



**REPUBLIC OF TURKEY
MUĞLA METROPOLITAN
MUNICIPALITY
GENERAL DIRECTORATE of
WATER AND WASTEWATER UTILITY (MUSKİ)**



**ABBREVIATED LAND ACQUISITION PLAN
(ALAP) for BODRUM DISTRICT TURGUTREİS
NEIGHBORHOOD
CONSTRUCTION WORKS OF WWTP, SEA
DISCHARGE AND SEWERAGE NETWORK**

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TALE OF CONTENTS

WWTP, SEA DISCHARGE AND SEWAGE NETWORK CONSTRUCTION WORK 1

1. GENERAL INFORMATION ABOUT THE PROJECT	3
2. POTENTIAL EFFECTS OF THE PROJECT AND AFFECTED PERSONS.....	14
3. LEGAL FRAMEWORK.....	24
4. IMPLEMENTATION, COMPENSATION AND OTHER AIDS.....	27
5. PUBLIC DISCLOSURE, CONSULTATION AND PARTICIPATION.....	30
6. GRIEVANCE REDRESS MECHANISM.....	33
7. MONITORING AND REPORTING	36
8. TIMING AND BUDGET	37

1. GENERAL INFORMATION ABOUT THE PROJECT

1.1 History of Muski

Within the scope of the Law No: 6360 regarding the establishment of Metropolitan Municipalities in 14 cities, Muğla became a metropolitan city, the villages and district municipalities within the administrative boundaries of its towns no longer hold their legal entities, and villages were incorporated as neighborhoods whereas municipalities were incorporated as a single district into the town municipality.

In order to conduct water and wastewater services throughout the city, General Directorate of The Water and Wastewater Utility of the Muğla Metropolitan Municipality (MUSKI), which is a public legal entity of the Metropolitan Municipality, was established by the Council of Ministers Decision 2014/6072, published in Official Gazette dated 31st March 2014 and numbered 28958, according to Law No. 2560.

1.2 Evaluation of Work Items to be Carried out within the scope of Sub-Loan Agreements in Terms of Land Acquisition

Within the scope of the Sustainable Cities Project (SCP) financed by the World Bank, 2 SubLoan Agreements were signed between General Directorate of Water and Wastewater Utility of Muğla Metropolitan Municipality (MUSKI), and İller Bank in the wastewater sector. The amount for the first Sub-Loan Agreement for SCP-I signed by MUSKI on 28.12.2016 is 67.450.000 EUR. The amount for the second Sub-Loan Agreement regarding SCP-II, signed by MUSKI on 17.05.2018, is 15.500.000 EUR for the project to be carried out in series. The planned construction work items that may require land acquisition for both Sub-Loan Agreements are given in the following tables:

Table 1 - Construction Works within the scope of SCP-I and SCP-II

SUSTAINABLE CITIES PROJECT - I		
MUS-W1	Turgutreis Wastewater Treatment Plant and Sea Discharge Construction Work	Construction Work
MUS-W2	Bodrum District Sewage Network Construction Work	Construction Work
MUS-W3	Revision of Existing Wastewater Treatment Plants	Construction Work
MUS-W5	Hisarönü - Ovacık Sewerage Network and Collector Construction Work	Construction Work
MUS-W7	Fethiye Wastewater Treatment Plant II. Stage Construction Work	Construction Work
MUS-W8	Various Sewage Network Construction Work	Construction Work
SUSTAINABLE CITIES PROJECT -II		
MUS2 - W2	Milas- Ören Sewerage Network Construction Work	Construction Work
MUS2 - W4	Milas - Ören Wastewater Treatment Plant Construction Work	Construction Work

Within the scope of SCP-I:

Information on the project components that will be subject to land acquisition within the scope of the SCP-I Project planned to be realized, is presented in Table 2 with the land type, the number of parcels / owners and users, the possible effects to occur and the status of the process regarding the land acquisition:

Information on the project components that will be subject to land acquisition within the scope of the SCP-I Project is presented in Table 2 with the land type, the number of parcels / owners and users, the possible effects to occur and the status of the process regarding the land acquisition.

