

FINAL REPORT

ABBREVIATED RESETTLEMENT ACTION PLAN

**A SURVEY ON THE PROJECT FOR IMPROVEMENT
OF WATER SUPPLY IN COTABATO CITY, PHILIPPINES**

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Glossary of Terms

ARAP	Abbreviated Resettlement Action Plan
PAP/s	Project Affected Person/s
MCWD	Metro Cotabato Water District
LWUA	Local Water Utility Administration
JICA	Japan International Cooperation Agency
BARMM	Bangsamoro Autonomous Region in Muslim Mindanao
GDP	Gross Domestic Product
GNI	Gross National Index
PSA	Philippine Statistics Authority
UN	United Nations
RA	Republic Act
WTP	Water Treatment Plant
GOCC	Government Owned and Controlled Corporation
COLIGHT	Cotabato Light and Power Co.
MPW	Ministry of Public Works
PCA	Philippine Coconut Authority
GRM	Grievance Redress Mechanism
PAF	Project Affected Family
LGU	Local Government Unit
BLGU	Barangay Local Government Unit
BRGY	Barangay

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1. General Introduction

The Abbreviated Resettlement Action Plan (ARAP) was undertaken as part of the preliminary surveys under the Project for Improvement of Water Systems in Cotabato City. The Project for the Improvement of the Water Systems in Cotabato City is a component of the Master Plan for the Urban Infrastructure Development for Greater Cotabato City that was prepared from the year 2019 to 2021. The Project is one of the high priority projects of the Master Plan.

After the completion of the Master Plan in 2020, the JICA has commissioned several studies to hasten the development and implementation of the water systems project for Cotabato City. The JICA Study Team has been working closely with the Metro Cotabato Water District (MCWD), the entity that has legal franchise in providing water services in Cotabato City and parts of the adjacent municipalities of Sultan Kudarat and Datu Odin Sinsuat, both belonging to the new province of Maguindanao del Norte.

2. Background

The Republic of the Philippines,¹ is an archipelagic country in Southeast Asia comprising 7,641 islands and having a land area of about 298,170 square kilometers, which are broadly categorized in three main geographical divisions from north to south: Luzon, Visayas, and Mindanao. With a population of over 110 million, of which about 38.6% are concentrated in three regions around the capital Manila. The population growth rate from 2015 to 2020 was 1.63% nationwide, but at a disproportionate rate by regions. The rate peaked at 3.26% in the Bangsamoro Muslim Mindanao Autonomous Region (BARMM).

In 2022, the Gross National Income (GNI) growth rate was 9.9%, and the Gross Domestic Product (GDP) was 7.6%, both of which showing high growth. The Philippines concluded an economic partnership agreement with Japan, and regarding the share of trading partner countries on a monetary basis, Japan ranks second (13.9%) after the United States for exports from the Philippines, and third after Indonesia (9.0%) for imports to the Philippines. The most common export goods are electronic and electrical equipment, and the top imports goods are raw materials and intermediate goods. (PSA, Ministry of Foreign Affairs (Japan))

The country has a tropical maritime climate and humid with abundant rainfall. Some regions do not have a rainy or dry season. Typhoons have the greatest impact on the climate in the Philippines, but rarely make landfall on Mindanao island. (Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA))

The Bangsamoro Autonomous Region of Muslim Mindanao (BARMM) was established in 2018 with the approval of Bangsamoro Organic Law. The BARMM was created to finally end the 40 years struggle of moro people to establish their own autonomy in the Philippines.

Cotabato City is one of the oldest chartered cities of Mindanao and has served as the political center of the Empire Province of Cotabato, Administrative Region 12 (Central Mindanao), and now host the Bangsamoro Government. From the middle 1970s, Cotabato City belonged to Administrative Region 12 and it officially became part of the Bangsamoro

Autonomous Region in Muslim Mindanao (BARMM) following a referendum in February 2019.

The city is classified as an independent component city, thus, while it is physically located within Maguindanao del Norte, it is not part of the said province or any other province for that matter.

Cotabato City has a land area of approximately 176 square kilometers or the equivalent of 67.95 square miles. The city is generally surrounded by bodies of water, rivers in its eastern, northern, and southern boundaries and by the sea in the west.

The city is divided into thirty-seven (37) smaller government units or barangays. According to the latest published official Census of Population (2020), the city had a population of 325,079 compared to the previous official census data of 299,438 (2015). According to the UN World Urbanization Prospects, the city's population is projected to reach 400,071 by year 2030 and 443,044 by year 2035. The projection is anchored on the assumption of an annual growth rate of 2.07% (for year 2030) and 2.06% (for year 2035).

Population density, therefore, was 1,701 in year 2015 and 1,847 in year 2020, respectively.

The population of Cotabato City is approximately 300,000 (in 2015) and is expected to further increase in the future, as the city's population has continued to grow at an average rate of 4.1% per year over the past 15 years and is expected to function as a capital city in the BARMM. The Japan International Cooperation Agency (JICA) conducted the "Data Collection Survey on Urban Infrastructure Development in Greater Cotabato City" in order to formulate a cooperation program for the comprehensive development of the Cotabato Urban Area, and conducted a Pre-F/S on the development of water supply facilities in Cotabato City and surrounding areas in the same study.

The Metro Cotabato Water District (MCWD), established in 1976, is responsible for water supply services in Cotabato City and the adjacent municipalities of Datu Odin Sinsuat (DOS) and Sultan Kudarat (SK). It draws water from three water sources; deep wells, springs and surface water, and it has a water supply of approximately 48,000 cubic meter per day, of which approximately 25% is considered non-revenue water. The water supply rate in Cotabato City is low, at about 47.4% in 2022, and households without water supply services are dependent on unsanitary and traditional water sources.

In Cotabato City, water demand is increasing by an average of 5.4% annually between 2016 and 2023, mainly due to increased commercial activity in the urban area. On the other hand, MCWD is making efforts to expand the water supply area by making 1,000 new connections each year, but the water supply ratio still remains low.

Particularly, in the seven barangays on the right bank of the Tamontaka River, water demand has increased at a rate of 8.2% per year over the past five years. It is also expected to increase at a rate of 11% per year over the next 10 years. The water supply ratio in this area is only 32.4% as of 2023, and the gap between water demand and water supply capacity is getting larger and larger. Therefore, expansion of water supply facilities is an urgent issue, and It is the important mission for water district to increase the water supply ratio in Cotabato.

In this project, the land acquisition for the construction of a new water treatment plant has already been completed by MCWD. No residents have been relocated, but it is necessary to confirm the methods of consultation with residents and the level of compensation during the land acquisition process. In addition, if there are any discrepancies with the JICA Guidelines, measures to resolve them must be proposed. Therefore, an abbreviated Resettlement Action Plan (ARAP) will be prepared.

3. Legal Basis of Land Acquisition

In the Philippines, the legal basis for land acquisition is provided under Republic Act 10752 issued on 07 May 2016 an Act Facilitating the Acquisition of Right-Of-Way Site or Location for National Government Infrastructure Projects otherwise known as “The Right-of-Way Act.”

Section 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 law.

In this case, negotiated sale was used to acquire the property. Section 5 of the Act states that the Rules on Negotiated Sales

“The implementing agency shall offer to the property owner concerned, as compensation price, the sum of: (1) The current market value of the land; (2) The replacement cost of structures and improvements therein; and (3) The current market value of crops and trees therein.

To determine the appropriate price offer, the implementing agency may engage the services of a government financial institution with adequate experience in property appraisal, or an independent property appraiser accredited by the Bangko Sentral ng Pilipinas (BSP) or a professional association of appraisers recognized by the BSP to be procured by the implementing agency under the provisions of Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act" and its implementing rules and regulations pertaining to consulting services.

If the property owner does not accept the price offer, the implementing agency shall initiate expropriation proceedings pursuant to Section 6 hereof.”

