

# Resettlement Due Diligence

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VIE: Ha Noi and Ho Chi Minh City Power Grid  
Development Sector Project

EVN HCMC: Subproject – Second stage “110kV Tân Hưng  
Substation and Connecting Line”

## ACRONYMS AND ABBREVIATIONS

ADB	:	Asian Development Bank
APs	:	Affected persons
AHs	:	Affected households
CPC	:	Commune People’s Committee
DCARC	:	District Compensation, Assistance and Resettlement Committee
DPC	:	District People’s Committee
DPs	:	Displaced persons
EA	:	Executing Agency
EMA	:	External Monitoring Agency
EVNHCMC	:	Ho Chi Minh City Power Corporation
GOV	:	Government of Vietnam
HCMC	:	Ho Chi Minh City
HHs	:	Households
HCMPPMB	:	Ho Chi Minh City Power Project Management Board
IA	:	Implementing agency (IA)
LURCs	:	Land Utilization Right Certificates
MOLISA	:	Ministry of Labor – Invalids and Social Affairs
PECC4	:	Power Engineering Consulting J.S Company 4
PC	:	People’s Committee
PICs	:	Project implement consultants
PO	:	Project Owner
RCS	:	Replacement Cost Survey
RP	:	Resettlement Plan
RF	:	Resettlement framework
RoW	:	Right of Way
SS	:	Substation
TA	:	Technical Assistance
T/L	:	Transmission Line
VND	:	Vietnamese Dong

## POWER INDUSTRY GLOSSARY

kV (kilovolt)	- 1,000 volts
MW (Megawatt)	- 1,000 kW
MVA (Megavolt-ampere)	- 1,000 kVA
Transmission system	- 500 kV, 220 kV, 110 kV Transmission lines
Medium Voltage (MV)	- The 35 kV, 22 kV or 10 kV line supply to distribution substations
Low Voltage (LV)	- 400/230 V distribution and service line
Power factor	- The ratio of the average electricity demand over maximum demand
Power loss	- The difference between the power supplied and generated

**NOTE**

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## 1.0. SUMMARY

1. The subproject “110kV Tân Hưng Substation and connecting line” includes following components: (i) Construction of 110kV Tân Hưng Substation; (ii) Construction of the connecting 110 kV underground cable with the length of 441m; (iii) expansion of the feeder bay of the 110kV Chánh Hưng Substation. The project is located in the area of Ward 1 – District 5 and Ward 2 – District 8 – HCMC.
2. 110kV Tân Hưng substations acquires 5,300 m<sup>3</sup> land within area of Tân Hưng station that has been cleared and assigned to EVNHCMC (in the area planned for the complex at 8-8 bis Hàm Tử street, ward 1 - district 5); the 110kV connecting lines go beneath of Vo Van Kiet Boulevard and under Tau Hu canal at the depth of 11m therefore it will not affect the current status of land use. The project does not cause any permanent land acquisition and economic impacts to any households. There will be some minor temporary impacts during construction.
3. During project preparation, HCMPPMB conducted public consultation meeting with the PC of Ward 1 – District 5 and The PC of Ward 2 – District 8. The result shows that no HH whose land is acquired by the project.
4. According to the provision of the SPS in 2009, the project does not cause land acquisition of any household as well as any organization, therefore, it is not required to prepare a Resettlement Plan.
5. To ensure the impact of the project is well managed, a Resettlement Due Dilligence is built as a safeguard document of the project

## 2.0. PROJECT'S DESCRIPTION

### 2.1. Project's objectives

6. Objectives of the project:
  - Following the Phase 1 - 110kV Tân Hưng medium voltage switching substation and the connecting line to implement Phase 2 to complete the entire 110kV Tân Hưng substations.
  - Receive the power load from the system, supply power to the load of office buildings, residential buildings and high density area of District 1, and District 5 of Ho Chi Minh City.
  - Relieve the pressure load on 110kV Hùng Vương and 110kV Bến Thành Substation.
  - Support to supply power for the load from surrounding area received from 110kV Hùng Vương, 110kV Bến Thành and 110kV Chánh Hưng substations when necessary.

