design of proposed flood control measures, an economic analysis, the organization of implementation structure for priority projects, the formulation of operation and maintenance works, and the assessment of environmental and social considerations. The RAP is part of the EIA component. It has three components all contributing to flood mitigation: 1) river dredging from mouth of Davao Gulf to 23 kms. upstream, 2) cut-off works to shorten river line and increase river flow, and 3) retarding ponds for temporal water storage during heavy rain.

A project map was presented to locate the proposed project sites. Other relevant information about the project were highlighted including the RAP legal basis, objectives and processes. Currently, the team is conducting a series of public consultations that followed the ocular visits to project sites last September 2021. The consultations are with BLGU officials, affected households, landowners, and other stakeholders from LGAs, CSOs, and the academe. The RAP team has also done an initial census in Mandug (Sitio Lapuy) and Ma-a (Purok 27).

V. Open Forum

Clarifications/Comments	Responses	Suggestions
Context and Project Impacts		
<p>DENR XI Engr. Danilo C. Gonzales: concerned with the <i>shortening of the river line</i>. The water flow will increase and create a destructive effect on the lower portion of the river. Reduction of the city's natural river creeks due to the development of subdivisions led to the flooding. With a narrow river channel and heavy rainfall, the overflow of the water cannot be prevented. He added that areas near the riverbed should not have private land titles and with no subdivisions in these locations. Jade Valley was previously a riverbed.</p> <p>Aside from the shortening of the river line, he recommended an inventory of affected trees that might be cut down due to the project. For him, resettlement action is not just the resettlement of humans. Lastly, he added that there should be income opportunities for AHs to prevent the people from going back to the areas where their original livelihoods are located.</p> <p>Engr. Gonzales also wanted clarification on the <i>proposed erosion control measure</i> to be used for the</p>	<p>DPWH XI Allan de la Peña: The masterplan included river dredging and widening. That will address the increase in velocity brought by the cut-off works. He added that there are <i>uncontrolled developments</i> that contributed to the flood situation in the city. Aside from the cut-off works and dredging, there are also additional RPs to address the 100-year flood concern. That is based on the design of JICA experts. Based on this, he admitted that a lot of people will definitely be affected. However, with the determination to implement long-term solutions, we will be able to address the flooding that the city is facing.</p> <p>DPWH DEO II Engr. Newton Apao: Added that the shortening of the river will increase the velocity by 20%. That will speed up the flow of the water from the river to the sea. With the river shortening plan, there is also a widening component, 30 meters on each side. The cut-off and the RP are efficient as seen in flood-free Japan. Even when houses are close to each other, the villages in Japan do not experience any floods. And in the</p>	<p>DPWH XI Engr. Allan de la Peña: Will raise water velocity concerns during a future meeting. Before the shortening of the river, there should be an assurance that the downstream could handle the increase in velocity. He added that maybe the river dredging should be done before any cut-off work.</p> <p>Dr. Rosalinda Tomas: All <i>environmental concerns will be forwarded to the EIA team.</i></p>

Clarifications/Comments	Responses	Suggestions
<p>widening of the river. Even if the river is widened, the riverbank must be mitigated to prevent a scouring effect that will speed up the water flow. If the current river size is compared to the what the maps indicated in the 1920s, there is reduced width of the river channel. Further, the dredging should be at the center of the river. There are sections along the Davao river and in the quarry sites, people are supposed to get sand and gravel at the center. However, the quarrying is done along the riverbank, which is detrimental to the environment.</p>	<p>widening process, a century-old tree was relocated and is still alive until now. However, what we have here are all just plans. A study might follow the widening to answer further questions raised but he is confident that flooding in the city will be mitigated upon the full implementation of the masterplan.</p> <p>Regarding the erosion control measure, Engr. Apao said the study is not yet done and there is no specified countermeasure yet as of the moment.</p> <p>CDRRMO Rodrigo Bustillo: In response to the river shortening, there are matters that we consider as conflicting principles. He is not an engineer but suggested that along with changing the natural river channel, funds might be diverted for the relocation of the people in the areas. The shortening will cost a lot of money. No matter the solution, the river will eventually be overwhelmed. There will be flashfloods because of the river shortening as the speed of the water will increase. He also asked if the city will experience high tide, what will happen to the impact areas. We cannot compare everything with Japan; not all solutions are applicable here in the city. For one, we have different demographic profiles. His main concern is with the effect of establishing RPs that will supposedly slow down the water rate but with this, the water will have an increase in its velocity.</p>	
<p>CDRRMO Rodrigo Bustillo: Raise concern about the <i>demographic profile of the city</i> given that the project to be implemented is large. There are many built-up areas with large numbers of people who are directly affected by the project. Any intervention or improvement to flood control is a welcome development. However, he raised the inefficiency of the multiple flood control measures that the DPWH already introduced in the city. The RP could be overwhelmed and water will still return to the river resulting in an overflow. He then asked what the best approach is; it is necessary to keep people from the hazard areas.</p>	<p>CPDO Housing Division Representative: There are donated lots intended for relocation. However, they are still in the process of finalizing the donation. The matter is still with the Sanggunian. There are also plans for building relocation sites. Regarding the AHs, they will be interviewed and assessed if they will qualify or not. There will be census tagging and interviews as part of the assessments of the city. That will be based on RA 7279 or the Urban Development Housing Act.</p> <p>NHA XI Vingie G. Carbaquil: There is a proposed Davao River Basin Housing Project whose intended beneficiaries are ISFs, those living along the rivers</p>	

Clarifications/Comments	Responses	Suggestions
Since the flood cannot be prevented, <i>“the very focus should be the people in the impact areas.”</i> There is a need to bring the people to a safe location considering two factors. First, is the process of gradually slowing down the rate of flooding in the area. Second is the time it takes for the construction and implementation of the RP plans. He raised the massive flooding in the city that happened the night before to show that the relocation of the people is urgent. Lastly, the project should be practical and very specific.	and in areas with high susceptibility to flooding. There is ongoing coordination with CPDO and they have already submitted the list of affected families (around 2,660). By the end of the year, a validation with the ISF will be conducted and to present the proposed project.	
Deputy Mayor Nicanor B. Mohamad, Al-Haj: Tigatto is the most affected area every time the river overflows. Landowners who have money fenced off the area. Government should look into the situation. He added that the creeks were covered and that during calamities, those affected have nowhere to go. Further, some development projects did not follow the right boundaries and some extended their covered area.		The team should look into the subdivisions in the nearby areas prior to the implementation of any flood control project.
Relocation and Compensation		
DENR XI Engr. Danilo Gonzales: What will happen to the people who will not qualify for the resettlement plan? To those who did not pass the criteria, what will be the method/s to address their concerns?	CPDO Housing Division: At the city level, those who will not pass the criteria will be referred to the Community Mortgage Program (CMP). They can apply for loans from Social Housing Finance Corporation through their associations. DPWH DEO II Engr. Newton Apao: The Japanese consultants are aware of this. There are cases when people have opted to rent. He added that those who pass are usually entitled to financial assistance.	DENR XI: Suggested that the program be added to the action plan, as a proactive measure. We should not create any enemies. The people should be guided. He likened it to a father guiding a child.

VI. Next Steps

Dr. Rosalinda Tomas asked the participants about any possible engagement or support they may provide. Responses were:

- PCUP Jeb G. Saludar answered that their priority is to ensure that the affected families are involved in the discussion. PCUP will extend any assistance possible, following the right process and guidelines. Their office will also link AHs to the proper agencies. Ms. Mitos Milana echoed PCUP's function in linking families to address their needs.
- CSWDO Julie Dayaday added that their office will aid the families that will be relocated.
- BCCAD Maria Anita Real said they can help facilitate meetings and connect stakeholders with the barangays.
- NHA XI John Al-Arzad Ipaw added that they have a *Balay Bidlisiw* housing project. The beneficiaries of said project are endorsed by concerned agencies. Hence, the DPWH can endorse families to be listed under *Balay Bidlisiw*.

- The City Economic Enterprise representative, Gerardo Antonio Castillo, clarified that they are a revenue-generating office. With that, they can provide livelihood opportunities for those affected in the resettlement. He said they could help with the creation of income-generating projects. Currently, their office is operating public markets. Mr. Castillo said that members of AHs could work in the public markets.

VII. Closing Message

Dr. Rosalinda Tomas acknowledged the assistance that the various agencies plan to extend particularly those focused on the housing programs and livelihood opportunities. With no further clarifications from the participants, Dr. Tomas thanked everyone who joined the orientation and hoped that the meeting provided them an overview of the scope of the project to be implemented.

Time ended: 12:05 p.m.

Documented by: J. Baldonado, Interdev

Attendance

Name	Organization
1. Nicanor B. Mohamad, Al-haj	Deputy Mayor for Kagan
2. John Al-Arzad P. Ipaw	National Housing Authority (NHA) XI
3. Vingie G. Carbaquil	National Housing Authority (NHA) XI
4. Jeb G. Saludar	Presidential Commission for the Urban Poor (PCUP)
5. Gerardo Antonio Castillo	City Economic Enterprise
6. Maria Anita Real	BCCAD
7. Rodrigo Bustillo	Davao City CDRMO
8. Julie Dayaday	City Social Welfare and Development Office (CSWDO)
9. Engr. Danilo C. Gonzales	Dept. of Environment and Natural Resources (DENR) XI
10. Engr. Allan de la Peña	DPWH XI
11. Engr. Alain Sotto	DPWH XI
12. Engr. Newton Apao	DPWH DEO II
13. Jasmin Castro	CPDO Housing Division
14. Cheeryl Secuya	JICA - Davao
15. Niño Coquilla	InterDev
16. Sheila Labos	InterDev
17. Jesse Manuta, PhD	InterDev
18. Rosalinda Tomas, PhD	InterDev
19. Denton Siapno	InterDev
20. Melba L. Manapol, PhD	InterDev
21. Engr. Richard Manapol	InterDev
22. Julianne Baldonado	InterDev - Documenter



Annex 9.12. Orientation for Support Groups: CSOs and Academe

Feasibility Study on Flood Control and Drainage Project
26 October 2021 via Zoom

Time started: 02:10 p.m.

I. Preliminaries

The consultation/orientation meeting with representatives from the CSOs and Academe began with a non-denominational prayer, followed by the National Anthem.

II. Introduction of Participants, facilitators, and other stakeholders present

Mr. Niño Coquilla of InterDev Consulting, Inc. facilitated the meeting and introduced the participants first and then the Resettlement Action Plan (RAP) Team.

III. Opening Message

Department of Public Works and Highways Regional Office representative Engr. Allan de la Peña delivered the opening message. Emphasized that Davao City has yet to develop a masterplan for flood control and drainage system. The Philippine Government requested assistance from the Japanese Government in formulating an integrated masterplan that covers the Davao, Matina, and Talomo rivers. The said plan aims to mitigate flood damage in Davao City.

The study's original target completion date was on October 2020. Due to the pandemic, it is expected to end on May 2022. The project is now on the Feasibility Study Stage for priority and urgent projects identified in the masterplan for Davao river only. Because of COVID restrictions, the Japanese consultants hired local consultants to conduct the environmental and social studies. These include the formulation of a Resettlement Action Plan for people who will be affected by the implementation of the projects identified in the masterplan. The consultants will also assist the DPWH in conducting consultations and orientations.

Finally, Engr. de la Peña requested for stakeholders' active participation in the consultation, especially during the open forum.

IV. Objectives of the Orientation

Facilitator presented the objectives of the activity. Primary is to present what is the RAP study in relation to the flood control measures in the city. For the second objective, what is also important is to generate possible engagement or support from partner agencies and other stakeholders. The orientation activity will start with a presentation of the background information of the RAP study then followed by an open forum.

V. Presentation of JICA-RAP Stud

The Team Leader for Stakeholders' Participation, Dr. Rosalinda Tomas, presented the objectives of the study. The expected outputs are the masterplan of flood control and drainage, feasibility study, and capacity enhancement. The implementing agencies are the DPWH and the City Government of Davao.

The RAP components were identified along with project sites. The three components point to river dredging, cutoff works and retarding ponds. Proposed sites were indicated supported by maps. RAP processes were also highlighted. A series of consultations have been done already presenting the project and trying to generate support. Census have been started particularly in Mandug and Ma-a.

VI. Open Forum

Clarifications/Comments	Responses	Suggestions
Project Design/Details		
Norma Javellana (Tambayan): Shared that a British consultant (cannot remember name) advised not to shorten river lines as that will increase river flow. She wants clarification regarding this issue.	DPWH Engr. Newton Apao: The river will also be widened by 30m on both sides. He said that shortening and widening will work, according to the Japanese experts' proposal.	
IDIS Mark Penalver: Asked for clarification regarding the size of the retention pond and its storage capacity. Further asked if they could be included in the EIA study since IDIS is more focused on the environmental component. He is concerned with the straightening of the river line and the impact to their partner communities in the upland.	DPWH XI Engr. de la Peña: He does not have the exact figure but the 3 RPs in the feasibility study have the largest impact and/or contribution in mitigating the floods in the downstream side.	JICA Chee Secuya: We can consider the request of IDIS. She asked for acknowledgment from Mr. Silverio V. Magallon, Jr. of USEP who is from the EIA group. USEP Silverio Magallon, Jr.: The EIA team is on the phase of seeking approval from the EMB central office for public scoping. He explained that public scoping is a planning tool being considered by EMB as a guide for the EIA team in conducting the EIA study. He assured everyone that they will invite different stakeholders from the direct and indirect impact areas. They will send an invitation once their request from the Central Office is approved. Tentative schedule is on the first week of November.
Konsensya Dabaw Mags Maglana: asked about the availability of the masterplan to the public so they can read it to understand the project better.	DPWH XI Engr. Allan de la Peña: Only an initial masterplan is available. There is no reason not to share it to the public. Those who want to access the masterplan can write a request to the Regional Director of DPWH.	
Affected households and Relocation		
UCEAC Macoy Samante: Suggested for consideration the relocation of the people as a community. He stressed that the project should prioritize the human component; that people be assured of support through livelihood or trainings that can turn them into a sustainable model community.	Dr. Rosalinda Tomas: There is an ongoing initial study on the affected communities that will be presented to JICA and the City Government. The different components being studied include livelihood, basic services, and a sense of community which will be part of the planning to be done with the affected households. The community will always be included in the process, especially those affected within the cut-off work areas. DPWH Engr. Allan de la Peña: The Japanese consultants considered the old river course as a possible relocation site.	Relocation of people as COMMUNITY with assurance of livelihood support

Clarifications/Comments	Responses	Suggestions
<p>MINCODE Bai Anayatin: What is the number of possible affected households? She reiterated previous statement to include the people in the process to ensure that the project will have a positive effect on the community. Also pointed out there are a lot of resettlement issues in the city. Proceeded to ask what are plans of the City government regarding resettlement and what are mitigation measures to ensure that the affected communities are included in the process?</p>	<p>Dr. Melba Manapol: The affected communities are geo-tagged. There are more than a hundred affected households in Ma-a; 11 in Brgy. 19B, and four in Mandug. These are directly affected by the project.</p> <p>Dr. Rosalinda Tomas: JICA and the City will finalize everything when the team has forwarded the results of the consultations. Based on sharing in the earlier meeting, CPDO has a Davao River Basin Project as well as the NHA for AHs and settlers in high-risk areas. NHA has the Balay Bidlisiw program where housing units are provided to those endorsed by agencies. For the City Government, the donation of relocation sites is on process.</p> <p>DPWH XI Allan de la Peña: The project is composed of structural and non-structural measures. Should the activities proceed, some of the key components of the non-structural measures are early warning systems, public address, and information dissemination. As for the structural aspect, engineering countermeasures will also be provided.</p> <p>DPWH Engr. Newton Apao: Clarified that there is no final study yet from the Japanese consultants regarding the mitigating measures but these will be definitely included.</p>	
<p>Norma Javellana: Land is finite so raised three concerns. (1) Will the relocation site be rented out or sold? (2) There are homeowner associations that found land but <i>“gi-underground sila ng subdivision developers”</i> (were persuaded by subdivision developers). The developers gave a higher payment to the landowners, which kept the homeowners associations from acquiring the land. (3) Some of the homeowners’ association also found land plots but these are in danger areas.</p>	<p>InterDev Engr. Richard Manapol: The process involves the identification of households that would qualify for the relocation. The project will also look into possible near-site relocation. He added that there is a need for approval to ensure that the site is free or far from danger zones. There will be an assessment of vulnerabilities of sites against calamities. There is a standard process should the landowner “collude” with the contractor.</p>	<p>Dr. R. Tomas: Considerations will be based on the concerns that the affected households will raise. That would be part of the process. Environmental concerns will be provided a space during the EIA public scoping, which might happen in November. She noted that the suggestions and concerns raised so far are mostly focused on the process of project implementation.</p>
<p>San Lorenzo Foundation Fr. Emmanuel Cifra: Clarified about the project approach. He expressed reservations particularly because of their previous experience where the people were not prioritized in terms of the relocation areas. He also stressed that the environmental concerns be considered. There is a need for consultation with the people. The</p>		<p>Suggested if affected people are relocated to areas near their original location.</p>

Clarifications/Comments	Responses	Suggestions
population is increasing while land is limited; 20% of land referred to by the city is actually in the forested areas. He does not know if people by the river would settle in the <i>lasang (forest)</i> areas.		
<p>Konsensya Dabaw Mags Maglana: What is the plan for the rest of the community on the other side that will be cut off or isolated? What will happen to those located on the side of the project areas?</p> <p>Noted that virtually the community will become sort of an island. She then asked about the possible implications and what assistance will be extended in terms of facilities and services. Further, stressed that the social support should not just be for those who will be directly affected but also for those who will be cut off.</p> <p>IDIS Mark Penalver: Also thought about the possibility of turning the area into a relocation site. With the works of nature, the river will likely find its original course. That should be considered when coming up with mitigation measures to be used, to ensure that the river will not go back to its original course.</p>	<p>InterDev Dr. Jesse Manuta: There is a plan to construct a bridge. Everything is still fluid but the bridge was considered as part of the plan to connect those who will be cut off.</p> <p>DPWH Engr. Newton Apao: Confirmed the plan to construct a bridge. He said a bridge will also be constructed in El Rio. If the cut-off will be sealed or if it will remain open, the Japanese plan is to seal the area (<i>tambakan</i>) and level it off. There will be no island.</p> <p>DPWH XI Engr. Allan de la Peña: According to the latest meeting with the Japanese consultants, what will happen to the cut-off area is still under deliberation as they are still considering various options. But he gave assurance that the people there will definitely have access to necessary services to prevent them from being isolated. Area could be a relocation site since it will be filled.</p> <p>DPWH XI Engr. de la Peña: There will be structural measures and the project will ensure that the design is sound. In other cases, the river might have returned to its original course because of the lack of necessary structural measures. If the structures are stable and sturdy, then the river will not likely go back to its course, citing the situation in Jade Valley. Some protection works were not completed that led to the area being further submerged.</p>	
Other Concerns		
San Lorenzo Foundation Fr. Emmanuel Cifra: Another concern is on the retarding pond. As understood, there is an RP and drainage system in La Verna but until now, there is no improvement. The people in La Verna still experience flooding. DPWH has a lot of projects that do not seem to have achieved anything.	DPWH Engr. Newton Apao: La Verna is part of the JICA study. It is the only RP that they cannot fully establish because some landowners do not want to sell their land. Additionally, if the RP project in La Verna will push through, then the flood issues in that area will be settled. The Japanese consultants also plan to construct a condominium type of settlement in the same area. However, these are all still plans as they are still in the study stage.	

Clarifications/Comments	Responses	Suggestions
USEP Ericson Europa: Shared that when there is heavy rainfall, USEP always experiences flooding in the area. Obrero was previously a swampy area and with all the “developments and improvements”, the road level just got higher but the campus remained low. He is hopeful that once the project is implemented, the flood problems they are experiencing in their campus will be addressed.	<p>DPWH Engr. Newton Apao: Clarified that Obrero is also a part of the JICA study. He is, however, unsure if the plan to establish an RP in USEP will push through. He advised that they wait for the dialogue with USEP to finalize what needs to be done. Also added that Lanang has a planned RP.</p> <p>Dr. Rosalinda Tomas: Acknowledged the number of RPs planned in the city. She did remind the group that the focus of the current study is the RP along Davao river.</p>	
MINCODE Bai Anayatin: Is there a regular committee for consultations as the project is developing?	<p>Dr. Rosalinda Tomas: There is a committee for the LGUs and LGAs. She asked DPWH if there is a plan to set up a committee with other stakeholders aside from the concerned agencies.</p> <p>DPWH Engr. Newton Apao: There is no committee yet but they will suggest it to JICA.</p> <p>Dr. Jesse Manuta: Commended the suggestion and will be recommended to JICA to ensure that the process will be inclusive.</p> <p>JICA Chee Secuya: Took note of the suggestion which will ensure a working mechanism is in place for those involved. She acknowledged that the project requires parallel effort as well. Suggested that InterDev and DPWH formally report this to JICA.</p>	Suggestion: During project development, set up regular platform for consultations involving different stakeholders, including CSOs
Mindanao Land Foundation Dam Vertido: Cautioned about the possibility of “inviting a solution that could become a disaster later on.” The discussions so far are about the options the project could take. There could be an eco-tourism site should the area be developed properly. Another option is establishing a near-site relocation area. These are options that need to be looked into to arrive at the most economically feasible decision. Also noted the points made by Mags Maglana and Bai Ayatana revealing that the CSO is very interested in the engagement. Participants are not just looking at the masterplan for Davao river but are also considering the situation in the other rivers. Expressd hope there is continuity to pursue a platform for CSOs to be involved in the projects.	<p>DPWH XI Engr. Allan de la Peña: Agreed with Mr. Dam Vertido’s statement that some affected areas could also be used for other purposes. Took note of the RP in Japan also had a baseball stadium. RPs can have multiple functions, not just as a flood control measure.</p> <p>MINCODE Bai Anayatin: Mentioned in the chat that Singapore has a whole natural park with floodwaters below it.</p>	

VII. Next Steps and Closing

Dr. Rosalinda Tomas noted the continued interest of the CSOs, with suggestion to explore a continuing a platform for exchanges and inputs for the whole project. What is critical is for CSOs to get a copy of the master plan to facilitate discussions and informed decision. All concerns will be forwarded to the proponent for consideration in the final plans. For the environmental considerations, these should be raised during the EIA consultations to be conducted by another consulting group. Lastly, Dr. Tomas informed the group that the team might call on them again for another consultation possibly in December for presentation of the initial RAP results.

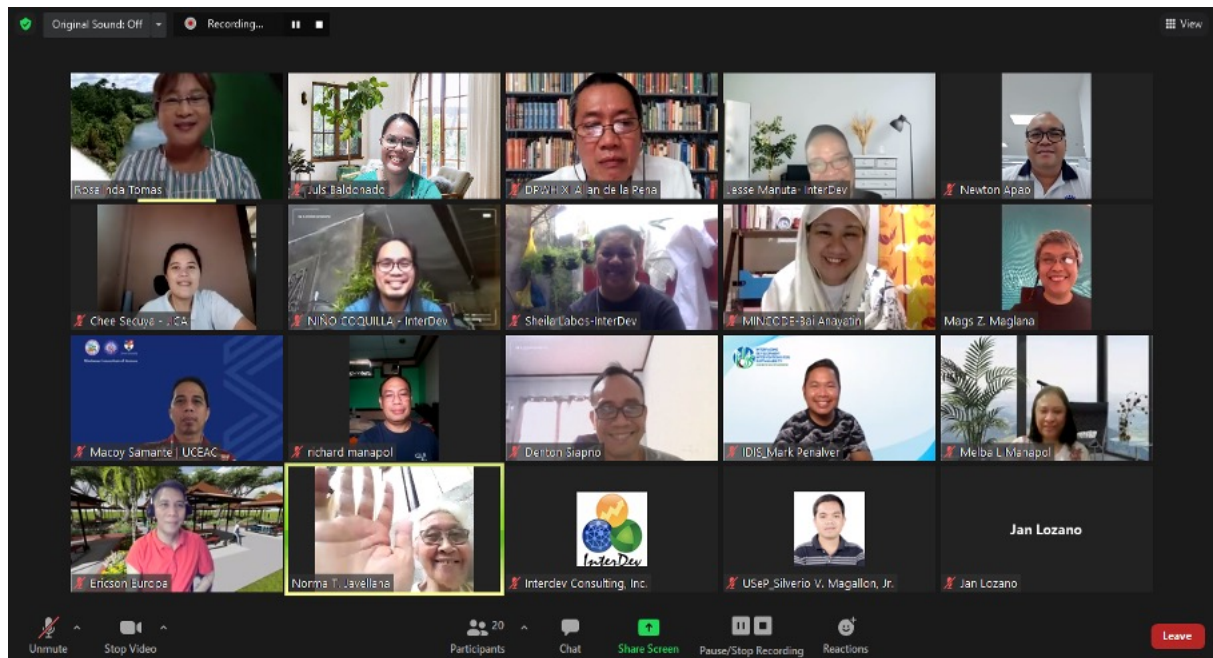
Appreciation was expressed for the attendance and active participation of all the participants.

Time ended: 3:58 p.m.

Documented by: J. Baldonado, InterDev

Attendance

Name	Organization
1. Maria Victoria 'Mags' Maglana	Konsensiya Dabaw
2. Atty. Mark Penalver	Interfacing Development Interventions for Sustainability (IDIS)
3. Mark Samante	Ateneo de Davao -University Community Engagement and Advocacy Committee (UCEAC)
4. Norma Javellana	Tambayan Center for Children's Rights
5. Bai Raizza Anayatain	Mindanao Caucus of NGOs (MinCode)
6. Emmanuel Cifra	San Lorenzo Foundation
7. Ericson Europa	University of Southeastern Philippines (USEP)
8. Silverio Magallon Jr.	University of Southeastern Philippines (USEP)
9. Dam Vertido	Mindanao Land Foundation/InterDev
10. Engr. Allan de la Peña	DPWH - Region XI
11. Engr. Newton Apao	DPWH - DEO II
12. Cheeryl Secuya	JICA - Davao
13. Denton Siapno	InterDev
14. Jesse Manuta, PhD	InterDev
15. Melba Laguna, PhD	InterDev
16. Rosalinda Tomas, PhD	InterDev
17. Niño Coquilla	InterDev
18. Jan Lozano	InterDev
19. Julianne Baldonado	InterDev -documenter



Annex 9.13. Orientation for the Owners of Affected Private Properties in Brgy. 19-B

Feasibility Study on Flood Control and Drainage Project
22 October 2021, 2/F Temporary Barangay Hall, Barangay 19-B

Time started: 2:06 p.m.

I. Preliminaries : Opening Prayer led by InterDev Sheila Labos.

II. Introduction of Participants, facilitators and other stakeholders present

Participants were asked to introduce their names and the office they represent. In this meeting, the Santa Lucia Real Estate Development, Inc. (SLRDI) and Dizon Farms were present. They were represented by Engr. Jose Albert Caseñas and Angie Watin, respectively. After they introduced themselves, the contingent from DPWH and CPDO followed, then the Barangay Councils and lastly, the InterDev Team (consultation and survey).

