

SOCIAL AUDIT OF PRIOR LAND ACQUISITION
TEMMUZ ELEKTRİK ÜRETİM A.Ş.

1. Information About Project	
Name & Location of Sub-project	ONUR HEPP is located in Reşadiye Town of Tokat Province.
Project Sponsor	TEMMUZ ELEKTRİK ÜRETİM A.Ş.
Project Cost	29.660.862 USD
Installed Generation Capacity	2 unit*9.784 MW/unit=19.568 MW
Key Dates of Implementation	<p>Private Land: Expropriation for 34.309 m² (3.4 ha) area of private land was done by Reşadiye Civil Court of First Instance in 2011 to construct access road to regulator and power plant and the regulator lake. The expropriation was completed in 2011.</p> <p>Community Land: The lands that belong to Toklar and Bereketli Village Community (Community Lands) will be expropriated according to the Expropriated Law (No:2942), 30th item. Total area used is 52.573 m². 2.96 TL/m² price has been determined by Civil Court of First Instance for the Community lands. Toklar and Bereketli Village Communities have the right to accept the price or oppose to it. If they agree, the company will pay them the compensations if not; the community could apply to the court again to reevaluate the lands.</p> <p>The company is waiting for the decisions of the communities. If their decision is to take the compensations, the expropriation process will end.</p> <p>Public Land: In order to construct the 3,133 m. long tunnel, the penstock and the power plant, the areas that belong to Ministry of Forest will be used. Permissions were taken according to the Forest Law (No: 6831), 17th item. Total hired area is 83.573 m².</p> <p>Some part of the regulator lake area belongs to Treasury. Necessary formalities will be finalized before filling the reservoir lake. Total area subject to permission is 88.843 m².</p> <p>The area where the electric transmission line will be located consists of both the private land and the forest land. 90% of the transmission line area belongs to the Forest land, 10% of the transmission line area belongs to the private owners. In order to construct the 9 km. long transmission line, permissions will be taken with the scope of the Forest Law (No: 6831), 17th item. And also there will be expropriation which will be done by EMRA for the private owners' area.</p>
Project Components& Land Requirements	<ul style="list-style-type: none"> Access road, including improvements to existing roads (km&ha:): 878 m. long regulator access road, 1.907 m. long power plant access road. Transmission line corridor (ha): 9 km. long transmission line with 20 m width.

	<ul style="list-style-type: none"> • <i>Penstock(s) (number, ha, length and diameter):</i> 1 penstock, 324 m. in length will be located in the transmission tunnel, • <i>Power house, switchyard, associated facilities at power house site (ha):</i> 0,055 ha (550 m²) power house, covered switchyard will be located in the power house and 0,0112 ha (112 m²) transformer area is constructed close to HEPP. • <i>Weir/regulator/ or impoundment structure; indicate which & size of structure:</i> with 34 m crest length, 14,50 m. height will be constructed. 2 impoundment structure, 12 m² each. • <i>Reservoir/ storage impoundment area (ha):</i> 17,8 ha (178.719 m²) • <i>Other physical features requiring land (ha):</i> There will be 3,133 m. long tunnel with 4.00 m in diameter. • <i>Temporary sites needed for equipment parks, lay-down areas, etc:</i> Approximately 1,6 ha (16.000 m²) will be needed for equipment parks, lay down areas etc. There won't be extra expropriation for the temporary sites because the regulator lake area will be used as temporary sites before it is submerged. • <i>Completion of census/inventory of assets:</i> Apart from the expropriation where the transmission line will be located, expropriation has been completed. For inventory of assets, please see Annex 1 on Temmuz Energy Land Acquisition Table. • <i>Completion date of the land acquisition:</i> 2011. • <i>Site plan, including associated facilities:</i> Can be found on attachment.
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2. Inventory of Land & Assets Acquired from Private Owners	
Name of Owners/land user	<p>In order to construct Onur HEPP, the villagers' lands that live in Toklar, Bereketli villages and Yolüstü Municipality were expropriated. The expropriated areas from private owners affect 21 parcels (ranging from 2% to 100% of parcels) and affect 152 people. The number of owners for the parcels range from 1 person to 50 people.</p> <p>Most of the 7 of the parcels are in Toklar village, 2 parcels are in Bereketli village and 12 parcels are in Yolüstü Municipality. The information about the names of the land users, amount of total and acquired areas, unit and total prices of each parcel and trees on the</p>