### 2.2. Description

7. **110kV Tân Hưng Substation:** 110kV Tân Hưng substation is located in the area that has been cleared and assigned to EVNHCMC (in the area planned for the complex at 8-8 bis Hàm Tử street, ward 1 - district 5). The total construction area is 5,300m<sup>2</sup> with contiguous boundaries as follows:
  - The North adjacent to prolonged section of Cao Đạt street (will be constructed)
  - The Northern East adjacent to Nguyễn Văn Cừ residential area.
  - The Southern East adjacent the East-West Boulevard.

- The Southern West adjacent to Nguyễn Biểu Street.

8. **110kV Underground cable transmission line**

- The underground cable transmission line has the total length of 441m.
- The starting point of the 110kV underground cable transmission line from the 220kV District 8 substation to Chanh Hung substation.
- The end point: The busbar of the 110kV Tan Hung substation (the 8-8bis Ham Tu street complex, Ward 1, District 5).

9. Route alignment:

- Around 109m of the transmission line passes through the 110kV Chanh Hung substation (Ward 2 – District 8);
- Around 117m of underground cable go beneath of the canal at the confluence between Te – Kinh Doi and Tau Hu – Ben Nghe Canal;
- 51m of overhead transmission line pass through Vo Van Kiet Boulevard in the section from Nguyen Van Cu Bridge to Chu Y Bridge in Ward 1 - District 5;
- Around 98m of the underground cable go beneath of the internal road No 3 within the area of the complex at the address 8-8bis Ham Tu Street, Ward 1 - District 5.
- Around 66m of overhead transmission line within the 110kV Tan Hung substation and the complex at the address 8-8bis Ham Tu Street, Ward 1 - District 5;

10. **Expand the feeder bay of the 110kV transmission line at the Chánh Hưng substation:** The area projected for the expansion of the feeder bay is located within the existing 110kV Chánh Hưng substation.

11. Installing the second transformer for the 110kV Tan Hung substation and construction of 110kV transmission lines do not affect land use, the underground cable go beneath the planned area, canal and roads. The transmission line pass through District 5 and District 8 – Ho Chi Minh City.

**2.3. Mitigation Measures**

12. During the feasibility study, the designing consultant has conducted survey, discussed with the project management boards and consulted the People's Committee of District 5; Department of Industry and Trade of Ho Chi Minh City; People's Committee and Fatherland Front Committee of Ward 1 - District 5; People's Committee and Fatherland Front Committee of Ward 2 - District 8 to agree upon the location of the substation, construction plans to minimize the impact related to the temporary land acquisition.
13. The process to construct the 110kV underground connecting line: use horizontal directional drilling method, drilling conducted automatically oriented, underground cable installation without digging out or changing the road surface as well as do not affect the operation of traffic and minimize permanent land acquisition.

