



GOVERNMENT OF GRENADA

DISASTER VULNERABILITY REDUCTION PROJECT

ABBREVIATED RESETTLEMENT ACTION PLAN

FOR OLD WESTERHALL/CHEMIN VALLEY WATER STORAGE RESERVOIR SUB- PROJECT

June 2013

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LIST OF ACRONYMS

A-RAP	Abbreviated Resettlement Action Plan
DVRP	Disaster Vulnerability Reduction Project
GOG	Government of Grenada
MOHCD	Ministry of Housing and Community Development
MOF	Ministry of Finance
NAWASA	National Water and Sewage Authority
NGO	None Governmental Organization
PCU	Project Coordination Unit
PAP	People Affected by the Project
PPU	Physical Planning Unit
SA	Social Assessment
SWMA	Solid Waste Management Authority
RPF	Resettlement Policy Framework
OP	Operation policy
WB	World Bank

GRENADA
DISASTER VULNERABILITY REDUCTION PROJECT

ABBREVIATED RESETTLEMENT ACTION PLAN
OLD WESTERHALL/CHEMIN VALLEY WATER STORAGE RESERVOIR SUB PROJECT

1.0 INTRODUCTION & PROJECT DESCRIPTION

The Disaster Vulnerability Reduction Project (DVRP) focuses on the impacts of climate change on some of the susceptible communities and other areas in Grenada. The Government of Grenada (GOG) has secured a World Bank (WB) funded Disaster Vulnerability Reduction Project (DVRP) Loan in the amount **US\$26.2 million**. The project is designed to contribute to the reduction to vulnerability to natural disasters in Grenada in areas such as water security, community infrastructure, public accommodation for the elderly, physical and locational at risk schools, road network and bridges, community business, public service in flood zones and flood prone areas.

In order to ensure that the DVRP take social concerns into account, a Social Assessment (SA) was undertaken during the project preparation stage. The Social Assessment (SA) is principally a study that reviews the likely benefits and possible adverse effects of the DVRP activities on people, land and infrastructure at the respective project sites before, during and after project implementation.

2.0 RATIONALE FOR ABBREVIATED RESETTLEMENT ACTION PLAN

This Abbreviated Resettlement Action Plan (ARAP) is being prepared for the Chemin Valley Generator House and Water Reservoir at Old Westerhall sub projects under the Grenada RDVRP in accordance with the World Bank's (WB) Involuntary Resettlement Policy (OP 4.12) and in accordance with the Resettlement Policy Framework (RPF) developed during project appraisal, and publicly disclosed at project appraisal. It intends to address OP 4. 12's objectives to assist affected persons in their efforts to improve their standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

The policy (OP/BP) specifically covers direct economic and social impacts that both result from Bank assisted investment projects and are caused by:-

(a) The involuntary taking of land resulting in:-

1. Relocation or loss of shelter
2. Loss of assets or access to assets

3. Loss of income sources or means of livelihood, whether or not the affected person must move to another location

(b) The involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

3.0 Project Site

The project site in question is the Chemin Valley/Old Westerhall (New Site) Water Reservoir and Generator Shed Project. The project site is comprised of 4 discrete sections:

1. **Generator shed** to house two generators next to an existing borehole. From the generator house (via existing piping) to
2. 5,000 ft. of **new 6 inch piping** (along existing Government roadways) leading from the Generator Shed to the
3. **Water Storage Tank** (300,000 imperial gallons). Access to the water tank will involve the construction of a
4. **250 ft. road** leading from an existing by-road. 82ft by 10 feet of the road will be a dual purpose road to be used by a single household. The road will pass 4 feet in front of the house steps (See [Annex 1](#) for a map of the project).