III. Objectives of the Orientation Activity

Dr. R. Tomas of InterDev conveyed that this activity is the second round of consultation for the barangay and is primarily intended for the landowners within the project affected area hence, for the Dizon Farms and SLRDI. The orientation aimed to present the overall view of the project with DPWH as project proponent, with the City of Davao as partner. This orientation will present the JICA RAP Study. She emphasized that the Flood Control and Drainage project study is comprehensive, with the RAP as just part of the overall feasibility study and is a component of the Environmental Impact Assessment (EIA).

IV. Presentation of JICA-RAP Study

Dr. R. Tomas shared that the project is about flood control and drainage in Davao City, with DPWH as main proponent. The project will focus on the river system (particularly Davao River) and measures to prevent or mitigate flooding. The government did a master plan and is currently conducting a feasibility study related to the flooding concern, with resettlement as one important component under the environmental impact assessment.

RAP components were discussed – river dredging, cut-off works, and retarding ponds. Dr. Tomas stressed that in the cut-off works, the properties of SLRDI and Dizon Farms will be affected. The map was showed to reflect where these components can be found. Emphasis was on the cut-off works portion of the map.



(Left) Front row from left: In red, Dizon representative and in blue polo, SLRDI engineer listening intently to the DPWH representative explaining some points about the project. (Right) RAP Team Leader for survey explaining processes for census and research.

The legal basis of RAP was also presented — RA 10752 or The Right-of-Way Act, and RA 7279, the Urban Development and Housing Act.

RAP study objectives and processes were presented. This is where the team needs permission from SLRDI and Dizon Farms since the team needs to a household survey of affected households within their properties inside the project area. The survey also includes inventory of properties, replacement cost, income recovery and relocation. A different process will be undertaken for the private property owners. RAP survey results will be presented as part of the planning process.

At this point (2:15 p.m.), the Brgy. Captain of Barangay 19B joined the group. The presentation of the project ended and the group proceeded to the Open Forum.

V. Open Forum

SLRDI and Dizon Farms' representatives addressed their questions directly to DPWH, represented by Engr. Newton Apao (and other companions) from the District Engineering Office.

Clarifications/Comments	Responses	Suggestions
On Project Details/Design		
SLRDI: Do you have Detailed Engineering Design already? Can we get copy? Why cut-off channel? What is the length and width?	DPWH-District Engineering Office: Yes, there is an initial engineering design already that is still to be finalized. Cut-off works are intended to increase the velocity (by 20%) of the water and have better discharge to prevent flooding. Simulations were done by Japanese partners which reflect that after few years, there will be no more flooding. The river will be widened up to the mouth of the river, with suggested 30 meters widening on both sides.	A document (engineering design of the study) will be forwarded to SLRDI by DPWH c/o Engr. Newton Apao . Both engineers will exchange emails and numbers to facilitate their communication related to the project.
SLRDI: What will happen if you divert the river? What will happen to the old river course? Note that some areas along the riverbed are already titled.	DPWH: This can be converted into a relocation site (around 30 hectares) as area will be dried up. This is a proposal but nothing final. If from the study it will be verified if there are titled lands, and concerns on this will be handled by the DPWH Legal department. By law, riverbeds are property of the government.	
On Compensation and other property owners		
SLRDI: What is the basis of compensation – market value or zoning value? It will not be based on the owners selling price?	DWH: There are different modes of property acquisition by the government, In most cases, compensation will be based on the market value.	
SLRDI: The concern is on the right of way. Most of the properties were already sold. We might have difficulty in convincing the buyers/owners. SLRDI representative informed the group that part of the property (left side of the riverbank) is owned by Atty. Dick Togonon.	This is a legal issue and will be discussed lawyer to lawyer.	
Dr. R. Tomas clarified the location of SLRDI property.	SLRDI: Located along both sides of the river. The left-side is owned by Togonon family while the right-side portion is owned by Dizon family.	

Clarifications/Comments	Responses	Suggestions
On Relocation and other losses		
Barangay Captain: One of the problems here is relocation. Where are they coming from? Where will these people be relocated?	The proposed relocation site is within the barangay. The plan is looking at the dried up river.	
How about the jobs of those affected?	The relocation site will be near the area therefore, their jobs can be continued if only within the site. JICA will wait for the RAP study so that the options for relocation or compensation will be offered.	
Project Implementation		
SLRDI: Will this project be really implemented? The company complied with all the requirements based on the zoning development the city gave but it took time to implement the plan. Own development plans now to be affected by this project.	DPWH: Yes, it will be implemented similar to the Mindanao Railway Project wherein the government purchased land for the right of way. The By-pass road is under the Chinese government; soil exploration has been done for this project. Engr. Newton Apao shared the context how this project started. The project was conceptualized during the Davao visit of Japan's Prime Minister Abe. During the visit, he asked President Rodrigo Duterte if there was any project that he wanted. PRRD mentioned about the flooding concern in the city. This plan came from this interaction.	
Election will be next year. Will the project be implemented if there will be change in administration?	DPWH: This is a multi-year project meaning regardless of who will be elected, it will be implemented. Once feasibility study is done, implementation will be through a loan from Japan government.	
Ms. Angie of Dizon Farms: Is the flood control currently done by the city not enough?	This JICA plan is a 50-year plan. This is part of the flagship project in Davao City, apart from Mindanao Railway, bypass road, among others.	
Other concerns from SLRDI		
SLRDI: There are existing plans such as development of a golf course. If this project is implemented, golf course can no longer operate. It will affect not only members but also the employees like caddies. There will be great economic impact not just to the business owner but also its workers. Hopeful that this project will make the lives of the workers better.	InterDev: The RAP study will include inventory of loss and income recovery project. These will address the concerns raised as to impacts on affected persons.	
On Entry in property		
Ms. Angie Watin (Dizon Farms) pointed out that the team needs to write the company for them to enter Dizon property.	InterDev Team leader for survey shared that an initial 11 households (for validation) will be affected. The team needs to interview them to secure information on: household information, inventory of loss, replacement cost and skills/ income recovery program. Also asked who will be interviewed for Dizon Farms.	Ms. A. Watin will give the contact details to whom the team needs to address their letter.

VI. Next Steps

The following were discussed as next steps after permission is given to enter the property: survey and tagging, consultations and planning to generate concerns of affected individuals/households and

integrate feedback in plan finalization. Presentation of RAP results will then be done to various affected stakeholders [including property owners] and support groups such as the BLGUs. Feedback along the process will be generated to determine any necessary revisions to the project plans.

The RAP team requested the BLGU to accompany them in the area once approval from the Dizon owners will be given. Ms. A. Watin guaranteed to the team that the structures within the Dizon property are owned by the family. The households living in the property are their tenants.

VII. Closing Message



Dr. R. Tomas thanked everybody for their attendance and participation. Next step will be for the survey, with InterDev coordinating with property owners prior to entry.




The meeting ended with the participants exchanging contact details for further communication.

Time ended: 2:57 p.m.

Documented by: F.J. Lozano, InterDev

Attendance Sheet


RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City
 










Registration Sheet

Barangay 19-B AFFECTED PRIVATE PROPERTIES Venue 2/F Brgy Hall, Brgy 19-B Date of Orientation 22 OCT 2021, 2pm

1. Lymela Laguna	InterDev - RAP-EP	09560897154	<i>[Signature]</i>
2. Rina and Manapri	InterDev - RAP-EP	09284208091	<i>[Signature]</i>
3. ROSEMARY FERNANDEZ	InterDev - RAP-EP	09274088011	<i>[Signature]</i>
4. ROSA L. MANAPRI	InterDev - RAP-EP	09692046182	<i>[Signature]</i>
5. JAMES BATERBONIA	DPWH - OCDDO STAFF	09072277540	<i>[Signature]</i>
6. ROBE GELI	DPWH - OCDDO	09172045714	<i>[Signature]</i>
7. NEWTON L. RADO	DPWH - OCDDO	0933-123-2130	<i>[Signature]</i>
8. GIL LARRY GELI	DPWH - OCDDO		<i>[Signature]</i>
9. HEPHOS LUPITA	CPDU - HHD	09202418228	<i>[Signature]</i>
10. Manuel Mondares	CPDU - HHD	09093462907	<i>[Signature]</i>
11. SAMUEL M. OBRADO	CPDU - HHD	0904955960	<i>[Signature]</i>
12. LANCELO LUPITA	INTERDEV WORKERS	0967603734	<i>[Signature]</i>
13. JOSE MARCEL MONDARES	CPDD	0918 911 87 39	<i>[Signature]</i>
14. ANGIE WATIN	DIZON FAMILY	09171489035	<i>[Signature]</i>
15. WECEDINA E. ALBISO	DPWH - OCDDO	09958542890	<i>[Signature]</i>

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City


RAP Feasibility Study
Orientation for the Barangay Officials
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 Flood Control and Drainage in Davao City
 

Registration Sheet

Barangay 19B AFFECTED PRIVATE PROPERTY Venue 2/F Brgy Hall, Brgy 19-B Date of Orientation 22 OCT 2021, 2pm

1. LORETO G. NICOLAS	During Barangay 19B	09650390678	<i>[Signature]</i>
2. Jan Lozano	BOA member		<i>[Signature]</i>
3. STEVEN B. LAROC	InterDev	09334436117	<i>[Signature]</i>
4. Rosalinda Lopez	InterDev	0933-933333	<i>[Signature]</i>
5. PAUL FORD	INTERDEV	09672066050	<i>[Signature]</i>
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Annex 9.14. Orientation for Affected Owners of Private Properties in Barangay Callawa

Feasibility Study on Flood Control and Drainage Project in Davao City
10 November 2021, 2/F Callawa Barangay Hall

Time started: 10 a.m.

I. Preliminaries

InterDev facilitator, Ms. Sheila Labos, opened the session with a short prayer, followed by a round of introductions of all participants. Those present were the main landowner in Callawa project site (Sitio Ilihan) represented by Atty. Rose Marie Cabaguio along with her assistants, some barangay officials, InterDev team, CPDO-Housing and DPWH-District Engineering Office. Atty. Cabaguio also invited the President of the Davao City Quarry Operators (M. Cerbo) as quarry sites might be affected by the project implementation. Atty. Cabaguio and family are also quarry operators.

After the brief introductions, the flow of the orientation/consultation was presented.

NOTE: The whole barangay experienced total brownout due to yesterday's massive flooding. A number of the barangays/areas in the city were flooded affecting electrical lines. The local power company decided to put off electricity first in the affected barangays [including Callawa] for safety reasons. Hence, the whole consultation did not use any powerpoint presentation but relied solely on direct discussions with the participants. A project primer was shared to all participants.

II. Project Overview/Orientation

Dr. Rosalinda Tomas, Team Leader of InterDev's public consultation and participation, provided the overall picture of the Resettlement Study in relation to the proposed flood control project. Major highlights focused briefly on: 1) Master Plan and Feasibility Study on the Flood Control and Drainage Project in Davao City, and 2) RAP objectives, components, project sites and processes. Maps were presented including for the proposed site in Sitio Ilihan in Brgy. Callawa to help participants visualize the location.



Private property owners discussing with the RAP team about their concerns. Also present were representatives from DPWH-DEO and CPDO-Housing Unit.

Immediately after the project orientation, the space was opened for Open Forum to allow the landowners and other participants to raise their clarifications and concerns as well as respond to queries from the RAP team and partners.

II. Open Forum

Since only one major landowner is in the proposed site, most of the comments came from this landowner as representative of her family.

Clarifications/Comments	Responses	Suggestions
Affected properties and Impacts on other businesses		
<p>Atty. R. Cabaguio: For context, she presented the ownership and relations of the initially identified property owners in Sitio Ilihan. Some lands are owned by the Cabaguio family. However, Cabaguio Farm is in Sitio Fatima (under Brgy. Mandug), not in Ilihan. The owner of the Mandug properties are the brothers of Atty. R. Cabaguio.</p> <p>Apart from this, the Cabaguio family has 11 quarries distributed to 11 members of the family (1 per family member).</p> <p>Ricky Pineda is the one buying sand and gravel from Atty Cabaguio; he is her nephew (also Vince Garcia who is R. Pineda's cousin).</p> <p>Jun Villar gets his products from Atty. R. Cabaguio and others. The land he is using belongs to the Cabaguio family.</p>	<p>InterDev: The barangay informants initially identified that the area was owned by the Cabaguio family. When it was surveyed, it was verified that the entire area was under the Cabaguio family.</p>	
Will the whole property be affected? Or only those near the river?	DPWH/InterDev: There's no definite actual boundary at the moment. This is just a plotting based on the information given by JICA.	
On cut-off works, will this affect Crocodile Park (driving range)?	InterDev: Yes. Mostly affecting Dizon's property and Sta. Lucia on the other side.	
<p>How would the project affect the quarry operators?</p> <p>Project impacts will be part of the decision-making of the landowners.</p>	<p>DPWH: The effect on the businesses (including quarry) will be included in the survey and study.</p> <p>Next step: If you will grant your approval, the team will go down to each of the property owners, and do a survey. Results will help JICA and the government to know the estimates/scale of effect. We will be excavating 2.3M cubic meter of earth materials.</p>	
Appraisal and Compensation		
<p>What if there is resistance to the project?</p> <p>"I will exhaust all my knowledge that it will be fair for my family. I cannot just let it go without fighting."</p> <p>"You have to think of the landowners, if you take all, there'll be nothing left for us."</p>	<p>DPWH: Expropriation will be done on the basis of the ROW Act if there is resistance. As much as possible, just compensation for expeditious acquisition of land will be negotiated first.</p> <p>You will be given Notice of Taking after all the surveys and other documentary verifications are done. Land/property owners always have the right to question the plans.</p>	Atty. R. Cabaguio: The government should only acquire the exact needed area, so that we will only sell the needed part.
"I will think about it if the price is good and enticing. JICA can afford a good price, just don't	DPWH: Our Japanese partners informed us that those who will be affected should be properly	

Clarifications/Comments	Responses	Suggestions
course it through the other government agencies to avoid slash in the price/payment."	compensated so that even after payment, you can see them happy. JICA-Davao: We will take note of all the comments and suggestions as we are also going to the ground to know feedback from different stakeholders.	
When we compute the value of payment, will you include the value of sand and gravel that will be taken in the future?	DPWH: It is up to the appraiser. They have their criteria. Appraisers are either from Development Bank of the Philippines or Land Bank.	
M. Cerbo of KEAN property: Based on our experience, government appraiser gave price that was below the value of the property. Considering that we already developed the property and we have a high return of investment, yet the price that was given by the appraiser was low, we hired our own appraiser so we can be compensated properly. Will government consider this if we get our own appraiser?	DPWH: We have to include this inquiry in the report. At the moment, government only acknowledges DBP and Land Bank to do the appraisal.	
Atty. R. Cabaguio: Based on the law, you can have your own appraiser, and we will have our own appraiser. If we cannot meet half-way, we can get another appraiser that is recognized by the court.	DPWH: DPWH cannot afford to hire different appraisers. We can only hire Landbank or DBP. But in this case, maybe we can consider as long as it is in accordance with the law. DPWH wants to have our own appraiser to expedite implementation of projects.	
Atty. R. Cabaguio: "We should spare a portion of the property for our family (siblings and other heirs). You cannot compute the sentimental value of a property.	DPWH: This can be considered as part of the survey.	
Project boundaries and other details		
What is the size of area needed? "If you say 50 hectares and our land is 50 hectares, then you will wipe us out. And that is our ancestral land." " If you are going to take 50 hectares from us, are you going to use all these lands for the project or this is just an estimate? Sometimes the government will take an area but it is left unused. Eventually, settlers will come in and illegally occupy the area even if the original owners are still in control of the property."	DPWH: As of now, we are still on feasibility study phase. We don't know yet the exact size of the retarding pond though there are initial estimates. There are 23 candidates for retarding basin, and the most appropriate are the three (3) mentioned for this project. There is no construction yet. This is our first time to ask permission from the landowners.	
What is the volume of the retarding pond? Where will the water go?	DPWH: The accurate volume is not yet determined as we are still in the feasibility study phase. Water will be stocked and only released if the water in Davao River has subsided already.	
How wide is the cut-off?	DPWH: No final measurement yet. Probably, after the survey and the feasibility study, JICA will be able to estimate the boundaries and this can be plotted in the map. We will know by then the size of the area that is really needed.	

Clarifications/Comments	Responses	Suggestions
Other Comments		
Is it possible in the future that there will be no more river flooding near El Rio Phase 5?	DPWH: This will be dried up if based on initial project plans. If project will push through, we aim that there will be no more flooding in the city. The study will also include Talomo and Matina Rivers, and will take note of the inland flooding.	
"We could have chosen to be under CARP. We have different choices but we chose to keep this property. We sacrificed the big ones which we sold to Lapanday Co. but we kept some properties for the family as these are important to our father."	DPWH: This project is very useful to prevent flooding in Davao City.	
Atty. R. Cabaguio: "I appreciate and I am glad with this consultation. I really have to come as previously, JICA and others even DPWH just enter the area and only inform us after the construction was done. Payment is even delayed."	DPWH: At least now, we are trying a different method. We will inform affected households/individuals first before the actual construction. We are trying to make it better.	

IV. Next Steps and Closing

InterDev Team Leader for public consultation and participation thanked all the participants and their active engagement during the consultation. All the information and comments will form part of the data to be submitted for consideration. Next stage is do the survey to generate more information that will be part of decision-making.

Before the closure, Atty. R. Cabaguio asked if it was ok to contact the team again on some concerns. The RAP team and other partners positively responded they are open to further engagement with the group to clarify some matters.

With no more concerns raised, the consultation was ended at 11:30 a.m.

Documented by: J.A. Lamanilao, InterDev

Attendance



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Registration Sheet

Barangay CALLAWA Venue BRGY. HALL Date of Orientation NOV. 10, 2021

1. TESORO, ANNA LIZA	HR/Admin Head Kean	09286089124 annaliza.4@keanblocks.com.ph	
2. REXAN RAINIER CABAGAL, Jr.	PHIDC - Kean D & P	09056694485 rrmc.design@gmail.com	
3. Privalluna Combo	Kean President	09177258170	
4. ATTY. ROSE MARIE CABAGUID	CABAGUID FROM	09177009781	
5. LUCITA SIASON	"	"	
6. Choe S. Andragio	JICA		
7. Jason Andragio	JICA		
8. ROGEE MACAPUYO JR.	LGU-CITY PLANNING	09674198015	
9. NEWTON L. ADAS	DWAH-DCDO	0933-143-2390	
10. SAMUEL M. CORDO	CPDO-MHID	09074935950	
11. SHEILA LAROS	InterDev		
12. JELITA LAMAYAN	InterDev	09178167622	
13. MANAPOL, RICHARD P	InterDev	09284708091	
14. Rosalinda Tomas	InterDev		
15. HONTANOSAS, SGA FIEL	InterDev	09089963126	

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 JICA-DPWH-Davao City LGU Feasibility Study
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Registration Sheet

Barangay CALLAWA Venue BRGY. HALL Date of Orientation Nov 10, 2021 (10 AM)

1. Mera Catayas	Enumerator - InterDev	09124968492	
2. Patricia Rose Bacanay	Enumerator	09212591312	
3. LAMAYAN, MARE	LOGISTICALS	09430003777	
4. FILL PRIO	INTERDEV	096728016050	
5. DEOWYO, RIMMEL	INTERDEV	09171473896	
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JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

Annex 9.15. Orientation for Affected Owners of Private Properties, Quarry Operators and Affected Households in Barangay Mandug

Feasibility Study on Flood Control and Drainage Project in Davao City
10 November 2021, 2/F Mandug Barangay Hall

Time started: 1:30p.m

I. Preliminaries

InterDev facilitator, Ms. Sheila Labos, opened the session with a short prayer. This was followed by a round of introductions of all participants which consisted of landowners, affected households (in Sitio Lapuy) and quarry operators. Apart from these affected stakeholders, other participants were the barangay officials, representatives from CPDO-Housing Unit, DPWH-District Engineering office and the RAP team from InterDev. After the brief introductions, Punong Barangay Rey Ototan, delivered a brief welcome message. The flow of activity was then discussed and then proceeded to the main project orientation.

NOTE: No electricity in the entire barangay due to massive flooding in the city the previous day. Presentation was done without powerpoint and relied on the maps printed in tarpaulin. Project primers were distributed to the participants to share basic information about the proposed project.

II. Project Orientation

As already practiced in previous consultations, Dr. Rosalinda Tomas, InterDev team leader for public consultation and participation provided the overall picture of the Resettlement Study in relation to the proposed flood control project in the city. Major highlights focused briefly on: 1) Master Plan and Feasibility Study on the Flood Control and Drainage Project in Davao City, and 2) RAP objectives, components, project sites and processes. Maps were presented including for the proposed site in Sitio Lapuy in Brgy. Mandug to help participants visualize the location.

Immediately after the project orientation, the space was opened for Open Forum to allow the landowners and other participants to raise their clarifications and concerns as well as respond to queries from the RAP team and partners.

III. Open Forum

Clarifications/Comments	Responses	Suggestions
Previous experience with DPWH		
<p>Cabaguio family: We have a very bad experience with DPWH with regards to payment (DECA Road) related to an implemented project. After four (4) years, no payment has been done. We have constantly followed up but still nothing. Same situation might also happen with this project.</p> <p>Yet we are a bit complacent if it's JICA.</p>	<p>DPWH: This concern has to be referred to the DPWH Regional Office; need to write formal letter. That is why as early as now, we are already consulting for this JICA-funded study to generate feedback. This is not yet implementation but planning/feasibility stage. Whatever data we can gather will be evaluated by JICA and the government to determine the possibilities.</p> <p>Part of the study is to look at the costing. A survey will be conducted to identify properties in the area. There will be a survey team to go to you for interview, so you can share your worries and questions, and this will be part of the report.</p>	<p>Refer concern on non-payment of compensation to DPWH Regional Office.</p>

Clarifications/Comments	Responses	Suggestions
How long will the project run?	DPWH: We are still in the feasibility study phase, so we cannot determine actual project term. Even the final size of the retarding pond is not yet fully determined. No final design and definite details yet. Our purpose now is just to inform and to ask permission to allow us to do some of the preparatory project activities. We hope to correct the previous experience hence, this series of consultations so we can talk.	
Compensation and relocation		
What is computation for just compensation?	DPWH: This will be based on market value for negotiated sale.	
There will be no immediate expropriation?	DPWH/InterDev: Expropriation is not the first response. There are different forms of acquisition of properties for government projects. This is only one mode. We are now doing feasibility study so no finality yet. Whatever data we can gather, this will be evaluated by JICA and the government to determine the possibilities.	
Affected household (from Sitio Lapuy): It is enough that we know that we will not be evicted immediately, since this is still a plan. We are confident that we will not be evicted without compensation or relocation.	DPWH: Yes, and it is good that we can also prepare. You cannot be evicted without just compensation and if needed to be relocated, a relocation site will be provided. AHs will be included in the planning including selection of relocation site as long as it is available and affordable.	
On Quarrying		
Quarry operator: For those doing quarry operations, what will be compensation? Are equipment included?	DPWH: We cannot provide an answer this early. Maybe you can still do quarrying even while the project is ongoing. There will be dredging from the mouth of the river up to 23km upstream. It will be good if somebody will quarry, so that government will not spend in terms of dredging. As of now, we cannot tell yet if quarry will stop or to continue. Once the feasibility study will be finished, that's the time we can determine our actions.	
Follow-up: If we are allowed to do quarrying for the project, is there no need for a permit?	DPWH: There are still requirements but maybe regulated. But still not sure. For now, you can still continue your quarrying since we don't know yet when project implementation will start.	




IV. Next Steps and Closing

After this consultation, next stage is to conduct the survey and tagging among the affected households. There will also be a survey of all property/landowners to get a picture of their claims. The RAP team asked the participants if it was ok to visit them in their areas to do the survey and interviews. All responded positively. RAP team will coordinate with them as to the schedules.


With no other concerns, the consultation was ended at 2:00 p.m.




Documented by: J.A. Lamanilao, InterDev

Attendance



RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City



Registration Sheet

Barangay MANDUG
Venue BRGY. HALL
Date of Orientation Nov. 10, 2021

1. Emma A. Alcamo	Sitio Leader/Lapuy	09075440396	Edelaine	LA BAYRGO
2. Patricio Pangasinan	Home Owner	1		
3. Cesar Layanon	Home Owner	1		
4. Gubalan, Jerson	CHD - Heavy Handling	09075622873		Cavall (Pne Patient) CABAC'S
5. Rogelio V. Ricano	CHD - Transport/Bullock	09464092591		
6. MARION Aranda	Property Owner	CP		
7. Virgilio Y. LUPON	LA BAYRGO Home Owner	0964-1968-049		CABAC'S
8. Eduardo Yaranay	Reg. Prop. (MFR)	09034071176		
9. EY V. OTOLAN	P.B.	09467605229		
10. LORENA S. ALMADA	STAFF, LUPON PADS OFF.	09069027158		CABAC'S (PATIENT)
11. Eduardo Imacin	Staff, LUPON PADS OFF.	09463730616		
12. ROSIE MAGPOTO JR.	LGU - CPDO	09674198015		
13. MANDUG ORBACIO JR.	Barangay / LGU ORBACIO	09278905049		CABAC'S (PATIENT)
14. MANDUG ORBACIO JR.	Barangay / LGU ORBACIO	09278905049		
15. NEWTON L. APASO	DPWH - PLBDO	0933-147-2380		

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

JEMSON GUBALAN - Managing Officer of Engrsco/Barangay
(OWNER) RONNIE USANAN



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Registration Sheet

Barangay MANDUG Venue BRGY. HALL Date of Orientation NOV. 10, 2021

No.	Name of Participant	Position / Organization	Contact Number	Signature
1.	Josa Andrian	JICA	09218193358	
2.	Ches S. Andres	JICA	090149355950	
3.	STELLA M. ORPADO	CPDO-ITDD	09121968492	
4.	Mera Cateyax	Interview	09089903128	
5.	RODRIGUES, SISA FIEL T.	Interview	09212581312	
6.	LABOS, STELLA	Interview		
7.	DACARAY, Patricia	Interview		
8.	ADRIAN, ANDRIAN	DPWH		
9.	Gili, Pang	DPWH		
10.	Oras, Carlo	DPWH		
11.	BARTOLOME, RAY	DPWH		
12.	CRISTIAN, KEITH	DPWH		
13.	DELTA LAMPANILAO	INTERVIEW	09198163036	
14.	TERENCE EDUARDO M. FERNANDEZ	INTERVIEW	09171928607	
15.	PARASOL, TONY	INTERVIEW		

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RAP Feasibility Study Orientation for the Barangay Officials JICA-DPWH-Davao City LGU Feasibility Study Flood Control and Drainage in Davao City



Registration Sheet

Barangay MANDUG Venue BRGY. HALL Date of Orientation NOV. 10, 2021

No.	Name of Participant	Position / Organization	Contact Number	Signature
1.	LAMIGUE, LARRY	INTERVIEW / LOGISTIC	09136003754	
2.	PAUL PAJO	INTERVIEW	09672806050	
3.	MANABAL, KATHRYN P	INTERVIEW	09284708091	
4.	DEJAY, ROMAN	INTERVIEW	09171473896	
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JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

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Annex 9.16. Orientation for Owners of Affected Private Properties in Barangay Talandang and New Valencia

Feasibility Study on Flood Control and Drainage Project in Davao City
9 November 2021, 2/F Talandang Barangay Hall

Time started: 10:04 a.m.

I. Preliminaries

The orientation for stakeholders in Brgy. Talandang began with a non-denominational prayer led by Ms. Sheila Labos and Mr. Niño Coquilla, both from InterDev. Ms. Labos then welcomed everyone to the meeting.

