Resettlement Due Diligence Report

7 August 2017

Cambodia: Provincial Water Supply and Sanitation Project
Proposed Preah Sihanoukville Wastewater
Subproject

Prepared by the Ministry of Public Works and Transport for the Asian Development Bank (ADB).

CURRENCY EQUIVALENTS

(as of 7 August 2017)

Currency unit – riel (KR) KR1.00 = \$0.000244

\$1.00 = \$0.00024

ABBREVIATIONS

ADB - Asian Development Bank

AH - Affected Household AP - Affected Person DDR - Due Diligence Report

HH - Household

O&M - operation & management
PIU - Project Implementation Unit
PMU - Project Management Unit

PPTA - Project Preparation Technical Assistance
PWSSP - Provincial Water Supply and Sanitation Project

RF - Resettlement Framework

RoW - Right of Way
RP - Resettlement Plan

WWTP - Wastewater Treatment Plant

WEIGHTS AND MEASURES

ha - hectare/s km - kilometres

km² - square kilometres Lpcd - liters per capita per day

l/s - liters per second

m - meter

m² - square meter m³ - cubic meter

m³/day - cubic meter per day

sqm - square meter

NOTE

In this report, "\$" refers to US dollars.

This resettlement plan due diligence report is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management or Staff, and may be preliminary in nature.

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I. OVERVIEW OF THE PROJECT

A. Background of the Provincial Water Supply and Sanitation Project

- 1. The Provincial Water Supply and Sanitation Project (PWSSP) is to improve and expand urban water supply in selected towns and wastewater and septage management services in the same towns to contribute to the Government's targets for urban water supply and effective urban sanitation. The PWSSP outputs includes: (i) water supply systems improved and service coverage increased through the development of new water supply intakes and treatment facilities, replacement of old water mains, and expansion of the distribution network; (ii) septage management and sewerage services provided through the provision of septage collection and treatment and the development of expanded sewerage systems; and (iii) project implementation and operation and maintenance (O&M) developed to complement ongoing institutional development and capacity building in procurement, financial management, and governance.
- 2. The PWSSP will extend water supply coverage and treatment in Battambang, and Kampong Cham and sanitation coverage and wastewater treatment capacities with improved septage management in Battambang and Sihanoukville, and improved septage management in Kampong Cham. The project will also provide for the replacement of the failed interceptor sewer in the town of Siem Reap.

B. Proposed Preah Sihanoukville Wastewater Subproject

1. Existing Facilities

- 3. The sanitation sub-project for Preah Sihanoukville aims to increase the capacity of the wastewater treatment plant, the coverage of the sewer network, including extension of trunk mains and local conveyance pipelines and the installation of pump stations in each sub-catchment. Improved septage disposal and treatment facilities will also be provided.
- 4. The existing lagoon wastewater treatment plant was constructed and commissioned in 2008 under the ADB funded Provincial Towns Improvement Project (PTIP). The wastewater treatment plant (WWTP) was designed with the total capacity of 6,900 m³/day, of which 5,700 m³/day was for households (3,368 households) and 1,200 m³/day for industry (Cambrew only was considered during design). This design capacity came from projections to year 2010 only. The sewerage system currently serves the central part of the town with total area 321 ha in Sangkhat Pir (Sangkhat 2), Sankhat Buon (Sangkhat 4) and Sangkhat Mouy (Sangkhat 1). The proportion of coverage in each area is; Sangkhat 2 (38.7%), Sangkhat 4 (8.6%) and Sangkhat 1 (0.4%). The current total population inside this service area is estimated to be about 21,341 people. Approximately 52% of this population is currently connected.

2. Proposed Improvements

- 5. The proposed Preah Sihanouk Wastewater Subproject has 4 components:
 - (i) Trunk sewer expansion
 - (ii) Increased capacity of the existing wastewater treatment plant (WWTP)
 - (iii) Sludge and septage management
 - (iv) Installation of area pump stations