4. Objectives of Abbreviated Resettlement Action Plan (ARA)

This ARAP was prepared in order to ensure that the project does not make PAPs worse off in accordance with JICA Guidelines for Environmental and Social Considerations. .

5. Target Area

The project is located in Brgy Tamontaka II, Cotabato City along the bank northside of Tamontaka River consists of 4.0 hectares of land acquired for the construction of a new water treatment plan and the planned construction site for the distribution pipes. The area acquired for the construction of a new water treatment plant and the area of new distribution pipes are shown in Figure 1 and Figure 2, respectively.

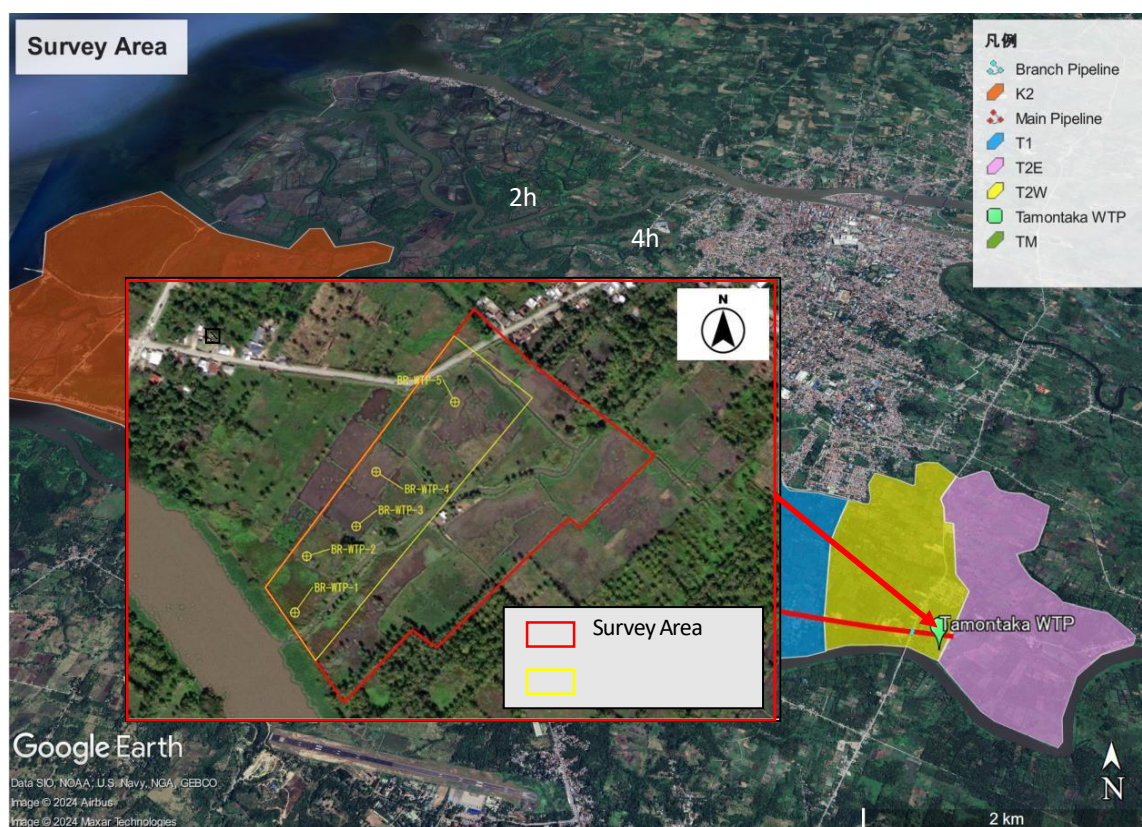


Figure 1 : Survey Area (Area Acquired for the Construction of a New Water Treatment Plant)

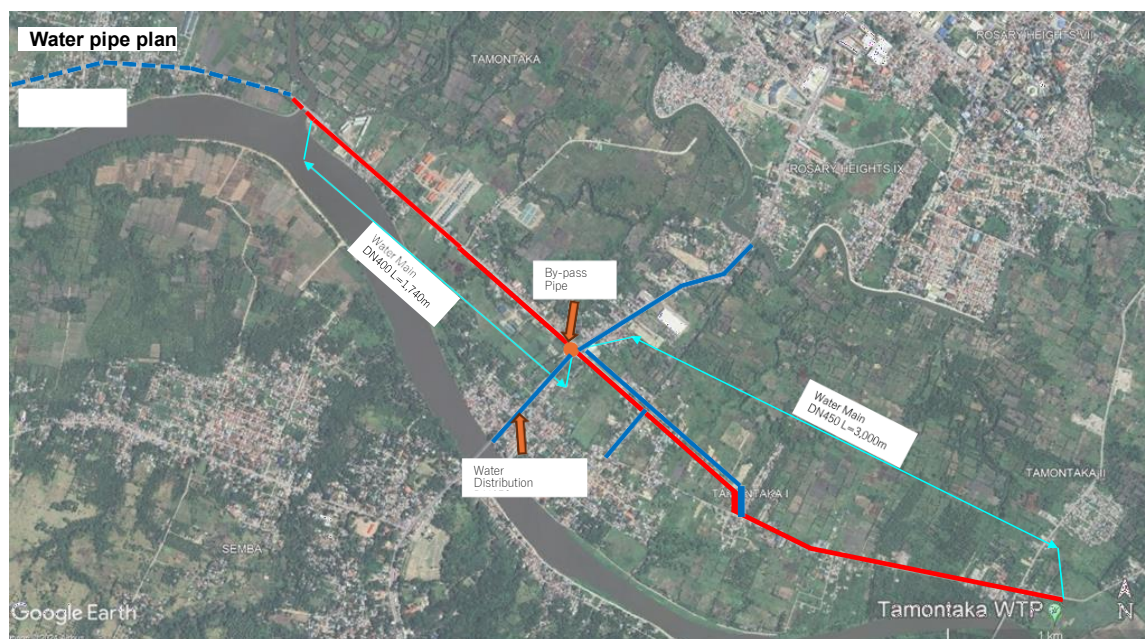


Figure 2 : Area of New Distribution Pipes

The project Water Treatment Plant (WTP) will generate daily maximum water supply of about 7,200 cu.m. per day to serve clean and potable water to about 7,000 residents in four (4) barangays along the bank of Tamontaka River, namely: 1) Tamontaka II; 2) Tamontaka I; 3) Tamontaka Mother; and 4) Kalanganan II.

The distribution pipes will be installed from the WTP in Tamontaka II in the east to Kalanganan II in the west passing through Tamontaka I and Tamontaka Mother. The distribution pipe will be installed at the shoulder of the existing road within the road-right-of-way limit. The distribution pipe has an approximate length of about 8.00 km.

6. Status of Land Acquisition

6.1. Water Treatment Plant Site

The proposed location of the water treatment plant (WTP) is alongside the Tamontaka River at Cotabato City side. The proposed site is a four-hectare land which was formerly part of a nine-hectare lot with a legal title of ownership. The site has been identified as suitable location for the proposed WTP being accessible from the Tamontaka River, the source of the raw water. It is about 320 meters upstream from the Tamontaka Bridge 2 along the Cotabato City East Diversion Road (CCEDR).

The MCWD, upon learning that it is the responsibility of the recipient (MCWD) to provide for the site of the proposed WTP, immediately looked for an appropriate site for the WTP. The lot owned by a certain Kagui Kasan Ibrahim which is located in Barangay Tamontaka 2 was found to be a possible appropriate site. Initial negotiations between the MCWD and lot owner Mr. Ibrahim were made.

The owner voluntarily offered his property for sale to MCWD since the owner was not anymore interested into farming. In fact his main source of daily livelihood prior to the sale was driving a Payong-Payong commuter tricycle. The lot owner only allowed a relative to cultivate a 1,000 sq.m. rice paddy on his land for free.