4:0 Project Impacts and Project Affected Peoples

TABLE 1: Project Impacts and Project Affected Peoples

Project Site	Land Ownership Status	Impacts, issues and PAP's	Mitigation & Compensation	Consultation
Generator Shed	NAWASA	None, direct water supply will continue to all the residents during construction.	N/A	N/A
Pipe	<ul style="list-style-type: none"> - Govt. Road - 20 private driveways 	<ul style="list-style-type: none"> - Pipes to be laid along existing Government road. - Temporary disruption to road during construction - Temporary inconvenience to 20 households whose driveways will have to be temporarily disrupted. This is being dealt with in the Environmental Management Plan 	<ul style="list-style-type: none"> - Households will be consulted prior to and during construction as per Consultation Strategy and mitigation measures stipulated in Contractor's contracts. (contractor's contracts to stipulate need to ensure temporary access during construction). 	<ul style="list-style-type: none"> - Yes. Pre, during and post construction
Water Tank	Private	One willing landowner agreed to sell land. Proof of Land Ownership was established	An advance payment was made by NAWASA to the landowner on the 9-20-12. Outstanding amount to be paid on or before June 15, 2013	-Yes. Consultations were done with PAPs
Road	Private	<ul style="list-style-type: none"> - Land acquisition (by NAWASA) required from private owner - House steps situated 4 feet from proposed road 	<ul style="list-style-type: none"> - One willing landowner (Ms. X) - Agreement on compensation/mitigation in cash in EC\$ - Property owner willing to discuss options. - Alternative options presented to property owner: realignment of property steps; or dual access road - Property owner (Mr. X) agreed to dual access road. - Road will be dual usage for both property owner and NAWASA for the first 82 feet of the 250 feet road 	<ul style="list-style-type: none"> Yes - Consultations on land valuation and verification of compensation were done - Consultations with PAP's - MOU between homeowner and NAWASA for road maintenance are in place

Project Affected Persons:

1. As indicated in Table 1 above there is one property owner who sold **13,051 sq. ft.** of land which represents 15% of the land owned (See section seven (7) on valuation of assets). The land was purchased for the construction of an access road leading to the water tank and for the construction of water tank.
2. A household comprising of 3 persons is situated within four (4) feet of the proposed access road which is 250 feet long. They welcomed the proposed road and were offered two options: realignment of their front steps or dual access for the first 82 feet of the 250 feet access road. They selected the latter option.

5.0 CENSUS SURVEY OF PROJECT AFFECTED PEOPLE

The survey helped in collecting relevant data and information on the project PAPs. It identified the number of persons and the locations of their homes/houses. It also helped in providing a clearer understanding about the socioeconomic characteristics of the PAPs and the potential impact of the sub-project on their living standard.

A one (1) page questionnaire was used to collect the basic information on the PAP's. The questionnaire inquired about the PAPs preference for the project, ownership of the land where they reside and their socioeconomic characteristics including place of residence, family income, family size, age and gender, potential impact and proposed mitigation measures. The survey was conducted on the 26th November, 2012. Table 2 below summarizes the result of the survey.

TABLE 2

	Name	M/ F	Age	Location Residence	Occupation	Income Sources	Land Property ownership	Household members	Other comments
1	Ms. X	F	75	Old Westerhall	Unemployed Retired	2,500 EC\$ per month from family tire business.	Owner of land and property Owns 87,857 sq. feet of land of which 13.051 sq. ft.	Ms. X heads her household. There are 7 members four (4) males and three (3)females	Seller of land required for access road and water tank has no reservations about project. Only concern is that the heavy equipment be safe during the construction

							acquired for this project		phase of the sub-project
2	Mr. X	M	37	Old Westerhall	Tire Dealer	2,500 EC\$ per month from family business	Was given a house lot by Ms. X his mother to build a house from the 87,857 sq. ft.	Mr. X heads his household comprising of three(3) members two (2) males and one (1)female	Consulted with homeowner who chose to have a dual access road with NAWASA when given the option of realigning the front steps of his house to make it ten (10) feet away from the proposed road at NAWASA's expense. He also has no reservation or qualms about the project.

6.0 CONSULTATIONS WITH DISPLACED PEOPLE ABOUT ACCEPTED ALTERNATIVES

Public consultation and participation are essential features of the World Bank financed project and are used as a platform for providing an opportunity to inform project beneficiaries and other key stakeholders about the particular sub project, solicit their preferences and ensure their project buy-in. These consultations provide the PAPs an opportunity to contribute to both the design and implementation of the resettlement activities

Public consultation under this sub-project will be carried out on an ongoing basis throughout the entire life of the sub-project particularly through the implementation and construction phases. The public consultations for Chemin Valley Water Reservoir and Generator Shed utilized different approaches and communication techniques. Interviews, surveys and community discussions took place and will continue to be a significant aspect of this sub project. During the census and survey work, PAPs located in two of the four project sites have been consulted. The other two project site namely the Generator shed and the Water reservoir are void of inhabitants

Land Acquisition for the Old Westerhall/Chemin Valley Water Reservoir and Generator Shed Project was based on a participatory process involving the land owner Ms. X and NAWASA's Engineering Assistant and Surveyor. The Social Development and Communication Specialist of the DVRP guided and observed the process very carefully. NAWASA's Engineering Assistant kept documented record of conversations for future record and purposes. Ms. X, the Landowner, was asking for a rate of \$15.00 ECD per sq. ft. NAWASA's team proposed to have two (2) reputable independent third party land appraisers evaluate same to determine an appropriate market price which was again discussed with the Land owner Ms. X and her granddaughter and grandson-in-law.