II. Introduction of Participants, facilitators and other stakeholders present

Ms. Sheila Labos facilitated the introduction of participants. Most were landowners and farmers from Sitio Bonggan and Purok Saging. One participant owned a poultry farm while two others owned and operated a quarry. Representatives from the Barangay Council, DPWH, JICA, DCDEO, and CPDO were present. The InterDev team was there to facilitate and document the orientation.

III. Opening Message

Kagawad Emy Grace Man-on gave the opening message. She expressed the need for the participants' involvement. Kag. Man-on wanted the residents and landowners to sit and learn about the proposed steps of the City Government to address flood control issues. She also encouraged everyone to raise questions while representatives from different agencies were present. Kag. Man-on then thanked everybody for taking the time out to attend. Lastly, she welcomed everyone to Barangay Talandang.

IV. Objectives of the Orientation Activity

Ms. Sheila Labos proceeded to present the objectives of the orientation activity. The first is to present the Resettlement Action Plan (RAP) Study. The second objective is to generate feedback and comments and to see possible points of engagement and support. Ms. Labos then presented the activity flow – starting from the sharing of background information of the study, RAP process, open forum, and the likely next steps.

V. Presentation of JICA-RAP Study

Dr. Rosalinda Tomas from InterDev presented the objectives of the JICA-RAP Study, emphasizing that the activity is at the study level and no implementation is done yet. The study is conducted to help consultants and the City Government of Davao in the design of appropriate flood control measures. Overall study objectives and expected outputs were presented, the latter in terms of a masterplan for flood control and drainage, feasibility study and capacity enhancement. Main implementing agency is DPWH, with support of the Davao City



Sharing information and concerns between RAP team and property owners during the project orientation.

government. As part of the feasibility study, a RAP study is done. The Notice to Proceed from the Office of the City Mayor was presented. Components for the RAP study are: river dredging, cut-off works, and retarding ponds. River dredging does not involve any infrastructure and is done to secure appropriate river flow in order to reduce risk of overflow. Cut-off works will shorten the river line and increase river flow. The retarding ponds will provide temporal water storage during heavy rain. For this last component, the project areas are New Valencia and New Carmen (RP 8), Callawa (RP 9), and Mandug (RP 11).

Barangay Talandang is included under RP 8 upon recommendation of Brgy. New Valencia officials. it was proposed that Talandang should be included as the owners/residents within the proposed site are interacting more with barangay even as for zoning, the site is under New Valencia. Dr. Tomas proceeded with presenting samples of an RP in the Philippines and in Japan (Watarase) for visualization.

The basis for RAP --RA 10752 or the Right-of-Way Act, and RA 7279 or the Urban Development and Housing Act were also highlighted. The affected areas in Talandang are mostly agricultural and for business. Regardless if there are residents or not in the area, the laws state that there is “no eviction without just relocation and compensation.”



Left: Property owner emphasizing a point related to terms of compensation. Right: CPDO representative clarifying a few points about the project.

Under the ROW Act, there are different modes of acquiring real property for any national infrastructure project, notably through donation, negotiated sale, expropriation, or any other mode of acquisition as provided by the law. Dr. Tomas clarified that expropriation will only occur when parties do not arrive at an agreement. Instead, the court will decide the appropriate value for the property. According to Section 5 of ROW, the compensation price will be the current market value of the land, replacement cost of the structures and improvements therein, and the current market value of the crops and trees therein. Hence, the land, structures, and all crops within the area will be priced according to their current market price. The determination of appropriate price offer will require the services of a Government Financial Institution or an independent property appraiser that is accredited or recognized by the Bangko Sentral ng Pilipinas. If the landowner does not agree with the negotiated price, then the implementing agency shall initiate the expropriation proceedings.

As part of the RAP study to determine the affected households and properties, several surveys will be done: (1) census and household survey; (2) inventory of loss; (3) replacement cost; (4) income recovery program; and (5) relocation site. Consultations with affected stakeholders are necessary. The RAP process requires consultations and orientations to determine whether stakeholders would allow the implementation of the study. Should they agree, then the InterDev team will proceed with the survey and tagging. Consultations will then follow – the data from the initial survey will be presented to the

affected households/individuals for validation and the RAP will be facilitated. RAP results will be presented as the final step

VII. Open Forum

Clarifications/Comments	Responses	Suggestions
On Compensation and livelihoods		
Mr. Edilberto Garay (quarry operator and landowner) asked what the <i>negotiation settlement process</i> will be for lands that are <i>non-titled</i> . He explained that they already have titles for some of the properties they bought in the area but there are others that are still being processed for titling.	DPWH Engr. Newton Apao explained that if there is already a deed of sale, then the person who bought the land will be the one to receive the negotiated settlement.	DPWH suggested that property owners process the titling before the commencement of the project. Those lands with deeds of sale and titles will ensure the owners of settlement. He added that the landowners include the heirs so need to process Special Power of Attorney (SPAs) in time for the beginning of the project.
Ms. Lourdes Cabaguio Egagamao asked about what will happen to their livelihoods.	Engr. Apao said that <i>income recovery</i> is part of the study. InterDev added that surveys are essential particularly since they provide a clearer picture of what is in the area. Ms. Egagamao noted they will negotiate once the areas are surveyed. To which, Ms. Labos asked if they are willing to be surveyed. Ms. Egagamao answered they will allow the survey to determine the boundaries and which areas are indeed affected.	
Mr. Rogelio D. Jacomilla, Sr. (CABEARBCIO President) said they have 130 members in the areas that are under contract with Lapanday Co. They haven't fully paid it yet and they still have a balance for nine years (13,000 per hectare per year). Mr. Jacomilla Sr. then said for 64 hectares, the value is more or less 13 million. How will they pay Lapanday. " <i>Asa mi padulong?</i> " (where will we go) There are other interested buyers but what will be the government's proposal? He asked about the tentative value so he can relay it to the other members of CABEARBCO.	DPWH advised Mr. Jacomilla not to give the association members any figure yet. The price will be determined by a licensed appraiser. DPWH had shortcomings before since they proceeded with the project implementation without properly consulting stakeholders. Now they are trying to change their mistakes. He also mentioned about SAP and the diversion of budget, asking for understanding and said if there was no pandemic, the landowners and farmers might have been paid already. He stressed that " <i>there is no perfect government</i> " and hopefully, they will understand each other. Lastly, he cited the flood control measure in Japan. The Japanese altered the river in Tokyo and now, after a hundred years, they do not experience any flood. However, Engr. Apao said they cannot entirely compare Japan and Davao given the different circumstances. Once the recommended flood control measures are incorporated into the plans, then the city might not experience any flooding again. He	DPWH suggested that the members be informed about the government's plan. However, there is no amount yet since the project is still at the initial study phase. He acknowledged every member is entitled to the income recovery program but cautioned against coming up with figures without a licensed appraiser. There is a process to be followed when it comes to land valuation. This was acknowledged by the CABEARBCO president.

Clarifications/Comments	Responses	Suggestions
	asked everyone to trust the engineers and JICA when it comes to addressing the flood issues in the city. This is the “best shot” in solving the city’s flooding concerns.	
From a Barangay Kagawad: If the project will be implemented, could labor be hired from the local members of the community?	InterDev said this can be proposed during the survey.	
Project details and impacts		
Mr. Arnold Tan who owns a poultry farm asked when the project will commence. As a follow-up, he asked when the survey will start.	<p>DPWH said once the masterplan is approved then that is the time the government can process the budget. For now, the study is ongoing to produce the final masterplan. He gave an estimate of two years before the implementation.</p> <p>Ms. Sisa Fiel Hontanosas (InterDev) responded that the initial survey indicated that residential structures are outside the planned RP area.</p> <p>InterDev Engr. Richard Manapol added that the team is working in close coordination with DPWH to identify the owners of all the affected properties. He also asked to conduct meetings with landowners to do the appraisal. The proposed timeframe is to finish the surveys by the end of the year. However, he noted that completing it is challenging and said that the team can proceed ASAP should the participants agree and provide the needed details. The next consultation will involve a presentation of the proposed price, which covers all crops.</p>	<p>Dr. Tomas (InterDev) said if it is okay with the participants and owners of the affected properties in Talandang, the team responsible can start the survey as early as next week. She reiterated that the surveys are only for gathering data to support the study. This will help the government decide whether to continue the project or not.</p> <p>Someone from the InterDev team asked for contact details. Mr. Garay advised the team to text instead of calling since he does not entertain calls. He further clarified that he is not “anti-development” and there is nothing they can do since it is Government property. The titles they are holding are only a privilege. Ms. Shiela Garay added it is stewardship. Mr. Garay then stated that the proposed plan will be for the future of everyone.</p>
<p>A participant asked if the retarding pond is similar to a fishpond.</p> <p>Will the project use concrete? How deep is the pond?</p>	<p>Engr. Apao said that the RP will be similar to a fishpond. The area will be dug up and concrete will be used.</p> <p>As to the depth, it will all depend on the result of the study. There is also a possibility that it will become a wetland.</p>	<p>Mr. Garay said one of the project plans is dredging. With the number of people quarrying, it is no longer necessary. He suggested they will do the dredging and the project need not pay them for it. They only need the excavated materials so recommended these should be turned over to them instead. This proposal was affirmed by Mr. Jacomilla Sr. as this will reduce costs.</p> <p><i>NOTE: Engr. Apao and Mr. Garay exchanged contact details.</i></p> <p>Mr. Garay then expressed his frustration regarding the renewal of their quarry business. He said there were too many requirements.</p> <p>Engr. Apao requested they raise the suggestion during the survey. He acknowledged it was a good idea to</p>

Clarifications/Comments	Responses	Suggestions
		assign the dredging works to the community as a livelihood. He added that JICA was trying to figure out where to dispose materials and aggregates during the dredging. This will be good suggestion to present to JICA.
Mr. Roque Magpuyo, Jr. of the LGU CPDO said the process for their office is not that complicated since there are no affected dwellings in Talandang. What is important is that those affected will be justly compensated. That is why the cooperation of the stakeholders is necessary and they should raise whatever concerns they may have in order for them to be addressed.	Engr. Apao said it is his first time to encounter people who are "willing <i>mo-question sa ilang livelihoods</i> " (willing to question their livelihoods). With that, he expressed his gratitude and hoped that the community will welcome the survey team in order to have a proper estimate of the price and the needed budget for the compensation.	

VI. Next Steps and Closing

Dr. R. Tomas asked everyone if they would allow the team to conduct the survey. The participants gave their consent. Dr. Tomas informed them that the team will coordinate with them so the surveys could be conducted likely the following week.

Ms. Sheila Labos then thanked everyone for their time. Dr. Tomas also expressed her thanks to everyone who joined and agreed to the conduct of surveys.

Time ended: 11:39 a.m.

Documented by: J. Baldonado, InterDev

Attendance


RAP Feasibility Study
Orientation for the Barangay Officials
JICA-DPWH-Davao City LGU Feasibility Study
Flood Control and Drainage in Davao City



Registration Sheet

Barangay TALANDANG Venue BLVD. HALL Date of Orientation NOV. 9, 2021

Name of Participant	Position / Organization	Contact Number	Signature
1. <u>ARNOLD TIBUG S. TAN</u>	<u>LAND OWNER (Farmer)</u>	<u>0910 135 4716</u>	<u>[Signature]</u>
2. <u>SHIRLEY MARIE GARCIA</u>	<u>LAND OWNER (Farmer)</u>	<u>0917 705 4242</u>	<u>[Signature]</u>
3. <u>PHILIPPA GARCIA</u>			<u>[Signature]</u>
4. <u>LORENZO CALANCA</u>	<u>DEED OWNER</u>	<u>0946 629 4456</u>	<u>[Signature]</u>
5. <u>VINCENT A. ESPINOSA</u>	<u>"</u>	<u>0910 135 4716</u>	<u>[Signature]</u>
6. <u>JAMES BATERONIA</u>	<u>DPWH</u>	<u>0967 227 7544</u>	<u>[Signature]</u>
7. <u>NEWTON L. APAO</u>	<u>DPWH</u>	<u>0933-143-2380</u>	<u>[Signature]</u>
8. <u>Vivian J. Sarona</u>	<u>LAND OWNER / REP.</u>	<u>0949 971 7886</u>	<u>[Signature]</u>
9. <u>CHRISTOPHER C. YMEN</u>	<u>Land Owner</u>	<u>0951 888 4417</u>	<u>[Signature]</u>
10. <u>Gemma C. Lacang</u>	<u>-</u>		<u>[Signature]</u>
11. <u>JOSEPH VILLANUEVA</u>			<u>[Signature]</u>
12. <u>JOSEPH VILLANUEVA</u>			<u>[Signature]</u>
13. <u>ROBERTO CARAGUA</u>			<u>[Signature]</u>
14. <u>FERDINAND TAPACIA</u>			<u>[Signature]</u>
15. <u>Lourdes C. Espinosa</u>			<u>[Signature]</u>

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City


RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City







Registration Sheet

Barangay TALANDANG Venue BLWT. HALL Date of Orientation Nov. 9, 2021

Name of Participant	Position / Organization	Contact Number	Signature
1. LEA C. NAVAERO	Land Owner		
2. NIKOL A. Esguerra			
3. ROGELIO D. JACOBILIA, Sr.	Officer-in-Charge / CABEARNCO	09656720772	
4. MYRA C. COMO	Laboratory Property Mgr.	09171363996	
5. RODRIGO MAGSAYO JR.	LGU-CDO	09674198015	
6. SAMUEL M. CEBENO	"	09014135950	
7. ARNIEL C. MATHUSAJ	LAND OWNER	0901557434	
8. NINO G. COQUILUA	INTERVIEW	09957438310	
9. MANABE, RICHARD P.	INTERVIEW	09284208091	
10. HORTENSIO S. SISA FUEL T.	INTERVIEW	09089903128	
11. LAFAL, LAMORSE	INTERVIEW	0966412754	
12. BRUNO M. JUANES	INTERVIEW	09369403165	
13. PRA PRAO	INTERVIEW	09672806050	
14. Rosalinda Torres	INTERVIEW		
15. Lea S. Navaero	Prk. Leader		

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City


RAP Feasibility Study
Orientation for the Barangay Officials
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 Flood Control and Drainage in Davao City

Registration Sheet

Barangay TALANDANG Venue BLWT. HALL Date of Orientation Nov. 9, 2021

Name of Participant	Position / Organization	Contact Number	Signature
1. LAROX SHEILA	INTERVIEW / FACI		
2. DENLYN DOMINER	INTERVIEW		
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JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

Annex 9.17. Presentation of RAP Survey Results

Feasibility Study on Flood Control and Drainage Project in Davao City
For Retarding Pond 11 - Sitio Lapuy
9 December 2021
LABEARBCO Building, Sitio Lapuy, Brgy Mandug, Davao City

The team arrived at almost 10 a.m. already and started the session at around 10:10 a.m. The team from CPDO arrived a bit later when the session started.

I. Preliminaries

Ms. Sheila Labos from InterDev facilitated the session. She led the opening prayer before the formal session started.

II. Introduction of Participants, facilitators and other stakeholders present

The participants were asked to introduce themselves by stating their names and number of years they have stayed in the area. Of the identified four affected households, three representatives were present (one household dually representing the other household who is a relative). There were additional two representatives from households that were not surveyed but identified themselves as residents in the area. Other participants were from LABEARBCO, CPDO-Housing and the InterDev team.

Name	Number of Years of Stay in Area
Adelaida A. Oros	Representative of Virgilio Lauron Since birth (referring to Virgilio Lauron) also representing brother of V. Lauron (Ceasar) who is a resident in the area (PWD-cataract)
Patricio Bargaso	64 years, since birth
Marilou Amarillo	Representative of Felipe Amarillo, 71 yrs
Jemarie Alcano	Representative of Lester Alcano, not in the survey
George Braga	LABEARBCO, not in the survey, 4 years in the area

III. Objectives of the Activity

Ms. Labos briefly presented the objectives for the day's session covering: a) presentation of RAP survey results, b) get feedback, and c) facilitate Resettlement Action Planning.

IV. Presentation of RAP Survey Results

Dr. Rosalinda Tomas of InterDev presented a review of the project on Flood Control and Drainage in Davao City emphasizing the focus on Davao River, with DPWH as main proponent. She reviewed the RAP Components: Dredging, Cut-Off Works, and Retarding Ponds. She highlighted that Sitio Lapuy will be part of the proposed area for the three retarding ponds.

Several activities were undertaken in relation to the RAP process. For Sitio Lapuy, there were several consultations conducted at the Barangay Level (Oct 30, Nov 9) providing information about the proposed project. Today, the consultation hopes to gather feedback and suggestions from the group to be included in the Resettlement Action Plan.

The RAP team will then consolidate the result of the planning and present it to the LGU and other Support Groups, before submitting to JICA and DPWH for their review.



Representatives of affected households and other stakeholders in RP-9, Sitio Lapuy.

Dr. Tomas presented the Map of Sitio Lapuy - Retarding Pond 11. She pointed out that there were only four (4) houses identified which will be affected by the proposed retarding pond. The structures owned by Jermarie Alcano & George Braga were not included in the survey. The two participants claimed that they have houses in the affected area and they also have another house at Sentro Lapuy where their family lives. *(The team decided to check and see for themselves the location of the structures after the consultation).* Engr. Richard Manapol also pointed out that they went to the area twice and it was the Barangay Captain who told the survey team that there were only four (4) two (2) structures are considered as temporary

shelters when the household members work in the field.

The survey themes were shared to the group covering the following: 1) socio-economic and demographic profile, 2) perception of the project, 3) inventory of loss, and 4) Income recovery.

Based on the survey result, these are the owners of the four (4) houses that will be affected by the retarding pond:

- Ceasar Lauron, 61 years old
- Virgilio Lauron, 57 years old
- Ronnie Bargaso, 64 years old
- Felipe Amarillo, 74 years old

NOTE: At around 10:35 a.m., the wife on Felipe Amarillo (Marilou), left the meeting. She was asked by his grandson to go home to check with the other grandchild as s/he was really pale and not feeling well. She did not come back for the consultation.

In terms of land use and land ownership, LABEARBCO owns the affected land, with some portion leased to Lapanday Co. Major crop in the area is banana. Mr. George Braga pointed out that the property leased to Lapanday is owned by the Panlilio family which is about 19 hectares. This will be checked/verified by the team. The group was then asked who among them are members of LABEARBCO. Among the affected households, only Virgilio Lauron while the other was George Braga and the one represented by Jemarie Alcano.

The type of shelter in the area are all light materials made of cogon, nipa, anahaw, and wood.

Among the 4 interviewed households, only Ceasar Lauron does not own any other structure or house outside of the area.

- Virgilio Lauron and Felipe Amarillo with houses at Sentro Lapuy.
- Patricio Bargaso owns another house at Sitio Manaklay, Callawa.

In term of access to basic services, health and education services -- all services are located in Sentro Lapuy and in Mandug proper. Only Virgilio Lauron has electricity (tapped from higher area) while the rest use gas/kerosene for lighting. Perception and acceptability of the project was also shared.

At the end, Mr. Braga raised his concern about his status -- "*Pa-unsan 'tong akong balay didto?*" (What will happen to my house in the area?). The team agreed to check his house location (and also of J. Alcano family) after the session.

V. Basis of RAP Eligibility

To reiterate, Dr. Tomas presented the major policy that presents the basis for eligibility for resettlement or compensation:

- a. RA 10752: Right of Way Act (ROW) Sec. 5, 3(b), criteria on negotiated sale: must be a Filipino citizen, must not own any real property or any other housing facility whether in urban or rural area, and must not be a professional squatter or member of a squatting syndicate.

Replacement Cost: Current Market Value of the improvements and structures + current market value of the crops and trees located within the property, as determined by a government financial institution or an independent appraiser accredited by the BSP.

Note that there should be no other housing facility owned by those affected.



VI. Options

- a. Relocation - will proceed to planning on the following: a) Proposed relocation site, b) Housing design & cost, c) Income & livelihood, and d) Access to basic services
- b. Direct Payout: Replacement cost at current market value of all assets

Questions and Discussion:

The group was asked about their decision as to what option they will choose:

Name	Decision & Suggestion
Adelaida A. Oros	as representative of Virgilio Lauron - will opt for relocation; money can just be easily wasted/lost, better to have a small lot to build a house
Patricio Bargaso	will opt for pay out
Marilou Amarillo	She did not return since she left the session.
Jemarie Alcano	Not included in survey but will opt for pay out, in case eligible.
George Braga	He was not included in the survey but will opt for pay-out, in case eligible.

If there are no other options left, they will opt for pay out. Given other options, they would like to have their own land. They suggested relocation at Sitio Pangi (near the main road) but a 100 sq.m. lot is estimated to cost at around P200,000. It was also suggested that if it is okay to reduce the size of the retarding pond, a portion can be allocated for their relocation.

Considering that most present opted for pay-out, RAP team decided not to proceed to actual RAP Planning. Also, the actual replacement cost for each affected household is small so that direct pay-out is less costly compared to purchasing land for relocation. Additional consideration is that most have houses in other areas which makes them ineligible for relocation based on ROW Act. Group decision will be presented first to JICA.

VII. Next Steps


Dr. Tomas presented that the group's feedback will be reported to JICA first for consideration.

Session ended at 11:33 a.m.


NOTE: After lunch, RAP team proceeded to check out the houses of Mr. George Braga and the family of Jemarie Alcano. It was confirmed to be temporary shelters and not a permanent housing for the households, although both structures are located within the proposed RP site and just near the Davao River.




Documented by: F.J. Lozano, InterDev

Attendance: For RAP Survey Results Presentation



RAP Feasibility Study
Orientation for the Barangay Officials
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City



Registration Sheet

Barangay Isitio Lapuyan Venue UPT-PRCO Date of Orientation 12.9.21

1. ADELAIDA A. OROS	(Rep. Virgilio Lauran)	09091968049	<i>[Signature]</i>
2. <i>Patiid</i>	<i>c/o Adelaida Oros (neighbor)</i>		<i>[Signature]</i>
3. Marilou	<i>Ararillo</i>		<i>[Signature]</i>
4. Jemarie Alcano		0917467466	<i>[Signature]</i>
5. NIÑATOL, RICHARD P		09284208091	<i>[Signature]</i>
6. FERNANDEZ, ROSEMARY		09876088011	<i>[Signature]</i>
7. JUANITO Cabagui S.	<i>Cabagui</i>		<i>[Signature]</i>
8. Shirla Labac	<i>InterDev</i>		<i>[Signature]</i>
9. Jan Laguna	<i>InterDev</i>		<i>[Signature]</i>
10. <i>Ann</i>	<i>INTERDEV</i>	09692806050	<i>[Signature]</i>
11. <i>Jemie P Braga</i>	<i>InterDev</i>	0917280959	<i>[Signature]</i>
12. <i>RODOLFO W. Laguna</i>	<i>DINO</i>	09671198015	<i>[Signature]</i>
13. SAMUEL M. CEDENO	<i>CPDO-HHDD</i>	09074935950	<i>[Signature]</i>
14.			
15.			

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

Annex 9.18. Virtual Meeting-Presentation for RAP Results to the LGUs, NGAs, CSOs, and the Academe

Feasibility Study on Flood Control and Drainage Project in Davao City
15 December 2021, 10:00 am to 12:00 pm via Zoom

Time Started: 10:06 am

- I. **Preliminaries.** The virtual Zoom room was opened at exactly 09:49 am and started admitting participants. Ms. Julianne Baldonado, the facilitator from InterDev, reminded the participants to update their names and include their offices in the virtual platform. The start time was delayed for 5 minutes to wait for additional participants, especially those coming from CSOs.

The activity started with a pre-recorded video prayer and Pambansang Awit.

- II. **Introduction of Participants, facilitators, and other stakeholders present.** The facilitator introduced the participants and called on each one to confirm their attendance.
- III. **Opening Message, Objectives, and Presentation of RAP Results.** Dr. Jesse Manuta gave an overview of the RAP Project highlighting the partnership between JICA and Philippine government through DPWH focused on developing flood control measures. The RAP constitute three components: river dredging, cut-off works, and retarding ponds. River dredging will secure appropriate river flow to reduce the risk of overflow and will be conducted in the following areas: Barangays 1, 2, 5, 8, 19, Bucana, Tigatto, Maa, New Carmen, Waan, and Mandug. Cut-off works will shorten the river line and increase river flow affecting Barangays 19, 8A and Ma-a. Lastly, retarding ponds will serve as temporal water storage during heavy rain and will be constructed in New Valencia and New Carmen (RP 8), Callawa (RP 9), and Mandug (RP 11).

Other project details presented included the RAP processes consisting of consultations, survey and tagging, resettlement action planning, RAP presentation to LGUs and support groups, and JICA-DPWH Agreements resulting in a master plan or final feasibility study. Lastly, he presented the progress of the project, where ocular visits were conducted from September 25 to 29 and public consultations also conducted among BLGU officials, landowners, and other stakeholders such as LGAs, CSOs, and the academe.

The objectives for today's meeting would be to present the initial RAP results related to the proposed Flood Control and Drainage Project in Davao City for the Davao river only. This is intended to also generate feedback and areas of support from the different stakeholders. Finally, the program flow was presented as guide for all participants.

- IV. **RAP Study Findings.** Dr. Melba Manapol presented the findings of the study. The retarding ponds have a total of 78,000 hectares affected in Barangay Valencia. In Barangay Callawa, the total affected area was 40.323 hectares. There are 71.260 hectares affected for Barangay Mandug, and with a number of affected households. There are 20.732 hectares affected for Ma-a. The case of Ma-a is critical because the study encountered negative perceptions. Only 16 households were covered in Ma-a due to negative reactions. People in the community did not listen and refused to participate.
- V. **Planning for Affected Households in Mandug.** Dr. RosalindaTomas presented the results of the consultations in the Mandug area only where affected households are present. There were two separate consultations with the leaders and the households. Consultations with the landowners were also conducted. The actual site affected in Mandug is Sitio Lapuy, with only four permanent households within the area. The land was previously owned by the Babao family and is now owned by

the Lapuy-Batallion Employees Agrarian Reform Beneficiaries Cooperative (LABEARBCO) which rented out portions of the land to Lapanday Corporation, with some areas tilled by individuals. Dr. Tomas also presented survey themes, and highlighted those four household occupants. These households were mainly comprised of senior citizens and were allowed by LABEARBCO to stay in the area.

Most of the area are cultivated with bananas. There are also other crops and livestock-raising activities. In terms of monthly income, the income of the four households was very low, ranging from Php 1,000 to 25,000. The houses were also made of light materials. The estimated house costs presented were from Php 8000 to Php 100,000. It was identified that the three households have access to other houses outside the area, in case they are no longer allowed in their current location. Only one lives entirely in the area with no option to transfer. It was also noted that there is no drainage facility, and only one has a water-sealed toilet facility.

In terms of awareness of the project, three participants did not know about the RAP project, and one said that they heard about it during the RAP team entry. Dr. Tomas also presented the basis of RAP eligibility based on RA 10752 or the Right-of-Way Act. The replacement cost was also explained to the household members, but government agencies will identify the final value. This was also explained to the affected households.

When asked about their decision whether they would opt for relocation or direct payout, for the three who were present in the consultation, most of them opted for direct payout. There was one however, who wanted to be relocated considering money will only last for a short time. Lastly, no actual plan was created because of this decision but their decision will be presented to JICA and DPWH. There were additional two people who presented themselves as occupying the area. However, they were not identified by the barangay during the survey as they were not permanent settlers. Hence, they are not qualified because they do not reside in the area.