	<p>land, expropriation reason of the land is given on Annex 1 on Temmuz Energy Land Acquisition Table.</p> <p>Also the lands that belong to Toklar Village Community and Bereketli Village Community will be expropriated according to the Expropriated Law (No:2942), 30th item. The areas that will be expropriated from Toklar Village Community consist of 7 parcels and Bereketli Village Community consists of 1 parcel. Detailed information is given on Annex 1 on Temmuz Energy Land Acquisition Table. The areas are used for grazing land by the community. There is alternate land for grazing in the area however. The compensation from these lands will go to the community. Community will decide the use for compensation.</p>
<p>Project Component: Area(s) / plots(s) acquired (ha)</p>	<p>A. Private Ownership Areas:</p> <ul style="list-style-type: none"> - Toklar village : 5.235 m² - Bereketli village : 16.634 m² - Yolüstü Municipality : 12.440 m² <p>Private owners (Total) : 34.309 m² (3,4 ha)</p> <p>B. Communities Ownership Areas:</p> <ul style="list-style-type: none"> Toklar Village Community : 51.410 m² (5,1 ha) Bereketli Village Community : 1.163 m² (0,1 ha) <p>Community Owner (Total) : 52.573 m² (5,2 ha)</p> <p>Total Expropriated area (A+B): 86.882 m² (8,6 ha)</p> <p>Areas were expropriated for the construction of the regulator and regulator lake area.</p> <p>Onur HEPP will be constructed on the mountainous region. The expropriated lands are pasture and not used for agriculture livelihoods.</p> <p>The expropriated lands from Toklar and Bereketli villages (including the village communities) will be used for the construction of the HEPP and regulator and the regulator lake area. There isn't any residential area around the HEPP and regulator and the regulator lake area because these two villages are nearly 3 km. away from the regulator. You can see the regulator and the</p>

	<p>reservoir lake area photos on Annex 2 below.</p> <p>Water flow rate over the project design flow rate are usually met in March and April each year in this region. The land is expropriated considering the land needed for the flow rates over the project flow. Approximately 100.000 m² of the expropriated lake area will be used for grazing by the villagers after the high flow rate season ends.</p> <p>There are some apple, pear trees and willows on the expropriated lands in Toklar and Bereketli villages, and these were compensated for as noted in Annex 1. But the land owners don't generate income from the vegetable trees. Detail information about trees is given on Annex 1 on Temmuz Energy Land Acquisition Table.</p> <p>The expropriated area in Yolüstü municipality area is pasture and will be used for the construction of the access road of the HEPP. There isn't any residential area around the access road. Yolüstü Municipality is 6 km. away from the HEPP.</p>
Owner's/user's total land holding (ha); % taken for project.	<p>A total of 3,4 ha of private land was taken for the project, affecting 21 parcels and 152 people. The total land for these parcels was 10,6 ha and about 30% of this total land was expropriated. Land taken from the different parcels range from 2% of the parcel to 100% of the parcel, but are all small strips of land. The land owners have other lands in the villages if they live in the village. Some land owners do not live in the village and live in cities. Details are given on Annex 1 on Temmuz Energy Land Acquisition Table.</p>
Land use: pasture, agriculture, residence, etc.	<p>Onur HEPP will be located on the mountainous area. The expropriated areas to construct access road to power plant and the regulator lake area are pasture region. The villagers use the areas for grazing their animals. There isn't any agricultural activity. Also there isn't any residential area around the regulator and the regulator lake area. The nearest villages are nearly 3 km. away from the regulator. Water flow rate over the project design flow rate are usually met in March and April each year in this region. The land is expropriated considering the land needed for the flow rates over the project flow. Approximately 100.000 m² of the expropriated lake area will be used for grazing by the villagers after the high flow rate season ends.</p> <p>There is alternate land in the area for grazing of animals. You can</p>