The MCWD, being a Philippine Government Owned and Controlled Corporation (GOCC) is obliged to follow the government rules and procedures in the acquisition of any assets. One of which is to determine the fair market value of the proposed lot to be acquired so that the transaction shall not become disadvantageous to the part of the government. Hence, both parties (MCWD and the lot owner) agreed that a third-party, a Licensed Real Estate Appraiser/ Real Estate Consultant be commissioned to appraise the subject property and determine the Fair Market Value of the lot. The result of the appraisal shall be the basis for price negotiation for the land acquisition.

The appraisal report showed that the Fair Market Value of the 4-hectare property intended to be acquired by MCWD as site of the WTP amounts to Thirty Six Million Pesos

(PhP 36,000,000). After subsequent negotiations, both parties agreed to the purchase cost of P 895.00/ sq. m. or a total of P 35,800,000 for the 40,000 sq.m. or 4-hectare lot. The owner, Mr. Kagui Kasan Ibrahim immediately hired a Geodetic Engineer to separate the 4-hectare area to be acquired by MCWD from the 9-hectare mother lot. On November 14, 2023, a Deed of Absolute Sale was entered into between MCWD and the lot owner Kagui Kasan Ibrahim.

A Transfer Certificate of Title covering the 4-hectare area was subsequently issued by the Land Registration Authority, Registry of Deeds for Cotabato City in the name of MCWD on December 15, 2023.

After the execution of the Deed of Absolute Sale, MCWD made a partial payment of 60 percent or Twenty One Million Four Hundred Eighty Thousand Pesos (P 21,480,000) to the lot owner on November 15, 2023. And subsequently, a final payment of Fourteen Million Three Hundred Twenty Thousand Pesos (P 14,320,000) was made on December 21, 2023.

Prior to the sale of the property, about 1,000 sq.m. portion of the lot was planted to palay. There were also one mango tree and ten coconut fruit-bearing trees. During the negotiations before the final sale agreement was reached, it was agreed by both parties (MCWD and lot owner) that the agreed amount of sale of P 35,800,000 would include all crops and trees planted on the land. And the lot owner and his heirs shall not demand compensation for any affected assets (crops, trees, and structures). Upon full payment, MCWD becomes the legitimate owner of the land including any crops, trees and structures therein. No residential structures or families were displaced because prior to the sale of the property, no family or person was residing within the area.

The lot owner's wife and two children had given their consent in the sale of the property. Even the six siblings of the owner expressly gave their consent to the sale of the lot to MCWD. Hence, no probable complaints in the future would arise relative to the sale between MCWD and the lot owner.

6.2. Water Distribution Pipes

The proposed water distribution pipes from the WTP shall traverse Barangays Tamontaka 2, Tamontaka 1 and Tamontaka Mother. The distribution pipes have a length of about 8.0 kilometers and a diameter of about 200 mm. The pipeline shall be laid underneath the Road Right Of Way (RROW), a government property. No structures (residential, commercial, institutional) shall be affected. Therefore, no private land acquisition is necessary for the construction of distribution pipes and no building structures shall be lost or damaged that would require replacement and/or compensation.

A number of trees, however, need to be cut to give way to pipe laying. This is presented in detail under section 2.2 of this report. There are also around 23 solar light

posts and six Cotabato Light and Power Company (COLIGHT) concrete electric posts that need to be relocated to provide access to the pipeline.

The Assistant District Engineer of the Ministry of Public Works (MPW) in Cotabato City District Engineering Office has assured that his office shall immediately relocate the affected solar light posts before the construction of the distribution pipes starts. All the costs to be incurred in the relocation of these facilities shall be borne by the MPW.

The COLIGHT likewise shall voluntarily cause the relocation of the affected concrete electric posts at its own expense, upon official request from the MCWD before the pipe laying work starts.

7. Census Survey Results

7.1. Water Treatment Plant

The proposed location of the water treatment plant (WTP) is alongside the Tamontaka River at Cotabato City side. Across the river is the municipality of Datu Odin Sinsuat (DOS) of Maguindanao del Norte Province.

The proposed WTP site and its adjoining lots are primarily classified as agricultural land and used to be planted with palay. The lots are characterized as paddy field being adjacent to the Tamontaka River. The proposed site is a four-hectare land which was formerly part of a nine-hectare lot with a legal title of ownership.

The proposed WTP site is traversed by a 6.7-meter width concrete barangay road which serves as the access road for the properties located therein. The site is about 320 meters from the Cotabato City East Diversion Road (CCEDR) and about 2.90 kilometers from the Sinsuat Avenue, a main thoroughfare in the city.

The area right now is within a 2-kilometer radius location of some commercial and government institutions, such as, Eros Hospital, Pepsi Cola Sales Office, Pilot Provincial Science High School and Technology, Tamontaka I Barangay Hall, etc. Hence, the site of the WTP and its adjoining areas could be categorized into an agricultural with some portions gradually transforming into an industrial zone.

The 4-hectare proposed site of the WTP is part of a 9-hectare land owned by one family. The family is composed of the father, mother and two sons, all of legal age. The family does not have any dwelling structure or any structure built within the site of the WTP. The family has its residential house in the municipality of Datu Odin Sinsuat, Maguindanao del Norte. Hence, nobody is residing within the proposed site of the WTP.

Table 1. Household Members of the Lot Owner

Name	Relationship to Head of Family	Gender	Age	Highest Education	Occupation
Kagui Kasan Ibrahim	Head of Family	Male	68	Elementary	Driver
Mariam Bandon	Wife	Female	67	High School	Businesswoman
Muhalidin Nur L. Kasan	Son	Male	27	College Graduate	Still applying for work
Mohammad L. Kasan	Son	Male	24	College Graduate	Still applying for work

Prior to the acquisition of the proposed WTP site by the MCWD, the previous owner’s family is not cultivating the land anymore. Instead, Kagui Kasan Ibrahim, the lot owner allowed one sister to plant palay within a portion of 1,000 sq.m. for free. The owner was then driving a commuter tricycle or “payong-payong” as his regular work; while his wife was into a business of selling dry goods.

After the sale of the lot to MCWD, the family was able to build a boarding house in Cotabato City and bought a passenger utility van. These are now the main sources of family’s income. The family also built a small mosque near their residential house for community’s religious services.

The previous owner also shared financial assistance to all his six siblings, including his sister who used to plant palay to a portion of 1,000 sq.m. of his former lot. His five sisters now have their respective businesses (dry goods and sari-sari stores); while, his one brother was able to build a boarding house in Cotabato City with his help.

After the sale of the property, the economic condition of the former land owner’s family including his sibling’s families had substantially improved through the opportunities for them to engage into new livelihood activities.

7.2. Distribution Pipes

A census survey was meticulously carried out by the ARAP survey team from July 1-3, 2025. The primary objective of this survey was to ascertain any potential impact of the proposed 8-kilometer pipeline distribution project on the structures situated along the designated alignment, specifically from Barangay Tamontaka II, Barangay I to Barangay Tamontaka Mother of Cotabato City. Following a thorough assessment, it has been confirmed that there are **no residential, commercial, or other permanent structures affected along the proposed alignment.**

However, during the course of the comprehensive survey, the team identified several other elements that will be affected by the project's development. These include a number of trees, solar lights, and electric posts, which have been noted for necessary considerations. These findings will be considered in the planning and coordination with concerned stakeholders to ensure proper mitigation and compensation measures are in place.

7.2.1. Impact on Trees

A total of ten (10) trees were identified as affected along the proposed alignment. These consist of one (1) Narra tree, one (1) Teak tree, seven (7) Coconut trees, and one (1) Jackfruit tree. These trees are located within the project's right-of-way and are likely to be impacted during construction activities. Consequently, the possible cutting or removal of these trees may be required to facilitate the implementation of the project. In compliance with applicable environmental and forestry regulations, coordination with the concerned government agencies will be undertaken to secure the necessary permits. Appropriate measures for the replacement or compensation of the affected trees will also be considered to mitigate environmental impact and ensure responsible project execution.