VI. Multiple uses of Retarding Ponds and Strategic Involvement and Engagement of the Academe and CSOs. Mr. Dam Vertido explained several ways of looking at the project, especially the retarding ponds for other uses aside from a flood control facility. He emphasized the expansive land area of the retarding ponds. One of the suggestions was to have an island in the area for wildlife conservation. Another idea is to develop it into a low-visitation and well-managed eco-tourism area. There was also a suggestion for a sports area when it is dried up. Tree planting activities were further suggested for the surrounding mountainous area as a rehabilitated forest. As discussed with DPWH, he ended that there is a RAP area, a livelihood value chain, an eco-tourism area, and a conservation area. However, the three barangays hosting the retarding ponds need help in the project implementation and enhancing their barangay development plan. This is the challenge for the academe to realize these visions and incorporate them into the flood control requirements. He also challenged the RAP team to wrap up the study by February or March 2022 because the approval would take time.

VII. Open Forum

Clarifications/Comments	Responses	Suggestions
Cut-off Works		
Rodrigo Bustillo - CDRMO Asked about the cut-off works because he is not knowledgeable about the project and the negative reaction in Ma-a was already raised. What is the purpose of this cut-off works and how does it help with flood control? Maybe if this is explained thoroughly to the households,	Engr. Allan de la Pena from DPWH XI explained that if the river's flow is straightened, it is easier to drain the water. The proposed cut-off works in Crocodile Park will increase the velocity in the channel and reduce the water level. The overflowing in the banks will be handled by the retarding ponds. These will mitigate water levels even before reaching the banks to prevent detrimental effects downstream. These three projects are part of a framework master plan. Dredging works should also be ongoing with maintenance. Protection in	Suggestions noted for the study --construction or improvement of protection revetments (gabion) to minimize costs and for immediate flood control

Clarifications/Comments	Responses	Suggestions
<p>this may help, especially among those with negative reactions.</p> <p>Another concern raised was on the financial aspects and resentments of people residing in the area. He suggested the construction of protection revetments as an alternative to lessen costs, minimize displacement, and as an immediate answer to the flooding problem in the city. He added that he wants to understand this better so that he can help in propagating information for ground implementation.</p>	<p>the flood discharge areas will be constructed. Looking at the site above Crocodile Park, like Jade Valley -- the river is just creating a natural cut-off. Engr. De la Peña showed the area via Google Maps. He explained that the mergings of the intersections of curves would make natural cut-offs, especially if there are no protections.</p> <p>Engr. De la Peña understood the financial concern. However, this cut-off works is a long-term solution for the flooding problem. He showed images from the Tsurumi River in Japan before and after the implementation of retarding ponds and cut-off works to show the advantages of this project.</p>	
<p>Fr. Emmanuel Cifra – San Lorenzo Foundation</p> <p>He emphasized the negative reactions in Ma-a towards the cut-off channels. He wants to see if there is a transformation of the course of the Davao river over time that studies have documented to support this project. Additionally, he wants to know the financial aspects and how much money is involved in realizing this project. He further expressed his frustration with the construction of the coastal road, which prevents access among settlers in the area.</p>	<p>Ms. Maximina M. Razon – DPWH UPMO-FCMC</p> <p>Ms. Razon explained that JICA requires technical counterparts and technical working groups for this project. This is composed of several government agencies. The steering committee including NEDA, discussed all technical components of the project. The result was presented to Mayor Sara Duterte. This project was already discussed with various line agencies and identified as the most viable. She added that the cut-off works were proposed by Santa Lucia and the owner of Crocodile Park. It did not materialize due to the previous airport bombing. Hence, if there were earlier proposals of these projects coming from them using their own private money, why would they decline now? She also requested that when InterDev conducts surveys, they have to coordinate with her office. Mayor Sara also requested her office to present the project to the affected households for better understanding and acceptance. She asked for a report from InterDev for the City mayor's specific request.</p>	<p>InterDev will submit a report to JICA as their employer, and JICA can furnish a copy to UPMO.</p>
<p>Camilo Victoria – DENR</p> <p>Asked why it is marked retarding ponds 8, 9, 10, and 11.</p>	<p>DPWH Engr. Allan de la Pena explained that the project is part of a more extensive master plan. The retarding ponds indicated in this study are just part of this master plan. There are other upstream retarding ponds but the three are prioritized projects.</p>	
Land Use		
<p>Monjay Moje DHSUD XI</p> <p>She would like to know the land use development plan.</p> <p>Would the gabion improvement be included in the feasibility</p>	<p>Dam Vertido – InterDev</p> <p>Explained that the development of the Barangay Development Plan has to incorporate this in the next planning of the host barangays. However, the regional government offices such as the urban housing office concern should also be involved with other stakeholders such as the academe. Parallel efforts should start, especially when the DED technical efforts will start in the joint planning.</p> <p>Engr. Allan de la Pena</p> <p>In the long term, we can address the revetment because we only focus on the three items right now. Maybe within 2025, there will be additional improvements.</p>	<p>InterDev will submit a report to JICA as the employer, and JICA can furnish a copy to the UPMO.</p>

Clarifications/Comments	Responses	Suggestions
study since it already exists in the area?	Dr. R.Tomas The big bulk of the ISF is within the Maa area. Total 106 ISF plus 4 in Mandug area.	
Who are those affected and how soon will this project start?	Dr. Jesse Manuta We are dealing with 106 ISF families but could not push through because of resistance anchored on the claim as an ancestral domain (in Maa). This is where we are right now. The suggestion of UPMO to come up with a report to present to the city on how to address this will be discussed. We are also wrapping up depending on the feedback of JICA on how to proceed. The team welcomes additional comments and suggestions. Ms. Maximina M. Razon – DPWH UPMO-FCMC She confirmed that her office already acknowledges the resistance and will wait for a report from InterDev to be presented to the City Mayor.	

VIII. Closing Remarks. Dr. R. Tomas thanked the participants and added that the RAP team will facilitate and provide additional information about the study. She also encouraged participants to send their comments for documentation that will be included in the report.

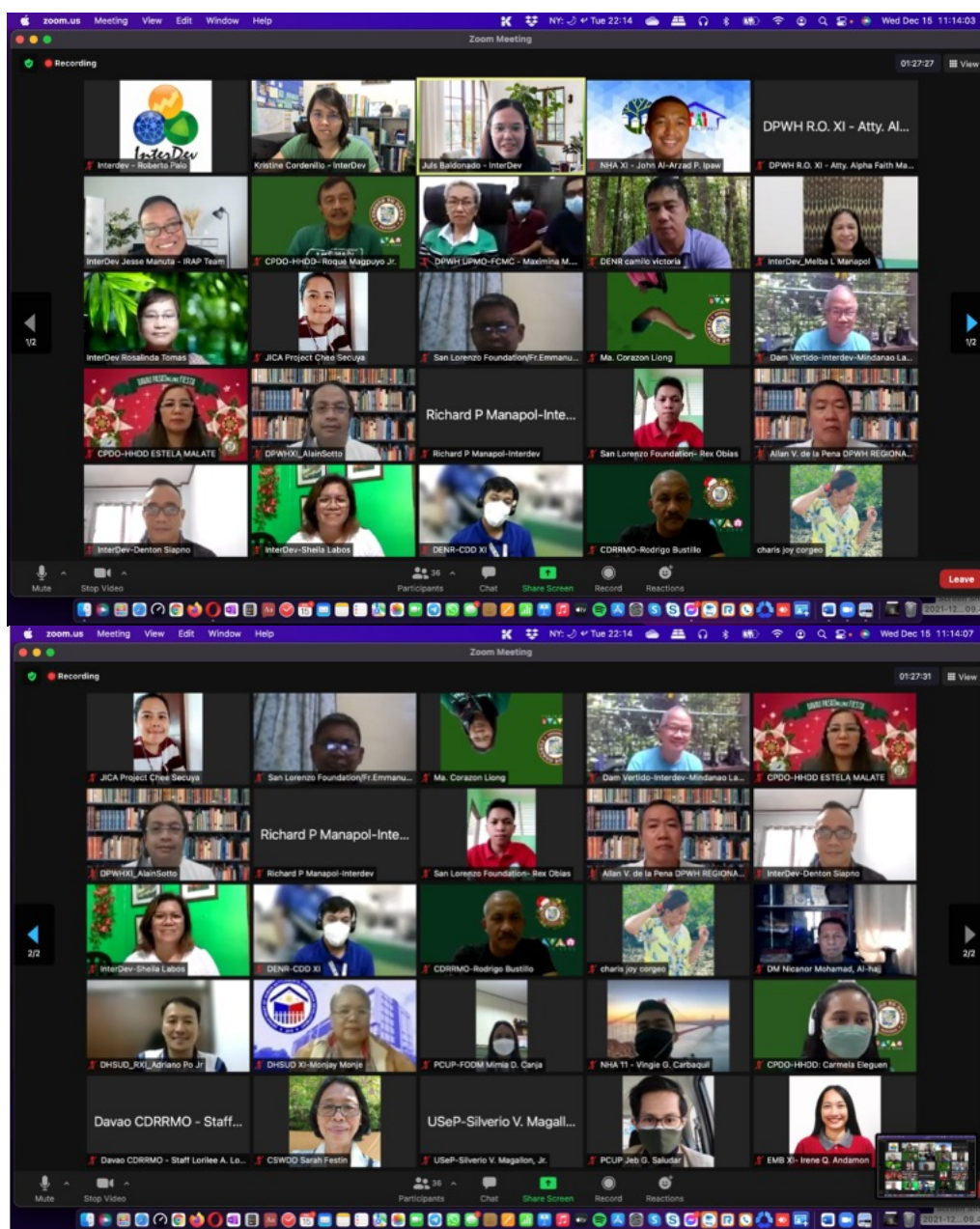
Consultation ended by 12:07 p.m.

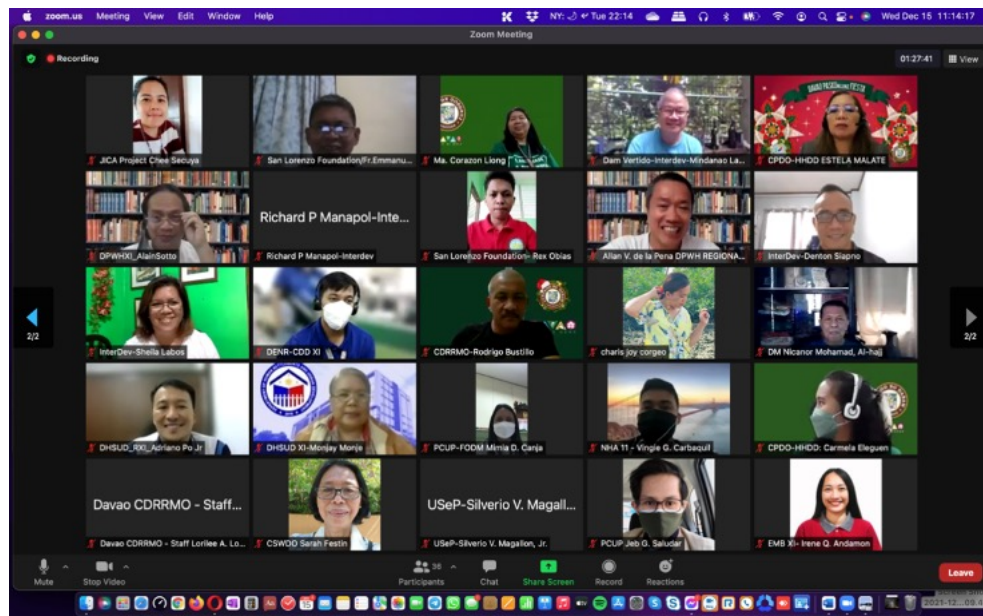
Documented by: Mae Kristine B. Cordenillo

Attendance

Name	Organization
1. Rodrigo Bustillo	DRRMO
2. Estela Malate	CPDO - HHDD
3. Roque Magpuyo, Jr.	CPDO – HHDD
4. Carmela Eleguen	CPDO – HHDD
5. Sarah Festin	CSWDO
6. Lorilee A. Lozano	Davao CDRRMO
7. Rodrigo Bustillo	Davao CDRRMO
8. Camilo Victoria	DENR
9. Monjay Monje	DHSUD XI
10. Adriano Po, Jr.	DHSUD XI
11. DM Nicanor Mohamad, Al-hajj	Deputy Mayor - Kagan
12. Atty. Alpha Faith Macailing	DPWH R-XI
13. Maximina M. Razon	DPWH – UPMO – FCMC
14. Alain Sotto -	DPWH R-XI
15. Irene Q. Andamon	EMB XI
16. Vingie G. Carbaquil	NHA XI
17. John Al-Arzad P. Ipaw	NHA XI
18. Jeb G. Saludar (EA, OCNBB – PCUP
19. Mimia D. Canja	PCUP-FODM
20. Mimia D. Canja	PCUP-FODM
21. Rex Obias	San Lorenzo Foundation
22. Fr. Emmanuel Cifra	San Lorenzo Foundation
23. Chee Secuya	JICA Davao
24. Charis Joy Corgeo	JICA Davao

Name	Organization
25. Ma. Corazon Liong	not indicated
26. No name	DENR – CDD XI
27. Engr. Allan V. de la Peña –	DPWH R-XI
28. Richard Manapol	InterDev
29. Roberto Palo	InterDev
30. Dr. Jesse Manuta	InterDev
31. Dam Vertido	InterDev
32. Dr. Melba Laguna	InterDev
33. Sheila Labos	InterDev
34. Dr. Rosalinda Tomas	InterDev
35. Mae Kristine Cordenillo	Documenter
36. Denton Siapno	InterDev





Annex 9.19. Proceedings: Orientation for the Affected Landowners of Barangay Maa

Feasibility Study on Flood Control and Drainage Project in Davao City
15 July 2022, Ma-a Barangay Hall, Davao City

Time started: 9:13 a.m.

I. Preliminaries

- Prayer
- Introduction of Participants



The consultation was attended by landowners Atty. Dic Togonon and Purok Leader (Prk.26-Maa) Mr. Reynaldo Bagaipo. Barangay Captain Pacito Canete was represented by Mr. Raul Denosta, PWD Focal person. Other landowners were unknown to the barangay hence, could not be traced as to current whereabouts

Present also were Mr. Roque Magpuyo of the City Planning and Development Office, and the Team from Interdev, Niño Coquilla, Jelita

Lamanilao, Paul Palo and Dr. Rosalinda Tomas, Head of the Consultation Team.

II. Presentation of Consultation Objectives and Program Flow

InterDev facilitator, Niño Coquilla, presented the program flow and consultation objectives which were two-fold: a) presentation of the RAP Study [overview of overall project, objectives, components, project sites with map, processes], and b) solicit feedback or comments from the participants.

III. Project Orientation

Dr. Rosalinda Tomas proceeded to present the project overview, discussing the overall project, "Master Plan and Feasibility Study on Flood Control and Drainage in Davao City." Highlighted were the objectives, outputs and the implementing agency particularly DPWH, in coordination with the City of Davao. The Environmental and Social Considerations study was highlighted, with InterDev indicated as primarily concerned with the Resettlement Action Plan (RAP) study. The Notice to Proceed from the former Davao City Mayor was also presented. Other information as to project components, sites and processes were further



discussed. The basis of the RAP - RA 10752 along with RA 7279 (UDHA for Informal Settlers) - were also emphasized, particularly noting that there will be no acquisition of private property without just compensation.

I

V. Open Forum

Presented below are the major discussion points during the open forum with the participants.

Clarifications/Comments	Responses
Affected Area and Environmental Impact	
R. Bagaipo: Can the cut-off area be revised? I would like to appeal.	DPWH will decide on that matter in coordination with JICA and in consultation with the City.
R. Denosta: What will happen to the original waterways?	Dredged land will be used to fill in the original waterways, as per DPWH explanation. This will become like a reclaimed area that can be used for other purposes.
R. Denosta: What about the negative impact to the environment?	An EIA was conducted by another team to facilitate getting the Environmental Compliance Certificate. Impacts of the proposed project will be tackled in this study.
Compensation and social responsibility	
R. Bagaipo: Who will pay for the compensation?	DPWH will be the one to pay for compensation. All data gathered will be submitted to DPWH and they will be the one to decide on the compensation package with the affected stakeholders.
R. Bagaipo: What is the basis of computation for compensation?	Under negotiated sale, based on the market value and according to classification of land.
R. Bagaipo: What about if there is no land title?	Land title is necessary for confirmation of right so the landowner needs to present one.
Denosta: What about those who live there without land titles, but have been in that place for a long time? Will they be compensated or resettled? Because if not, it will become a social problem.	There will be negotiations on that matter. Resettlement is part of the process and necessary processes are done to check on who are qualified. For landowners, it is essential to present a land title as part of compensation requirement.
R. Bagaipo: DPWH payment is always delayed. We should be assured that they will pay first before their activity.	DPWH will be apprised of the results of the consultation. Similar concern has been raised in other consultations and has been reported to DPWH under the first report.
Other important points and Information	
Atty. Togonon: No question about the project; will wait for the survey/technical team to visit the site. <i>'My daughter who manages our property will wait for the team so that we can correctly identify the area and boundaries. I am supportive of the project if it is for the betterment of the community. We should also be assured that there is no corruption.'</i>	We will inform our survey team about this consultation so they can make their own schedule to visit the affected stakeholders.
R. Bagaipo: <i>'It's not a problem with me as long as we are justly compensated, and that we are assured of payment first before they will conduct their activities.'</i>	

Clarifications/Comments	Responses
Atty. Togonon: How long is the project? Does JICA already have a project the same with this?	More or less 10 years. And yes, they did similar project in Luzon. It is a retarding pond and on implementation phase already.
Other suggestions	
Atty. Togonon: On Retarding Pond, look at possibility about generating electricity [hydropower] and at the same time, support the irrigation needs of the agriculture industry and stimulate long term economic development that will benefit the community.	At the moment, use of water to generate electricity and for irrigation is not in the plan yet. What was presented was potential of RP area as an ecotourism site.
<p>When InterDev team leader asked group if they are familiar with some of the listed landowners, the responses received were as follows:</p> <p>R. Bagaipo: Padaman was a tenant of De Castillo. De Castillo's land was supposed to be given to a certain Tintay but was not able to process the titling of the land, and a certain Nori (et al.) who live in that area is collecting land rental.</p> <p>Banal is half-brother of Reynaldo Bagaipo.</p> <p>Land of Traders Investment is supposedly owned by (former Governor) Alvarez bought from a certain Lim. This has to be checked and confirmed.</p> <p>Yuta@Dabaw is owned by Nestor Ma but can contact his secretary. Address was provided by R. Bagaipo.</p> <p>Other landowners [as indicated under City Assessor's list] cannot be traced as to identity and whereabouts. Nobody from barangay is familiar with the names listed.</p>	

With no more clarifications or comments, the consultation was ended at 11:00 a.m.

Documented and Submitted by:



JELITA ASENAS LAMANILAO

Attendance



RAP Feasibility Study
Round 1: Orientation/Consultation with Landowners
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City

**Registration Sheet**Barangay MA-AVenue Mañ Barangay HallDate of Orientation July 15, 2022

Name of Participant	Position / Organization	Contact Number	Signature
1. REYNALDO P. BAGAYRO	PURKOK LEADER (P.24)	09108206663	
2. JIC TOGONON	Land Owner	0908 8842717	
3. Paul E. V. DELLOSTA	PROJ FOCAL	0920 3227736	
4.		VICTOR VILLANUEVA leg	
5.		mail. Eon	
6. ROBERTO MAGSAYSAY			
7. JELITA UMANHAY	INTERDEV	09606052262	
8. ARNOLD G. COQUILLA	InterDev	09070828229	
9. PAUL PAJO	INTERDEV	09672806050	
10. Rosalinda Tama	InterDev	0999-9953958	
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JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

Annex 9.20. Proceedings of the Round 2 Consultation with Landowners of Barangays Valencia and Talandang

Compensation/Entitlement Packages for PAPs Impacted by the Retarding Ponds
18 July 2022, Barangay Hall, Barangay Talandang

Time started: 9:56 a.m.

VIII. Preliminaries

Prayer was given by Barangay Secretary Eduardo B. Tuscano

IX. Objectives of the Round 2 Consultation

InterDev Facilitator, Julienne Baldonado presented the consultation objectives which consist of the following: (1) Present compensation package, and (2) Generate feedback from the participants on the proposal.

The facilitator emphasized that the compensation is just an estimate for the budget development of the project covered under the pre-feasibility phase.



X. Compensation Package (Dr. Rosalinda Tomas)

The presentation started with the ROW Process Chart Flow and located the current consultation. Current stage is still doing the preliminary RAP study, a major part of which is doing the budget estimates for land appraisal, replacement costs for structures, crops and trees, and relocation.

The RAP legal basis for compensation was presented as anchored under RA 10752 or Right of Way (ROW) Act of 2016. Specific sections discussed were:

- Sec 2: Declaration of Policy: Just compensation which should be promptly paid.
- Sec 4: Modes of Acquiring Real Property which can be through donation, negotiated sale, expropriation or other mode provided by law. Negotiated sale is proposed to be done wherein both parties (DPWH and affected landowners) can come to an agreement.
- Sec 5: Rules on Negotiated Sale -- Current value of the land; replacement cost of structures and improvements; current market value of crops and trees
- IRR of RA 10752
 - 6.1 Compensation Price. This is the negotiated sale.
 - 6.6 Replacement Cost. Current market price of materials, equipment, labor, contractor profit and overhead, and all other attendant costs related to acquisition and construction of the asset

Project map covering properties under Retarding Pond (RP) 8 was presented. Based on information gathered from the Assessor's office, 26 parcels of land and three infrastructures

within are covered. As regards the poultry mentioned by Mr. Garay, participants confirmed this was still a plan and not yet materialized.



Presentation of the inventory of PAPs, affected properties (lands), crops & trees and structures and improvements was also done. Thereafter, the estimate for land compensation was shown and a sample computation was shared. It was emphasized that the actual market value of land will be taken from the average recent land transactions cost in the area based on DPWH-XI ROW and Legal Office Data.

For crops and trees (budget purposes only), the computation or basis of the presentation is based on Davao City's 2019 General Revision Schedule of Fair Market Value with the following costs: banana at P280/hill, coconut P2730/tree, cacao P320/tree, and fruit trees P3325 – depending on its state (bearing or non-bearing)

Replacement Costs Estimates for Structures is to be determined with DPWH. The presentation ended at 10:31 a.m.

XI. Open Forum/Feedback

Clarifications/Comments	Responses
R. Magpuyo from CPDO explained their presence in the meeting. Their concern is more on relocation.	
R. Jacomilla (CABEARBCO): Shared their experience in the 2019 road project of DPWH that until now some of the members were not paid for the crop damages compensation. He added that he understood the presentation about the negotiated value. He also emphasized that the government has the right over the land but they must also consider their rights as land owners.	R. Magpuyo clarified where the money being paid to Lapanday goes.
As of the moment, the landowners under CABEARBCO have remaining 8 years to pay back Lapanday at P18,000/hectare/year. Who will benefit from the compensation?	R. Jacomilla responded this was being paid to Lapanday as part of a lease-to-own agreement with the cooperative.
CABEARBCO President raised his concern regarding access to remaining lands that will not be used for RP 8.	R. Tomas: On issue of delayed payment, this has been reported to DPWH. As to the existing arrangements between CABEARBCO and Lapanday, this is an internal agreement that has to be negotiated by the concerned parties. The project will only deal with the direct landowners.
L. Egagamao: Can the price for the land be increased? Also, preference is to receive lump sum payment.	Best to clarify this specific issue with DPWH.
CABEARBCO President: Once the land is purchased, will the inheritance tax and other taxes be shouldered by the government?	R. Tomas: This will be under negotiation, based on prevailing market price.
L. Cabaguio was sentimental in raising a point. He narrated how long they have stayed in the area, even the struggles they went through during the Japanese	Need to check with DPWH first on this matter.
	R. Tomas pointed out that the flood control project will not only benefit those from the lowlands but also communities along the river and proposed retarding

Clarifications/Comments	Responses
period. For the flood control project, he asked who is being helped? While it may help those downstream for a long time, he stressed that their lands upstream should be given value as these provided the way to have this flood control project. It seems like <i>"we are treated only vis-a-vis our lands being bought and paid but our experiences with these lands are not acknowledged."</i>	pond. She added that the team cannot address the concern on the land's sentimental value. However, she assured group that the points raised in this consultation will be shared to DPWH and JICA, who will both make the final decision regarding the project.
Brgy. Captain of Talandang asked what exactly is RP 8's covered barangay -- is it New Valencia or Talandang.	R. Tomas: Politically, it is under New Valencia but Brgy. Capt. from this barangay noted that the residents in the affected area deal more with Brgy. Talandang. Hence, she suggested that Brgy. Talandang be involved in the process as access of people is more in Talandang.
E. Garay requested to locate their property in the map. He proceeded asking the following: <ul style="list-style-type: none"> - He acquired the property and current paper provided is still the mother title for the land. - Pointing to the map, he shared that they acquired other properties in the area but it was not shown in the map. - Family has plans to develop [poultry, perimeter fence] the properties they acquired in the area. How will they know if project will push through or not? They cannot keep on waiting. 	It was clarified that the source of information for the properties came from the City Assessor's office. This serves as initial baseline but needs to be validated on ground. Hence, this is the reason why InterDev team is doing the consultation to check on the property ownership. DPWH will still do the final confirmation at a later stage, including a parcellary survey. As to plans for property development, it can still be done considering DPWH has not finalized plans yet. A parcellary survey will be done after the DED.
E. Garay asked whether the Dizon family already gave their consent to the project. He shared that the riverfront property in Maa area has a design by Sta. Lucia Realty to also cut short the river. He suggested for the group to connect with the property developer.	R. Tomas shared that the Dizon family's concerns were referred to DPWH. Their property was also visited to check on those living [workers] in the area and the existing infrastructures.

As a final note, R. Tomas reminded the group to secure their land title since this will be requirement for the compensation to be provided. She added that the next step will be another consultation once the DED is ready.

VIII. Closing Message. The InterDev team leader, along with the members, was thankful for the openness of the group to share their thoughts. They were reminded that updates will be coursed through the Barangay.

Meeting adjourned at 11:34 a.m.