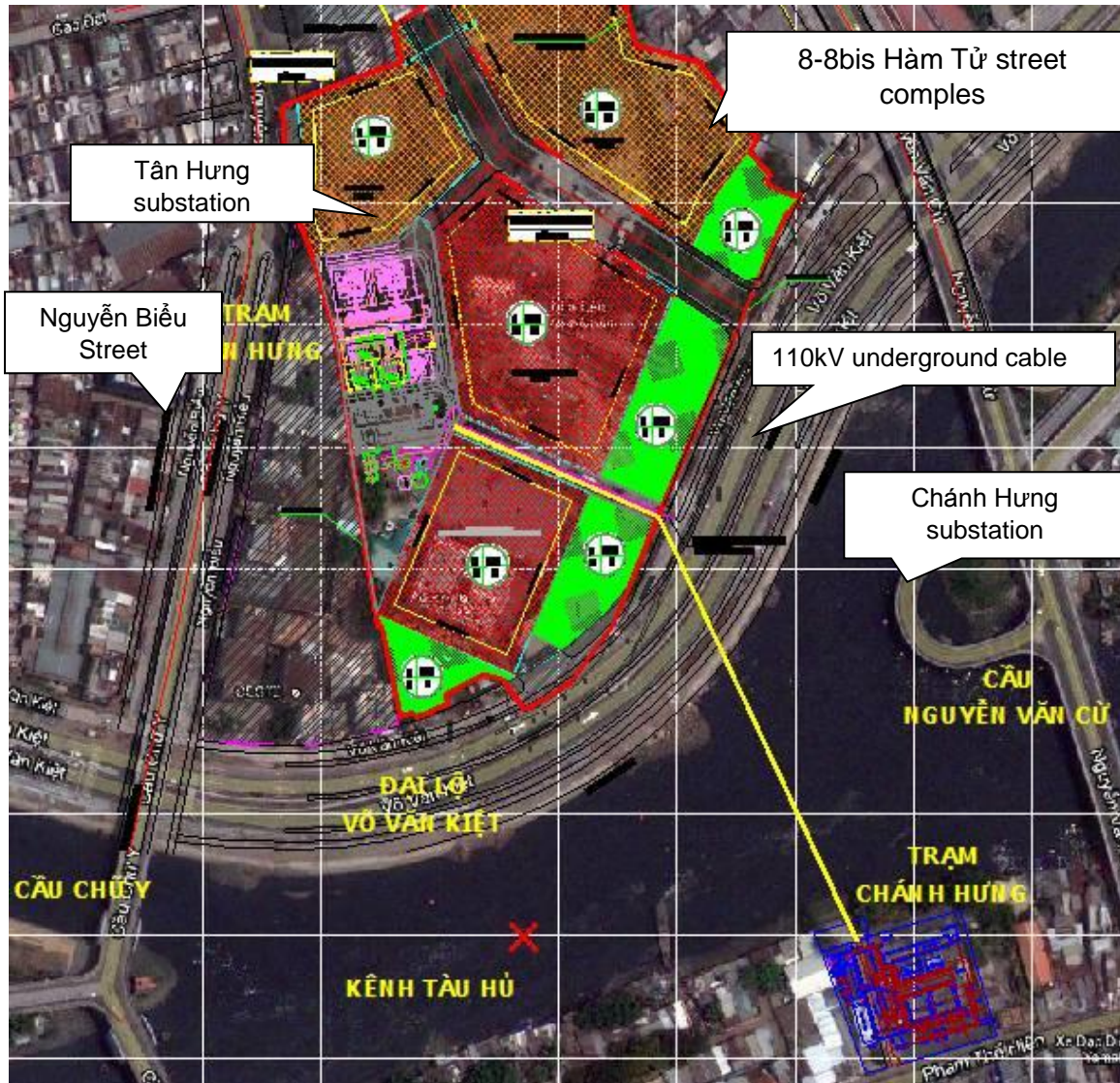


Figure 1. The project's location

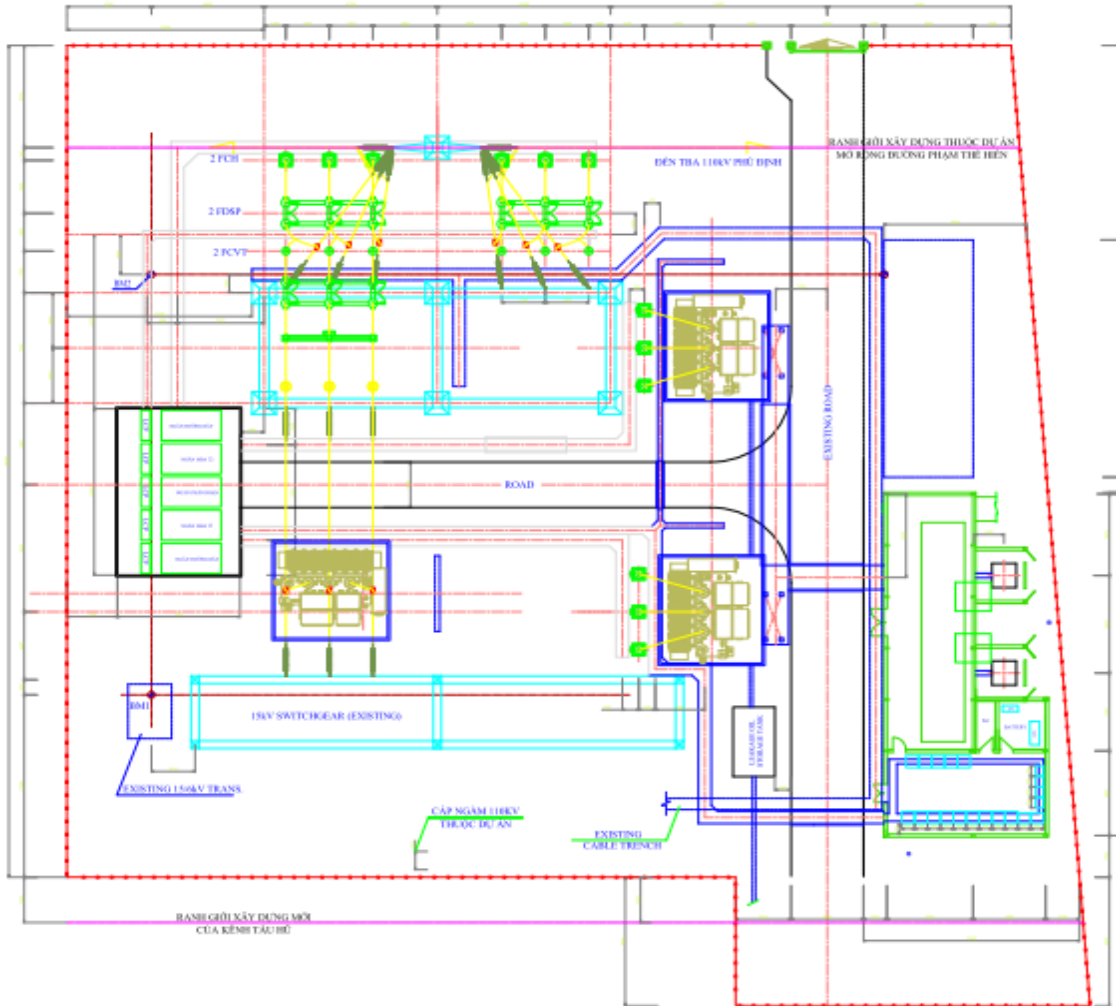


Figure 2. Layout to demonstrate the organization of equipment in Chanh Hưng substation

### 3.0. SCOPE OF IMPACTS OF THE PROJECT

14. The 110kV Tân Hưng Substation is located in the area of Ward 1 – District 5, within an area of 5,300m<sup>2</sup>. This type of in-house substation was built in 2010 and put into operation since 2012. The area of 5,300m<sup>2</sup> for the construction of the 110kV Tân Hưng substation was previously under the management of the General Youth Volunteer Team. This area was then reclaimed and cleared by the People's Committee of Ho Chi Minh City in 2005 and assigned to EVNHCMC. At that time, it has been confirmed that there were no resettlement impacts recorded.
15. The total 5,300 m<sup>3</sup> of land projected for the construction of Tân Hưng substation have been surrounded by fence. The project of Tân Hưng substation the second phase is just implemented in the area within this boundary.
16. The existing 110kV Chan Hưng substation has the opened area 3500m<sup>2</sup> has operated since 1975. In scope of the project “phase 2 of Tan Hưng 110kV SS and connection line” will only install and construct busbar in the 110kV feeder bay of Chan Hung SS. The constructed and installed busbar will be within the Chanh Hung 110kV SS.