Table 2 presents the list of trees affected by the pipeline distribution project from the WTP in Brgy Tamontaka II to Bubong Bridge in Brgy Tamontaka Mother. These include: 1 Teak Tree in Barangay Tamontaka Mother, 5 Coconut and 1 Narra Tree in Barangay Tamontaka I, and 2 Coconut and 1 Jackfruit Tree in Barangay Tamontaka II.

Table 2. List of Affected Trees

Location (Village/Sub District)	Affected Tree	Type	Tamontaka Mother	Tamontaka I	Tamontaka II	Number of Affected	Total
Distribution Pipe	Narra	Timber/non-bearing trees	0	1	0	1	10
	Teak	Timber/non-bearing trees	1	0	0	1	
	Coconut	Fruit bearing	0	5	2	7	
	Jackfruit	Fruit bearing	0	0	1	1	

7.2.2. Affected Utilities

A total of twenty nine (29) utility assets have been identified as potentially affected by the pipeline distribution project. These include twenty-three (23) solar lights and six (6) electric posts, The solar lights are part of a project implemented by the Ministry of Public Works (MPW), which has confirmed its commitment to relocate the affected units to accommodate the project. Likewise, the electric posts are owned by Cotabato Light and Power Company (Colight), which has expressed willingness to move the affected posts as needed.

Table 3 provides a summary of the utilities affected by the pipeline distribution project from WTP in Tamontaka II to Bubong Bridge in Tamontaka Mother.

Specifically, nine (9) solar lights are located in Barangay Tamontaka Mother, and fourteen (14) in Barangay Tamontaka I, with the remaining six (6) in Barangay Tamontaka II. For electric posts, one (1) is in Barangay Tamontaka I and five (5) in Barangay Tamontaka II. These utilities fall within the right-of-way of the proposed distribution pipeline and may require relocation during project implementation. . Given these arrangements and the full cooperation of the concerned agencies, **no compensation** is required for the relocation of these utilities, thereby supporting a smooth and uninterrupted implementation of the pipeline project.

Table 3: List of Affected Utilities

Location (Village/Sub District)	Affected Utility	Tamontaka Mother	Tamontaka I	Tamontaka II	Number of Affected	Total
Distribution Pipe	Solar light		9	14	23	29
	Electric Post	1	5		6	

7.2.3. Market Price of the Affected Trees

Table 4 represents the replacement cost for trees affected by the pipeline distribution project. The table categorizes the affected trees into two groups: fruit-bearing and timber/non-fruit-bearing species. For the fruit-bearing category, seven (7) Coconut trees are valued at ₱2,000.00 each, totaling ₱14,000.00, while one (1) Jackfruit tree is valued at ₱1,000.00, bringing the subtotal for fruit-bearing trees to ₱15,000.00.

For the timber/non-fruit-bearing category, one (1) Narra tree is valued at ₱8,500.00 and one (1) Teak tree at ₱24,417.00, amounting to a subtotal of ₱32,917.00. The overall replacement cost for all affected trees is estimated at ₱47,917.00.

These values are based on standard compensation rates applicable to the respective tree types, ensuring that fair and appropriate measures are taken for the loss of natural assets due to project implementation. The classification of trees follows the definitions outlined, wherein fruit-bearing species include Coconut and Jackfruit, while timber species include Narra and Teak.

Table 4 – Replacement Cost for Trees

Commodity	Unit	Unit Price	Total
<i>Fruit Bearing</i>			
Coconut	7.00	2,000.00	14,000.00
Jackfruit	1.00	1,000.00	1,000.00
Subtotal			15,000.00
<i>Timber/non-fruit bearing</i>			
Narra	1.00	8,500.00	8,500.00
Teak	1.00	24,417.00	24,417.00
Subtotal			32,917.00
Grand Total			47,917.00

* *Fruit Bearing Trees: Mango, Coconut/Buco, Jackfruit/Langka, Santol, Kamatchile, Duhat, Tamarind/Sampaloc, Aratiles/Mansanitas, Guava/Bayabas, Macopa, Kaimito, Avocado, Atis, Casoy/ Kasuy*

** *Timber, Non-fruit Bearing Trees: Narra, Acacia, Talisay, Bangkal, Balite, Gmelina, Falcata, Mahogany*

The estimated value of the timber trees (Narra and Teak) was based from the Forest Management Bureau Price Bulletin for the period January-March 2025. One cu.m. of timber has an approximate cost of P 17,765.00. While, the value of coconut fruit-bearing trees was based on the Philippine Coconut Authority (PCA) BARMM estimate of P 1,000- 2,000 per tree as gathered from operating sawmills in Cotabato City.

The value of the fruit-bearing jackfruit tree was based on a previous Resettlement Action Plan (RAP) prepared in 2017 for a road bypass project in Midsayap, Cotabato Province, about 45 kilometers away from Cotabato City. The previous cost was added with certain percentage and come up with P 1,000.00 per tree current value.

The owners of the affected trees are presented in the entitlement matrix in Section 9 of this report.

7.2.4. Summary of Utilities (Solar Light Panels, Electrical Post, Brgy. Boundary Mark), Fruit Bearing Trees, Non-Fruit Bearing Trees

Table 5. Summary of Utilities and Trees

	Quantity			
	Tamontaka Mother	Tamontaka 1	Tamontaka 2	Total
Solar Light Panels (SLP)	0	9	14	23
Electrical Post	1	5	0	6
Fruit Bearing Trees (Coconut)	0	5	2	7
Non Fruit Bearing Trees (Narra and Teak)	1	1	0	2
Grand Total				39

8. Policy of Acquisition

8.1. Comparative Analysis with JICA's Guidelines

In accordance with the comparative analysis against JICA's Guidelines for Environmental and Social Considerations, the procedure for determining the replacement cost of affected trees under the project for improvement of water supply aligns with JICA's core resettlement principles. The project has followed this principle by using updated valuation rates sourced from relevant government agencies, such as the Forest Management Bureau (FMB) and the Philippine Coconut Authority (PCA-BARMM), to estimate the value of each tree species. For items which have disparities, the measures in Table 6 shall be applied to conform to the Guidelines.

Table 6 Comparative Analysis with JICA's Guidelines

No.	JICA Guidelines/World Bank ESS5	Laws of the Philippines	Gap between JICA Guidelines and Laws of the Philippines	Resettlement Policy for this Project
1	Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives. (JICAGL)	<ul style="list-style-type: none"> • No person shall be deprived of life, liberty, or property of law, nor shall any person be denied the equal protection of the laws (Constitution of the Republic of the Philippines, Article III, Section 1). • Private properties shall not be taken for public purpose without appropriate compensation. (Constitution of the Republic of the Philippines, Article II, 	No significant gap	Not necessary

		Section 9). Involuntary resettlement should be avoided where possible. Where population displacement is unavoidable, it should be minimized by exploring all viable project options (LARRIPP1 , 2007, Chapter II)		
2	Project affected people, such as people to be resettled involuntarily and/or people who may lose their livelihoods by the project, must be provided sufficient compensations and supports by the project proponents in a timely manner. (JICAGL)	<ul style="list-style-type: none"> •Private property shall not be taken for public use without just compensation. (Constitution of the Republic of the Philippines, Article II, Section 9). •Government shall provide adequate appropriations that will allow Implementing Agencies to acquire ROW for national government projects. These appropriations include cost of development and implementation of resettlement projects including planning, and social preparation. Where necessary, this may include land development and housing construction, provision of basic services and community facilities, livelihood restoration and improvement (RA No. 10752 Section 15) 	There is no significant gap since LARRIPP mentions livelihood/ income restoration although it is a limitation.	Not necessary
3	Compensations must be calculated at full replacement cost as much as possible, and provided in advance. (JICAGL)	<p>To determine the appropriate price offer, the implementing agency may engage the services of a government financial institution with adequate experience in property appraisal, or an independent property appraiser accredited by the Bangko Sentral ng Pilipinas (BSP) or a professional association of appraisers recognized by the BSP to be procured by the implementing agency under the provisions of RA No. 9184:</p> <ul style="list-style-type: none"> •Land: the current market price •Structure: replacement cost for structure and other assets 	Same as JICA guidelines	Will follow the standard market price of assets affected

