

MALACAÑANG  
MANILA

By the President of the Philippines

EXECUTIVE ORDER NO. 854

**REVOKING PROCLAMATION NO. 704, S. 1995 AND PROCLAMATION NO. 1160, S. 2006, AND ESTABLISHING A TASK FORCE TO FORMULATE AND IMPLEMENT A COMPREHENSIVE REHABILITATION PLAN FOR THE NAPINDAN CHANNEL, LUPANG ARENDA AND MANGGAHAN FLOODWAY**

**WHEREAS**, Proclamation No. 704, dated November 28, 1995, set aside a portion of the public domain located at Sitio Tapayan, Barangay Sta. Ana, Taytay, Rizal for socialized housing development in favor of Pasig River squatters and less privileged families of Taytay, with the National Housing Authority as administrator;

**WHEREAS**, Proclamation No. 1160, dated October 17, 2006, amended Proclamation No. 458, dated August 29, 1994, reserving twenty parcels of land at Manggahan Floodway Complex for the construction of medium-rise socialized and low-cost housing project and its allied structures for the benefit of some 6,700 urban poor families and the deserving landless-homeless employees of the Provincial Government of Rizal;

**WHEREAS**, there are about 100,000 families presently living within and outside the proclaimed sites which obstruct the flow of water along the Napindan Channel and the Manggahan Floodway;

**WHEREAS**, the Department of Environment and Natural Resources has verified that the area covered by Proclamation No. 704, s. 1995, is no longer feasible for socialized housing purposes since it lies below the 12.5 Mean Low Water Elevation set by the Laguna Lake Development Authority, thus making the area susceptible to heavy flooding during rainy days;



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**WHEREAS,** a Joint Field Investigation Team organized by the Housing and Urban Development Coordinating Council and composed of concerned agencies and affected local government units conducted an assessment of the area covered by Proclamation No. 1160, s. 2006, and recommended that the construction of medium-rise housing on the berm not be pursued as it is a geo-hazard and the informal settler families have already encroached on the three-meter easement of public use required under Article 638 of the Civil Code for the general interest of navigation, floatage, fishing and salvage;

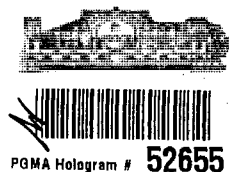
**WHEREAS,** the recent strong typhoons and the consequent flooding endangered the lives and damaged the properties of the people living in these sites;

**WHEREAS,** there is an urgency to address flooding in Metro Manila by removing obstructions and rehabilitating waterways;

**NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO,** by virtue of the powers vested in me by law, do hereby order:

**Section 1. Revocation of Proclamation No. 704, s. 1995.** Proclamation No. 704, s. 1995, entitled, Reserving for Socialized Housing Development a Portion of the Public Domain Located at Sitio Tapayan, Barangay Sta. Ana, Municipality of Taytay, Province of Rizal; Transferring to the National Housing Authority the Ownership of Said Government Land; and Declaring the Same Open for Disposition in Favor of Pasig River Squatters and Less Privileged Families of Taytay, Rizal, Pursuant to Republic Act No. 7279, Otherwise Known as "Urban Development and Housing Act of 1992", and Executive Order No. 292, Otherwise Known as "Administrative Code of 1987" is hereby revoked.

**Section 2. Revocation of Proclamation No. 1160, s. 2006.** Proclamation No. 1160, s. 2006, entitled, Amending Proclamation No. 458, dated August 29, 1994, Reserving Twenty Parcels of Land at Manggahan Floodway Complex for the Construction of Medium-Rise Socialized and Low-Cost Housing Project and its Allied Structures for the Benefit of Some 6,700 Urban Poor Families and the Deserving Landless-Homeless Employees of the Provincial Government of Rizal is hereby revoked;



**Section 3. Creation of a Task Force.** A Task Force is hereby created to formulate and implement a two-year Comprehensive Rehabilitation Plan for the Napindan Channel as well as the areas covered by Proclamation No. 704, s. 1995, and Proclamation No. 1160, s. 2006. It shall be composed of the following agencies:

Chair : Department of Public Works and Highways  
(DPWH)  
Vice-Chair: Metro Manila Development Authority (MMDA)  
Members : Department of Environment and Natural  
Resources (DENR)  
Housing and Urban Development Coordinating  
Council (HUDCC)  
National Housing Authority (NHA)  
Laguna Lake Development Authority (LLDA)  
Provincial Government of Rizal  
City Government of Pasig  
Municipal Government of Cainta  
Municipal Government of Taytay