Additionally, the twenty (20) home owners whose driveways/entrances will be dug up to lay the new pipelines have been contacted by NAWASA (in the last quarter of 2012) and are scheduled to meet with NAWASA in the presence of the Social Development and Communication Specialist (DVRP) prior to construction and prior to the mobilization of equipment to be consulted about their concerns and to look at various options and subsequently sign an agreement having agreed, understood and support the passing of the pipeline underground through their driveway.

Significantly, PAPs were consulted about:

- The project design
- The running of the new pipeline on the side of the road which was acceptable to the PAPs
- The potential impact of the delay of restoring their drive way to normality.

Of significance, there will be no loss of livelihood or income or no need for relocation in keeping with World Bank policy for resettlement (OP4.12). Additionally, World Bank OB/BP4.12 which emphasizes compensation for all assets and losses associated with land acquisition including loss of assets to income source is taken into consideration by NAWASA, the sub project owner.

Finally, it is the policy of the Bank to avoid involuntary resettlement where foreseeable, or minimize it, exploring all viable alternatives and project designs. This was achieved on the sub-project where the home owner whose step fell within four (4) feet of the inner edge of the proposed concrete road participated and was consulted meaningfully in the redesigning of the access road and subsequently agreeing for dual use of the proposed concrete road as well as the maintenance of the said road by the NAWASA.

6.1 Options Given to PAPs by NAWASA

The house owned by Mr. X is so positioned on the property that in its present location the proposed concrete road will pass about four (4) feet from the front step of the house. However, if the position of the step should change, the road will then be ten (10) feet distant from the repositioned step.

The options:

1. To change direction of the step to move from four (4) feet to ten (10) feet distance away from the proposed road at **NAWASA's expense.**
2. To use the first 82 feet of the concrete road as dual ownership, both as driveway leading to Mr. X's house and as NAWASA's road leading onwards to the water storage tank location up hill.

Mr. X agreed to option two (2) which is documented and signed by him for future reference.

6.2 Compensation

According to the Grenada Land Acquisition Act, (CAP159) which was amended in 1991, each citizen has a right to be compensated for property acquired in a reasonable period of time. NAWASA is expected to do same in compliance with the Act. A negotiated amount by Ms. X and NAWASA was agreed to be paid in "a reasonable period of time" as set out in the **Grenada Land Acquisition Act CAP159.**

Ms. X was advanced a sum equivalent to 10% of the entire amount in Eastern Currency paid by NAWASA with a cheque on 20th September, 2012. This amount was used to offset previously owed land taxes to the Government by Ms. X. The balance owed to Ms. X was paid in June 2013. This delay in payment to Ms. X was entirely out of NAWASA's control. NAWASA had cheque and voucher prepared on November, 20 2012 but withheld payment pending clearance of legal issue pertaining to proof of ownership of the land. Thus, both NAWASA through their in-house attorney and Ms. X through her legal representative concluded their agreements of the sale of land, their memorandum of agreement for dual use of concrete road and the payment to Ms. X officially. NAWASA agreed to provide the Social Development and Communication Specialist with authentic copies of the following documents:

1. The deed for the purchase of land from Ms. X
2. Evidence of payment of required sums of monies to Ms. X and
3. Singed memorandum of agreement between NAWASA and Mr. X

7.0 VALUATION OF ASSETS

In this case, the asset to be valued is the land which NAWASA acquired and are prepared to compensate Ms. X. This brings OP 4.12 into focus; lands were acquired through negotiation. The sale was not coerced by any means and the lands were free of all hindrance (except taxes owed to the Government of Grenada). The total amount of land that is required is **13,051 sq. ft.** of **87,857 sq. ft.** approximately **15%** of the land Ms. X owns.

7.1 Independent Evaluation

The most objective way in deciding on a fair value for the acquired land is evaluation.

There was an independent evaluation done by two (2) local evaluators¹ and the final amount paid to the PAP was more than the amount suggested by both evaluators. This was done in consultation with the PAP.

On August, 17th 2012 NAWASA’s team along with Ms. X and two witnesses in the presence of the Social Development and Communication Specialist came to an agreement on a negotiated price per sq. ft. for the land to be acquired.