		<ul style="list-style-type: none"> •Crops and trees: the current market price •For negotiated sale, payment of capital gains tax (CGT), the documentary stamp tax, transfer tax and registration fees are shouldered by the Implementing Agency (IA). (RA No. 10752 Section 5 and 6) 		
4	Project proponents must make efforts for the affected people to improve or at least restore their standards of living, income opportunities and production levels to the pre-project levels. (JICAGL)	<ul style="list-style-type: none"> •Based on RA 10752, owners would only be given partial payment prior to the acquisition of lot. The Implementing Agency (IA) shall pay 50% of the land cost and 70% of the structure and improvements and crops and trees upon the signing of the Deed of Absolute Sale. •Other entitlements under the LARRIP (2007) include: disturbance compensation, income loss, inconvenience allowance, rehabilitation assistance, and rental subsidy and transportation allowance. 	There is no directly corresponding provision in laws of the Philippines.	Not necessary
5	Compensation standards are disclosed and consistently applied. The project affected persons need to be aware of the compensation standards.	<ul style="list-style-type: none"> •All information on the Project must be made public in a language and form easily understandable by the people. (DENR AO No. 37 Series of 1996 Section 4) •Resettlement Action Plan (RAP) will be prepared as per the project stage, and it will be finalized and disclosed at the detailed design stage. (DPWH DO2 No. 152 Series of 2017) 	No significant gap	Compensation standards are disclosed and consistently applied.
6	In principle, the contents of the individual compensation to be agreed are explained to the project affected persons in writing, and the project affected persons can confirm the contents at any time.	<ul style="list-style-type: none"> •All information on the Project must be made public in a language and form easily understandable by the people. (DENR AO No. 37 Series of 1996 Section 4) •Resettlement Action Plan (RAP) will be prepared as per the project stage, and it will be finalized and disclosed at the detailed design stage. (DPWH DO2 No. 152 Series of 2017) 	No significant gap	Affected persons are properly informed about the compensation

7	For projects that result in large-scale involuntary resettlement, a Resettlement Action Plans (RAP) must be prepared and made available to the public prior to the resettlement and provision of compensation and support. (JICAGL)	<ul style="list-style-type: none"> •The implementing agency shall prepare land acquisition and resettlement plan for the project funded by the government. (ICC Guidelines and Procedure Annex B) •Resettlement Action Plan (RAP) will be prepared as per the project stage, and it will be finalized and disclosed at the detailed design stage. (DPWH DO2 No. 152 Series of 2017) 	No notable gap	Not necessary
8	In preparing the RAP, consultations must be held with the project affected people and communities, based on sufficient information made available to them in advance. (JICAGL)	<ul style="list-style-type: none"> •No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated. (Philippine Constitution: Section 10). •Adequate consultations on the matter of resettlement with the duly designated representatives of the families to be resettled and the affected communities in the areas where they are to be relocated shall be mandatory (RA No. 7279 Section 28). •Consultation meetings shall be held at each barangay that will be traversed by the Project. (DPWH DO No. 152 Series of 2017) 	No significant gap	Information sharing with the affected persons (owners of the affected trees)
9	When consultations are held, explanations must be given in languages and forms that are understandable to the project affected people. (JICAGL)	All information on the Project must be made public in a language and form easily understandable by the people. (DENR AO No. 37 Series of 1996 Section 4)	No notable gap	Through information sharing, the PAPs were able to understand clearly about the project.
10	Appropriate participation of the project affected people and their communities must be promoted in the planning, implementation and monitoring of measures against involuntary resettlement and loss	<ul style="list-style-type: none"> •LGUs and the project proponent shall cooperate to enhance participation of PAPs into a project. (RA No. 7279 Sec. 23) •Public Consultation Meetings (PCMs) must be held in each barangay that will be traversed by the Project. Venues for PCMs must be neutral grounds such as barangay halls, day 	No significant gap	Not necessary

	of livelihood. (JICAGL)	care centers, public schools, and the like (DPWH ROW Acquisition Manual Section 2.4 and 2.5).		
11	A mechanism for handling concerns and grievances from people and communities affected by the project's environmental and social impacts must be in place. (JICAGL)	<ul style="list-style-type: none"> •Resolution of issues through Alternative Dispute Resolution (ADR) by a neutral third party is recommended. (RA No. 9285 Section 2) •The grievance shall be filed by the PAP with the Resettlement Implementation Committee (RIC), who will act within 15 days upon receipt thereof, except complaints and grievances that specifically pertain to the valuation of affected assets, since such will be decided upon by the proper courts. If no understanding or amicable solution can be reached, or if the PAP does not receive a response from the RIC within 15 days of registry of the complaint, he/she can appeal to the concerned Regional Office, which should act on the complaint/ grievance within 15 days from the day of its filing. If the PAP is not satisfied with the decision of the Regional Office, he/she, as a last resort, can submit the complaint to any court of law (DPWH LARRIPP Chapter 6). 	No significant gap	A grievance redress mechanism is included in the ARAP of this project.
12	the Borrower will, as part of the environmental and social assessment, conduct a census to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as	<ul style="list-style-type: none"> •The IO shall formulate a ROW Action Plan (RAP) based on the PFS/FS. The RAP shall contain the description and extent of the lands, structures/improvements, and crops/trees to be acquired as ROW, the estimated costs and compensation due to the property owners and Project-Affected Persons (PAPs), the budget for all ROW costs including provision for inflation and contingencies, and the 	No significant gap	Owners of affected trees were individually identified

	<p>opportunistic settlers, from claiming benefits.(ESS5 para20)</p>	<p>schedule of implementation and annual funding requirements.</p> <ul style="list-style-type: none"> •The determination of PAPs and affected improvements shall be based on the cut-off date, which is the start of the census of PAPs and tagging for improvements. (DPWH DO152 series of 2017) 		
13	<p>Affected persons may be classified as persons:</p> <p>(a) Who have formal legal rights to land or assets</p> <p>(b) Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or</p> <p>(c) Who have no recognizable legal right or claim to the land or assets they occupy or use. (ESS5 para10)</p> <p>the Borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods, subject to the provisions of paragraph 26 through 36 of this ESS. (ESS5 para 12)</p>	<p>All owners of structures and improvements who do not have legally recognized rights to the land, and who meet all of the following criteria shall be provided compensation for structures and improvements:</p> <ul style="list-style-type: none"> •Must be a Filipino citizen; •Must not own any real property or any other housing facility, whether in an urban or rural area; •Must not be a professional squatter or a member of a squatting syndicate, as defined in RA 7279 (RA No. 10752 Section 5) <p>Informal settlers who satisfy the conditions below shall be provided the resettlement site.</p> <ul style="list-style-type: none"> •Must be a Filipino citizen; •Must be an underprivileged and homeless citizen; •Must not own any real property whether in the urban or rural areas; and •Must not be a professional squatter or a member of a squatting syndicate, as defined in RA No. 7279. (RA No. 7279 Section 16, RA No. 10752 Section 9) 	No significant gap	All affected persons (owner of trees) have the rights over the trees as they are the ones who planted those trees.
14	<p>Where livelihoods of displaced persons are land-based, or where land is collectively owned, the Borrower will offer the displaced persons an option for replacement land in accordance with</p>	<p>Land swapping if feasible, 'land for land', will be provided in terms of a new parcel of land of equivalent market value, at a location acceptable under zoning laws, or a plot of equivalent value, whichever is larger, in a nearby resettlement area with adequate physical and social</p>	No significant gap	Not necessary