17. During construction phase, the project will need 99m<sup>2</sup> of land for building gathering site of materials and workers' camp. The area will be set up within the Tan Hung 110kV substation area. If the temporary affected land area will be not set up within the substation area, it will be only set up within the unused land area of Sai Gon Land Company. Contractors will consult with the land owner to hire land for temporary affected land, the price for hiring land have to prior consult with the land owner with the witness of the third independent party. Should negotiation fail, the Project will move the land needed to build gathering site of materials and workers' camp to another location. After finishing the construction, total temporary affected land area will be return for the land owner.
18. The project will not impact on trees, houses or any structures. No civil work shall commence before successful conclusion of the negotiation.

#### **4.0. ORGANIZATION OF THE MEETINGS**

19. During project preparation, HCMPPMB conducted public consultation meetings with (i) People's Committee of Ward 1 - District 5 (ii) People's Committee of Ward 2 - District 8 (iii) representatives of the local communities living near the project area, the results are showed as following:
  - The Project Owner and Construction Unit shall have to fully implement the provisions under the current Laws and regulations of Vietnam, especially on Environmental Protection of the Government dated November 29<sup>th</sup>, 2005; as well as the Decree No. 29/2011/ND-CP dated April 28<sup>th</sup>, 2011 on "Regulation on strategic environmental assessment, environmental impact assessment and environmental protection commitment" and other regulations.
  - Projects will not cause site clearance or negative impact to households in the surrounding area of the project but it may cause traffic jam when connecting line passing through Võ Văn Kiệt Boulevard. Therefore, proper construction methods shall have to be proposed to minimize the traffic congestion along the route.
  - Proposing the PO have to comply with the current regulation of Vietnam.
  - Project's Owner shall have to closely cooperate with localities in case of grievance.
  - Agree with the project

#### **5.0. GRIEVANCE REDRESS MECHANISM**

20. In order to ensure that all grievances and complaints of APs/AHs on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs/AHs to air their grievances, this grievance redress mechanism applies to the subproject. All APs/AHs can send any questions to EVNHCM and/or HCMPPMB about their rights in relation to entitlements, compensation policy, rates, land acquisition and grievance redress. APs/AHs are not required to pay any fee during any of the procedures associated with seeking grievance redress, including if resolution requires legal action to be undertaken in a court of law. Complaints will pass through 3 stages described below. The complainant can, if necessary, take the matter to a court of law. It is noted that the this grievance redress mechanism does not impede access to the country's legal system, meaning that an aggrieved person is free to access a court of law even at the initial stage of his/her grievances. EVNHCM will shoulder all administrative and legal fees that might be incurred in the resolution of grievances and complaints.

21. Moreover, an aggrieved AP may also bring his/her complaint directly to the ADB’s Energy Division, Southeast Asia Department, through the Viet Nam Resident Mission. If the AP is not satisfied with the response of the Resident Mission, he/she can directly contact the ADB Office of the Special Project Facilitator.
22. The grievance redress procedure will be implemented as follows:
- a. **First Stage: Ward Peoples’ Committee (WPC)** - An aggrieved AP may lodge his/her complaint before any member of the WPC through the residential group leader or directly to the WPC, in written or verbal form. It is incumbent upon the village chief to notify the WPC about the complaint. The WPC will meet personally with the aggrieved AP and will have 15 days to resolve the complaint. The WPC secretariat is responsible for documenting and keeping file of all complaints that it handles.
  - b. **Second Stage: District/Town People’s Committee (DPC)** - If after 15 days the aggrieved AP does not hear from the WPC, or if the AP is not satisfied with the decision taken on his/her complaint, the AP may bring the case, either written or verbal, to any member of DPC. DPC has 15 days to resolve the case. The DPC is responsible for documenting and keeping files of all complaints that it handles.
  - c. **Third Stage: City People’s Committee (City PC)** - If 15 days the aggrieved AP does not hear from the DPC, or if the AP is not satisfied with the decision taken on his/her complaint, the AP may bring the case, either in writing or verbal, to any member of the City PC. The City PC has 15 days within which to resolve the complaint to the satisfaction of all concerned. The City PC secretariat is responsible for documenting and keeping file of all complaints that it handles.
  - d. **Final Stage: People’s Court** - If after 15 days following the lodging of the complaint with the City PC, the aggrieved AP does not hear from the City PC, or if he/she is not satisfied with the decision taken on his/her complaint, the case may be brought to the people’s court.