Documented by: Frances Jan Lozano, InterDev

Attendance



RAP Feasibility Study
Round 2: Consultation with Landowners
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City



Registration Sheet

Barangay TALANDANGVenue B864 HALLDate 18 July 2022

Name of Participant	Position / Organization	Contact Number	Signature
1. LUCASIO G. CAGAGAN	LAND OWNER	none	
2. Lourdes C. Egagamo	Land owner	09274724479 / FB	
3. Lea C. Nansayo	Land owner	0923 085 7468 (wife)	
4. EGAGAMO EDMAR C.	Land owner		
5. ROGELIO D. JACOMILLA, SR.	CABAYCO CHAIRMAN	0965 67 20 972	
6. EDUARDO B. TUSCANO	Brgy Sec. New Valencia	09218181942	
7. ROQUE MACAPAYO JR	PMO - CPDO-HOUSING	09674196015	
8. Cinderella D. Hiras	PD	09182471022	
9. Jim Lozano	INTERDEV		
10. Rosalinda Torrez	INTERDEV		
11. Rafael C. Olungan	RPSB	09560329158	
12. JOSE MICHAEL Z. PERMILIP	RPSB	09952137217	
13. JIMMY PERAMITA	CITY PLANNING	09497293326	
14. HEDREN LIRIAS	CITY PLANNING OFFICE	09266242678	
15. PAUL PAO	INTERDEV	09672806050	

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City



RAP Feasibility Study
Round 2: Consultation with Landowners
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City



Registration Sheet

Barangay TALANDANGVenue Inggy HallDate 18 July 2022

Name of Participant	Position / Organization	Contact Number	Signature
1. EDILBERTO C. CAGAGAN	PMO CEO	09497293326	
2. ETHELA MIRA T. CAGAGAN	VP		
3. EDIL JAYCE VILANET	DIRECTOR		
4. BALDONADO, JULIENNE	INTERDEV		
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Annex 9.21. Proceedings: ROUND 2 CONSULTATION WITH LANDOWNERS OF BARANGAY CALLAWA

Compensation/Entitlement Packages for PAPs Impacted by the Retarding Ponds 19 July 2022 (morning)

2/F Conference Room, Planning and Design Division, DPWH RXI Office, Davao City

Time started: 9:19 a.m.

NOTE: As requested by some of the affected landowners, the meeting was a blended interaction with some participants attending online while others were present. Those online were landowners who reside abroad and one who is a senior citizen though residing in Davao. DPWH representatives were also participating online particularly from the ROW-Legal Unit and Engineers Allan dela Pena (RXI), Alain Sotto (RXI) and Newton Apao (DEO).

XII. Preliminaries.

Prayer was led by Julienne Baldonado, InterDev facilitator. This was followed by the introduction of participants -- in person and online. InterDev was introduced first, followed by the people in the conference room, then those who were online.

XIII. Objectives of the Orientation Activity

1. Present compensation package
2. Generate feedback from participants

While facilitator was explaining the Preliminary RAP discussion, Ms. Aena raised her concern about what was expected from them, the participants after the presentation. Will this be just presentation of the estimate? How are they going to give feedback? And what is the timeline regarding their consent.

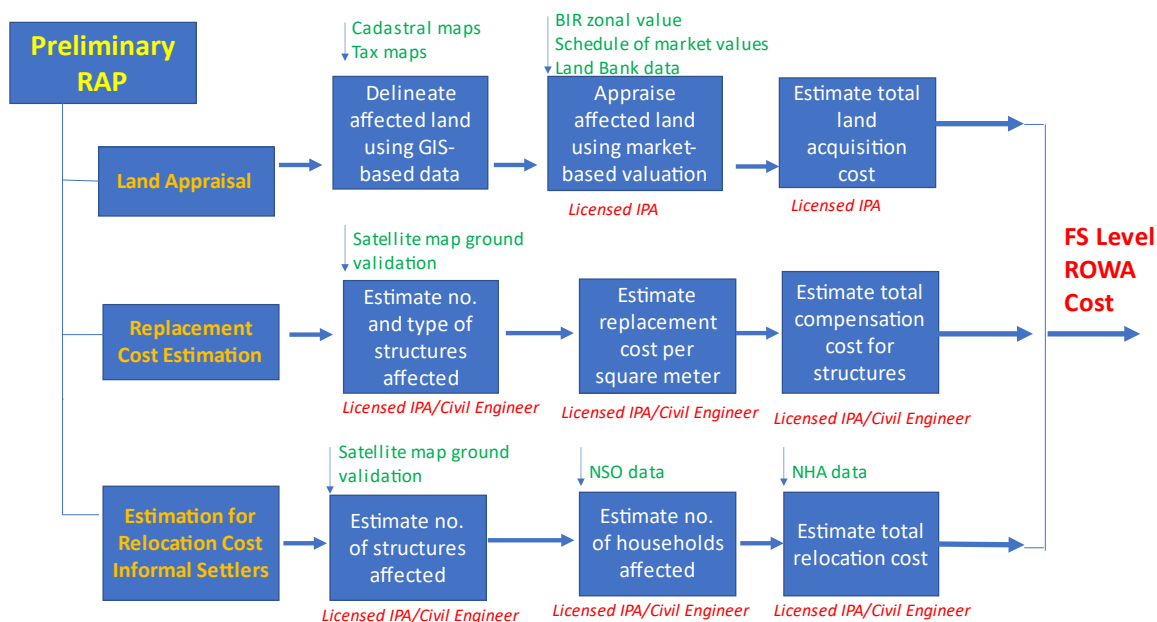
Dr. R. Tomas explained that after the presentation, they will be given time to feedback. It was also explained that this presentation is pre-feasibility study phase and all figures presented are just estimates.

XIV. Locating the Consultation in RAP Process

Dr. R. Tomas presented again the flow chart emphasizing the following topics for compensation:

- Land Appraisal
- Replacement Cost Estimation
- Estimation for Relocation

Work Flow for ROW Aspects of Feasibility Study



XV. Review of the Project Background

Since most of the participants were not around during the first consultation, Dr. R. Tomas briefly shared the Project Overview again.

The following topics were discussed:

1. What the project is all about which includes the objectives, outputs and implementing agency
2. Feasibility Study
 - a. Engineering Design
 - b. Economic Analysis
 - c. Organization of implementation structure for priority projects
 - d. Formulation
 - e. Environmental and Social Considerations
 - EIA
 - RAP Team. This is InterDev
3. Resettlement Action Plan, which includes the components of the project (River Dredging, Cut-Off Works and Retarding Ponds), its description and the location of these components.

The map highlighting the location of the retarding ponds were presented to locate their property.



XVI. Presentation of Compensation / Entitlement Package

Legal Basis

Basis of RAP – Compensation/Entitlements: RA 10752 (Right of Way Act of 2016)

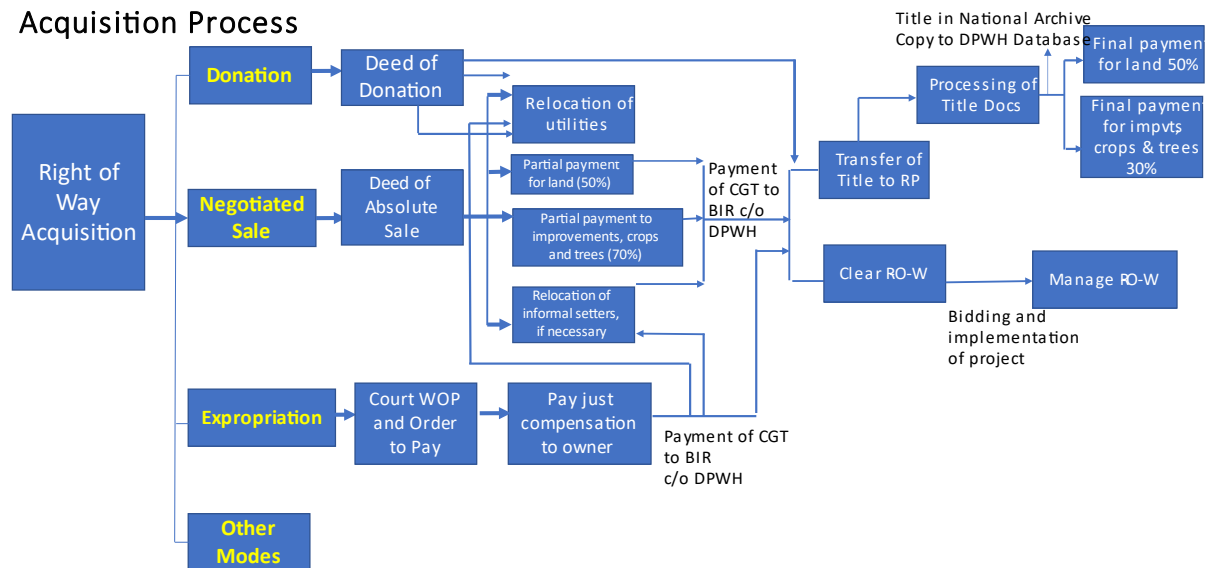
- Sec 2: Declaration of Policy. Just compensation and promptly paid
- Sec 4: Modes of Acquiring Real Property. Donation, negotiated sale, expropriation or other mode provided by law. The negotiated sale will be implemented in this project.
- Sec 5: Rules on Negotiated Sale. Current value of the land; replacement cost of structures and improvements; current market value of crops and trees

Compensation/Entitlement Package

- IRR of RA 10752
 - 6.1 Compensation Price. This is the negotiated sale. Based on the market value.
 - 6.6 Replacement Cost. Current market price of materials, equipment, labor, contractor profit and overhead, and all other attendant costs related to acquisition and construction of the asset

Acquisition Process was also presented and the discussion was focused on the negotiated sale. (Refer to the flow chart below).

Acquisition Process



The map of the Retarding Pond 9 (RP9) in Barangay Callawa was also presented.

- Red line is the site, properties inside the red line will be affected
- Blue line is the property boundaries.
- Information based on the documents gathered from the City Assessor's Office.
- Properties mostly owned by Cabaguio family.
- Facilities inside the affected area:
Agricultural facility, Quarry facility, Power line



The initial assessment/inventory of properties: lands, crops & trees and structures & improvements, was explained per column. It was emphasized that the figures were all just assumptions and will be finalized later once data from specific offices are gathered.

XVII. Open Forum

Summary of the discussion. The following cluster of topics were raised during this part of the session:

1. **Timetable.** Up to when can they decide to give their consent to the project? When will the project start? There is no definite schedule. This consultation is still under the Pre-Feasibility Study wherein the output is needed to finalize the Master Plan. Everything is dependent of the Master Plan. Copy of the Master Plan can be given to the affected person once it is finalized and approved by the LGU.
2. **Unusable land.** These are portion of land not beneficial to residential or agricultural use due to location or character such as drainage ditches, steep slopes, dense woods...
(<https://www.lawinsider.com/dictionary/unusable-land#:~:text=Unusable%20land%20means%20land%20not,land%20unusable%20for%20residential%20use.>) DPWH can make consideration depending on the criteria: setbacks, location of the area, and size of the land. Possible compensation may be provided after assessment.

3. **Payment.** The flood control project is the third government project that will affect the properties of the Cabaguio family. The family is yet to receive the compensation payments from previous projects. The Cabaguio's are requesting to settle these first. They were informed to write the Regional Office to follow up. They also responded (particularly Atty. Rosemarie Cabaguio) that they already did and there was no answer since February 2022. DPWH was requested to have a separate discussion about this matter.



4. **Valuation of the land.** It was emphasized that the final valuation will be done later. The presentation is just an assumption. It will be based on the market value when the project will be implemented. The compensation package where the valuation will be discussed will be given and discussed to the land owners individually and not as a group.

5. **Opportunity cost.** Based on RA 10752, the opportunity loss will not be compensated. It was suggested that DPWH should consider it in the package. The DPWH Legal Team agreed that they will present it to the Planning Unit for consideration for further study and eventual policy.

6. **Access Road.** The property is not affected directly only that their access going to their property is affected by the project. This has to be checked with DPWH regarding issues of access to property since main road will be blocked by project.

Discussion

Name	Clarifications/Comments	Responses	Suggestions
Aena Fuentes	What if the remaining portion of the land is adversely affected already?	DPWH Legal team: Depending on the assessment of its usability, it may be compensated.	
	Who will determine the classification if land is usable or not?	DPWH has certain criteria e.g., setbacks, location size. These will be examined for the assessment of the property.	
	If there is disagreement with the assessment of the usability of the land, who decides?	It will go through litigation process (expropriation).	
Atty. Rosemarie Cabaguio	Shared that she has a nephew that has about 2 hectares of land, slightly elevated but is outside the red line.		
Yuri Allado	What is the timeline of the pre-FS, FS and its implementation?	Engr. Newton Apao (DPWH) responded that there is no fixed timeline since it has also to consider the approval of the City Mayor. Only then can they forecast the timeline.	
Yuri Allado &	Mode of payment: 50% down payment for the land and 70% for	The DPWH Legal team explained that the source and downloading	



Gerardo Olaguer	the crops and facilities. They still have pending collections from previous two (2) other [DPWH] government projects.	of funds differs from one project to the other. This affects the disbursement/payment to the landowners. This is also dependent on the completeness of the documents provided. It was also emphasized that the patent titles are non-compensable.	
	In the valuation presentation, the estimate of P100/sqm is too low.	RAP Team Leader: These are just assumptions/estimates as the final figures have not been provided. During the final valuation, the market value of the property at the time the project will start will be used.	
	Are there any other alternatives for the project not affecting the properties of the Cabaguio? This is the third project already -- after road widening, subway and now, Retarding Pond.	Engr. Apao: Based on the scientific study conducted by JICA, the three sites (New Valencia/Talandang, Mandug and Callawa) are the best sites for the retarding ponds. The study was based on scientific, economic and environmental viability. JICA does not know the owners of the land.	
Rodrigo & Gerardo Olaguer	Requested for a copy of the Master Plan.	Engr. Apao: A copy will be provided once the Master Plan is approved.	
Manuel Cabaguio	Most of the owners are already retired and are now dependent on their income from quarry. Will they also be paid?	DPWH Legal Team: There is no provision compensating for the loss of opportunities.	Include opportunity loss in the study - for suggestion to the DPWH Planning Unit.
Trisha Magtoto	Aside from request of the final RAP/ Master Plan, she reiterated that what was presented was theoretical assumptions. She asked whether the final valuation will be shared to the family before it will be finalized? She also requested copy of the documentation of this activity.	The compensation package will be discussed per landowner. For further clarifications they can initially contact the following: - Engr. Newton Apao - Engr. Alain John Sotto - Engr. Allan de la Peña	contact details of Engr. Newton: newtownapao79@gmail.com and #09331432380
Samantha Santiago	Can we still access the unused properties?	DPWH: Yes, if possible.	
Mila Jocson	She needs to renew her quarry permit thus, she needs to know the timeline of the project to avoid wasting their resources.	DPWH: This will not happen this year, most probably 2-3 years from now. She can still renew her permit.	




With no more clarifications or questions, the facilitator thanked everyone for their attendance. Everyone was thankful and will contact concerned department about other concerns raised not related to the project.

The discussion ended at 11:04 a.m.

Documented by: Frances Jan Lozano, InterDev

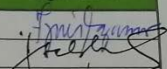
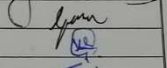
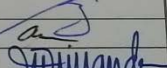
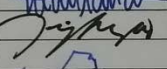
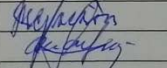
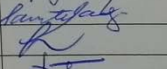
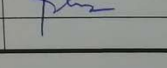
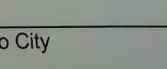
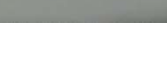





Attendance


RAP Feasibility Study
Round 2: Consultation with Landowners
JICA-DPWH-Davao City LGU Feasibility Study
Flood Control and Drainage in Davao City







Registration Sheet

Barangay Callawa Venue Conference Room Planning Division - DPWH Date 19 July 2022 MORNING

	Name of Participant	Position / Organization	Contact Number	Signature
1.	Jan Lozano	InterDev		
2.	BALDONADO, JULIENNE	INTERDEV		
3.	ATH Rose Cabagnio	land owner		
4.	MANUEL TAP CABACUIDO JR	" "		
5.	MANUEL DIONISIO PEDRO N. CABACUIDO III	" "		
6.	ANTONIO ALLADO			
7.	Mel Catherine C. Miranda	Attorney III - DPWH		
8.	DIKKO LAM M. MARANO	Admin. Asst. II - DPWH		
9.	ROQUE YAGPUTO JR	DMO - CDDO - HOSIDC		
10.	Mila C. Joenson		jorgemila@yahoo.com	
11.	IGNACIO P. SANTIAGO	Rep. of H.A. - SANTIAGO	09171590203 / 0905 511 6531	
12.	SAMANTHA O. SANTIAGO	SANTIAGO	09171000519	
13.	PAUL PAJO	INTERDEV	09672806050	
14.	Rosalinda Tomez	InterDev		
15.				


JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City






RAP Feasibility Study

Round 2: Consultation with Landowners

JICA-DPWH-Davao City LGU Feasibility Study
Flood Control and Drainage in Davao City



Registration Sheet

Barangay Callawa / RP9 Venue Conference Room, Planning Division - DPWH Date 19 July 2022 MORNING

JLINE

No.	Name of Participant	Position / Organization	Contact Number	Signature
1.	Daphne Jocson	land owner		
2.	Gerardo C. Olaguek	"		
3.	Rodrigo Olaguek	"		
4.	Aera Fuentes	"		
5.	Yuri Allado	"		
6.	Gretchen Ong	"		
7.	Patricia / Triela A. Magtibay	"		
8.	Alain John Sotto	DPWH		
9.	Allen de la Peña	DPWH		
10.	Newton Apun	DPWH		
11.	Roberto Palu	InterDev		
12.				
13.				
14.				
15.				

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

Annex 9.22. Proceedings: Round 2 Consultation with Landowners of Barangay Mandug

Compensation/Entitlement Packages for PAPs Impacted by the Retarding Ponds

19 July 2022 (afternoon)

2/F Conference Room, Barangay Hall, Barangay Mandug

Time started: 2:02 p.m.

NOTE: Prior to the start of the discussion, the InterDev team asked those present especially from the barangay if they were familiar and know the whereabouts of other landowners listed based on the records of the City Assessor's Office. Comments:

- *NDA area: They do not know who the owner is.*
- *Land parcels under the names of Albacite, Renoro, Regalado, Hernandez and Llego are owned by a certain Panlilio. Names listed under Albacite, Renoro and Llego are all deceased.*

XVIII. Preliminaries

Prayer was led by Julianne Baldonado, InterDev facilitator.

Introduction of participants indicating name and organization: InterDev team, Rely Construction and LABEARCO

XIX. Objectives of the Round 2 Consultation

Facilitator presented that that consultation has two-fold objectives: 1) to present the compensation/entitlement package, and 2) solicit feedback from participants.

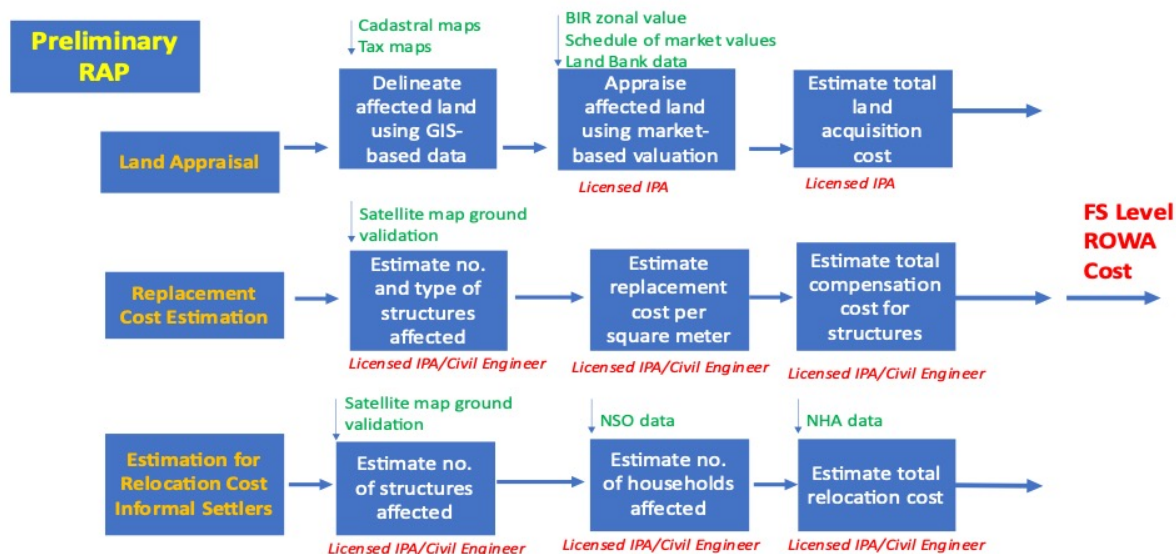
III. Presentation of Project Status and Project Review

ROW/RAP process flow chart was presented, particularly highlighting the pre-feasibility stage which is the current process being undertaken. Under this stage, the preliminary RAP will focus on generating information on the following: Land Appraisal, Replacement Cost Estimates and Relocation Cost. It was emphasized that a final Feasibility Study with another RAP study will be conducted once the Detailed Engineering Design (DED) has been finalized and approved.



Work flow on the Preliminary Study for the ROW Feasibility Study was presented:

Work Flow for ROW Aspects of Feasibility Study



Since there were other stakeholders who were not around during the presentation of the project last year, Dr. Tomas presented again the overall project overview. The following topics were discussed: a) project objectives, outputs and implementing agency; b) Feasibility Study which cover a number of items [engineering, economic analysis, organization of implementation structure for priority projects, formulation] but focus of the team is on the Environmental and Social considerations, specifically on the Resettlement Action Plan (RAP); c) project components: River Dredging, Cut-Off Works and Retarding Ponds; and d) project location. The overall project map was presented and then later, zeroed in on the retarding pond areas, specifically in Barangay Mandug. It was also shared that among the three retarding ponds, the one in Barangay Mandug or identified as RP11 is the biggest.

IV. Presentation of Compensation Package / Entitlement Package

Dr. Tomas presented the compensation package. At the outset, it was emphasized that determining initial compensation costs was important to project initial budget estimates/ costs for the RAP/ROW that will be used by the main proponent/implementing agency as they look for funding sources.

As a start, discussion pointed out the legal basis for the ROW/RAP. Again, RA 10752 (and its relevant IRR) was highlighted particularly its significant provisions that govern the ROW process:

Sec 2: Declaration of Policy highlighting just compensation for private property to be affected for public use and such should be promptly paid.

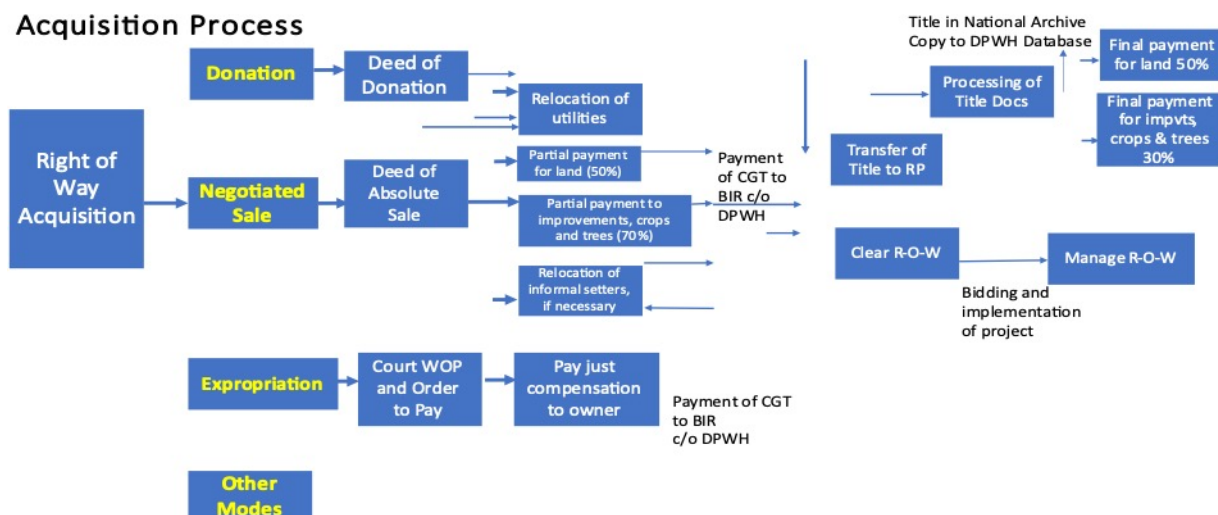
Sec 4: Modes of Acquiring Real Property which include donation, negotiated sale, expropriation or other mode provided by law. Negotiated sale will be prioritized.

Sec 5: Rules on Negotiated Sale which is based on current value of the land; replacement cost of structures and improvements; current market value of crops and trees.

Compensation/Entitlement Package

Acquisition Process focused discussion on negotiated sale (refer to the flow chart below).

Acquisition Process



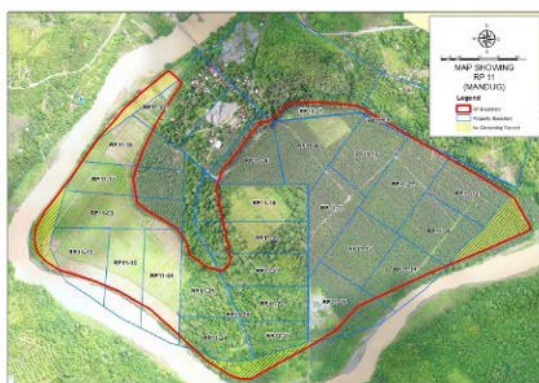
After presenting the process, the project map covering RP 11 was presented.

- Red line is the project site; properties inside the red line will be affected.
- Blue line is the property boundaries.
- 27 parcels of land, 2 Not Identified (106 hectares only, 71% will be used)
- Information as to area and parcel size based on documents gathered from the City Assessor's office
- Inventory of existing structures:
 - o Agricultural facilities
 - o Tower/transmission line
 - o 2 Quarries

NOTE: four (4) residents located inside the project area but only one qualified for relocation, based on DPWH guidelines.

Retarding Pond 11 in Mandug

Overlay of Private Properties inside the RP 11 Area



Inventory Structures and Improvements



The table on Inventory of Project Affected Persons (PAPs) and affected properties [land, crops & trees, structures & improvements] was shared to the group. It was explained per column and was also explained how the team came up with the presented figures. The value given are just estimates and will be finalized by DPWH-ROW unit. The inventory will be subject for ground validation. The example of Estimate for Land Compensation (Land, Plants, Facilities) was also presented.