	see the regulator and the reservoir lake area photos on Annex 2 below.
Inventory of any structures or other fixed or productive assets (wells, fences, trees, field crops, etc) affected.	<p>The expropriated areas are pasture. The villagers use the areas for grazing their animals. But there were some apple, pear trees and willows on the private owners' expropriated areas in Toklar and Bereketli villages. The land owners don't generate income from the fruit trees and willows, because they make their living from stockbreeding. The area of the village is suitable for grazing.</p> <p>During expropriation stage the prices of the trees were paid and the cut trees were given to the land owners.</p> <p>Because of the expropriation in Toklar village, one of the village fountain and the village road will be submerged reservoir lake. But the sponsor will build a new fountain and a new road to the village.</p>
Indicate if land was rented or informally used by another party.	The expropriated land was not rented or informally used by another party.
Indicate if non-owner users had assets, trees, crops, etc affected	The expropriated land was not rented or informally used by another party. So there isn't any assets, trees etc. used by non-owner user.
Indicate if land-based activity is primary source of income for owner or land user.	Toklar, Bereketli villages and Yolüstü Municipality are forest villages located on the highlands of Tokat province. Therefore the lands of the villages are not suitable for agricultural activity. Some part of the expropriated land is hereditary land. The land owners live out of the villages. Especially the owners of the hereditary land in Toklar and Bereketli villages reside in İstanbul, Germany and Austria. Also the owners of the hereditary land in Yolüstü Municipality reside in İstanbul, too. The land owners who reside in the project area don't generate any income from agriculture. The primary source of income for the land owners is stockbreeding.
Compensation paid.	<p>Up to now 115.558 TL has been paid to the land owners for expropriation of 34.309 m² land. The sponsor has paid land owners sufficient compensation to buy replacement land of equal value in the area, sufficient to cover transaction costs in buying land, if owners choose to.</p> <p>In order to determine whether the compensations paid to the land owners are adequate or not, an interview has been made on the phone with the muhtar (Mr. Durmuş Kaya) and one of the land owners (Mr. Tuncay Eraslan) whose land had been expropriated. The muhtar said that the current value of the lands near the power plant is about 2 TL/m². But the company had paid 2.96 TL/m² for the expropriation of the lands.</p>

	<p>Mr.Tuncay Eraslan said that the land owners could purchase new lands easily with the compensations they received, because the price of the land is 2 TL/m² in the village.</p> <p>Detailed information about compensations paid for each land owner is given on Annex 1 on Temmuz Energy Land Acquisition Table.</p> <p>2.96 TL/m² price has been determined by Civil Court of First Instance for the Community lands. Toklar and Bereketli Village Communities have the right to accept the price or oppose to it. If they agree, the company will pay them the compensations if not; the community could apply to the court again to reevaluate the lands.</p> <p>The company is waiting for the decisions of the communities. If their decision is to take the compensations, the expropriation process will end.</p>
Dates delivered.	<p>The compensation to the private owners was completed in 2011. Ministry of Forest hiring fee was paid in 2012. The proceedings of the Community Land are expected to be completed by end of 2014.</p>
Impact on income of owner.	<p>The expropriated areas for construction of the regulator lake area and access road to power plant are not valuable areas. The owners don't use these lands for agriculture. There are some apple, pear trees and willows on the land but the owners don't generate income from selling the vegetables of the trees. They consume the fruits of the trees themselves. The land and the trees have been compensated satisfactorily during expropriation stage at Resadiye Court.</p> <p>There isn't negative impact on income of land owners whose land had been expropriated because they don't generate income from agriculture. The land owners are not farmers. The primary source of income for the land owners who reside in the project area is stockbreeding.</p> <p>Some part of the expropriated land is hereditary land. And the land owners live out of the villages. Especially most of the owners of the hereditary land in Toklar and Bereketli village reside in İstanbul, Germany and Austria. Also the owners of the hereditary land in Yolüstü town reside in İstanbul, too.</p>