	paragraph 35(a), unless it can be demonstrated to the Bank's satisfaction that equivalent replacement land is unavailable. (ESS5 para14)	infrastructure. (DPWH LARRIPP Chapter 3)		
15	Transitional support will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.(ESS5 para36)	<ul style="list-style-type: none"> •House tenants of severely affected: Equivalent to one month rent of a similar structure within the same area. •Shop owners of severely affected: Computed income loss during demolition and reconstruction of their shop but not to exceed one month period. (DPWH DO No. 327 Series of 2003) 	The DPWH DO 327 provides for a transition period allowance, ensuring no gaps in the support item.	Not necessary
16	Particular attention will be paid to gender aspects and the needs of the poor and the vulnerable.(ESS5 para26)	<ul style="list-style-type: none"> •Protect human rights, culture and land of indigenous people. (RA No. 8371 Section 2 •Provide opportunities of vocational training. (DO No. 327 Series of 2003) •Provide appropriate assistance to socially vulnerable groups. (DPWH LARRIPP Chapter 2) 	No significant gap	Not necessary
17	To address the issues identified in the environmental and social assessment, the Borrower will prepare a plan proportionate to the risks and impacts associated with the project (ESS5 para21)	As provided in section 8 of the Act, in cases involving the acquisition of ROW, site or location for any national government infrastructure project, the Implementing Agency (IA) shall take into account the ecological and environmental impact of the project. Before any national government project could be undertaken, the IA shall consider environmental laws, land use ordinance, and all pertinent provisions of RA No. 7160. During the feasibility study/detailed engineering design of the project, except for Public-Private Partnership (PPP) Projects, the IA shall secure from the DENR an Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage	No significant gap	No significant gap

		(CNC), as case may be, in accordance with PD No. 1586 and its IRR. In case of ancestral domain, additional requirements in accordance with RA No. 8371 and its IRR must be complied with. (RA No. 10752 Section 13).		
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9. Entitlement Matrix for Resettlement and Compensation Policy

Project-affected persons shall be given the entitlements according to the Entitlements Matrix of the implementing agency, presented in the following table:

Table 7. Matrix Entitlement

No	Type of loss	Entitled Persons (Beneficiaries)	Entitlement (Compensation Package)	Implementation issues/Guidelines	Responsible Organization
1	Loss of agricultural land, pond, ditches and orchards etc.	No affected agricultural land, pond, ditches and orchards etc.			
2	Loss of access to cultivable land by owner cultivator/tenant/sharecropper	No affected cultivable land by owner cultivator/tenant/sharecropper			
3	Loss of homestead/residential/commercial/CPR plots by owners/Authorities	No affected structures			
4	Loss of trees	Project-affected Persons (PAPs) with or without full title to the land, who own compensable trees.	Cash compensation for trees and crops at current market value as determined by Forest Management Bureau Price Bulletin and DENR/PCA. Non-landowners shall secure confirmation from the rightful landowner. The assessment for trees and crops will be based on the price of the produce times its quantity, plus one year of yield times a period of 5 years.	Project-affected Persons (PAPs) manifested that they would be agreeable to the current market value of the affected trees	MCWD as the implementing agency

10. Grievance Redress Mechanism

10.1. Community-Based Grievance Redress Approach

There shall be a grievance redress procedure available to Project Affected Families (PAFs) during the implementation of the Abbreviated Resettlement Action Plan (ARAP) and during the implementation of the water supply project. Grievance may range from issues on compensation for lot, structures and crops and trees; eligibility criteria; and issues about relocation sites and quality of services extended by the concerned authority.

These grievances may cause unnecessary delays in the implementation of the water supply project. To appropriately address the possible grievances issues from the affected families or persons, a simple grievance redress mechanism is being proposed to respond to potential valid concerns raised by the affected families or persons.

10.1.1. Level 1: Barangay Level:

A committee composed of the barangay officials (Barangay Chairman, Barangay Kagawad Chair of the Infrastructure Committee, Barangay Kagawad Chair of the Health and Sanitation) and a representative from the Metro Cotabato Water District shall be organized and shall meet whenever a complaint is lodged. The committee shall be chaired by the concerned Barangay Chairman. A decision should be made by the committee within 15 days after receipt of the complaint. The affected family or person concerned shall be notified in writing of the decision within one week after the decision was made.

10.2. Appeal Procedure.

There shall be an appeal procedure available to the complainant in case of dissatisfaction to the previous decision.

10.2.1. Level 2: City Level:

If the affected families or persons are not satisfied with the decision of the barangay level grievance redress committee, he may appeal the decision before the city grievance redress committee level which shall be organized. The committee shall be composed of the following: City Administrator, City Engineer, City Health Officer, representative from Metro Cotabato Water District. The complaint shall be acted upon and decided by the city level committee within ten (10) calendar days from the date of receipt of the appeal. The decision shall be officially sent in writing to the affected family or person concerned within one week after the decision was made.

10.2.2. Level 3: Legal Action

If the affected families or persons are still not satisfied with the decision of the city level grievance redress committee, he may bring the complaint to the appropriate court in Cotabato City for judicial action.

10.3. Built-In Monitoring System

The grievance redress mechanism shall also include a built-in monitoring system to ensure that the affected families or persons concerns and entitlements are properly addressed without incurring unnecessary delays and any grievance is appropriately acted upon.

More importantly, the monitoring system shall undertake the necessary follow-through on the compliance of the concerned office and/or individuals to whatever final decision was made about the grievance brought for decision.

A monitoring committee shall be organized composed of the following: Assistant City Planning and Development Coordinator (ACPDC) as Chair; with members from: Technical Staff from City Engineer's Office, Technical Staff from City Health Office, and Technical Staff from Metro Cotabato Water District. The monitoring committee upon its organization shall formulate its internal processes and procedures.

11. Institutional Arrangement for ARAP Implementation

The institutional arrangement is deemed necessary in order to ensure that the ARAP could be put into implementation. The following offices shall be involved in the implementation of activities needed to be accomplished, particularly in the provision of necessary compensation to affected families or persons due to the construction of the water supply project. The following are the involved offices/ agencies and their corresponding responsibilities:

11.1. Metro Cotabato Water District (MCWD)

As the implementing agency, MCWD should ensure that the cost of compensation for assets affected, particularly, the different trees identified that required to be cut is included in the project cost of the water supply project.

Before the actual start of project implementation, MCWD shall closely coordinate with the concerned affected person or owner of the particular tree that will be cut on settling the compensation according to the ARAP. The concerned Barangay Chairman and

Kagawad Chairs of the Infrastructure and Health and Sanitation Committees shall also be coordinated about this ARAP compensation settlement.

The MCWD shall also be responsible in the application for necessary tree cutting permits from concerned government agencies.

The MCWD shall also coordinate with the Ministry of Public Works Cotabato City District Engineering Office and officially request for the relocation of the affected solar lights posts as identified in the ARAP. And with the COLIGHT to request the relocation of six concrete electrical posts.

11.2. Barangay Councils of Barangays Tamontaka 2, Tamontaka 1 and Tamontaka Mother:

The barangay officials of the foregoing barangays shall have the role to reach out to the owners of the affected assets, particularly, the identified number of trees to be cut before the water distribution pipes construction starts. They shall be the link between the MCWD as the implementing agency of the project and with the owners of the affected trees in settling the compensation due to the tree owners. The concerned barangay officials together with representative from MCWD shall organize a barangay level grievance redress committee to decide on any complaint lodged concerning the ARAP implementation, to include the settling of just compensation for the affected assets.