- 6. As shown in figure 1, the Sub-project proposes to divide the future service area into 5 blocks for trunk sewer development. Five pump stations are proposed, one in the lowest point of each catchment.
- 7. The main trunk sewers will accept effluent from the conveyance pipelines, which are either existing or will be installed along each road in the five proposed service areas, connected to private homes or institutional users.
- 8. Household connections: Under the subproject it is proposed to provide free domestic connections to all existing residential properties in the five new service areas, plus all those properties from the first 2008 service area that have not yet been connected (8,295 connections in total). The original 2002 design, commissioned in 2008, allowed for 3,368 connections in the existing service area by 2010. This will have risen to 5,075 connections by 2020, of which 1,787 connections have been made. Commercial connections which will be charged for are additional to these figures.
- 9. The current WWTP has a maximum capacity of 6,900 m³/day which has already been reached in serving the 1,767 connections made to date (approximately 3,000 m³/day) plus wastewater from Cambrew. Since no further land is available so any improvement and enhancement of the existing WWTP, in order to increase capacity to the proposed 20,500 m³/day, will be accommodated within the existing WWTP site boundary
- 10. Operation and Maintenance (O&M): For the medium term option of the aerated lagoons, O&M requirements will be largely the same as they are now, focused around sampling of influent and effluent waters and periodical desludging of the anaerobic lagoons. These lagoons should be desludged when they approach 50% depth of settled sludge. This will be made easier for the operators under the proposed subproject with the construction of access ramps to the ponds and the provision of a compact excavator, portable sludge pumps and a dewatering container.
- 11. Under the subproject, support will be given to communities for a range of activities to be in line with the objectives of the project. This will include (i) local area environmental improvements, through promoting the use of household and community level sanitation and drainage facilities, (ii) stakeholder consultation and public participation to raise awareness and provide organizational support to implement the awareness programs, (iii) support to district authorities in facilitating sanitation and hygiene behaviour change leading to significant health and hygiene benefits, and (iv) the management and operation public sanitation facilities. A web based reporting system (adopting a World Bank system) will be utilised to assist in identifying and reporting water supply problems such as burst pipes, water leaks, and sewer surcharges and overflows.

C. Rational for Due Diligence

- 12. The feasibility study design considered components of a wastewater scheme, which would require no private land acquisition. This will have to be reviewed in detail during the detailed design stage. The subproject will involve physical changes through earth moving, and also in constructing WW infrastructure.
- 13. Since preparation and submission of adequate social safeguards documents is a condition for ADB's approval of subproject loan, each component has been carefully reviewed in terms of involuntary resettlement and indigenous peoples (IP) impacts. In accordance with ADB's 2009 Safeguard Policy Statement and the Bank's OM Section F1/OP (January 2010) field validation and due diligence has confirmed that this subproject has no land acquisition and hence does not trigger the involuntary resettlement safeguard, and Indigenous People safeguards.