**6.0. BUDGET AND IMPLEMENTATION PLAN**

23. The compensation for the temporary impacts shall be negotiated between the Contractor and the land owner. This budget will be included in the project’s total investment and will be paid by the EVNHCM.
24. Expected duration of the “110kV Tan Hung substation and connection line” project is shown in detail in the Table 1.

**Table 1. Implementation plan**

No.	Implementation Plan	Schedule
1	Hand over land	June, 2015
2	Public consultation meeting	June, 2015
3	Prepare RDD report and submit to PMB for consideration and approval	July, 2015
4	ADB approves RDD.	July, 2015
5	Commencement of civil works	3 <sup>rd</sup> quarter, 2015
6	Completion of civil works	1 <sup>st</sup> quarter, 2016

25. EVNHCMC will inform ADB about all activities of the project during the implementation process through internal monitoring reports including quarterly reports, every 06 months and annual report.

## ANNEXES

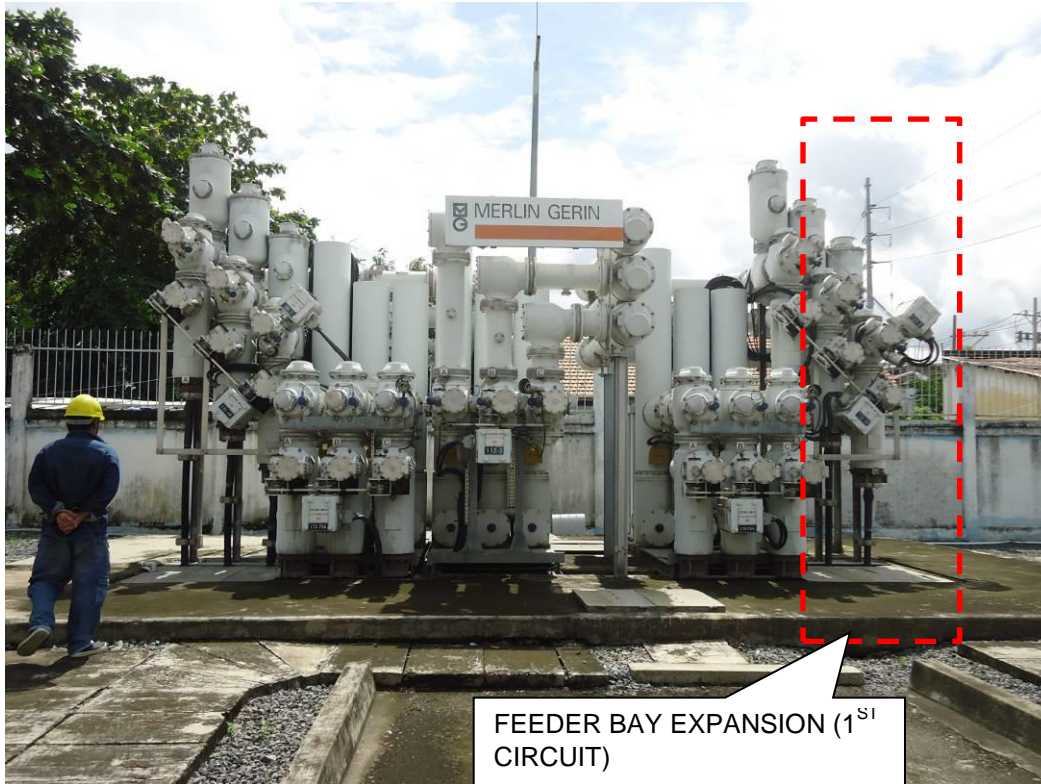
### Annex 1. Dates of Public Meetings and Consultations