V. Open Forum

Clarifications/Comments	Responses
<p>LABEARCO Officers:</p> <p>The group does not oppose the project as it is for the benefit of the majority but hope they will be compensated well. Best to have a win-win solution. However, main concern: <i>Is there a way that the government will reduce the size of the pond as it will cover almost all their property?</i></p> <p>Other concerns:</p> <ul style="list-style-type: none"> It pains them to see that they are left with almost nothing. '<i>Dili ba pwede bahinon/ibalhin?</i>' – Apart from their side, the other half will be taken from the property across the river (Aboitiz). Or can this be exchanged with another land? Valuation presented is too low vis-a-vis on-going selling price in the area. Since most of them are retiring, they hope that what they will receive will be more than enough to start over again in another area. What is the basis for compensating the crops/plants/trees? When will they know the final market value and what is timeline? Will it be possible to provide alternatives for their livelihood? (<i>'ilisan ang ilahang panginabuhian'</i>) Can the compensation package be centralized to the BOD? 	<p>Dr. Tomas responded with the following points:</p> <ul style="list-style-type: none"> Based on the study (scientific, economic and environmental viability), the identified location/s are the best options for the RPs. As to RP size and location, these concerns have to be referred to DPWH-JICA based on their final proposal. Noted that it is difficult to compensate the 'sentimental value' of a property. The presented valuation costs are not final, just an example provided pending the gathering of data related to this. The final valuation will be based on the market value when the project will start. The compensation for the crops and trees will be per hill, per tree, etc. Market value will be the basis as finalized with DPWH-ROW. There will be a ground validation or physical inspection before it will be finalized. Parcellary survey will be done for the affected lands. Timeline is not fixed, will also depend on approvals from above including negotiation with the City Mayor. As to livelihood, compensation is provided for properties lost but there are no livelihood opportunities that will be provided. This will be support provided for those to be relocated. As to who will be the final party with whom negotiation is to be done for the compensation /entitlements, the main basis will be the land

Clarifications/Comments	Responses
Reiterated that for previous DPWH project completed in 2021, some of them who were affected were not yet paid.	<p>title. If the title is under the name of the cooperative, then it may negotiate for the group with the BOD as representative.</p> <p>As to delay in payment related to previous project, suggest they write and follow-up at the Regional DPWH office.</p>
<p>Quarry Owners:</p> <p>C. Aranas of Rely company shared their experience that they were only compensated P800/sqm from P5000/sqm. They said that they do not have any choice as this was final offer. They did not want to stress themselves by going through expropriation. Opportunity cost/loss is not factored in the compensation. Quarries will be affected particularly with closure to access for quarrying but there is no provision for loss of income. But they also have good experience where the offer was just reduced into half (from P3M to P1.5M).</p> <p>Thickness of the pond, will it hold the water?</p>	<p>As per RA 10752, opportunity loss is not included but DPWH representative in the morning consultation said they can forward the concern to their Planning unit for further study and consideration.</p> <p>Pond will be concrete. There is specific design provided; JICA already has experience building RPs.</p>
<p>LABEARBCO:</p> <p>Will each landowner be given an offer so they can each decide? Can improvements/developments still be done while project is not yet implemented?</p>	<p>Negotiation will be per landowner as each will have different context of their properties - size, location, crops, structures.</p> <p>Developments can still be done in the area including planting of crops since the Master Plan is still being finalized.</p>



Group was able to surface all their concerns and had some clarifications. They will wait for further information and hope there will be fair negotiation and compensation covering their losses.

The session ended at 3:10 p.m.

Documented by: Frances Jan Lozano, InterDev

Attendance



RAP Feasibility Study
Round 2: Consultation with Landowners
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City

**Registration Sheet**Barangay MANDUNGVenue 2F CONFERENCE ROOM, BREGY HALL, BREGY MANDUNG Date 19 July 2022 AFTERNOON

Name of Participant	Position / Organization	Contact Number	Signature
1. Jan Vozam	INTERDEV		
2. P.B. REY V. OTOLAN	P.B.	09467605229	
3. YUGIE R. VILLACAYRE	SE.	09193476784	
4. Eutiquio M. Taga-an Jr.	BOD	09352439263	
5. MA. CATHIA P. ARANAS	TECHNICAL CONSULTANT/ REY CONSULTING SUPPLY, INC.	0999-990-6337	
6. ARCHO S. MACUNAD	SPECIAL PROJECT COORDINATOR	0991-2104395	
7. JOEL S. ONUGAY	B.O.D.	09107782276	
8. Marcos Endrinas	Chair, LARBARCO	09078641849	
9. EDUARDO YANANON	PROJ. MGR.	09434071122	
10. ISIDRO ARA-15	OPERATION	09985777986	
11. Michelle Guilford	SPA	0952915058	
12. BALDORNADO JULIANNE	INTERDEV		
13. Rosalina Tomas	INTERDEV		
14.			
15.			

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

Annex 9.23. Proceedings: Second Public Consultation with Affected PAPS/Residents of Barangay Ma-a

Lower Padamam, Purok 27
17 August 2022, Ma-a Barangay Hall, Davao City

Time Started: 2:10 p.m.

I. Preliminaries

The program started with a prayer. Mr. Damaso Vertido welcomed the participants to the stakeholders' consultation, which was allotted to presenting the results of the Right-Of-Way (ROW) Study, specifically the Household survey and the presentation of the DPWH Representative on the Land Acquisition Plan and Resettlement Action Plan for families or households who will be affected by the City's proposed flood control project.

Dr. Jessie B. Manuta, RAP Project Team Leader, introduced the participants of the second public consultation meeting with house owners and renters in Purok 27 (Lower Padaman), Barangay Ma-a, Davao City.

II. Presentation of Consultation Objectives and Program Flow

Dr. Jessie B. Manuta presented the Rationale, Objectives and Program Flow of the second PCM with the heirs of Padaman. The Government of Japan (GOJ) has granted the Government of the Philippines (GOP) a Master Plan and Feasibility Study of Flood Control and Drainage in Davao City. Through the Japan International Cooperation Agency (JICA), the Master Plan for three rivers namely: Davao River, Talomo River, and Matina River was completed on March 2021. However, the Feasibility Study for Davao River is expected to be completed in October 2022.

The pre Right of Way (ROW) Action Plan (RAP) Study is commissioned by the JICA Study Team (JST) as one of two components of the Environmental and Social considerations of the Feasibility Study (FS) of the Project for the Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (Davao River) implemented by Unified Project Management Office - Flood Control Management Cluster (UPMO-FCMC) of the Department of Public Works and Highways (DPWH) Central Office. The two components are (a) the Environment Impact Study (EIS) in compliance to the Environment Impact System of the Philippine Government, and (b) the RAP Plan Study in compliance to the Right Of Way (ROW) Act and the Urban Development and Housing Act (UDHA).

The RAP study aims to meet requirements on Environmental and Social Considerations of the feasibility study of the Project for Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (Davao River) and to prepare the ROW Action Plan for the priority projects. Specifically, the RAP study aims to:

- Determine the scale of possible project affected persons (PAPs) and identify the assets (land, structures and improvements) they will lose due to the acquisition of infrastructure right-of-way (IROW) for the project;
- Determine the affected households (AHs) (including business entities) and/or project

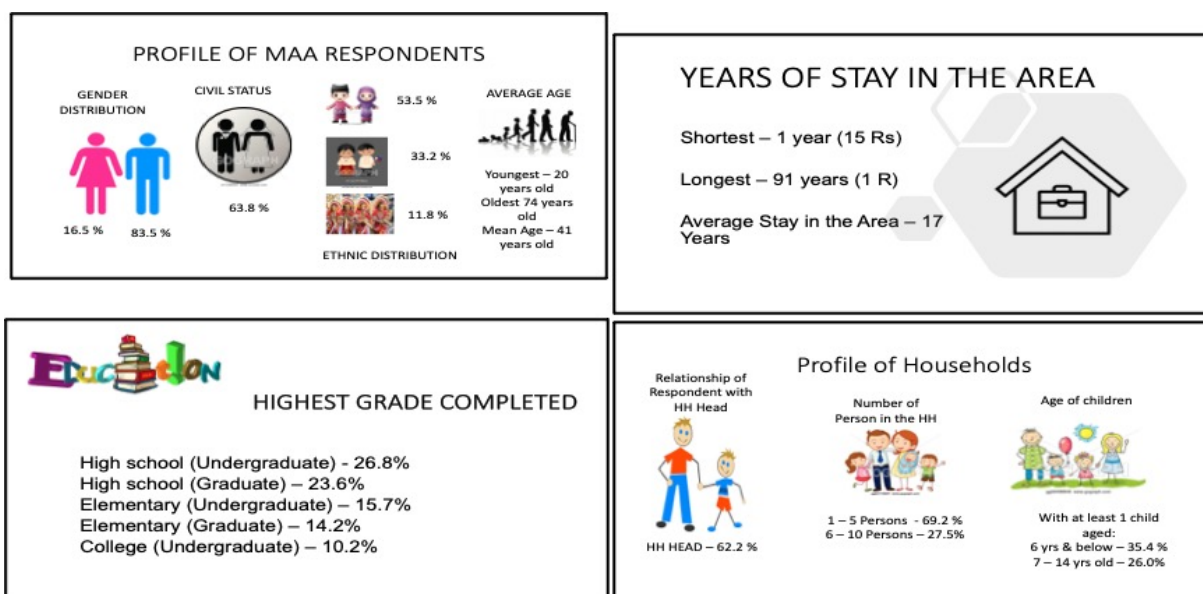
- affected persons (PAPs) which are to be relocated out of the project area;
- Identify the PAPs for entitlement of the compensation and other forms of support, and to control further migration, especially informal settling into the project site;
- Determine the compensation and entitlements to be given to PAPs for the acquisition of the assets to be affected by the IROW;

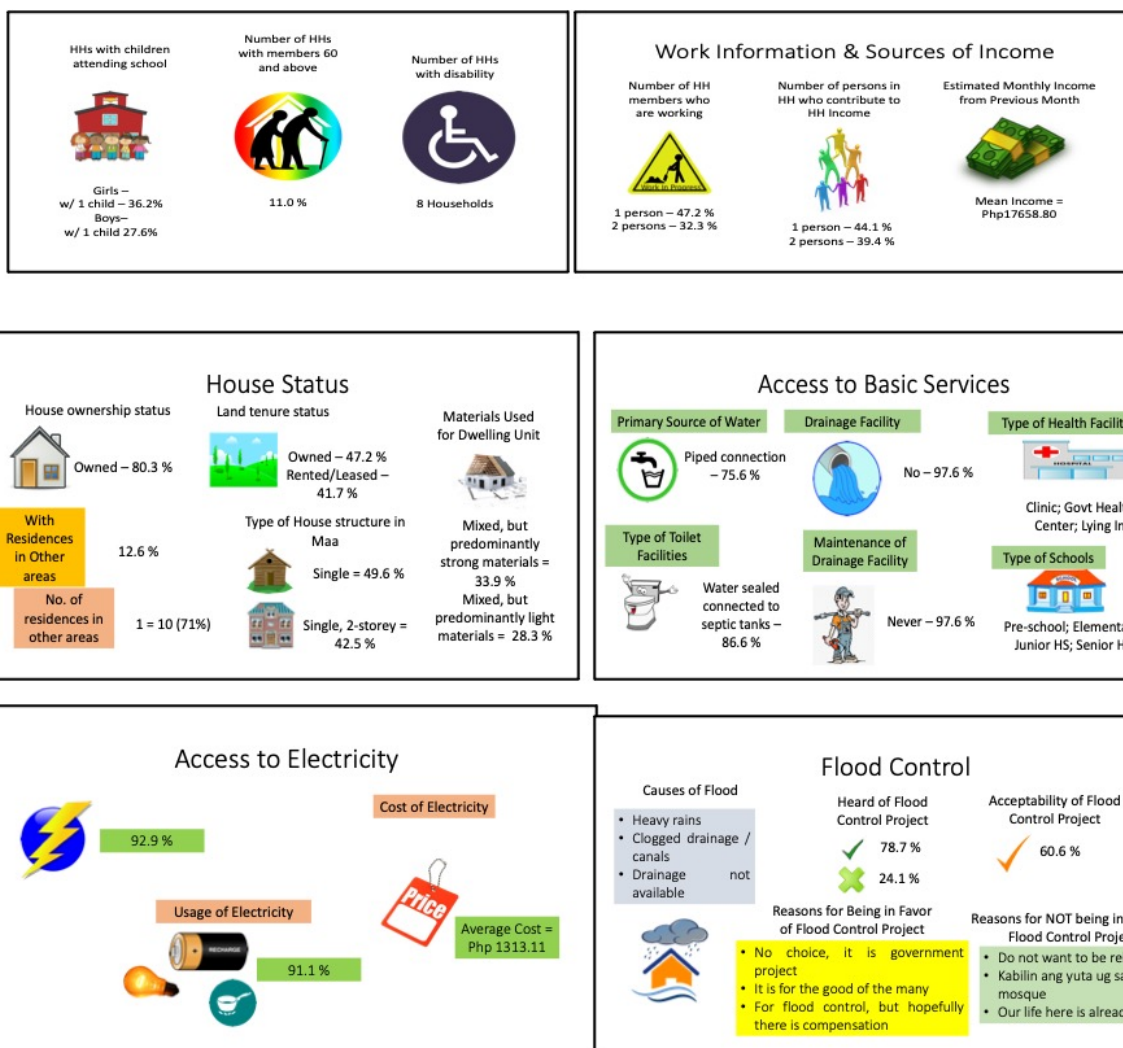
This consultation was intended for house owners and renters in Purok 27 (Lower Padaman) in Barangay Ma-a. The objectives of the second PCM are:

- To present the highlights of the Household Survey;
- To present the policies, mechanisms, and protocols on compensations and entitlements for the affected PAPs; and
- To solicit feedback and comments from the participants of the consultation.

III. HH Survey Presentation of Results

Dr. Melba L. Manapol presented the results of the Household Survey of the Resettlement Action Plan Appraisal in Brgy. Maa on behalf of the Interdev Development Consulting, Inc. Presentation highlights are provided below.





Dr. Manapol emphasized that the data presented covered only those who were interviewed, with a total of 127 respondents.

IV. Orientation by DPWH about the Land Acquisition Plan and the Resettlement Action Plan

Atty. Mel Miranda of the Right-of-Way (ROW) Acquisition and Legal Division of DPWH-XI presented the DPWH Land Acquisition Plan and the Resettlement Action Plan.

V. Open Forum

There were no questions regarding the results of the household survey. Questions focused on the second presentation, with Atty. Miranda, DPWH legal officer, as the main resource speaker to respond to the questions.

Clarifications/Comments	Responses
<p>A resident asked regarding the land they are living in. Her question centered on the fact that when their elders started living in the land there was no clear landowner. Hence, she narrated that they applied for a land title to be granted to them, the application was lodged with DENR and the Bureau of Lands. However, the response to their application is that it is the government that owns the land. Since they have applied for a grant, they are just waiting for the result. She asked what Atty. Miranda can say about it.</p>	<p>Atty. Miranda clarified that up until DENR has not given the grant to the application of a title on the land, the land is owned by the Republic of the Philippines. She pointed out that in the past when there was no law, there is the concept of the Spanish <i>jura regalia</i> that says that all land is owned by the government. She emphasized that all lands without owners are naturally owned by the government. This is why people who have been living in the land are given the chance to apply for a land title, but it does not mean that just because one has applied for a title, it is sure that it will be granted to the applicant. It goes through a process where it has to be announced through publication, consultation and many more.</p>
<p>Another resident pointed out that there are differing opinions as to who has the right to apply for a land title, e.g., the land they are living in. According to some, the one who got to live first in the land/area, i.e., the Moro.</p>	<p>Atty. Miranda responded that there is the Land Registration Decree, and the law is the basis for giving the grant. Nobody can say that since they were the first to stay in the land, they will be the first to apply for a title.</p>
<p>On Renter's right</p>	<p>On the matter of the renter who does not agree, Atty. Miranda pointed out the renter's right is only on the structure he/she owns but since the land is not his/hers, they have no right to refuse giving up the area.</p> <p>On the question whether they should continue to rent, it was also clarified that for the meantime that there is no decision yet on the project, they can stay and continue to rent.</p>
<p>On relocation site</p>	<p>On the matter of the relocation site – it was clarified that only the informal settlers will be considered for a relocation site. If one is a renter, then s/he will not be relocated. But if the renter is the owner of the structure, s/he will be paid for the structure. However, it was also mentioned that this does not mean that they could not be given compensation because their sentiments to be part of those to be relocated can be raised to the City Mayor for consideration.</p> <p>For clarification on the cut-off date.</p>

Clarifications/Comments	Responses
On Cut-Off Date and Survey	<p>Mr. Dam Vertido of InterDev pointed out that the cut-off date follows the guideline, which is the day the survey has started. This means that whoever was interviewed during that day is part of those considered for relocation if the project will push through. Those who entered that area after the cut-off date are not anymore included. Likewise, any improvements or renovations done after the cut-off date will not be part of the recovery cost.</p> <p>The survey started in October 2021, but it continued last July 9, 2022. In this case, the cut-off date to be considered is July 9. Dr. Manapol corrected that the start of the recent survey is July 7, 2022.</p>
On ownership of land and/or structure	<p>Those who do not own the land, but own the structure, they are part of the ISFs. They are qualified for relocation.</p> <p>If one is a renter who does not own the land, does not own the structure, they are mere renters.</p>
On final project decision	<p>Atty. Miranda also emphasized that the decisions will be based on the law, whatever is discussed in the consultation in the morning will be reported to the City Mayor, just as what is discussed this afternoon will also brought to the attention of the Mayor. She also pointed out that there is no definite decision to date as to whether the flood control project will push through since the matter is still being studied and consultations are still ongoing.</p>

V. Closing Remarks

Engr. Maximina M. Razon, UPMO-FCMC Project Manager, thanked the group and hope that the participants are enlightened on the objectives of the city to put up the project. She mentioned that if the project will push through, there will be more meetings for proper RAP. She emphasized that any private property that will be affected by the project, this will not be taken by the government without just compensation. Accordingly, the objective of the project is to help the residents get out of the dangers of flooding. She called for the cooperation of everybody.

As far as DPWH is concerned, the relocation site for the ISFs should be owned by the government. The development as to the subdivision plan, i.e., water, electricity will be done by DPWH. Housing is covered by the NHA, which is their mandate. Hence, relocation seems to be complicated as many institutions are involved, i.e., LGU, DPWH, NHA.


Time ended: 3:30 PM


Documented by: Ms. Rosemary M. Fernandez, InterDev



Photo Documentation



Attendance


RAP Feasibility Study
Community Consultation
JICA-DPWH-Davao City LGU Feasibility Study
Flood Control and Drainage in Davao City


 OC GLOBAL

Registration Sheet

Barangay Maa (COW Area) Venue [REDACTED] Date [REDACTED]

Name of Participant	Position/Organization	Contact Number	Signature
1. Pablo Diapera		09075037758	
2. AGUILARDO MONTERO		09753606687	
3. Rubia Ayala		09501357475	
4. Rofi Emeliana		095023346698	
5. Amalia T. Ranises		09287685709	
6. Sanilo T Lunicad		09265423870	
7. Iraraisa A. Dine		09104576985	
8. Krisilda M. Sawa		09635318211	
9. Lili PERSONDATY		09102294951	
10. Aljouis C. Alarcia		0912247951	
11. NOLI A. PAMA		09513713930	
12. Auto Rio Blasior Morales		09812285927	
13. COMCHITO Mamoc		09955705388	
14. Alberto Tabanao Sr.		09205353815	
15. Ebenezer Mawaliho		09811262231	

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Registration Sheet

Barangay Maa (COW Area) Venue [REDACTED] Date [REDACTED]

Name of Participant	Position/Organization	Contact Number	Signature
1. CAMILO, DAVE T.		09388142730	[Signature]
2. CEPEDA, REBECCA		09777 3270996	[Signature]
3. Badria C. Cader		09888126505	[Signature]
4. Bailanie D. Candidato		09382575013	[Signature]
5. DARWIN P. ANDRES		0909721 9639	[Signature]
6. MALE, AMILAN		0909721 9639	[Signature]
7. ROY J. ANON		0933-4644-964	[Signature]
8. Eustaquio Panilagan		09120219205	[Signature]
9. Jewelyn Dymond-Lante		096391131709	[Signature]
10. Mario Panilagan		09120219205	[Signature]
11. Dennis Panilagan		09120219205	[Signature]
12. Raymond Maynopolas		0977854646	[Signature]
13. RONDEL Z. CARRERA		09461230855	[Signature]
14. Ren Gallardo		09606022015	[Signature]
15. Anita Z. Duran		09213663512	[Signature]

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

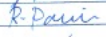








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Registration Sheet

Barangay	Maa (COW Area)	Venue	Date

Name of Participant	Position/Organization	Contact Number	Signature
1. Russel Villabon Bimbiting Sr.		09308928267	
2. JASPER C. RAMOS		093848823439	
3. Dayte P. Basutlin		09515593691	
4. MaryJane E. Diatara		09502236981	
5. Imelab C. Ramos		09468412105	
6. Zilveria L. Pawin		09350722745	
7. Rogelio M. Pawin		09350722745	
8. Cristhian L. Maynopas		09471410993	
9. Analisa D. Pawin		09675373874	
10. Irine Joy B. Mangatay	Bangkarayan	09466852642	
11. MaryJane C. Lagunagan		09304629188	
12. Rosangay Maxile		09678791215	
13. Fatima L. Fatlogan		09654512698	
14. Samira Landasan		09630777872	
15. RACMA S. AMER		09218606946	

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Registration Sheet

Barangay Maa (COW Area) Venue [REDACTED] Date [REDACTED]

Name of Participant	Position/Organization	Contact Number	Signature
1. Mhtaimen M. Capal		09272412724	[Signature]
2. Maynepas T. Japhet		09655947932	[Signature]
3. Nahira P. Rodriguez		0999902578	[Signature]
4. Ramona M. Casiroellan-Alde		09951337809	[Signature]
5. Noribel Polopson		09168355856	[Signature]
6. Soul Malacat		09164336005	[Signature]
7. Yessamine B. Bacane		09261929976 / 09264013954	B. Bacane
8. Marilyn Orcabia		09468140470	[Signature]
9. [Name] Aguilera		09550748557	[Signature]
10. ROBERT Q. RAMO JR.		09533896746	[Signature]
11. Jessie P. Oclero		09155374264	[Signature]
12. Vickor Ricalcob		09461006744	[Signature]
13. DONARDO P. JARA		09305440775	[Signature]
14. Saldy A. Procy		09272510790	[Signature]
15. Indel O. Tolpales		09658850402	[Signature]

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OC GLOBAL

Registration Sheet

Barangay Maa (COW Area) Venue [REDACTED] Date [REDACTED]

Name of Participant	Position/Organization	Contact Number	Signature
1. Annalee Palma		09639800775	
2. RENELYN G. MAG-ASO		09638325403	
3. ELIVER G. PASA		09384766111	
4. Gma M. Balgo			
5.			

InterDev Consulting, Inc.

1. Dr. Jessie Manuta
2. Mr. Damaso Vertido
3. Dr. Melba Manapol
4. Ms. Rosemary M. Fernandez
5. Mr. Paolo V. Palo

UPMO

1. Engr. Maximina M. Razon, UPMO-FCMC Project Manager

DPWH-X1

1. Engr. Allan V. de la Peña, Engineer IV
2. Engr. Alain John Sotto, Engineer III
3. Atty. Mel Miranda, ROW Acquisition & Legal Division

CPDO

- 1.Mr. Roque A. Magpuyo Jr., Development Management Officer II, Census Tagging Coordinator

Annex 9.24. Proceedings: Second Public Consultation with the Heirs of Padaman (Upper Padaman) of Barangay Ma-a

Upper Padaman, Purok 27
17 August 2022, Ma-a Barangay Hall, Davao City

Time Started: 9:10 a.m.

1. Preliminaries

The program started with a prayer led by Imam Ismael Diatas.

Brgy. Capt. Pacito D. Cañete welcomed the participants to the stakeholders' consultation, which was allotted to present the results of the Right-Of-Way (ROW) Study, specifically the Household survey and the presentation of the DPWH Representative on the Land Acquisition Plan and Resettlement Action Plan for families or households who will be affected by the City's proposed flood control project.

Dr. Jessie B. Manuta, RAP Project Team Leader, introduced the participants of the second public consultation meeting with the heirs of Padaman in Purok 27 (Upper Padaman), Barangay Ma-a, Davao City.

II. Presentation of Consultation Objectives and Program Flow

Dr. Jessie B. Manuta presented the Rationale, Objectives and Program Flow of the second PCM with the heirs of Padaman. The Government of Japan (GOJ) has granted the Government of the Philippines (GOP) a Master Plan and Feasibility Study of Flood Control and Drainage in Davao City. Through the Japan International Cooperation Agency (JICA), the Master Plan for three rivers namely: Davao River, Talomo River, and Matina River was completed in March 2021. However, the Feasibility Study for Davao River is expected to be completed in October 2022.

The pre-Right of Way (ROW) Action Plan (RAP) Study is commissioned by the JICA Study Team (JST) as one of two components of the Environmental and Social considerations of the Feasibility Study (FS) of the Project for the Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (Davao River) implemented by Unified Project Management Office-Flood Control Management Cluster (UPMO-FCMC) of the Department of Public Works and Highways (DPWH) Central Office. The two components are (a) the Environment Impact Study (EIS) in compliance to the Environment Impact System of the Philippine Government, and (b) the RAP Plan Study in compliance to the Right-of-Way (ROW) Act and the Urban Development and Housing Act (UDHA).

The RAP study aims to meet requirements on Environmental and Social Considerations of the feasibility study of the Project for Master Plan and Feasibility Study on Flood Control and Drainage in Davao City (Davao River) and to prepare the Right-of-Way Action Plan for the priority projects. Specifically, the RAP Study aims to:

- Determine the scale of possible project affected persons (PAPs) and identify the assets (land, structures and improvements) they will lose due to the acquisition of infrastructure right-of-way (IROW) for the project;
- Determine the affected households (AHs) (including business entities) and/or project affected persons (PAPs) which are to be relocated out of the project area;
- Identify the PAPs for entitlement of the compensation and other forms of support, and to control further migration, especially informal settling into the project site;
- Determine the compensation and entitlements to be given to PAPs for the acquisition of the assets to be affected by the IROW;

The first PCM with the PAPs in Purok 27 (Padaman) in Barangay Ma-a conducted on October 25, 2021 was discontinued due to the resistance of the Kagan community. The Kagan community leaders who engaged in a dialogue before representatives of the whole community reasoned out in two formal consultation meetings in the presence of representatives from the Barangay and City LGU, Deputy Mayor for the Kagan, and DEO-DPWH, that there is nothing to further meet about because the affected and subject property where they are presently residing is a claimed ancestral domain by the residing Kagans. Briefed about this development regarding the impasse in the conduct of the interviews and surveys with the Kagan community, the UPMO also advised that the matter will be referred soonest to the City Mayor for the request of LGU intervention.