NB. The true value for lands (in Grenada) is determined by the demand placed on that land and the price the buyer is willing to pay. In this case NAWASA understood the value of this sub-project to 4000 residents and the benefits to be derived by both NAWASA and the beneficiary communities. Those factors were key in arriving at the negotiated price which fell within the range of prices recommended by the independent land evaluators and the seller’s offer.

8.0 INSTITUTIONAL RESPONSIBILITY FOR IMPLEMENTATION PROCEDURES FOR GRIEVANCE REDRESS

This section describes the institutional arrangements for the implementation of the RAP.

The small scale and relatively simple nature of the sub project does not warrant the more complex special institutional arrangements that may be required in larger or more complex sub projects. (See table showing summary of the agency roles and responsibilities)

8.1 SUMMARY OF PCU’S ROLE AND RESPONSIBILITIES FOR IMPLEMENTATION OF LAND ACQUISITION

A summary of the PCU’s role and responsibilities is shown below:

TABLE 3.

Implementation Stages	Agency	Responsibility
Project Preparation	PCU/ Social Development and Communication Specialist	Facilitate and support all relevant project RAP actions.
	PCU/ Social Development and Communication	1. Identify the affected persons consult and advise

¹ The Evaluators considered the following: Ownership, location and boundaries, lots size, site features (shape, gradient, and access), property value range, area development, soil type, planning (type of development, covenants, and zoning), detracting or derogatory features, public transportation accessibility, distance to services, vulnerability, and market profile. They also looked at comparable properties and used a comparison method to determine a fair and reasonable market value for the land.

	Specialist	them on their rights as per OP/BP 4.12 2. Follow up on all sites issues and matters related to any complaint which may arise during the implementation process. 3. Manage and monitor the grievance redress process. 4. Secure the necessary resettlement assistance required – not required in this sub project.
Project Implementation	PCU/Social Development and Communication Specialist	Overall monitoring
	PCU/ Social Development and Communication Specialist	1.Assess and process PAPs complaints 2. Manage and monitor the grievance redress process
	High Court of Grenada Lands Department (MOCDH) The valuation and taxes department (MOF)	Receive, assess and process and decide on /grievances complains related to sub project.

8.2 GRIEVANCE PROCEDURES

The grievance process to follow if a PAP feels aggrieved is as follow.

- Step 1.** Verbally express grievance to the Social Development and Communication Specialist who is located in the PCU office in the Public Workers Union Building in Tanteen, St. George's.
- Step 2.** Fill out and hand in the **Grievance Form** (see annex 2) which can be collected from the Social Development and Communication Specialist.
- Step 3.** Social Development and Communication Specialist will submit form to head of Grievance Appeal Committee.
- Step 4.** The Head of the Grievance Appeal Committee will convene a meeting on later than one week after receiving complain with the other members of the committee.

- Step 5.** A decision will be reached which will be final and filed in the Court or further research into the situation recommended by the head of the Grievance Appeal Committee. In such a case another meeting of the Grievance Appeal Committee will be convened appropriately and decisions taken.

The Committee will be chaired by the head of the PCU and therefore, the PCU will provide all the necessary support to enable the committee to assume its role including clerical work and budget support. The committee must be based in a location that lends for easy access to PAPs and other people who may raise any claims or complains during the implementation of the project. **The Grievance Appeal Committee is located at the Nutmeg Complex on the Kirani James Boulevard. This will ensure that the PAPs with their grievances are not placed in a disadvantage position when their issues are discussed. This building is known for its publicness or easy access to the general public. These claims and complains will be received and processed to the Committee for thorough assessment and further required actions within one week of receiving them. The maximum time to solve a grievance or complaint is three (3) months.**

8.3.1 Grievance Appeal Committee's Role

1. The Committee through the Social Development and Communication Specialist will receive and register all appeals and complaints by consulting with the complainant. The Committee will respond to all complaints with a rational justification describing the process with which the complaint was considered and explaining the reason for the decision reached by the Committee.
2. The Appeal Committee is the final forum for decisions on any claim for compensation of any sort.
3. The Appeal Committee will meet as required to review complaints which have been received.
4. The committee may make call on witnesses, a facilitator or expert to provide additional information, testimony or opinion. These individuals act in an advisory capacity only and their input advice or opinion will not be binding on the Committee.
5. The Committee will consider each complaint on a case by case basis to determine whether the case constitutes a valid complaint, if a complaint is valid the Committee is required to find fair and just solution to the claim.
6. The Grievance Appeal Committee comprise the following persons:-
 - (a) The head of the Project Coordinating Unit Ministry of Finance
 - (b) The head of the Physical Planning Unit Ministry Of Works
 - (c) The head of Lands department Ministry of Community Development
 - (d) The Controller of Inland Revenue Department Ministry of Finance and

(4) The Board may, subject to any conditions it may specify, delegate to the Manager the authority to employ, suspend or dismiss staff.