Districts and Communes Consultations	Dates of meeting	Number of Participants		
		Total	Male	Female
Ward 2 – District 8	August 7 <sup>th</sup> , 2012	6	5	1
Ward 1- District 5	June 1 <sup>st</sup> 2015	4	3	1

**Annex 2. Summarization of public consultation**

<b>Consultation meeting</b>	<b>Time</b>	<b>Feedbacks</b>
At the PC of Ward 2 – District 8	August 7 <sup>th</sup> , 2012	<ul style="list-style-type: none"> <li>- The Project Owner shall have to fully implement the provisions under the Law on Environmental Protection of the Government dated November 29<sup>th</sup>, 2005; as well as the Decree No. 29/2011/ND-CP dated April 28<sup>th</sup>, 2011 on "Regulation on strategic environmental assessment, environmental impact assessment and environmental protection commitment" and other regulations</li> <li>- Projects will not cause site clearance or negative impact to households in the surrounding area of the project but it may cause traffic jam when connecting line passing through Võ Văn Kiệt Boulevard. Therefore, proper construction methods shall have to be proposed to minimize the traffic congestion along the route.</li> </ul>
At the PC of Ward 1 – District 5	June 1 <sup>st</sup> , 2015	<ul style="list-style-type: none"> <li>- Proposing the PO have to comply with the current regulation of Vietnam.</li> <li>- Project's Owner shall have to closely cooperate with localities in case of grievance.</li> <li>- Agree with the project</li> </ul>

