



Republic of the Philippines  
Department of Environment and Natural Resources

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**DENR-ADMINISTRATIVE ORDER**

NO. 2004- 18

**SUBJECT : IMPLEMENTING RULES AND REGULATIONS OF EXECUTIVE ORDER NO. 289 DATED FEBRUARY 24, 2004 ON THE MANAGEMENT AND DISPOSITION OF FORESHORE AREAS ALONG THE MANILA BAY TOWARDS CAVITE AND BATAAN**

Pursuant to Executive Order No. 289, dated February 24, 2004 issued by *H.E.*, President Gloria Macapagal Arroyo revoking the Memorandum dated May 29, 1966 issued by former President Ferdinand E. Marcos, the following rules and regulations in the processing and approval of foreshore lease applications along the Manila Bay towards Cavite and Bataan areas are hereby issued for strict observance and compliance of all concerned:

**Section 1. Policies and Objectives**

It is the mandate of the Department of Environment and Natural Resources (DENR) to support the acceleration of the country's development by the sustainable utilization of our natural resources. Pursuant to this mandate and in accordance with the need to conserve, develop and protect the coastal environment along the Manila Bay towards Cavite and Bataan, the following shall be undertaken:

1. Effectively dispose and manage foreshore areas along the Manila Bay towards Cavite and Bataan consistent with the Manila Bay Strategy and Framework Plan as embodied in the Manila Bay Environmental Management Project in coordination with LGUs and other concerned national government agencies; and
2. Ensure that these foreshore areas are disposed of to the applicants in the most expeditious and equitable manner.

**Section 2. Scope and Coverage**

This Order shall cover the disposition and management of foreshore areas along the Manila Bay towards Cavite and Bataan in relation to existing and applicable provisions of the Public Land Act (C.A. 141), and other DENR rules and regulations.

**Section 3. Filing of Foreshore Lease Applications**

Foreshore Lease Applications shall be filed at the Community Environment and Natural Resources Office (CENRO) within whose jurisdiction the land applied for is located. In the case of NCR, the application shall be filed at the Land Management Service (LMS).

#### **Section 4. Disposition of Foreshore Lands**

The disposition of foreshore lands and procedures in the processing of foreshore lease application shall be in accordance with the pertinent provisions of the Public Land Act (CA 141) as amended, Presidential Decree No. 705 as amended, DAO 99-34 and other related issuances.

In addition to the requirements provided under DAO No. 99-34, certification shall be secured from the Heads of Offices of the following agencies that the land applied for is not needed or covered by any existing or future projects:

- a. Public Estates Authority (PEA)
- b. Department of Agriculture-Bureau of Fisheries and Aquatic Resources (DA-BFAR)
- c. Metropolitan Manila Development Authority (MMDA)

#### **Section 5. Monitoring of Compliance**

To ensure the efficient and effective enforcement of this Order, all concerned DENR Regional Offices are hereby directed to comply with the following:

1. Submit to the Office of the Secretary (OSEC) a complete report and inventory of all approved and pending Foreshore Lease Agreements/ Applications and an inventory report of actual occupants within 3 months after the effectivity of this Order;
2. Submit a list of applications filed, approved survey plans and status of foreshore lease applications to the Office of the Secretary on a quarterly basis; and
3. Maintain database on foreshore-related information at all levels.


#### **Section 6. Collaboration with the LGUs and Stakeholders**

Consistent with the Manila Bay Strategy and Framework Plan as embodied in the Manila Bay Environmental Management Project, the DENR field offices shall work closely with the Local Government Units (LGUs) and various stakeholders.

#### **Section 7. Illegal Lodgers**

Within one (1) year from the effectivity of this IRR, all occupants of foreshore areas within the purview of EO 289 without the corresponding permit or lease agreement issued by the DENR must file for the appropriate public land application. Failure to file said application shall be subject to payment of fines and eviction in accordance with the existing laws, rules and regulations on the matter.

In case of rejection of application, the occupant shall be required to vacate the area and remove all improvements introduced therein.

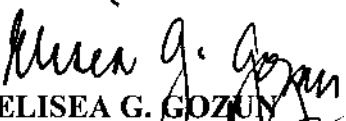
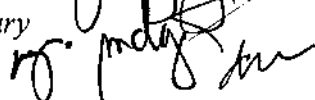


**Section 8. Repealing Clause**

All rules and regulations, which are inconsistent with this Order are hereby repealed or modified accordingly.

**Section 9. Effectivity**

This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

  
ELISEA G. GOZUN  
Secretary  


PUBLISHED : MALAYA  
JUNE 29, 2004