(5) Staff shall be entitled to receive such remuneration earned by reason of employment with the Authority, and such allowances, if any, as the Board shall determine.

(6) The Board may engage the services of any professionally or otherwise suitably qualified person as it deems necessary or expedient to employ for the purpose of assisting the Board in the performance of any duty or the exercise of any power of the Authority under this Act.

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Secondment of public officers and preservation of pensions

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10. (1) The Board may request the Public Service Commission to authorise the secondment of public officers to the Authority.

(2) A secondment in pursuance of subsection (1) shall be treated as a secondment to which Part III of the Schedule to the Pensions Act, Chapter 233, applies and service with the Authority shall be deemed to be pensionable office within the meaning of that Act.

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(3) The Authority shall, in respect of a public officer seconded under subsection (1), contribute to the Consolidated Fund such amount by way of pensionable emoluments and personal allowances for the purposes of the Pensions Act, Chapter 233, as the Minister may at any time determine.

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PART IV

Power of Entry on and Acquisition of Land, etc.

Control of water

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11. The control of every body of water shall be exercised by the Authority in a manner designed to achieve the purposes of this Act.

Right to use water vested in the Authority

12. The right to the use of every body of water is vested in the Authority and no person shall divert, abstract, obstruct or use water from a body of water otherwise than under or by virtue of the provisions of this Act.

Right to use water may not be otherwise acquired

13. Subject to section 12, no conveyance, lease or other instrument executed after the appointed day shall be effectual to convey, assure, demise, transfer or vest in any person other than the Authority any property or right or interest or privilege in respect of any body of water.

Land acquisition

14. (1) The Authority may, if the Board is satisfied that it is in the public interest to do so, purchase by private treaty land or other property for any purpose connected with the discharge of its duties; in particular, land or other property may be purchased for the protection, conservation, treatment, improvement, installation or use of water and sewerage facilities.

10.0 TIMETABLE AND BUDGET

10.1 RESETTLEMENT TIME TABLE

Actions	2012				2012																2013				2013								
	Aug				Sept				Oct				Nov				Dec				Jan				June								
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4					
Inform Affected Persons																																	
Conducted Census Survey																																	
Part Payment of Compensation (10%)																																	
Payment of Full Compensation to Ms. X																																	
Timeline for signings of MOUs for maintenance of access road																																	

10.2 RESETTLEMENT BUDGET

Cost estimate for the Chemin Valley Water Storage Tank and Generator House sub-project resulting from the implementation of the Rap is \$100,000.