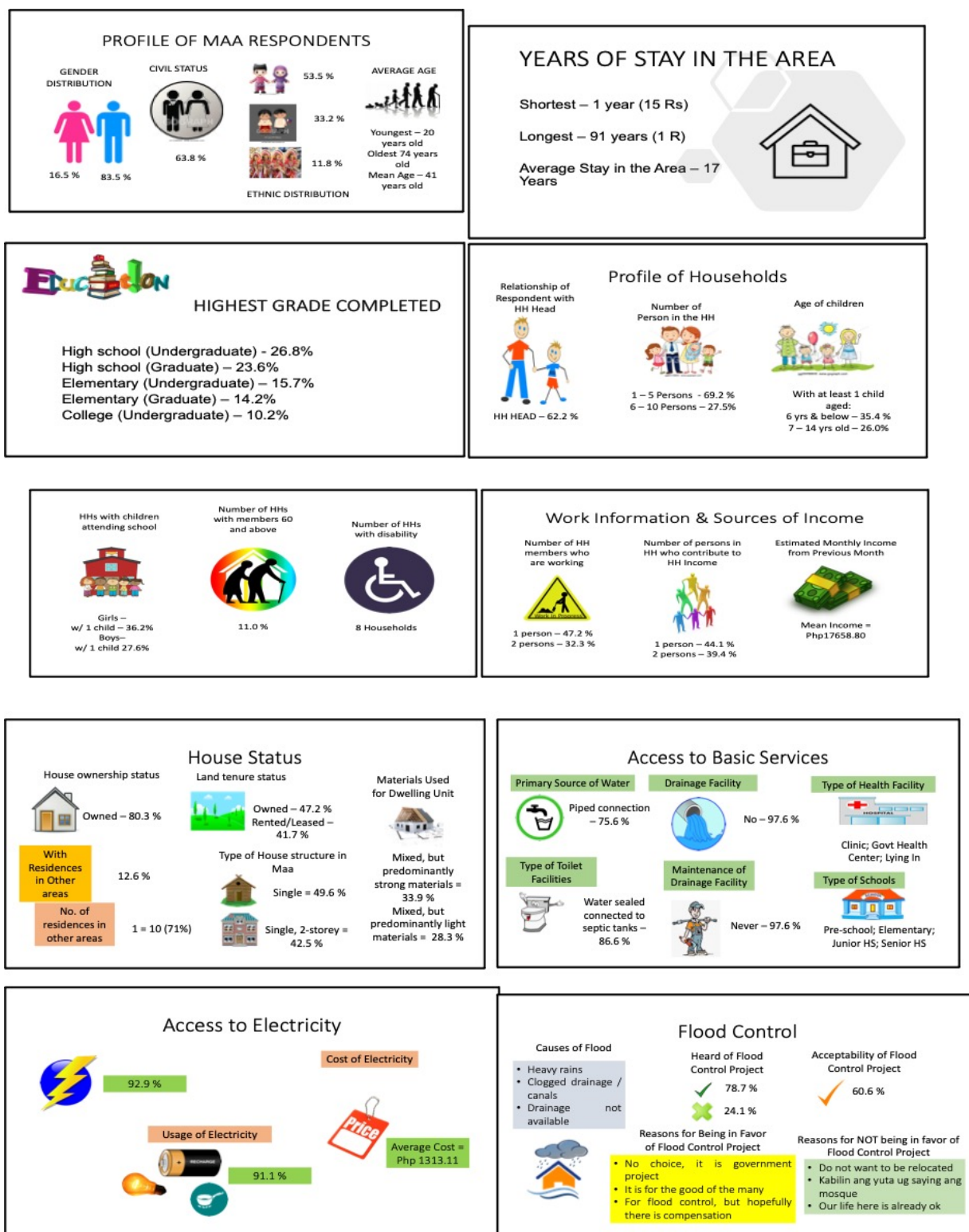
The new Mayor of Davao City met the Kagan community on July 5, 2022. In the meeting with the Mayor, the Kagan community has agreed to allow the RAP Team to continue the household survey. The RAP Team resumed the Household Survey in Purok 27 on July 7, 2022 and completed the survey on August 10, 2022. As agreed during the July 5, 2022 meeting, the results of the survey were presented to the Mayor of Davao City on July 29, 2022 and on August 1, 2022. Representatives of UPMO, DPWH-X1, and JST Davao Staff attended the survey presentations. After the two meetings with Mayor, clearance to conduct the second PCM with the Kagan communities was given to the RAP Team.

This consultation is intended for the heirs of Padaman in Purok 27 (Upper Padaman) in Barangay Ma-a. The objectives of the second PCM are:

1. To present the highlights of the Household Survey;
2. To present the policies, mechanisms, and protocols on compensations and entitlements for the affected PAPs; and
3. To solicit feedback and comments from the participants of the consultation.

III. Household Survey Presentation of Results

Dr. Melba L. Manapol presented the results of the Household Survey of the Resettlement Action Plan Appraisal in Brgy. Maa on behalf of the Interdev Development Consulting, Inc. Presentation of Dr. Manapol is provided below.



Dr. Manapol emphasized that the data presented covered only those who were interviewed, with a total of 127 respondents.

Open Forum

There was a lone after the presentation of Dr. Manapol. The question by a participant was on where the relocation area would be located. This was shelved until after the DPWH presentation on the Land Acquisition Plan and Resettlement Action Plan.

IV. Land Acquisition Plan and Resettlement Action Plan



Engr. Maximina M. Razon, Project Manager of UPMO-FCMC, presented the INTRODUCTION TO LAND ACQUISITION PLAN UG RESETTLEMENT ACTION PLAN

OUTLINE SA PRESENTASYON

- I. Land Acquisition Plan and Resettlement Action Plan (LAPRAP)
- II. Legal nga Framework para sa Infrastructure Right-of-Way (IROW) Acquisition & Management
 - ❖ Mga Pamaagi sa Pagkuha
 - ❖ Gasto sa Pagpuli
 - ❖ Relokasyon sa Informal Settler Families (ISFs)
 - ❖ Ubang mga Probisyon sa RA 10752
 - ❖ Mga Appropriations alang sa Pag-angkon sa Right-Of-Way Site o Lokasyon alang sa National Government Infrastructure Projects sa Abante sa Project Implementation

PLANO SA PAG-ABOT SA YUTA UG PLANO NGA AKSIYON SA RESETTLEMENT

- ✓ Ang dili maayo nga sosyal nga epekto sa mga proyekto sa imprastraktura likayan, mapamenos ug/o maminusan;
- ✓ Ang mga PAP gihatagan og igong bayad ug tabang alang sa nawala nga mga kabtangan aron matabangan sila nga molambo o labing menos mamentinar ang ilang pre-proyekto nga mga sumbanan sa kinabuhi;
- ✓ Ang katilingban sa kinatibuk-an makabenepisyo gikan sa mga proyekto sa dalan;
- ✓ Ang mga stakeholder sa proyekto (nga naglakip sa mga PAP) gikonsulta mahitungod sa disenyo, pagpatuman ug operasyon sa proyekto.

Ang nag-unang katuyoan sa LAPRAP mao ang:

- ◆ Paghatag ug pagtasa sa mga epekto sa mga proyekto sa dalan sa lokal nga populasyon;
- ◆ Pag-ihap sa mga termino sa kwarta ang pribado ug publiko nga mga kabtangan nga makuha alang sa mga proyekto nga direkta sa agianan;
- ◆ Pagpresentar ug estratehiya nga magsiguro nga ang tanang PAP mabayran sumala sa sosyal nga polisiya;
- ◆ Pag-ila sa mga lakang nga makasiguro nga ang mga PAP maapil sa nagkalain-laing ang-ang sa pag-andam ug pagpatuman sa LAPRAP
- ◆ Ihatag ang kinatibuk-ang banabana sa gikinahanglang mga kahinguhaan nga gikinahanglan sa pagpatuman sa LAPRAP

LEGAL NGA BALANGKAMO PARA SA INFRASTRUCTURE RIGHT-OF-WAY (IROW) ACQUISITION AND MANAGEMENT

INTRODUCTION

- ❖ Ang pagkuha ug pagdumala sa Right-of-Way (ROW) usa ka mandato .sa DPWH ubos sa Highway Act
- ❖ Usa sa labing mahagiton nga proseso sa siklo sa proyekto
- ❖ Importante sa episyente ug tukma sa panahon nga pagkab-ot sa mga proyekto sa imprastraktura
- ❖ Mabug-at nga tahas nga kinahanglan atubangon sa Departamento aron makab-ot ang panguna nga mandato sa paghatag imprastraktura.

GIYA NGA MGA PRINSIPYO

- Ang pag-angkon ug pagdumala sa ROW alang sa mga proyekto sa imprastraktura gigiyahan sa mga batakang balaod nga nagdumala sa ROW
- Ang polisiya sa paggiya sa konstitusyon sa ROW acquisition mao nga "ang pribado nga kabtangan dili kuhaon alang sa publiko nga paggamit nga walay makatarunganon nga bayad"

GIYA SA POLISIYA

- Batakang polisiya: Aron maseguro nga ang mga tag-iya sa real property makaangkon alang sa mga proyekto sa imprastraktura sa nasudnong gobyerno mabayran og "just compensation"
- Ang balaod naghatag alang sa "makatarungan nga bayad" sa paggamit sa mas realistiko nga mga sumbanan alang sa pagpabili sa yuta, pagpaayo ug istruktura.

RA 10752

Usa ka Balaod nga Nagpasiugda sa Pag-angkon sa Right-of-Way Site o Lokasyon alang sa Nasyonal nga Gobyerno Mga Proyekto sa Infrastruktura

- "Ang Right-of-Way Act"
- nagdumala sa pagkuha sa Right-of-Way para sa mga proyekto sa imprastraktura
- gipirmahan ni Kanhi Presidente Benigno S. Aquino III niadtong Marso 7, 2016
- susama sa nangaging mga balaod ug giya gawas sa mosunod:
 - ✓ Ang sukaranan sa pagpabili gihubit ug ang proseso sa pag-angkon klaro nga gilatud.
 - ✓ Ang pagbayad alang sa pagpaayo ug/o mga istruktura gibase sa gasto sa pagpuli gamit ang kasamtangang presyo sa merkado

MGA MODE SA PAGKAKAKUHA

- Ang gobyerno mahimong makakuha ug real property nga gikinahanglan isip right-of-way, site o lokasyon para sa bisan unsang proyekto sa imprastraktura sa nasudnong gobyerno pinaagi sa:



DONATION

Donasyon, gihubit ubos sa Art. 2725 sa Civil Code, "usa ka buhat sa liberalidad diin ang usa ka tawo motugyan nga walay bayad sa usa ka butang o katungod pabor sa lain nga midawat niini."

Ang buhat sa donasyon kinahanglan nga yano ug walay kondisyon, adunay mga clause sa epekto nga:

- Ang donasyon gihimo sa nagdonar aron dili makalimbong sa iyang mga nagpautang
- Si Donor nagreserba alang sa iyang kaugalingon og igo nga kabtangan alang sa iyang kinabuhi, sustento ug suporta sa iyang pamilya.
- Ang kasulatan sa donasyon kinahanglang marehistro sa Registry of Deeds.
- Ang implementing agency mahimong mogamit ug donasyon o susamang paagi sa pagkuha kung ang tag-iya sa yuta usa ka government-owned or government-controlled corporation.

NEGOTIATED SALE

Ang Negotiated Sale o Purchase mao ang sunod nga kapilian kung ang tag-iya sa kabtangan nga gikinahanglan alang sa publiko nga paggamit dili andam nga idonar ang iyang kabtangan sa gobyerno.

Ang Gobyerno mobayad ug makiangayon nga kompensasyon human mapatuman ang kontrata sa pagbaligya tali sa tag-iya sa kabtangan (vendor) ug sa gobyerno (vendee)



Ang presyo sa kompensasyon mao ang sumada sa kasamtangang bili sa merkado sa yuta, pag-ilis sa bili sa mga istruktura ug pagpaayo ug kasamtangang bili sa merkado sa mga tanom ug mga kahoy.

Ang ahensya nga nagpatuman mahimong moapil sa mga serbisyo sa:

- Institusyon sa pinansya sa gobyerno nga adunay igong kasinatian sa pagtan-aw sa kabtangan,
- usa ka independent property appraiser nga akreditado sa Bangko Sentral ng Pilipinas (BSP) o usa ka propesyonal nga asosasyon sa mga appraiser nga giila sa BSP

PAGBILI SA AFFECTED PROPERTY

GIPADAYAG ni SEC. 7. Mga Sumbanan alang sa Pagtimbang-timbang sa Bili sa Property Subject sa Negotiated Sale.

- Ang klasipikasyon ug paggamit diin ang kabtangan angay;
- Ang gasto sa pag-uswag alang sa pagpaayo sa yuta,
- Ang bili nga gipahayag sa mga tag-iya;
- Ang kasamtangang presyo sa pagbaligya sa susamang mga yuta sa palibot,
- Ang makatarunganon nga bayad sa kasamok alang sa pagtangtang ug pagguba sa pipila nga mga pagpaayo sa yuta ug alang sa kantidad sa mga pagpaayo niini;
- Ang gidak-on, porma o lokasyon, deklarasyon sa buhis ug zonal valuation sa yuta;

GIPADAYAG ni SEC. 7. Mga Sumbanan alang sa Pagtimbang-timbang sa Bili sa Property Subject sa Negotiated Sale.

- Ang presyo sa yuta nga gipakita sa ocular findings, oral ingon man dokumentaryo nga ebidensya nga gipresentar; ug
- Ang ingon nga mga kamatuoran ug mga panghitabo aron ang mga apektadong tag-iya sa propiedad adunay igong pundo sa pag-angkon sa parehas nga lokasyon nga mga yuta sa gibanabana nga mga lugar nga gikinahanglan gikan kanila sa gobyerno, ug sa ingon ma-rehabilitate ang ilang kaugalingon sa labing sayo nga panahon.



THE PROPERTY OWNER IS GIVEN
THIRTY (30) DAYS
TO DECIDE WHETHER OR NOT TO ACCEPT THE OFFER
AS PAYMENT FOR THE PROPERTY.

If the property owner does not accept the price offer, the implementing agency shall **initiate expropriation proceedings** pursuant to Section 6 of RA 10752

EXPROPRIATION



Ang expropriation gigamit sa dihang ang tag-iya sa usa ka pribadong propyedad nga gikinahanglan sa ahensya nga nagpatuman sa gobyerno dili mouyon sa paghatud sa iyang kabtangan ngadto sa gobyerno pinaagi sa bisan unsang paagi sa pag-angkon ug/o pagbalhin sa pagpanag-iya sa kabtangan.

Ang gobyerno kinahanglang mogamit sa iyang mga katungod sa eminent domain pinaagi sa pagpasaka og reklamo sa tukma nga Korte alang sa pag-ilog sa pribadong kabtangan.

- Ang gipamatud-an nga reklamo kinahanglang magpahayag sa katungod ug katuyoan sa pag-agaw,
- Ihulagway ang tinuod o personal nga kabtangan nga kuhaon
- Ang mga akusado mao ang tanan nga mga tawo nga nanag-iya o nag-angkon, o nag-okupar, bisan unsang bahin o interes niini, nga nagpakita sa interes o matag akusado nga gilain.
- Sa kaso nga ang tag-iya sa propiedad dili makit-an, wala mailhi, o namatay sa mga kaso diin ang yuta wala pa ma-settle, pagkahuman sa pagkugi, o adunay nagkasumpaki nga pag-angkon sa pagpanag-iya sa kabtangan ug mga pagpaayo ug / o mga istruktura niini. , ang IA kinahanglang magdeposito sa angay nga kantidad alang sa kaayohan sa tawo nga pagahukman sa parehas nga pagpadayon nga adunay katungod niini.

Ang implementing agency kinahanglang magdeposito ngadto sa korte pabor sa tag-iya sa kantidad nga katumbas sa kantidad sa mosunod:

- + 100% sa kasamtangang BIR Zonal valuation sa yuta Ang gasto sa pag-ilis sa naapektuhan nga istruktura
- + Kasamtangang balor sa merkado sa mga tanom ug mga kahoy

Sa pagtuman, ang korte mo-isyu dayon ngadto sa nagpatuman nga ahensya og mando sa pagpanag-iya sa propiedad ug sugdan ang pagpatuman sa proyekto.

Kung, sa sulod sa pito (7) ka adlaw nga pagtrabaho pagkahuman sa pagdeposito sa korte sa kantidad nga katumbas sa 100% BIR Zonal Valuation alang sa yuta, Pag-ilis nga Gasto alang sa Istruktura ug

Current Market Value alang sa mga Tanum ug Kahoy, ang korte wala mag-isyu ngadto sa implementing agency og writ of possession alang sa apektadong property, ang abogado sa implementing agency kinahanglang mangita dayon gikan sa korte sa pag-isyu sa writ of possession.

Ang korte mopagawas sa writ of possession ex parte. Walay pagdungog ang gikinahanglan. Ipagawas sa korte ang kantidad ngadto sa tawo nga gihukman sa samang expropriation proceeding nga adunay katungod niini.

Other modes of acquisition as provided by law:



QUIT CLAIM



EASEMENT



EXCHANGE/BARTER

QUIT CLAIM

Ang Quit Claims magamit sa pribadong kabtangan o yuta nga nakuha ubos sa Commonwealth Act (CA) 141, nailhan nga Public Land Act.

Kung ang tag-iya sa yuta DILI ang orihinal nga tag-iya sa patente ug ang bisan unsang nauna nga pag-angkon sa maong yuta dili pinaagi sa usa ka libre nga titulo, subject sa Donasyon ug Negosasyon.

Kung ang tag-iya sa yuta mao ang orihinal nga tag-iya sa patente o ang pagkuha sa yuta gikan sa orihinal nga tag-iya sa patente pinaagi sa usa ka libre nga titulo, ubos sa probisyon sa CA 141 "Public Land Act" o PD 635.

COMMONWEALTH ACT NO. 141

Public Land Act

Ubos ni Sec. 112 niini nga balaod, ang usa ka 20-meter strip sa propyedad nga naangkon ubos sa maong balaod gitagana sa gobyerno alang sa publiko nga paggamit uban sa danyos sa mga kalamboan lamang.

Ang 20 metros nga gilid sa sunod nga gipataas ngadto sa 60 metros ubos sa PD 635, giaprobahan niadtong Enero 7, 1975, nga nag-amendar sa Sec. 112 sa CA 141.

EASEMENT

Easement of Road Right-of-Way, o ang katungod sa paggamit sa pribadong propyedad alang sa publikong paggamit nga gihimo pinaagi sa road right-of-way nga kasabutan nga gipatuman sa tag-iya sa propyedad nga naghatag ug easement para sa ROW.

Mao kini ang recourse kung ang bili sa nalambigit nga lote nominal ra kaayo nga ang gasto sa pagsurbey lang mas mahal pa kay sa bili sa lote nga makuha.

Ang gobyerno sa tinuud nagbayad sa kantidad sa pribado nga kabtangan, apan nakakuha ra kini usa ka katungod sa easement para sa ROW

Gipabilin gihapon sa tag-iya ang pagpanag-iya sa lote nga maagian sa karsada

EXCHANGE OR BARTER

Ang Exchange o Barter usa ka opsyon nga mahimong pilion sa tag-iya sa propiedad, pinaagi sa paghangyo sa gobyerno nga ibaylo ang daan nga abandonado nga dalan o lote sa gobyerno duol sa proyekto imbes nga bayran ang kantidad sa kuwarta sa iyang lote.

Mahimo kini nga paborable nga konsiderahon labi na kung ang lote gikuha gikan sa tag-iya sa iyang LAMANG nga kabtangan.

Ang pagbinayloay kinahanglan himuon sa sukaranan sa kantidad.

Kung ang lugar (abandoned road) nga gisugyot nga ibaylo orihinal nga nakuha pinaagi sa donasyon, ang mga termino ug kondisyon sa Deed of Donation kinahanglan una nga mapamatud-an aron makatarunganon ang paglabay niini.

Kung orihinal nga nakuha pinaagi sa pagbaligya ang mga kanhi tag-iya sa yuta (abandonado nga dalan) ang adunay una nga prayoridad sa pag-angkon pag-usab sa maong yuta, o kung dili siya interesado sa pagpalit pag-usab, iyang isalikway ang iyang katungod.

PAGBILI SA MGA NAAPEKTUHAN NGA STRUKTURA/PA-IMPROVE

PAMAAGI SA GASTOS SA PAGPALIT

Ang Gasto sa Pag-ilis gihubit isip ang kantidad nga gikinahanglan aron mapulihan ang pagpaayo ug/o estruktura base sa kasamtangang presyo sa merkado para sa mga materyales, kagamitan, labor, ganansya sa kontraktor ug overhead ug tanang uban pang gasto nga nalangkit sa pag-angkon ug pag-instalar puli sa mga apektadong pagpaayo ug/ o mga istruktura.

O karon nga mga presyo sa merkado sa mga materyales ug trabaho aron matukod pag-usab ang parehas nga istruktura para sa mga balay ug uban pang mga istruktura nga wala'y mga pagbuhin alang sa mga naluwas nga materyales

RELOKASYON SA INFORMAL SETTLER FAMILY (ISFs)

SEKSYON 9. Relokasyon sa Informal Settlers

Ang gobyerno, pinaagi sa Housing and Urban Development Coordinating Council (HUDCC) ug National Housing Authority (NHA), uban sa koordinasyon sa mga LGU ug mga ahensya sa pagpatuman nga hingtungdan, kinahanglan nga magtukod ug magpalambo sa mga resettlement site alang sa mga informal settlers, lakip ang paghatag sa igong bata kang serbisyo. ug mga pasilidad sa komunidad, sa pagpaabot sa mga informal settlers nga kinahanglang tangtangan gikan sa right-of-way site o lokasyon sa umaabot nga mga proyekto sa imprastruktura, subay sa mga probisyon sa Republic Act No. 7279, o nailhan nga "Urban Development and Housing Act sa 1992". Bisan kanus-a magamit, ang mga hingtungdan nga LGUs maghatag ug magdumala sa mga lugar nga resettlement.

Sa kaso nga ang expropriated nga yuta giokupahan sa mga informal settlers nga nagdumili o dili makahimo sa pagguba sa ilang mga istruktura ug uban pang mga kalamboan niini bisan pa sa writ of possession nga giisya sa korte ubos sa Seksyon 6 niini, ang korte mag-isya sa gikinahanglan nga writ of demolition alang sa katuyoan sa pagbungkag sa bisan unsa ug sa tanan nga mga istruktura nga makitan sa sulod sa subject property. Ang ahensiya sa pagpatuman kinahanglan nga magtagad ug mag-oberbar pag-ayo sa pamaagi nga gilatik sa Seksyon 28 ug 29 sa Republic Act No. 7279.

PAMAAGI SA GASTOS SA PAGPALIT

Ang gasto sa pag-ilis sa mga istruktura ug pagpaayo niini magamit usab sa tanan nga mga tag-iya sa mga istruktura ug pagpaayo nga wala'y giila nga legal nga mga katungod sa yuta, ug kinsa nakab-ot ang tanan nga mga musunud nga pamatasan:

- (1) Kinahanglan usa ka Filipino citizen;
- (2) Kinahanglang dili makapanag-iya sa bisan unsang real property o bisan unsang pasilidad sa pabalay, bisan sa usa ka urban o rural nga lugar;
- (3) Kinahanglan dili usa ka propesyonal nga squatter o miyembro sa a squatting syndicate, sumala sa gipasabot sa Republic Act No. 7279, o nailhan nga "Urban Development and Housing Act of 1992"; ug
- (4) Kinahanglang dili mag-okupar sa kasamtangang ROW sa gobyerno

OTHER PROVISIONS OF RA 10752

MODE OF PAYMENT FOR PURCHASE/NEGOTIATED SALE

Upon the execution of a deed of sale, the implementing agency shall pay the property owner:

- ❖ Fifty percent (50%) of the negotiated price of the affected land, exclusive of taxes.
- ❖ Seventy percent (70%) of the negotiated price of the affected structures, improvements, crops and trees, exclusive of unpaid taxes.

The remaining fifty percent (50%) of the negotiated price of the affected land, and thirty percent (30%) of the affected structures, improvements, crops and trees, exclusive of unpaid taxes. Provided, that the land is already completely cleared of structures, improvements, crops and trees

- ❖ At the time of the transfer of title in the name of the Republic of the Philippines, in cases where the land is wholly affected; or
- ❖ At the time of the annotation of a deed of sale on the title, in cases where the land is partially affected.

REGULATION OF DEVELOPMENTS WITHIN DECLARED RIGHT-OF-WAY

Upon approval of an infrastructure project by the head of the implementing agency concerned, with funding authorized in the General Appropriations Act with defined right-of-way, No national government agency or LGU shall, within 2 years from the date of notice of taking, allow any development, or business permit, which is contrary to the approved plans and purpose of the project, within the right-of-way, unless explicitly authorized by the head of the implementing agency for justifiable reason

TAXES FOR NEGOTIATED SALE

The IMPLEMENTING AGENCY shall pay the following:

- ✓ Capital Gains Tax
- ✓ Documentary Stamp tax
- ✓ Transfer Tax
- ✓ Registration Fees

The OWNER shall pay any **unpaid real property tax**.

If requested by the property owner, the implementing agency shall remit to the LGU concerned the amount corresponding to any unpaid real property tax, **subject to the deduction of this amount from the total negotiated price**. Provided, however, that the said amount is **NOT more than the negotiated price**.

TAXES FOR EXPROPRIATION

The IMPLEMENTING AGENCY shall pay the following:

- ✓ Documentary Stamp tax
- ✓ Transfer Tax
- ✓ Registration Fees

The OWNER shall pay the **capital gains tax** and any **unpaid real property tax**.

Appropriations for Acquisition of Right-Of-Way Site or Location for National Government Infrastructure Projects in Advance of Project Implementation

The government shall provide adequate appropriations that will allow the concerned implementing agencies to acquire the required right-of-way site or location for national government infrastructure projects in advance of project implementation.

- a) Cost of parcellary surveys and appraisal of properties affected by the projects;
- b) Compensation for the project-affected land, structures, improvements, crops and trees;
- c) Cost of development and implementation of resettlement projects
- d) Related expenses of the implementing agency,

QUALIFICATION OF PAPs, SEVERELY-AFFECTED PAPs & marginally-AFFECTED PAPs

PROJECT AFFECTED PERSONS (PAPs)

Include any person or **persons, household, a firm, or a private or public institution** who, because of the need to acquire right-of-way for the implementation of an infrastructure project, will lose their **land, house, and other improvements** fully or partially. Only those PAPs found to be residing in, doing business, or cultivating land, or having rights over resources within the ROW to be acquired as of the date of the census survey (which is the cut-off date) are eligible for compensation for lost assets.

SEVERELY-AFFECTED PAPs

- ✓ **20% and more** of their assets will be lost
- ✓ Remaining structure is **NO LONGER VIABLE for continued use or occupancy**

MARGINALLY-AFFECTED PAPs

- ✓ **Less than 20%** of their assets will be lost
- ✓ Remaining structure is **STILL VIABLE for continued use or occupancy**
- ❖ If the remaining structure is **NO LONGER VIABLE** for continued use, **regardless of the extent of affected area**, the qualification falls under **SEVERELY-AFFECTED PAPs**

PAPs occupying but not owning affected lands and / or structures

PAPs who are not land owners but occupy lands or structures within the ROW to be acquired for the project, and who are not “professional squatters” will be compensated for affected structures but not for land.

V. OPEN FORUM

Questions/Comments	Responses
Question on Relocation - where is site?	The Engr. Maxim Razon pointed out that there is no definite site as of the present but that an area nearby the original place is being considered. However, it was emphasized that landowners are not given a relocation site since the government or project buys the land from them while only the informal settler families e.g., renters or those who do not own a land would be relocated
One of the participants pointed out that they do not agree because it is added “headache on their part as residents of the area.” A resident continued to argue that their disagreement is because they have been residents of the area even from the time of their grandparents, and even before their grandparents time.	According to Engr. Razon, it depends on the outlook – if one wants to get out of his/her “comfort zone,” it is possible to agree to the proposed relocation if the project pushes through. Engr. Razon also assured that they will take note of the disagreements and a report will be given to the Mayor, especially that there is a claim from the residents that the Mayor assured them that whatever they decide on, he will have the final say. It will be up to the Mayor to make the final decision.
A resident pointed out that the father of the Mayor has been giving land so why is it that their land is being taken for the project? Why not take the land of Bong Go or the Togonons? She also pointed out if the problem is flooding, they are already used to it.	Engr. Razon explained that is what she meant by her earlier explanation about the “comfort zone.” She said that what the DPWH and the project management are doing is to help the residents get out of the dangers of flooding.

Questions/Comments	Responses
Another resident asked how true are the stories that JICA will triple the size of the land if they agree to be relocated. It was pointed out that JICA did not mention anything about this matter.	Engr. Razon mentioned that RA 10752 does not also mention this matter. It was pointed out that even DPWH cannot say how much is the value of the land since a third party will be hired, a government financial institution, especially for ODA (Overseas Development Assistance) projects such as the flood control project.
	It was pointed out that the project may or may not be pushed through. However, Engr. Razon also mentioned that it does not mean that since the residents do not agree to being relocated that the project will not push through. It will go through processes; the RAP Feasibility Study and this consultation are part of these processes. The presentation was meant to orient the community on the possibilities and the processes of the Land Acquisition Plan and Resettlement Action Plan.