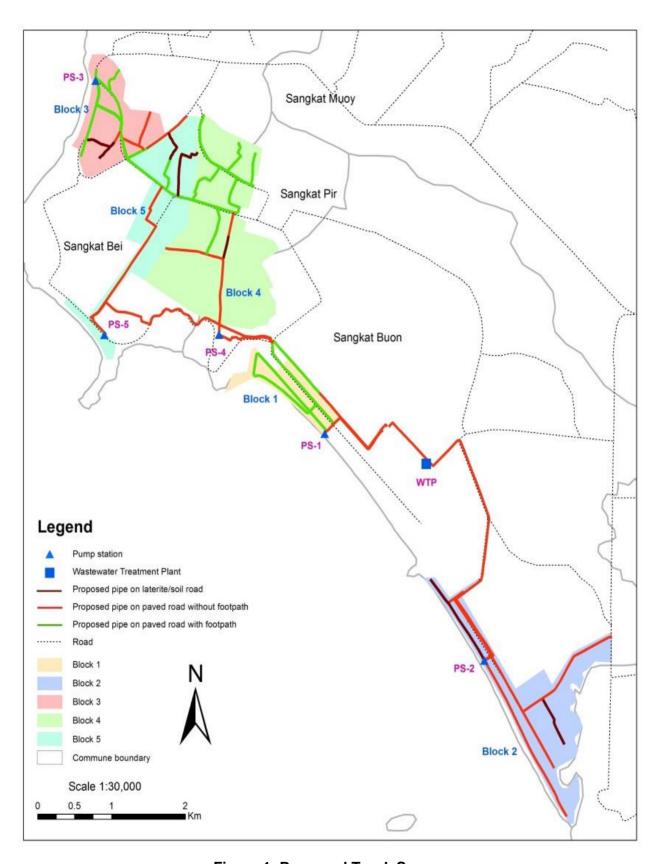


Figure 1: Proposed Trunk Sewers

II. SCOPE OF LAND ACQUISITION

- 14. The main trunk sewers will accept effluent from collection pipelines, which are either existing or will be installed along each road in the five proposed service areas, connected to private homes or institutional users.
- 15. The land acquisition and involuntary resettlement (LAR) related fieldwork for this subproject took place in December 2016 and February 2017 and included joint transect walk of participating commune members, DPWT, and project preparatory technical assistance (PPTA) consultants.
- 16. The due diligence assessment on resettlement aimed at (i) using available public land rather than acquiring land for sites, and (ii) using the public right of way (RoW) to the extent possible, so that there are no impacts on owners and/or users of affected assets. This has been optimized by the due diligence consultant as a result of LAR fieldwork and surveys
- 17. For any temporary land acquisition for site installation or other areas needed for the subproject activities, the contractor will have to propose in a site installation and access plan and obtain approval from the Project Implementation Unit (PIU). Where possible, public land will be used for temporary land use. The contractor shall lease the private space with agreed rental fee. Both private and public land shall be returned in the same or improved condition compared with pre-subproject situation. Through a transparent and contractual approach, the Employer will provide the contractor with the project's land acquisition and compensation principles to ensure that (i) official compensation rates are applied, (ii) re-instatement of affected assets contractually defined, (iii) consultation takes place, (iv) the grievance mechanism is followed, (v) the Environmental Management Plan (EMP) is applied, and (vi) other items specified are complied with. The requirements for items (i) to (v) for compliance by the contractor and monitoring by the PIU.

A. Affected Persons

18. Selected items are listed in *Table 1* and indicate, that there are no assets affected and therefore no affected owners and/or users to be reported. More details are given in the LAR fact finding and screening of *Appendix 1*. Pictures are shown in *Appendix 2*.

Description Item Loss of land No cases of temporary or permanent land acquisition to report. 1 No cases of primary/secondary structures on private land to report. In public RoW property road access points will be reinstated as part Loss of houses / structures of construction work. 3 Loss of crops No cases of damaged crops to report. No cases of loss of trees to report. Loss of trees No cases of loss of services and resources expected. Loss of services / resources 6 Loss of Income No cases expected. 7 Relocation No cases to report. No cases of physical or economic displacement to report. 8 Vulnerability support

Table 1: Summarized LAR Screening Overview

B. Assessment of Resettlement Impacts

19. The due diligence report (DDR) of the Subproject is prepared under the PPTA is based on ADB's Safeguard Policy Statement (SPS) 2009 and provisions of the RGC's Laws, Regulations and Policies on Land Acquisition. As indicated in Table 1 above, transact walk through the Subproject site validated no LAR requirements. However, there are minor impacts of assets and their owning affected households and/or users (29,488m2 of forecourt concrete slab, tiles and block and 929 property road access points which will be reinstated as part of construction work). After the detailed engineering design and prior to the implementation of the Subproject, the GDR personnel with the assistance of project management unit (PMU) and PIU will be required to undertake a review of this due diligence, prepare a confirmation letter or report documenting any modifications on any resettlement aspects and submit to ADB, and receive no objection confirmation from ADB prior to the start of construction works. Table 2 illustrates an assessment of any involuntary resettlement impact during construction.

Table 2: Summarized LAR Screening Overview

No.	Infrastructure	Function	Description	Location	IR Impact ¹
1	Trunk sewer expansion	Sewage collection	Underground laying with about 250mm-1200cm wide ²	Within RoW	Minor impact on front forecourt concrete slab, tiles, block, and road access points.
2	Increased capacity of the existing wastewater treatment plant	Treatment of water	System upgrading & expansion	Within the existing WTP	No impact
3	Sludge and septage management	Dry the sludge and also improved septage management.	Septage receiving facilities, collection, cleansing and desludging equipment (vacuum truck, water blaster, small wheeled excavator, sludge pump and dewatering container)	Within the existing WTP	No impact
4	Installation of area pump stations	Lift the sewer to higher level in low areas	Five sewer pump stations proposed for low points in the five new service blocks, with variable speed, submersible pumps with configuration for one standby and one duty pump in each station.	Within RoW or public land	No impact

² The width will be determined at detail engineering design stage

-

¹ At PPTA Stage.