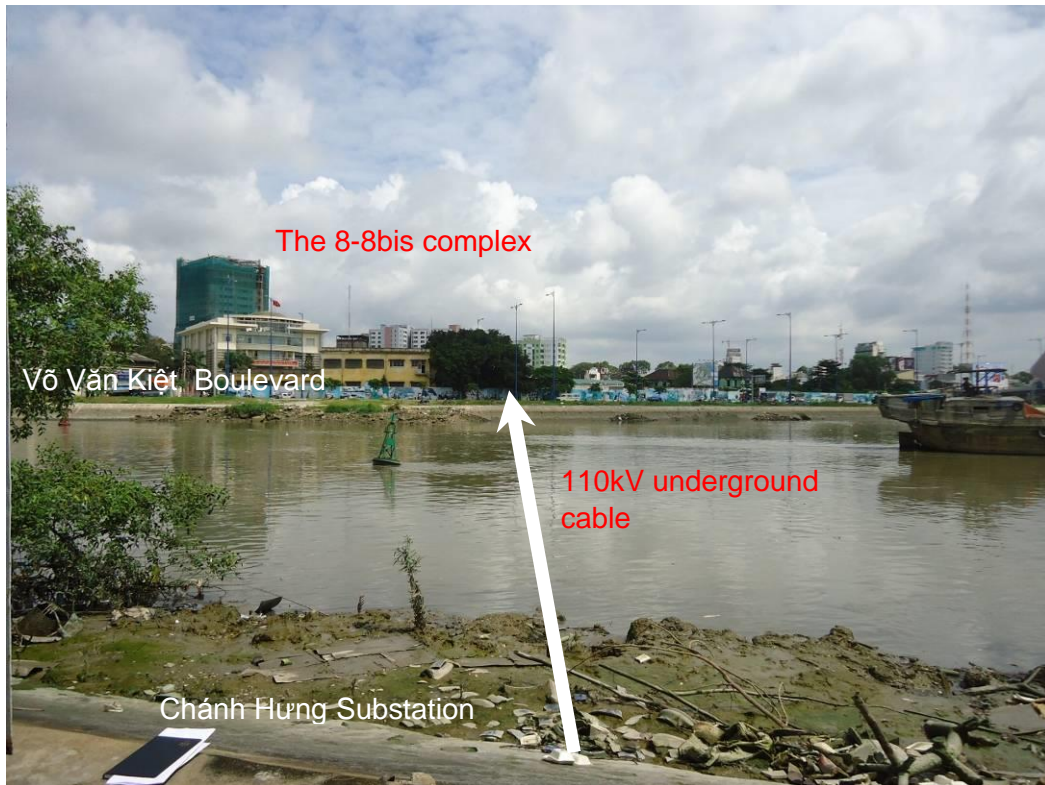
**Annex 3. Pictures of project area**



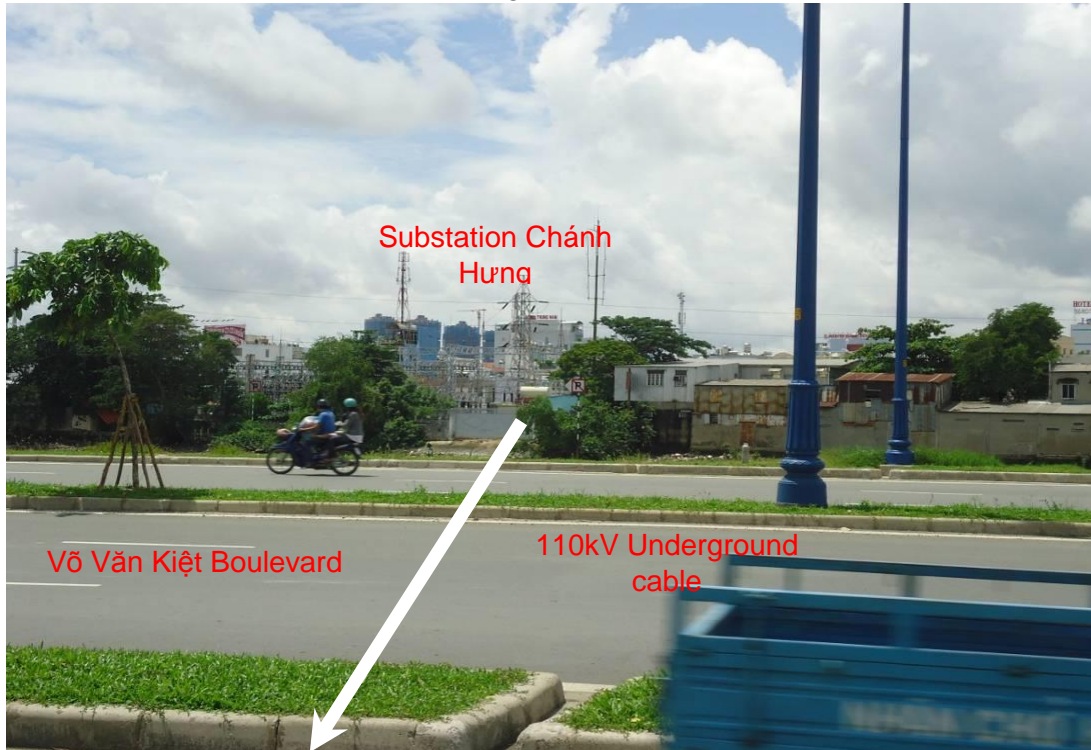
Picture 1: Description of the location to expand the feeder bay.



Picture 2: Description of the underground cables within the 110kV Chánh Hưng substation



Picture 3: Description of the underground cable passing the canal (the view from 110kV Chánh Hưng substation)



Picture 4: Description of the underground cable passing the Tàu Hũ canal and Võ Văn Kiệt Boulevard (the view from the 8-8bis Hàm Tử complex)



Picture 5: Description of the location of the drill in the 110kV Chánh Hưng Substation.