**Section 4. Components of the Comprehensive Rehabilitation Plan.** The two-year Comprehensive Rehabilitation Plan, herein referred to as the "Plan", shall have the following major components:

1. Relocation program for the informal settler families occupying the areas specified under Proclamation Nos. 704 and 1160.
  - a. Residents of the areas affected by the revocation of the aforementioned Proclamations, who have already been censused or awarded Certificates of Lot Award, will be given priority in the selection of beneficiaries in the relocation program.
  - b. The relocation program shall adhere to the provisions of Section 28 of Republic Act 7279 or the Urban Development and Housing Act (UDHA) of 1992 which govern the eviction and demolition of settlers covered by court orders or those occupying danger areas and land where government infrastructure projects are about to be implemented;
  - c. The identification of relocation sites shall be in accordance with the Site Selection Criteria found in Section 6.3 of the



Guidelines for the Inventory and Identification of Lands for Socialized Housing pursuant to RA 7279 or UDHA, to wit:

- i) To the extent feasible, socialized housing and resettlement projects shall be located in new areas where employment opportunities are available;
  - ii) Priority shall be given to areas where basic services and facilities are already existing or where these can be introduced within a very short time;
  - iii) Transportation cost to work places and other services should be affordable considering that the target beneficiaries are the homeless and underprivileged;
  - iv) The site shall not require excessive leveling, cutting and filling. Sites requiring excessive engineering works shall be avoided. Likewise, sites on steep slopes and/or on weak soil foundation as well as on environmentally critical areas, such as flood-prone, earthquake zones or areas near rivers and canals, shall not be considered;
  - v) The site should be compatible with existing zones;
  - vi) The site should be financially feasible and viable, i.e., land valuation offered is low; and
  - vii) Tenurial status.
- d. The HUDCC and the NHA shall be the lead agencies in the relocation of informal settlers. For this purpose, the NHA is hereby directed to formulate the applicable guidelines to facilitate the relocation of the residents affected by the revocation of the aforementioned Proclamations.
2. Containment of the Cleared Areas. The LLDA and the concerned LGUs shall be responsible for preventing the construction of any kind of structures or illegal dwelling units in the cleared areas and ensure that the vacated areas are not re-occupied. As such, no permits for residential or other purposes shall be issued for the site by any government agency or instrumentality. The LLDA and the concerned LGUs shall also exercise their power to prosecute as professional



squatters or members of a squatting syndicate any individual or group who will occupy or cause other persons to occupy the said areas.

3. Rehabilitation and Maintenance of the Areas. The DPWH, MMDA, LLDA, DENR, and the concerned LGUs are directed to undertake the immediate rehabilitation of the said areas, which include but are not limited to the following:
  - a. Dredging and desilting of the Napindan Channel and the Manggahan Floodway to clear these waterways of trash and debris; and,
  - b. Beautifying the berm and banks by building waterfronts, green belts and parks.

**Section 5. Funding.** Funds for the operations of the Task Force and the implementation of the Comprehensive Rehabilitation Plan shall initially come from available funds of the national budget, and subsequent funding requirements therefor shall be incorporated in the annual budget proposals of the respective member-agencies, subject to existing accounting and auditing laws, rules and procedures.

**Section 6. Reportorial Requirement.** The Task Force Chairman is hereby directed to submit to the Office of the President a quarterly Status Report on the implementation of the Plan.

**Section 7. Presidential Issuances covering Other Danger Areas.** The Task Force, in coordination with the concerned LGUs, is hereby directed to review existing proclamations and other issuances relative to socialized housing with similar environmental issues and recommend to the Office of the President the revocation and/or amendment of the same.

**Section 8. Support from Government Agencies, LGUs and Private Sector.** The Task Force may call on other government agencies and local government units to assist in the formulation and effective and efficient implementation of the Plan. The Task Force may also invite private sector representatives who can provide technical assistance in the formulation of the Plan.

**Section 9. Repealing Clause.** All administrative orders, rules and regulations inconsistent with any provision of this Executive Order are hereby repealed or modified accordingly.



**Section 10. Separability Clause.** If any part of this Executive Order is deemed contrary to law, the same shall not invalidate the entirety thereof and the remaining provisions shall remain in full force and effect.

**Section 11. Effectivity.** This Executive Order shall take effect immediately.

Done in the City of Manila this 4<sup>th</sup> day of December in the year of Our Lord, two thousand and nine.

*Glenn M. Aguilar*



By the President:

*Eduardo R. Ermita*

**EDUARDO R. ERMITA**  
Executive Secretary



  
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