III. CONSULTATION. PARTICIPATION AND INFORMATION DISCLOSURE

A. Consultation

- 20. For this subproject a preliminary inventory of loss and a survey of all AHs were carried out subsequent to the feasibility study during due diligence assessment determining a record of preliminary measurements of type and extend of loss related to AHs' eligibility of entitlements. These steps are embedded in a transparent consultation process with further public village meetings both during detailed design and construction stages as defined by RF of the PWSSP.
- 21. An overview about the public commune meeting is given in **Appendix 3**. The dissemination and consultation activities are performed as an integral part of the resettlement planning process to inform the concerned villages about LAR. During LAR related fieldwork, the staff of EA and IA, as well as the PPTA consultants initially provided information about participation of affected persons in land acquisition activities, the involvement of district and village leaders in the overall process, type of compensation and mitigation measures.
- 22. The APs have been and will be properly informed on all of the subproject activities. The information includes the specific activities, schedules, impacts and mitigation measures. The information is provided through public meetings led by PIU, commune authorities and/or committees as required in the consultation and participation section of the RF.

B. Participation

23. Attending officials, as well as village representatives, households and families have been informed about the subproject in general and LAR aspects in particular. The subproject ensured that affected persons (Aps) and other stakeholders have (a) obtained information about LAR aspects, and (b) had opportunities to participate in the LAR process.

C. Information Disclosure

24. The disclosure of LAC information, consultation and participation of residents in the subproject took place in a public meeting for 3 combined Sangkats in February 2017. The contacted 30 chiefs of villages and Sangkats (commune) (3 females and 27 males) have a good understanding about the subproject and its land acquisition related aspects. The contacted participants (i) showed always high interest in the subproject and repeatedly (ii) mentioned their expectations towards the subproject, as water supply and sanitation are topics of high importance.

IV. IMPLEMENTATION SCHEDULE

- 25. The PWSSP is scheduled for implementation over 60 months from December 2017 to December 2022, as shown in *Figure 2*.
- 26. In general, the planning and executing of LAR tasks are mainly related to the preconstruction phase containing (a) detailed engineering design, (b) bid document preparation & approval and (c) procurement of civil works contractor before start of the construction phase. The subproject is estimated to commence from January 2018 and completed by June 2019. Any acquisition of land or loss of assets will be verified and confirmed after the detailed engineering design. However changed layout of the subproject and/or adjustment of the feasibility study

design can lead to a change of subproject categorization form Category C to B with respect to the impacts on involuntary resettlement. In the event of this change in classification a resettlement plan (RP) will be prepared following the RF of PWSSP.

27. Inter-ministerial resettlement committee and PMU will ensure that contractor will not be issued notice to commence (notice to mobilize) to begin construction work unless (a) it has been confirmed that the subproject is Category C, or otherwise (b) a RP has satisfactorily been completed, approved, and compensation payment made; (c) ensured that income restoration program is in place for seriously AHs; and (d) areas required for civil works are free of all encumbrances.

V. CONCLUSION

28. Taking into consideration that there are no adverse impacts on private households, and communal/governmental asset are already available or would be made available if required, this Subproject is classified as Category C, as no involuntary resettlement impacts are included. Confirmation of any LAR will be confirmed at detailed engineering design stage of the Subproject. If LAR impacts are identified under the Subproject, the EA will follow the policies and procedures stipulated in the PWSSP's RF in compliance with the RGC's Laws and Regulations and SPS 2009 requirements of ADB on LAR.