3.Inventory of Public, Community, or State Land Acquired	
Land parcels / plots acquired (ha).	Forest area : 83.573 m ² Treasury area : 88.843 m ² Total Area : 172.416 m ²
Land type / land use: Forest, commons for grazing, other.	The areas that will be acquired from Ministry of Forest and Treasury are used for the construction of 3,133 m. long transmission tunnel, the penstock and the power house and regulator. It is a hilly ground. The villagers use the area for grazing their animals. You can see the transmission tunnel and the power house area photos on Annex 3 below.
Ownership: State, community, other. Structures or other fixed assets.	Ministry of Forest, Treasury. The ground is hilly. The villagers use the area for grazing their animals. There aren't any structures or fixed asset for public use.
Compensation, land transfer, or other measures to mitigate impacts on land users. Specify measures and dates of delivery.	The compensation for the Ministry of Forest and Treasury areas will be determined during the permissions is taken and 30.669 TL. had been paid for 83.573 m ² forest area.

4.Consultations, Communications & Management of Grievances and Implementation Issues
<p><u>-General Information About Project and Project Area :</u></p> <p>Onur HEPP will be located on Toklar, Bereketli villages and Yolüstü Municipality, on Zinav Stream, a branch of Kelkit River, which is situated in 20 km northwest to Reşadiye Town of Tokat Province. Toklar, Bereketli villages and Yolüstü Municipality are forest villages located on the highlands. The primary source of income of the villagers is stockbreeding.</p> <p>There will be expropriation on the 86.882 m² areas where the regulator, regulator lake area and access road to power plant constructed. 34.309 m² of the total land belongs to private owners, 52.573 m² of the total land belongs to village/municipal communities.</p> <p>In order to construct the HEPP, expropriation by the civil court, hiring forest land from the Ministry of Forest and Treasury will be done. Expropriation for 34.309 m² area was done by Reşadiye civil court in 2011 and 115.558 TL was paid to the land ownerships.</p>

The lands that belong to Toklar Village Community and Bereketli Municipal Community (total 52.573 m²) will be expropriated according to the Expropriated Law (No:2942), 30th item. Valuation of land and property has not determined by Resadiye Court yet.

In order to construct the 3,133 m. long transmission tunnel, penstock and power plant, Forest and Treasury lands will be used. The relevant permissions from Ministry of Forest and Treasury has taken and determined 30.669 TL. has been paid for 83.573 m² area.

Toklar and Bereketli villages are approximately 3 km., Yolüstü Municipality is 6 km. away from the regulator area. There isn't any residential area or industrial plant. So there will not be resettlement because of the expropriation. The HEPP will be constructed on the mountainous area.

The expropriated lands are pasture. These areas are not used for generating income. The villagers use the areas for grazing their animals. But there were some apple, pear trees and willows on the private owners' expropriated areas in Toklar and Bereketli villages. The land owners don't generate income from the fruit trees and willows because they make their living from stockbreeding. The prices of the trees were paid and the cut trees were given to the land owners. Some part of the expropriated land is hereditary land. The land owners live out of the villages. Especially the owners of the hereditary land in Toklar and Bereketli village reside in İstanbul, Germany and Austria. Also the owners of the hereditary land in Yolüstü Municipality reside in İstanbul, too.