11.3. Cotabato City Government:

The Cotabato City Honorable Mayor shall organize a city level grievance redress committee designating the City Administrator as Chair together with the City Engineer and City Health Officer as members; and with representative from MCWD. The committee shall decide on any appeal brought by the affected person with regard to the settling of just compensation to affected assets.

A monitoring committee for grievance redress shall also be organized at the city level to make follow-through on decisions made by the grievance committees and any agreements reached pertaining to the solution of any complaint raised.

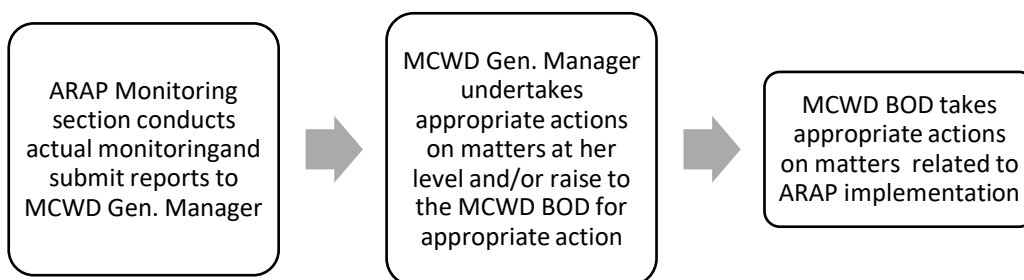
12. Monitoring the Implementation of the ARAP

An ad hoc monitoring section to monitor and keep track of the implementation of the ARAP shall be organized in MCWD with at least three members from its regular technical staff. The monitoring body shall closely monitor the progress of the acquisition of the affected assets, particularly, the settling and payment for a number of trees need to be cut.

In coordination with the built-in monitoring committee under the grievance redress mechanism this ad hoc ARAP monitoring body shall also closely keep track on the progress of the compliance of concerned office or entity acted upon by the grievance redress committee with regard to any complaint lodged by the affected persons.

The ARAP monitoring body shall also undertake follow-through with the Ministry of Public Works (MPW) Cotabato City District Engineering Office with regard to the relocation of 23 solar light posts; and with the Cotabato Light and Power Company for the relocation of its affected six concrete electric posts.

The ARAP monitoring body shall regularly submit reports to the MCWD General Manager who shall appropriately act on any matters required at her level and/or raise to the attention of the Board of Directors (BOD) for its collegial action.



14. Recommended Preliminary Compensation and Entitlement Packages

Table 8 outlines the indicative budget for the implementation of the Abbreviated Resettlement Action Plan (ARAP) for the proposed new treatment plant and distribution pipeline project. The assessment confirms that there are no affected lands or structures, as the Metro Cotabato Water District (MCWD) has already acquired the site for the new treatment plant and the distribution pipeline alignment does not impact any existing structures. The only compensation required is for the affected trees and cash crops, amounting to ₱47,917.00, based on prevailing market values provided by the Forest Management Bureau and the Philippine Coconut Authority (PCA-BARMM). No costs are incurred for the relocation of solar lights and electric posts, as these will be shouldered by the Ministry of Public Works (MPW) and Cotabato Light and Power Co. (Colight), respectively. A 20% contingency of ₱9,583.43 has been included, bringing the total indicative ARAP budget to ₱57,540.43.

Table 8 Indicative Budget for ARAP Implementation

Description	Cost Item	Amount	Remarks
Land Acquisition and Structures	Land	-	No affected land. MCWD already purchased the area for the New Treatment Plant.
	Structures	-	No affected structures
	Subtotal A	-	
Compensation	Trees and Cash crops	47,917.00	Estimated cost based on the current market values of the Forest Management Bureau Price Bulletin for the period of January – March 2025 and Philippine Coconut Authority (PCA-BARMM)
	Damaged crops	-	No damaged crops
	Solar lights	-	No cost is required for the relocation.
	Electric Post	-	No cost is required for the relocation.
	Subtotal for B	47,917.00	
Subtotal (A+B)		47,917.00	
Contingency	20%	9,583.43	
GRAND TOTAL		57,540.43	

Table 9 summarizes the compensation for affected trees owned by individuals in the areas of Tamontaka I, Tamontaka II, and Tamontaka Mother, as part of the pipeline distribution project. A total of ten (10) trees has been identified for compensation, amounting to a total of ₱47,917.00. The affected assets include Coconut trees owned by Mr. Laugan Bandila and Mr. Jackson Bandila, a Jackfruit tree owned by Mr. Kara Sabal, a Narra tree owned by Mr. Hadji Abdulgani Kadir, and a Teak tree owned by Mr. Mangi Oyong. Compensation was calculated based on standard unit prices aligned with current market values, ensuring fair and transparent entitlements for all affected parties.

Table 9. Compensation Entitlement

Owner	Location	Affected Assets/Trees	Unit	Unit Price	Total
Mr. Laugan Bandila	Tamontaka II	Coconut	2.00	2,000.00	4,000.00
Mr. Jackson Bandila	Tamontaka I	Coconut	5.00	2,000.00	10,000.00
Mr. Kara Sabal	Tamontaka II	Jackfruit	1.00	1,000.00	1,000.00
Mr. Hadji Abdulgani Kadir	Tamontaka I	Narra	1.00	8,500.00	8,500.00
Mr. Mangi Oyong	Tamontaka Monther	Teak	1.00	24,417.00	24,417.00
Grand Total			10.00	37,917.00	47,917.00

Annex 1

Annex 1 contains the location maps and photos of affected utilities and trees along the distribution pipe from the Water Treatment Plant (WTP) in Brgy Tamontaka II to Brgy Tamontaka I, Brgy Tamontaka Mother and Brgy Kalanganan II.



Figure 3. Location Map of affected utilities and trees in Tamontaka II



Figure 4. Location Map of affected utilities and trees in Tamontaka II



Figure 5. Location Map of affected utilities and trees in Tamontaka I



Figure 6. Location Map of affected utilities and trees in Tamontaka I



Figure 7. Location Map of affected utilities and trees in Tamontaka Mother

Photos of Utilities, Coconut Trees Affected In Bgry. Tamontaka II



SOLAR LIGHT PANEL (1)



SOLAR LIGHT PANEL (2)



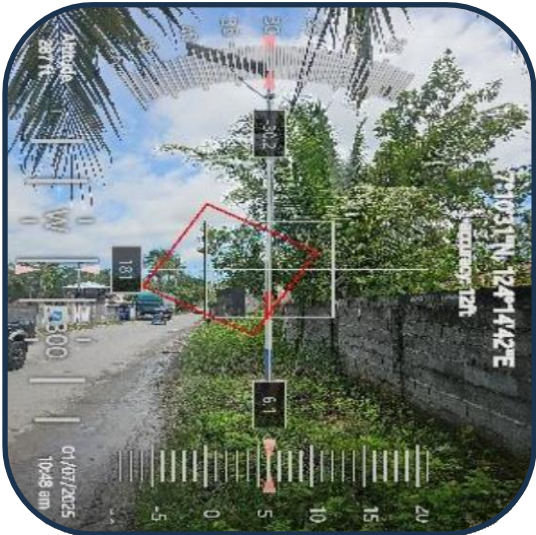
SOLAR LIGHT PANEL (3)



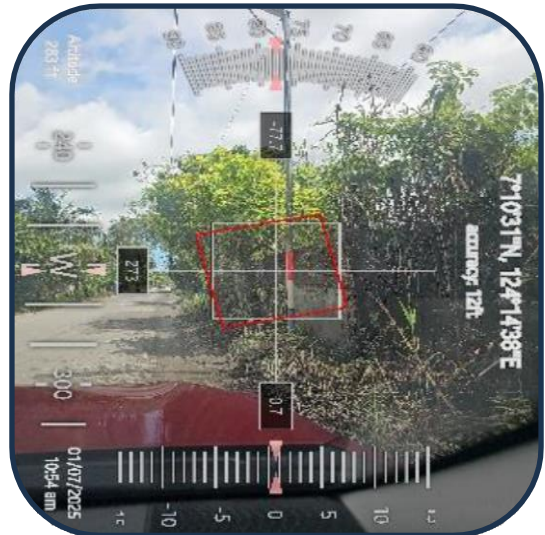
SOLAR LIGHT PANEL (4)