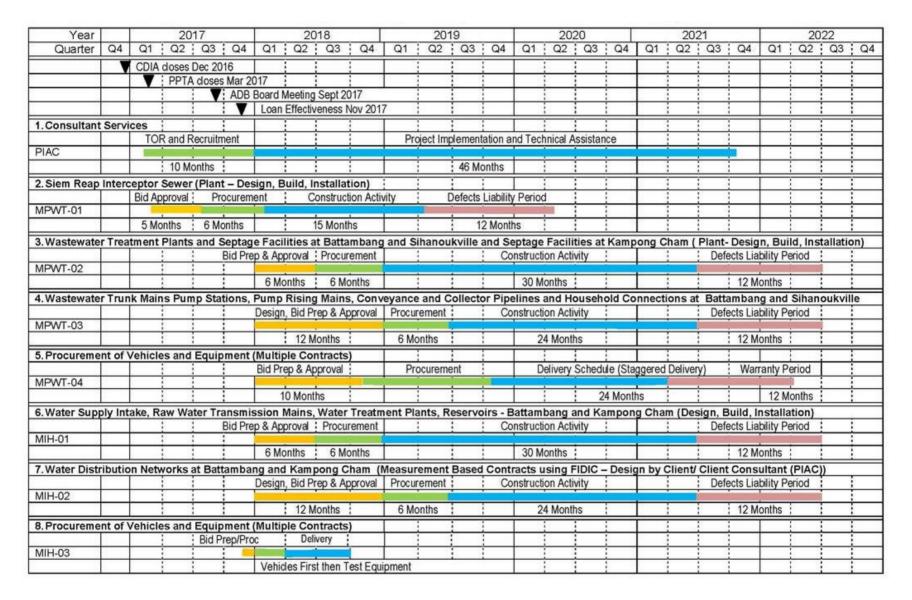


Figure 2: Overall PWSSP Project Implementation Schedule

APPENDIX 1-1: LAND ACQUISITION SCREENING & IR PROJECT CATEGORY

TECHNICAL DESCRIPTION			
FEATURES	YES	NO	DESCRIPTION
Upgrading wastewater system and expansion of service coverage	x		Upgrading and improvement of existing lagoon based treatment plant to handle sewerage discharge in year 2040. Expansion of trunk sewers and collector pipe network to connect the four main beach areas plus the main town centre to the north-west of the existing serviced central town area (extended service area of 712 ha).
Construction of new physical facilities	x		System upgrading and expansion including (i) installation of solar powered odour capped mixers (aerators) and desludging of the existing sewerage lagoons to increase the capacity of the existing WWTP from the present 6,900 m³/day to 21,500 m³/day, (ii) construction of three new pump stations in the city and one each on Occheuteal and Otres beaches, (iii) construction of new trunk sewers in parallel with existing ones to maintain service during construction, (iv) installation of pump rising (pressure) mains, (v) installation of collector pipes and connections to the extended service areas, and (vi) provision of septage reception facilities and improvement in septage management.
Domestic wastewater generation for new and existing service areas	х		8,499 m³/day for year 2040
Institutional, commercial and industrial wastewater generation for new and existing service areas	х		10,149 m³/day for year 2040
Total wastewater generation for new and existing service areas	х		20,513 m³/day with allowance for infiltration (10%)
MAIN COMPONENTS	YES	NO	DESCRIPTION
Access	x		WWTP improvements are confined to the land footprint of the present treatment plant. The proposed sewer pump stations are located on the existing road reserves and the trunk mains, pump rising mains and collector pipes are to be constructed on public lands along the road rights-of- way.
Wastewater treatment plant (WWTP)	х		Upgrade of WWTP on existing land footprint by installation of mixing/aeration to increase the plant capacity to meet 2040 demands for the existing and proposed service areas
Sewer pump stations	х		Five new sewer pump stations proposed for low points in the five new service blocks, with variable speed, submersible pumps with configuration for one standby and one duty pump in each station.
Sewer Network	х		Materials – uPVC for pipes 400mm diameter and less, GRP or reinforced concrete for pipes above 400 mm diameter Trunk Mains – 250mm to 1,200mm diameter, 32,102 m Collector pipes – mainly 100mm diameter, 46,270 m Pump rising mains – 300mm to 700mm diameter, 10,293 m
Septage facilities	х		Septage receiving facilities, collection, cleansing and desludging equipment (vacuum truck, water blaster, small wheeled excavator, sludge pump and dewatering container). Also improved septage management.
House connections	х		8,295 free connections to be provided under civil works by 2022 for new service areas, plus for balance of unconnected households in existing central town service area. Overall 10,456 connections estimated by 2025. Population serviced by 2025 46,217 including 23,571 women.