At this point, Dr. Manuta acknowledged the presence of Mr. Roque Magpuyo from City Planning Development Office, Engr. Allan of DPWH Region 11 and Engr. Alain Sotto, and the DPWH Legal Officer Atty. Miranda. He mentioned that questions may also be directed to them, especially to Atty. Miranda.

The participants were asked if they agree with the proposed flood control project. However, many of the participants already left since it was almost lunch time. A participant also pointed out that they are hopeful that the project will not push through, especially it was the Mayor with whom they were able to talk about their sentiments.

Dr. Manuta reiterated that we ask the remaining participants to raise their hands in favor or not in favor of the project. Mr. Vertido clarified the process that the morning session was for the landowners while the afternoon session is for the renters. Thus, he asked among the heirs or landowners, who are in favor or not in favor of the project.

A participant pointed out that there are individuals who did not attend and are opposed to the project, the number may not just be 100 or more. There are those who really do not participate in this kind of meetings because they are really opposed to the idea of the project. The question was, “were they surveyed?” Dr. Manapol clarified that those surveyed were the individuals in the structures that would get affected as indicated in the mapping activity. She also said that there are houses with more than one household, however, only one was interviewed. There were individuals who were not interviewed because they are not affected according to the map. She mentioned that while the enumerator was interviewing the respondent, he/she sends his/her location to determine if the household being interviewed is within the affected area. She sought help how the consultants will be able to talk with the direct living heirs i.e., the mother, father, the children, in the presence of the Mayor.

When asked to raise their hands whether they are in favor or not in favor, a participant pointed out they still have to consult their elders in the family since they are the ones who can decide. Dr. Manapol clarified that in view of this, the elders are the ones who decide, the collection of those who are in favor or not in favor of the project shall be shelved until such time DPWH representatives and the consultants are able to talk with the elders.

At this point, Datu Wahab expressed his exasperation about the news from the community that he agreed to the project because the Mayor gave him a billion from the project, which is not true. He pointed out that the Mayor and him will be one to talk with each other because the Mayor respects the tribal leader. He suggested to the Mayor that he talks to the Imam or another elder, but the Mayor refused since accordingly the Imam is already old. He also mentioned that he had a talk with the Mayor, he already prepared a letter which they have signed in the presence of the Imam. He thanked his nephews and nieces and other members of the community who showed respect. He said that this is not his decision, the project has been considered since 2001 even before he became a purok leader or a Datu. He emphasized that he respects everybody, and that his concern is for the better welfare of everybody. He said he was requested by the Mayor along with the Imam, that the project is for everybody's welfare, for the good of Davao City. He said he is emotional when he learned that the project goes through the area, but he took time to think of what the Mayor said about the better welfare of the people in Davao City. Thus, he sought the help of the scholars of the Qur'an to make him understand. He challenged his relatives that if there is something written in the Qur'an or in the Bible of the Christians that the river should not redirected, then he will kneel down in front of his constituents. But, if it is plainly saying that it cannot be allowed, he is asking for proof. He is hurt by the stories around; he is more hurt that his family is also affected. It is his hope that the community gets to understand each other.

VI. Closing Remarks

Mr. Damaso Vertido gave the closing remarks. He mentioned that the sharing of Datu Wahab can be considered as the closing of the activity. He reiterated that the consultants should be able to talk to the two living heirs.

Time ended: 11:30 a.m.

Documented by: Ms. Rosemary M. Fernandez, InterDev

PHOTO DOCUMENTATION



Attendance

InterDev Consulting, Inc.:

2. Dr. Jessie Manuta
2. Mr. Damaso Vertido
3. Dr. Melba Manapol
4. Ms. Rosemary M. Fernandez
5. Mr. Paolo V. Palo

DPWH-UPMO

2. Engr. Maximina M. Razon, UPMO-FCMC Project Manager


DPWH-X1



1. Engr. Allan V. de la Peña, Engineer IV
2. Engr. Alain John Sotto, Engineer III
3. Atty. Mel Miranda, ROW Acquisition & Legal Division

CPDO

1. Mr. Roque A. Magpuyo, Jr., Development Management Officer II, Census Tagging Coordinator

Community Attendance


RAP Feasibility Study
Community Consultation
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City







Registration Sheet

Barangay Maa (COW Area) Venue Date

Name of Participant	Position/Organization	Contact Number	Signature
1. Eduardo B. Marañon	Marañon Compound	0997-344-0692	
2. Modera D. Interioro	Padaman Compound	0909 1400 739	
3. Hasan D. Tukio	Padaman	0906 1400 739	
4. Solayman D. Diatas	Padaman		
5. JAC A. DIATAS	TADAMAN	09067671651	
6. Evelyn D. Estancia	Padaman	0963 0777 869	
7. Rosalie Marimbong	Padaman	"	
8. Fatima Ampes	Padaman	"	
9. Rody Sultao	Padaman	"	
10. Calmen Alator	Padaman	"	
11. Leah A. Umpar	Padaman	0963 0777 869	
12. Akrima D. Marimbong	Padaman	0907342238	
13. Soliman Diatas	Padaman	0907342238	
14. Roland Diatas	Padaman	0907342238	
15. Esmel Diatas	Padaman	0907342238	

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City


RAP Feasibility Study
Community Consultation
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City

Registration Sheet

Barangay Maa (COW Area) Venue Date

Name of Participant	Position/Organization	Contact Number	Signature
1. Fatima Macaraan	Padaman	0907342238	
2. Abdul Yotas	Padaman	0907342238	
3. Mustaph D. Umpar	Padaman	0907342238	
4. Alhadiya S. Gatas	Padaman	0975 8411 32	
5. Nor Bin I Lobo	Padaman	09514542865	
6. Alza I Gier	Padaman	09126455062	
7. Omar Interioro	Padaman		
8. Hann D. Malway	Padaman	09539702180	
9. Abdul Rahim Diatas	Padaman	09639702950	
10. Norjana G. Interioro	Padaman	09500722435	
11. AMIR D. UMPAR	PADAMAN	0954550405	
12. Mo-muna A. Umpar	Padaman		
13. NAROTO B. SEPEDEN	PAUDASAU	099770508	
14. SAKURPA C. PEDRO	PAUDASAU		
15.			

JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City



RAP Feasibility Study
Community Consultation
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City



Registration Sheet

Barangay Maa (COW Area) Venue _____ Date _____

Name of Participant	Position/Organization	Contact Number	Signature
1. RAIDA L. PANDAYAN		09120341856	<i>R. Pandayan</i>
2. ORLANDO C. PANDAYAN		09502345980	<i>Orlando C. Pandayan</i>
3. ABDUL WAHAB DIATAS		09654512688	<i>Abdul Wahab Diatas</i>
4. MELSON YATAS		09367821900	<i>Melson Yatas</i>
5. YASER M. LAMAS		0958893245	<i>Yaser M. Lamas</i>
6.			
7.			
8.			

Annex 9.25. Proceedings: Round 2 Consultation with Landowners of Ma-a

Compensation/Entitlement Packages for PAPs Impacted by the Retarding Ponds
24 August 2022, Barangay Hall, Barangay Ma-a

Time Started: 10:26 am

I. Preliminaries, Meeting Objectives and Compensation Package

Meeting started with a prayer and proceeded to the introduction of participants. Only two landowners were present (out of three known landowners in the barangay). As team leader, Dr. Rosalinda Tomas presented the meeting agenda. Primarily, the meeting is intended to present to the affected landowners the process, basis of compensation and the inclusion in the compensation/entitlement package.



Since there was a new representative among the two, a short review of the project background focused on the components (dredging, cut-off works and retarding ponds) and project areas were presented including the overall project map. Thereafter, focus was done on the compensation package starting with the legal basis (RA 10752). The means of property acquisition (donation, negotiated sale, expropriated, as covered by other laws), the compensation that cover the land and replacement costs were then discussed. Emphasized was the market value for the land and replacement costs particularly if there were crops or trees. Market value will be determined based on guidelines of DPWH under RA 10752. Map of the affected area (with expanded 10m) under the cut-off works component was presented so participants can check on their properties. After the presentation, the open forum started.

III. Open Forum

Clarifications/Comments	Responses
Eng. J. Sanchez, San-Ai Trading (Yuta@Dabaw) representative, raised his concern regarding the start of the 10 meters extension. He was concerned if this will affect the slope protection as well as the road near the river. He raised the concern as the residence of the company owner (Nestor Ma) is near the river and the slope protection on the other side.	Dr. Tomas responded that only the engineers or project experts can confirm the exact project boundary location and its impact on the concerned structures. This will be noted in the report to be submitted.
As a follow-up, he checked on the duration of the feasibility study and who will finalize the project area.	As to the project duration, the feasibility study might take 2-3 years to finalize (but for confirmation). It will be DPWH with JICA that will finalize the project area/s.
R. Bagaipo suggested that the compensation should be higher and the payment should not take long. He has	Dr. Tomas mentioned that this was a similar situation in other areas. This has been noted in the project

Clarifications/Comments	Responses
already experienced delays in DPWH payments as part of his property was also affected by a previous project. To this time, he has not received the full payment / compensation. He also asked about who will finance the project.	report as part of a main concern of affected landowners / stakeholders. In terms of financing, JICA is funding the feasibility study. As to the actual project, this will still be negotiated as DPWH is looking for a funding agency.
R. Bagaipo asked what the plan is regarding the Padaman area which is directly affected and a number of community members are against the project.	Dr. Tomas updated that a community consultation was already done, with the compensation package presented. The qualified community members will be relocated and other entitlements (replacement costs) will be provided. The city took part in the negotiation with the community.



No other major issues/concerns were raised as the landowners will wait for finalization of the project plans and for further communication.

Meeting ended at 11:40 a.m.

Documented by:

Sisa Fiel T. Hontanosas, RSW, InterDev

Attendance

1. John Andrei Sanchez, representative for Nestor Ma of Yuta@Dabaw
2. Reynaldo Bagaipo, Purok 26 Leader/Landowner
3. Rosalinda C. Tomas, InterDev
4. Paul Palo, InterDev
5. Sisa Fiel Hontanosas, InterDev



RAP Feasibility Study
Community Consultation
 JICA-DPWH-Davao City LGU Feasibility Study
 Flood Control and Drainage in Davao City



Registration Sheet

Barangay Maa (COW Area) Venue BEST MAA HALL Date AUGUST 24, 2022

Name of Participant	Position/Organization	Contact Number	Signature
1. <u>DR. ANDRE SAN CHAY</u>	<u>P. ENGINEER</u>	<u>09985771971</u>	<u>[Signature]</u>
2. <u>SSA FIEL T. KONTINOSAS</u>	<u>DISSEMINATOR - RAP</u>	<u>09089403128</u>	<u>[Signature]</u>
3. <u>PAN, PAUL</u>	<u>INTERVIEW</u>	<u>09672006050</u>	<u>[Signature]</u>
4. <u>REYNALDO R. BACANO</u>	<u>PURCH LEADER</u>	<u>09108200603</u>	<u>[Signature]</u>
5. <u>Rosalinda Torres</u>	<u>INTERVIEW</u>	<u>09999999999</u>	<u>[Signature]</u>
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JICA-DPWH-Davao City LGU Feasibility Study on Flood Control and Drainage in Davao City

Annex 9.26. Proceedings of the Consultation with Sta. Lucia Realty and Development

19 September 2022

Conference Hall, DPWH District Engineering Office, Guerrero St., Davao City

Time Started: 9:29 a.m.

I. PRELIMINARIES AND OBJECTIVES OF THE GATHERING

The meeting started with a prayer led by J. Asenas of InterDev. Immediately after, a round of introductions was facilitated. There were two participants from DPWH including from UPMO, one from JICA Davao, three from InterDev and a lone participant from Sta. Lucia Realty and Development, Inc. (SLRDI) who is the Mindanao Area Operations Manager, Engr. Jose Albert Caseñas.

II. PROJECT OVERVIEW AND UPDATES

Dr. Rosalinda Tomas proceeded to present a brief project review although it was acknowledged that Engr. Caseñas was able to attend the Round 1 consultation (Project Orientation) with the local officials of Barangay 19-B last October 2021. For this consultation, the main intentions are: a) to provide project updating and sharing particularly on the Cut-Off Works (COW) component; b) solicit comments and feedback from Sta. Lucia, particularly sharing their plans, current developments done and finding some area for collaboration and support in relation to the project.



The Project Review covered the following:

- Masterplan and Feasibility Study for the Flood Control and Drainage Project in Davao City focusing on the Environmental and Social Considerations, particularly on Resettlement Action Plan (RAP).
- Project Components and Location

After the Project Review, Dr. Tomas presented project updates related to the COW areas.

- Consultations with landowners for Round 2 on Compensation/Entitlement Packages as part of the Preliminary RAP Process based on RA 10752 - ROW Act.
- Information gathered for the Pre-Feasibility Study (PFS) will provide basis for the final decision-making of DPWH and its partner, JICA related to coming up with a Detailed Engineering Design (DED).
- Most the current work was generating information with regards to the affected stakeholders - landowners and those to be resettled.
- The PFS will provide: budget estimation for ROW/RAP that covers preliminary land appraisal, preliminary replacement cost of structures and improvements, estimation

of the value of crops and trees, and resettlement costs. The overall acquisition process will be covered with the cost estimates.

- The project map for the COW areas was presented, which reflects the additional 10m expanded perimeter. Later, the maps of existing structures and land uses of the area were also shared.
- At this point when the maps were presented, Engr. Caseñas started to clarify some points and raised some concerns. The open forum / conversation then proceeded.

III. OPEN FORUM

Technically, Sta. Lucia is not directly affected but in a way is a stakeholder since SLRDI is doing developments within the project area.

Clarifications/Comments	Responses
SLRDI development and responses to flood control project	
Engr. J. Caseñas: SLRDI already has a study at the time the realty developed the riverfront. If river is to be widened more than 100m, plans will be affected as there are improvements and plans within the area and all the lots are fully sold already. Just need to confirm the extent of widening - more than 100m?	Engr. M. Razon: It is 110m but before it was 120m but since we are going to have a retarding basin upstream, so the alignment width is from 80 to 110m.
Engr. M. Razon: Are there any structures in your area of development within the more than 100m?	Engr. J. Caseñas: There are no structures yet except for the driving range. The development plan was done in coordination with the City Planning office [CPDO]. They had a plan to divert the river (based on information shared last year) but the government did not do anything yet. Mr. Sonny Dizon wanted to develop the area already.
<i>NOTE: At some point, UPMO representative was trying to check if Mr. Sonny Dizon is the same as Philip Dizon. To confirm, Engr. Caseñas called a contact from the Dizon office and was able to confirm that Sonny is also the same as Philip Dizon.</i>	
Engr. J. Caseñas: Sonny Dizon is the only one opposed to the flood control project. His main concern on the diversion of the Davao River is the potential flooding that will be extensive at the mouth of the river. Hence, more people will be affected. I commented that this is a JICA project and they have studies on this. Hope is for the team to convince Sonny Dizon.	Engr. M. Razon: We (together with JICA) have done many simulations and after these simulations, we proposed three immediate measures: dredging works, the cut-off works and the retarding basins which are all the project components. We shared this during the technical presentation. During the presentation to the DENR, Sonny Dizon was there, and he had no comment about the presented plan. I'm not sure if he has already seen that presentation. What he is doing now is sending emails to our local consultants. We did not reply yet to his last email because we are collating all the information from the local consultants and DEO. We will respond to him later after we gather all the data.
Engr. J. Caseñas:	Engr. M. Razon

Clarifications/Comments	Responses
<p>He emphasized that the group should respond to Sonny Dizon because he is the one who is very vocal against the project but he is only one voice (<i>NOTE: Mr. Philip Dizon is special consultant to the city</i>). According to him, then Mayor Rodrigo Duterte was against the project, but former Mayor Sara was open to it. The other Dizon siblings are listening, as he was able to talk with Ronnie Dizon (Vice-Chair) and Betsy Torres (corporate secretary). He suggested it might be good to talk with the Chairperson of the Board (for Dizon), Jenny Posas, wife of a renowned cardiologist from Manila. Better to talk with the siblings and not the grandchildren ('apo').</p> <p>Part of the concern raised is: <i>what will happen to the area in the existing Davao riverbed that will be dried up?</i> Information received is that it will be developed as a relocation site. But most of the riverbeds and surrounding areas are already titled.</p> <p><i>NOTE: Engr. Caseñas went to the map and pointed the areas that were titled covering the portion where dredged materials will be placed, including area of Atty. D. Togonon.</i></p> <p>He pointed out that the river has transferred already and the Dizons are claiming the accretion. But this has also been subdivided and one of the owners is the Barangay Captain of 19-B.</p>	<p>We have already presented it to then Mayor Sara who gave the notice to proceed.</p> <p>As to the dried up riverbed, the city wanted it to be a relocation site. But DENR with its approval of the EIA, has identified the area as not fitted for relocation site. We are just not sure if the city already knows about this DENR provision.</p> <p>Engr. Dizon presented that she thinks the Dizon family is asking for a replacement for the property that will be taken from them. At first, they wanted everything within that circumference area but they can only be replaced with what is equivalent to their property.</p> <p>Last February, they asked the intervention of the city LGU, especially Mayor Baste to talk with the Dizons since Mr. Sonny Dizon was not willing to listen to them about the technical aspects of the project. But after the final design is approved, team will schedule a meeting with the Dizons.</p> <p>No problem if with titles, project will pay for those but still lacking information regarding the surrounding area.</p> <p>Just to note, one the 'apos' helped the local team enter the area.</p>
Concerns raised	
<p>Engr. J. Caseñas: Next concern is regarding the bridge. Who will build this and river protection? Will the bridge be public property and used as public road? Private developers do not provide this nor donate lands for such.</p> <p>He also raised the problem about the 110m. Even if there is an easement, will there be a need for another easement for the 110m?</p> <p>Further, he mentioned that he was shocked when last time it rained, SM was reported to be flooded. Who is the engineer for this?</p> <p>Again, articulated that initial concern before was the 100m and then now 110m expansion. City also imposed a 30m easement.</p>	<p>Engr. M. Razon: Government will put up the bridge under DPWH budget. River protection will also be provided.</p> <p>As to the easement, the consultant has an option. If we have it at 80m, we have to keep the meandering and not cover it. It depends on the presentation with the Steering Committee sometime in October or November. Then we can determine the final design.</p> <p>As to SM concern, there will be a cistern like the one in BGC so area will not be flooded. At the bottom is a cistern. This is same proposal for the city to have a retarding basin.</p> <p>Engr. N. Apao: On the required city easement of 30m, this has been imposed downstream. Improvements are done within this zone.</p>

Clarifications/Comments	Responses
	Engr. Caseñas remarked that this is possible considering example of Iloilo City. What is needed is just political will to make this happen.
Engr. J. Caseñas: Mentioned issue about creeks - This can be part of titled land of an owner. These can be covered and owner can build a structure over this like what happened in Pontevedra. Should this be allowed? In the first place, why give a permit for this? Those who cover the creeks can create problems downstream.	Engr. N. Apao: The Water Code should be given some 'teeth', some force of enforcement like put in jail those who violate. What happens is that complaint is given to City Engineer who will require for the structure to be destroyed but does not penalize and put in jail the violator. Gave the example of SM where a canal was constructed outside SM but government cannot do anything as it was downstream. Government eventually spent about P300M to fix problem using GAA funds. Engr. M. Razon added they are not deputized to police such violations.
Engr. J. Caseñas: He asked when the project will start. After hearing the response of DPWH-UPMO, he stated that by the time project is completed, he will be retired already.	Engr. M. Razon: Group is just waiting for the final feasibility study (FS) and then will get grant from Japan government for implementation. Timeline is within 2023 and project to run for 10 years (till 2033). This will not be a 'one-time-big time' project but will go through phasing since the river is long and will be costly. First to complete is immediate measures then the widening in the next 10 years. Hence, in 20 years we will be able to finish this project just like in Marikina.
Other comments/suggestions	
Engr. N. Apao: He wanted to clarify what is the relationship between the Dizons and SLRDI.	Engr. J. Caseñas: Identified SLRDI as a developer only and has joint venture with the Dizons on the development of their property.
Engr. J. Caseñas: For communication, suggested to course this through Dizon's local manager, Ms. Angie Watin, because she has direct contact with the Chair of the Board. Also mentioned it is important to discuss with Atty. Togonon and family.	Dr. R. Tomas: Articulated that initial communication was done through Ms. A. Watin, and later was able to talk with Ronnie Dizon as well. Engr. M. Razon: As to Atty. Togonon, he already requested from us to give them a copy of the masterplan.
Dr. R. Tomas: There are also unknown owners, and the barangay don't know them as well.	Engr. J. Caseñas: He suggested to the group to ask the Registry of Deeds for addresses of the landowners.
Engr. J. Caseñas: He reiterated to convince Sonny Dizon but talk with other siblings who are more open. Important also to talk with landowners as they are concerned with compensation like the Togonon family who is another big family that needs to be consulted.	Engr. M. Razon: Group will schedule a meeting with the Dizons and LGU after the presentation of the final study. As for compensation for the lots, we are going to hire a third party Government Financing Institution (GFI) usually Land Bank or DBP. They

Clarifications/Comments	Responses
	will be the one to determine the fair market value.
<p>Engr. N. Apao: As final remark, he believed previously that flooding cannot be solved. However, with JICA's arrival, he believes this can be done but need big budget. If rely on DPWH budget alone, this cannot happen but need additional funds. Also, it must involve different teams including coastal engineers.</p> <p>Engr. M. Razon added this should be supplemented by urban drainage. DPWH projects on this has already been approved for financing - the Davao Rier and the Paranaque Spillway. However, the spillway project has not yet started as the City Mayor filed a case as he is not amenable with the project.</p>	

Summary of key points:

- Try to convince Mr. Philip/Sonny Dizon but talk to other siblings, particularly the Chair of the Board (Dizon family), Jenny Posas (Manila-based).
- Schedule a meeting with the Dizons together with the LGU after the presentation of the final feasibility study.
- Clarify compensation with landowners, particularly Togonon family who has big property within COW.
- Clarify the 110m easement plus plans for the dried up riverbed.



After all concerns were raised and feedback provided, group ended the consultation at 11:10 a.m.


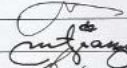





Documented by: Jelita Lamanilao, InterDev

Attendance

RAP FEASIBILITY STUDY
 Project Sharing/ Updating and Consultation with STA LUCIA REALTY
 JICA-DPWH-DAVAO CITY LGU Feasibility Study
 Flood Control and Drainage in Davao City


REGISTRATION SHEET

Venue: DE Conference Room, DPWH-DEO, Guerrero St., Davao City Date: September 19, 2022

NAME OF PARTICIPANT	POSITION/ORGANIZATION	Contact Number	Signature
JOSE ARTEM CASAS	MANAGER / SLRD	0918 911 89 39	
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MAXIMINE M. RAZON	Project Manager, UPMO, FORD	09209958710	
PAUL PAJO	INTERDEV	09672806050	
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Rosalinda Torres	INTERDEV	0999-9950958	
CHRIS JOY CORGEU	UPT Secretary		

Annex 10

Annex 10. Ballpark Estimates on the Proposed Reouting of Tower Nos. 26 to 29
Along Bunawan-Toril 230 KV DC Transmission Line Affected by DPWH
Proposed Flood Control and Drainage in Davao City

	NATIONAL GRID CORPORATION OF THE PHILIPPINES		
	MINDANAO OPERATIONS AND MAINTENANCE		
	OPERATIONS PROJECT DIVISION		
PROJECT TITLE:	BALLPARK ESTIMATES FOR THE PROPOSED REROUTING OF TOWER Nos. 26 to 29 ALONG BUNAWAN - TORIL 230KV DC TRANSMISSION LINE AFFECTED BY DPWH PROPOSED FLOOD CONTROL AND DRAINAGE IN DAVAO CITY		
PROJECT LOCATION:	Callawa, Davao City		
ITEMS	SCOPE OF WORKS	AMOUNT	
I.	Temporary Shelter for Field Personnel and Construction Materials Including Space Rental to be Utilized as Working Area at Site During Construction Activities	P	465,104.64
II.	Construction of Temporary Rough Access Road Leading to Project Site Including Earthfilling Works, Graveling, Grading, Compaction and Maintenance/Restoration Works Due to Possible Soil Erosion & Flooding in the Area	P	10,710,408.51
III.	Complete Furnishing of Materials, Labor, Tools, Equipment and Other Miscellaneous Accessories for the Construction of Concrete Foundations for the Newly Relocated/Rerouted Transmission Lines Including Installation of Grounding System and Setting of Stub Angles	P	10,840,610.87
IV.	Payment to Damage of Improvements, Accessibility to Tower Sites and Other ROW Related Expenses Due to Construction Works	P	1,811,089.28
V.	Supply/Delivery/Hauling of 5 Units Typical 230KV Double Circuit Steel Tower, Line Hardware and Other Miscellaneous Accessories Including Freight and Handling	P	20,165,353.02
VI.	Complete Erection/Dressing of 5 Units Typical 230KV Double Circuit Steel Towers for the Newly Rerouted/Relocated Transmission Line	P	3,612,936.10
VII.	Supply/Delivery/Hauling of ACSR Conductors and OPGW Including Freight and Handling	P	26,589,010.45
VIII.	Payout/Stringing Works of ACSR Conductors and OPGW for the Newly Erected 5-Units Steel Towers Including Tapping of Conductors to the Existing Towers	P	1,356,528.10

IX.	Decommissioning/Undressing/Dismantling/Removal/Hauling of 4 Units Existing Towers Including Line Hardware and Other Miscellaneous Accessories	P	1,246,057.61
X.	Cost of Construction Safety and Health Program including Safety Passporting and Compliance with Pandemic/Endemic Measures	P	2,247,463.68
XI.	Hauling Works and Service Vehicle for Project Monitoring	P	1,795,585.79
TOTAL PROJECT COST		WITH VAT	P 80,840,148.05
		LESS OF VAT	P 72,178,703.62



LEGEND :

- AFFECTED TOWERS TO BE REMOVED
- PROPOSED TOWERS TO BE ERECTED
- EXISTING TOWER (AS IS)
- NEW TRANSMISSION LINE
- EXISTING TRANSMISSION LINE
- DPWH PROPOSED FLOOD CONTROL AND DRAINAGE AREA



PROPOSED REROUTING SCHEME

NDTS

NGCP

NATIONAL GRID CORPORATION OF THE PHILIPPINES
MINDANAO OPERATIONS AND MAINTENANCE
MA. CRISTINA, ILIGAN CITY
OPERATIONS PROJECT DIVISION

PROJECT TITLE :

PROPOSED RELOCATION OF TOWER Nos. 26 TO 29 ALONG BUNAWAN - TORIL
230KV DC TRANSMISSION LINE AFFECTED BY DPWH PROPOSED FLOOD
CONTROL AND DRAINAGE IN DAVAO CITY

LOCATION : Callawa, Davao City

DESIGNED	INITIAL	DATE
ARCH'L CIVIL	RGMJr.	
ELECT'L		
MECH'L		
DRAWN	RGMJr.	
CHECKED :	R. V. TILACAS O&M Projects Supervisor-OPD	

SUBMITTED : D. C. ENGUITO

O&M Projects Manager, OPD

RECOMMENDED :

APPROVED :

SHEET CONTENTS :

REVISION No.

SHEET

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