SOLAR LIGHT PANEL (5)



SOLAR LIGHT PANEL (6)



SOLAR LIGHT PANEL (7)



SOLAR LIGHT PANEL (8)



SOLAR LIGHT PANEL (9)



SOLAR LIGHT PANEL (10)



SOLAR LIGHT PANEL (11)



SOLAR LIGHT PANEL (12)



SOLAR LIGHT PANEL (13)



SOLAR LIGHT PANEL (14)



COCONUT (1)



COCONUT (2)



JACK FRUIT TREE

Photos of Utilities, Coconut Trees Affected In Bgry. Tamontaka I



BRGY. BOUNDARY MARK



SOLAR LIGHT PANEL (1)



ELECTRIC POST (1)



SOLAR LIGHT PANEL (2)



ELECTRICAL POST (2)



ELECTRICAL POST (3)



SOLAR LIGHT PANEL (3)



SOLAR LIGHT PANEL (4)



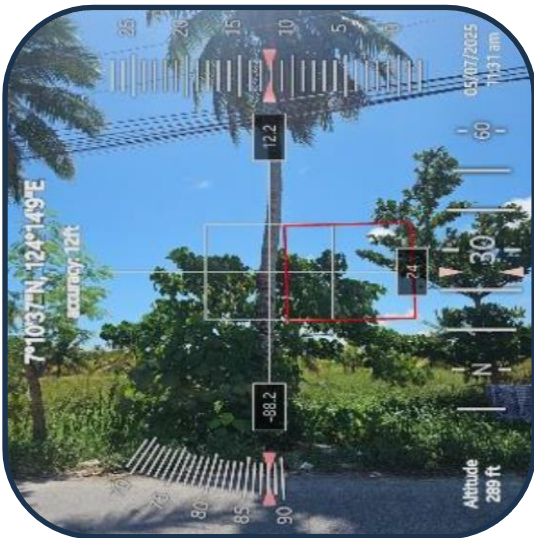
SOLAR LIGHT PANEL (5)



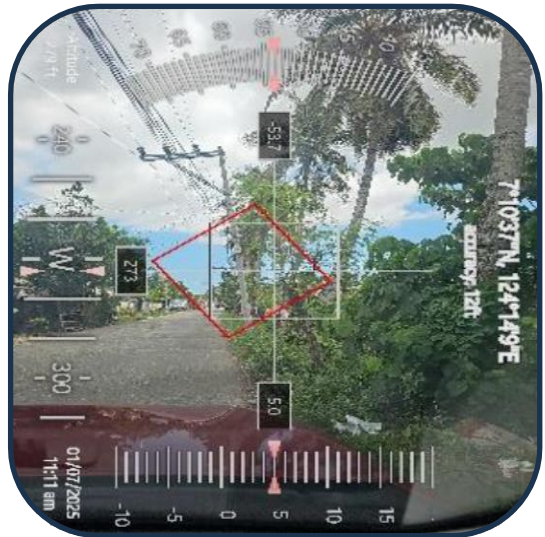
COCONUT (1)



COCONUT (2)



COCONUT (3)



ELECTRICAL POST (4)



COCONUT (4)



COCONUT (5)



SOLAR LIGTHPANEL (6)



SOLAR LIGHT PANEL (7)



SOLAR LIGHT PANEL (8)



SOLAR LIGHT PANEL (9)

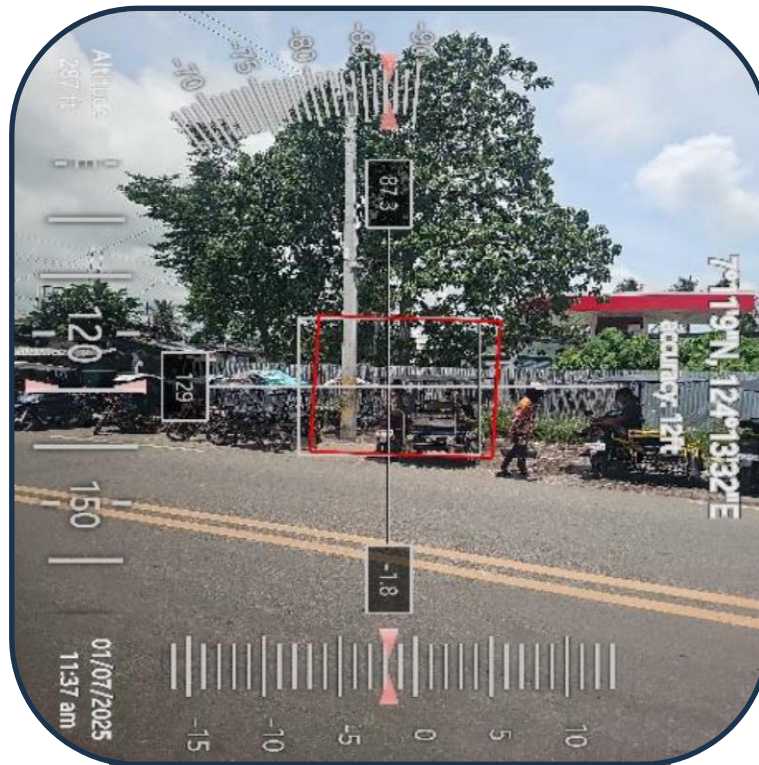


NARRA TREE

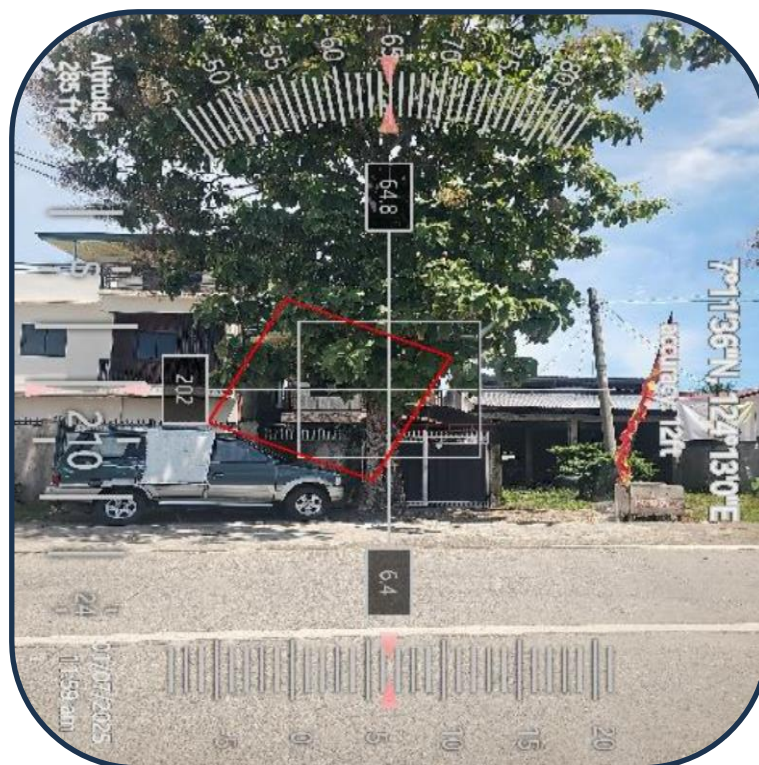


ELECTRICAL POST (5)

Photos of Utilities, Coconut Trees Affected In Bgry. Tamontaka Mother



ELECTRICAL POST (1)



TEAK TREE