Annex 1 Maps of project sites and house nearest to site

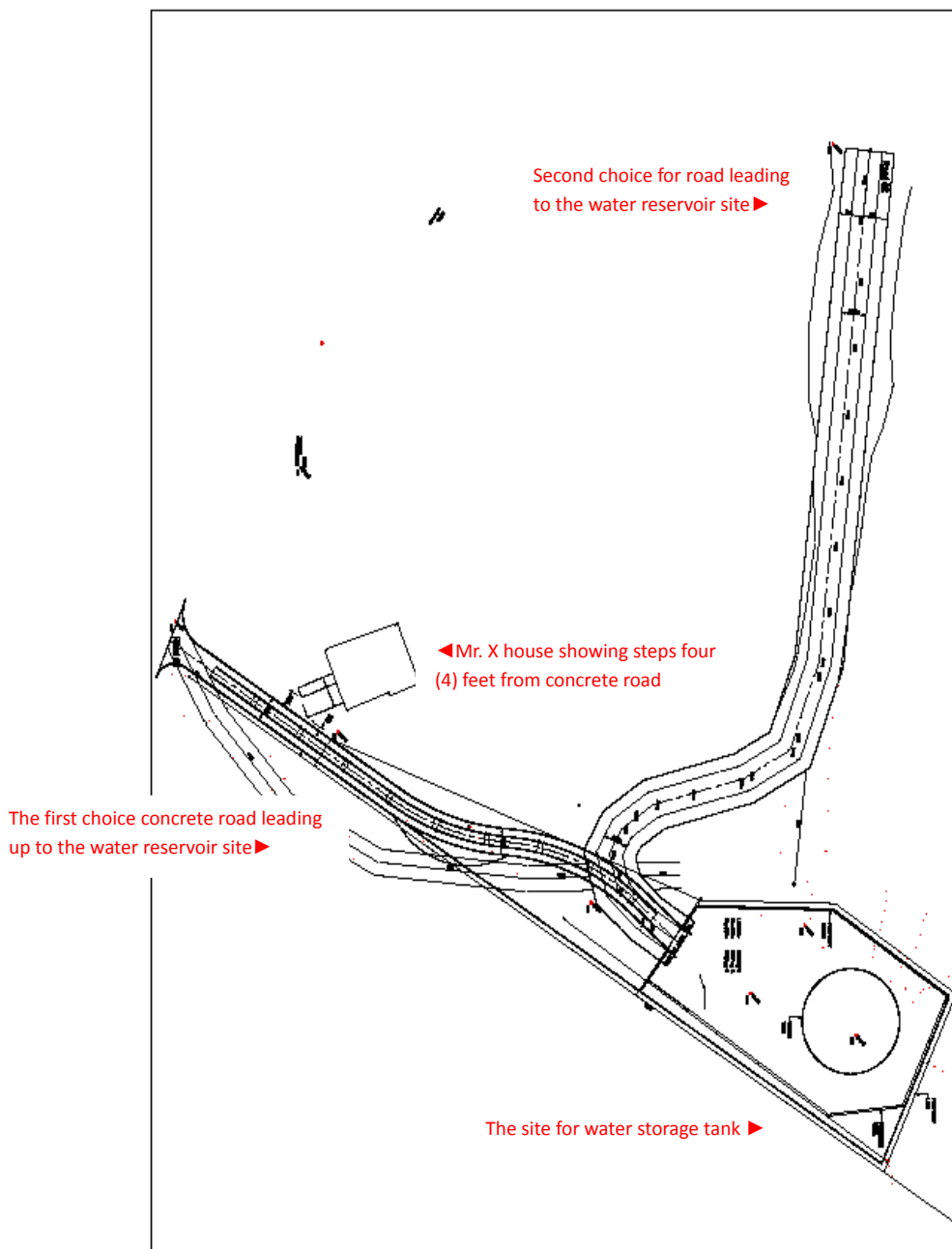


Image1. Images of the two options of proposed roads leading to the site for the water reservoir. The straighter and shorter proposed road nearest to the house was chosen



Map Showing Project Area

The Google map above show the **route along main access road for the project new pipelines (blue line)** starting from the Chemin Boreholes to the water storage tank site..



Image2 Mr. X house, front steps falling (4) feet from proposed concrete road leading to water reservoir

Image 3 Ms. X's property boundaries (in red) and concrete road (in orange) leading to the water reservoir site, one of the two project locations where PAPs are affected



Image 4. One of three project sites, the proposed site for the construction of the water reservoir (on elevation)

GRIEVANCE FORM

Indicate the Nature of Grievance(s)

Name.....

1.....

Address.....

.....

.....

2.....

Contact.....

.....

Name of Sub Project

3.....

.....

.....

Date and registration of grievance

4.....

.....

I agree that the duration of time to solve this grievance will be no longer than three (3) months unless the Grievance Appeal Committee sees otherwise.

I agree that the Grievance Appeal Committee is the final forum for decisions on any claim for compensation of any sort and that all decisions will be guided by the applicable laws.

I will abide by the ruling of the Appeal Committee on the outcome of the grievance/complain.

Signature of Complainant

Signature of Agent

Signature of Grievance Officer

OFFICIAL USE

The outcome of the claim is in favour of the complainant

The outcome of this claim is in favour of the defendant

The outcome of this claim requires further research

Signature of

Chairperson

Annex 3

NAWASA PERMISSION FORM

Name.....

Address.....

Contract.....

Name of Sub project

.....

Duration of possible inconvenience.....

Indicate your level of inconvenience having the pipelines pass in front of your house/driveway

Convenient

Inconvenient

Not convenient nor inconvenient

Very convenient

Very inconvenient

1. I agree to allow NAWASA to pass their pipeline (underground) across my driveway.
2. NAWASA agree to restore my driveway to its previous status or better.

Signature of Homeowner

Signature of NAWASA

Date