APPENDIX 1-2: LAND ACQUISITION AND RESETTLEMENT SCREENING & IR PROJECT CATEGORY

IMPACTS ON LAND AND C	OTHER ASSETS AND RELA	TED FA	CILITII	ES/SERVICES	
GENERAL	ASPECTS	YES	NO	EXPLANAT	TIONS
Requirement of land acqu	isition		Х		
Sites of land acquisition			Х	Required sites are governmen	tal land.
Easement utilized within e	existing Row	Х		Alignment of pipes within RoW	I
Permanent land acquisition	on		Х		
Temporary land acquisitio	n		Х	If necessary for construction, the	hen contractor to arrange.
Change of ownership of la	and		Х		
Change of usage of land			Х		
Loss of	ASSETS	YES	NO	DESCRIP	TION
Loss of residential land			х	No land affected	
Loss of agricultural land			Х	No primary or secondary priva	
Loss of residential structu	res		Х	In the public RoW there very 29,488m ² of forecourt concrete	
Loss of productive structu	res		Х	929 property road access poin	
Loss of trees /crops			Х	as part of construction work.	
EFFECTS ON COMMUN	AL/PUBLIC FACILITIES	YES	NO	DESCRIP	TION
Loss of access to facilities	3		Х		
Loss of access to services	3		Х		
Loss of community assets	s/ties		Х		
Loss of cultural / historical	l properties		Х		
IMPACTS OF PEOPLE					
PHYSICAL DIS	SPLACEMENT	YES	NO	EXPLANAT	TIONS
Replacement of houses			Х		
Relocation of households			Х		
ECONOMIC DISPLACEMENT		YES	NO	EXPLANAT	TIONS
Loss of incomes			Х		
Loss of businesses/enterp	orises		Х		
Loss of access to income	sources		Х		
Loss of access to natural	resources		Х		
AFFECTED House	EHOLDS / PEOPLE	YES	NO	CASES AND N	UMBERS
Number of AH/AP			Х		
Vulnerable AH/AP			Х	0.440	
Severely AH/AP			Х	0 AHs	
Non-owning AHs (users o	f assets)		Х		
FINDINGS					
Car	tegory			Categorization	
А	Not applied by PWSSP			Feasibility Study	$\sqrt{}$
В				Design and Tendering	
С	V			Design, Construct and Install	
Conclusion: forecour				owning affected households are property road access points w	
Note: The lists	ad items are in accordance	with ch	acklist	s as defined by ADB guidelines	

Abbreviation

 $AP = affected\ person(s);\ AH = affected\ households;\ GRP = glass\ reinforced\ pipe;\ ha = hectare;\ km = kilometer;\ m3 = cubic\ meter;\ PWSSP = provincial\ water\ supply\ and\ sanitation\ project;\ uPVC = unplasticised\ polyvinyl\ chloride;\ WWTP = wastewater\ treatment\ plan$

APPENDIX 2: PICTURED IMPRESSIONS FROM THE SUBPROJECT AREA



PHOTO 1
TECHNICAL MEETING BETWEEN
PPTA AND DPWT



PHOTO 2
PUBLIC CONSULTATION MEETING
VENUE: SIHANOUKVILLE MUNICIPALITY
(OU BEI COMMUNE)



PHOTO 3

PUBLIC CONSULTATION MEETING

VENUE: SIHANOKVILLE MUNICIPALITY

(OU BEI COMMUNE)



PHOTO 4
RIGHT OF WAY TO INSTALL SEWER PIPE



PHOTO 5RIGHT OF WAY TO INSTALL SEWER PIPE



PHOTO 6RIGHT OF WAY TO INSTALL SEWER PIPE

APPENDIX 3.1: OVERVIEW AND SUMMARY OF PUBLIC LARC CONSULTATION MEETING

	ect: Waste Water Sub-project i			_	
DATE	LOCATION AND TIME	_	LITATING ACTORS	PARTICIPAN	DISCUSSION / RESPONSES / OUTCOMES FOLLOW-UP ACTIONS WITH RESPONSIBILITY
24 February 2017	Commune/s: Ou Bei Venue: Sihanoukville Municipality Time: 2:30 to 3:30PM Photo	■ PPTA - Mr. C	T Chrea Tharavorn A consultant staff Chea Sarin em Sereivouth	Female: 3 Male: 27 Total: 30	=
		Tota	als	1	
	Number of meeting: 1		Partici Femal Male:	le: 3	

APPENDIX 3.2: ATTENDANCE LISTS OF PUBLIC LARC CONSULTATION MEETING

COMMUNE/S: OU BEI

VENUE: SIHANOUKVILLE MUNICIPALITY, OU BEI COMMUNE, SIHANOUKVILLE DISTRICT, SIHANOUKVILLE PROVINCE.

DATE: 24 FEBRUARY 2017

PARTICIPANTS: TOTAL 30 (FEMALE:3 AND MALE:27)

កិច្ចប្រជុំសាធារណៈស្តីពីគម្រោង **ផ្គត់ផ្គង់ទឹកស្អាត និងប្រព័ន្ធល្** (WSSP-TA 8982)

No.	ឈ្មោះ Name	Sex	ក្ខនាទី Position	អង្គភាព/ស្ថាប័ន Organization	លេខទូរស័ព្ទ Phone Number	ហត្ថលេខា Signature
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មញ្ជីន**គ្គុ**មានរួមខ្ញុំ Attendance List at Meeting

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