-Consultations, Communications & Management of Grievances:

In order to exchange views and give information on the possible effects of the project a public meeting was arranged on 28 March 2011 in Toklar village square. The local people, the delegate of the Turkish Foundation for Combating Erosion Reforestation and the Protection of Natural Habitat (TEMA) and local journalists attended the meeting. During the meeting, the sponsor gave information about the project and the precautions that would be taken for environment. Also the sponsor answered the villagers' questions about the project. The villagers also specified their opinions about the project. During the meeting, there was no objection. But the villagers had some demands from the sponsor. The villagers wanted the sponsor to hire the workers from the villages. They also wanted a new pasture area for grazing their animals because the villagers had used the area where the regulator and regulator lake area for grazing. Water flow rate over the project design flow rate are usually met in March and April each year in this region. The land is expropriated considering the land needed for the flow rates over the project flow. Approximately 100.000 m² of the expropriated lake area will be used for grazing by the villagers after the high flow rate season ends.

It is planned that up to 25 villagers may be employed during the construction and 6 villagers will be employed during the operation time of the HEPP. It can be interpreted as a small but important step in order to prevent migration from the region. Besides, the daily needs of the working personnel will be met from the nearest residential areas, therefore, an additional income source will be created for the local people.

The new access roads that will be opened to the power plant and the regulator can also be used by the

villagers for transportaion.

Because of the expropriation in Toklar village, one of the village fountain and the village road that connects Toklar village to Bereketli village will be submerged in order to construct the regulator lake area. But the sponsor will build a new fountain and a new road to the village.

In order to be informed about the greviances occurred during the construction, the sponsor has set a “greviance notebook” to the construction site office and announced it to the villagers over the village headmen / muhtars. The project affected persons write down their complaints to the notebook any time they want or tell the muhtars of the villages. The project manager is responsible for answering the complaints by the end of each month. The complaints and the answers will be posted and mailed to the sponsor 15th of each month.

Further, if any complaint occurs related with the project, local people can call the number for the Project Owner, Temmuz Electric Generation Company: +90 216 518 03 06.

In order to get information about the social issues, site visits were made with World Bank officers on October 2012 and May 2013. During the site visits, meetings were arranged between the sponsor, World Bank officers, and TKB on the construction area. During the meeting the sponsor showed the “greviance notebook”. The grievances focused on creating employment for villagers and help with village needs. In response to a grievance of increased dust due to construction activities, the company has been watering roads and the project site for prevention.

Also Toklar village headman Mr. Durmuş Kaya was attended the meeting. He declared that there had not been any complaints by the villagers due to the construction of the HEPP. He also said that five young villagers have been working for the company. As it was mentioned before, there will be expropriation on the Toklar village community land. The village headman says that, the money coming from expropriation was planned to be used for the infrastructure investment and recondition of the village mosque. He also declared that they made meetings with the project manager every month. During the meetings, they talk on the needs of the villagers and the solutions of the issues (if any) raised because of the construction. Up to now, the sponsor got no complaints in this regard. After the meetings, the village headman gives information about the meeting to the villagers gathered around the mosque garden. WB officers advised to the sponsor to put another notebook there for writing the minutes of the regular meetings to be held with muhtar. They also advised to arrange meetings at the village with the community to hear them directly. Company representative declared that they would willingly arrange such meetings. TKB will follow up the situation.

The assistance to the villagers within the context of corporate social responsibility of the project sponsor:

- The road of Toklar village will be paved with asphalt after the construction of the HEPP finishes.
- The teacherhouse of Yolüstü Primary School was restored.
- The wedding salloon and the dinning hall of Yolüstü municipality will be restored.

- Health Care Center of Yolüstü Municipality will be restored.
- A potable water reservoir will be built for Toklar village.
- A house which was damaged because of the fire in Toklar village was reconstructed.

The sponsor will do other assistances during construction stage of the HEPP due to the villagers' demand. **There isn't any person in special need.**

Annex 2: Regulator and Reservoir Lake Area



Annex 3: The Transmission Tunnel and the Power Plant area