Table 2 Information on the project components that will be subject to land acquisition

Sub project	Components that will be subject to Land Acquisition	Land Status	Parcels/Owners/Number of Users	The possible effects to occur as a result of Land Acquisition	Process
MUS-W1	Wastewater Treatment Plant and Sea Discharge Construction	Private Land	1 parcels 6 owners 1 user	Citrus orchard and a partial agricultural land are affected by the land acquisition process. In addition, there is a tenant in the area subject to land acquisition.	In 2018, SAEP was prepared within the scope of World Bank OP 4.12 Land Acquisition and Involuntary Resettlement Policy and the relevant plan was published in October 2018. The expropriation process has been initiated in accordance with the Expropriation Law No. 2942 and the process was concluded on 23.10.2020.
MUS-W2	Sewer Line Construction	Private Land	13 parcels 34 owners 0 user	Citrus orchard and a partial agricultural land are affected by the land acquisition process. There is no other user on the lands.	The expropriation process has been initiated in accordance with the Expropriation Law No. 2942 and the process continues.

No land acquisition will be required under the remaining sub-project components of the project.

Under SCP-II:

No land acquisition proceeding will be required due to the sub-project components to be constructed within the scope of SCP-II. Within the scope of SCP-I, there are 4 pumping stations and all pumping center locations remain on the public land. The construction of the Pumping Station, which is planned to be built on the private land in the Yeniköy Thermal Power Plant, has been cancelled. No construction activity will be carried out on the private land.

Consequently, within the scope of the World Bank's policy of O.P. 4.12 - The Land Acquisition and Involuntary Resettlement, the procedures to be carried out within the scope of the country's legislation before starting the land acquisition process was summarized and this Abbreviated Land Acquisition Plan (ALAP) has been prepared in order to ensure that transactions are carried out in accordance with the procedures specified in O.P. 4.12.

In this context, detailed information will be given about the **MUS-W1** and **MUS-W2** contracts which take place within the scope of SCP-I and the land acquisition procedures to be carried out for the construction works planned to be made in Bodrum district. ALAP, prepared within the scope of the MUS-W1 Project, was approved by the World Bank in October 2018. The new revision Plan prepared within the scope of ALAP includes the impacts of the land acquisition process arising from MUS-W2 Project components. The subject plan also provides up-to-date information on the land acquisition process carried out within the scope of the MUS-W1 Project.

1.3 Information about the Project Areas Subject to Expropriation

The Turgutreis Neighborhood is located within the Bodrum District of the Muğla Province, and lies on the west of Bodrum peninsula. The Bodrum peninsula is one of the most important settlement areas for domestic and foreign tourism in Turkey. It has also an important natural habitat with its unique land and marine ecosystems. The fact that the peninsula coasts are almost completely covered with touristic facilities has caused many problems, including the deterioration of natural appearance, reduction of agricultural lands, and increased water pollution. Protection of the natural resources of the Bodrum Peninsula, and prevention of environmental pollution is very important. The increase in water consumption due to population growth during summer periods has resulted in an increase in the generation of wastewater.

1.4 Project Description (SCP-I)

1.4.1 MUS-W1 - Construction Work of Turgutreis Advanced Biological 1st Stage of WWTP and Deep Sea Discharge Line (37.000 m³/day)

Currently, domestic wastewater generated in the Turgutreis neighborhood, where there are no existing treatment facilities, is removed from the Bodrum Gulf by deep sea discharge, without any treatment. In order for the central Turgutreis Neighborhood and surrounding areas to benefit from healthy and sustainable wastewater services, wastewater treatment is required before deep sea discharge. Together with the central Turgutreis neighborhood, İslamhaneleri, Peksimet, Dereköy, and Gümüşlük neighborhoods are also located within this project area. There are also many summer homes located in these areas, as well as touristic facilities, hotels, motels, holiday villages etc, due to the popularity of the region. The treated wastewater from the Turgutreis Advanced Biological Wastewater Treatment Plant will be discharged to the Aegean Sea via a new deep sea discharge line to be built in the region.

The wastewater from the central Turgutreis Neighborhood and Neighborhoods of Dereköy, Peksimet, Gümüşlük and İslamhaneleri (half of İslamhaneleri Neighborhood) will be processed with the **1 st Stage** of the Turgutreis Advanced Biological Wastewater Treatment Facility and sewerage systems. The wastewater from settlements in the Akyarlar and İslamhaneleri Neighborhoods (half part of İslamhaneleri Neighborhood) will be processed with the **2 nd Stage** of the Wastewater Treatment Facility and sewerage systems. The 1 st Stage of the Turgutreis Advanced Biological WWTP Project (**37,000 m³ /day**) will provide service until 2032. The 2nd Stage WWTP Project, planned to be built on the adjacent parcel, is planning to provide service until 2053. The work items of the planned WWTP are shown schematically below in **Figure 1**.

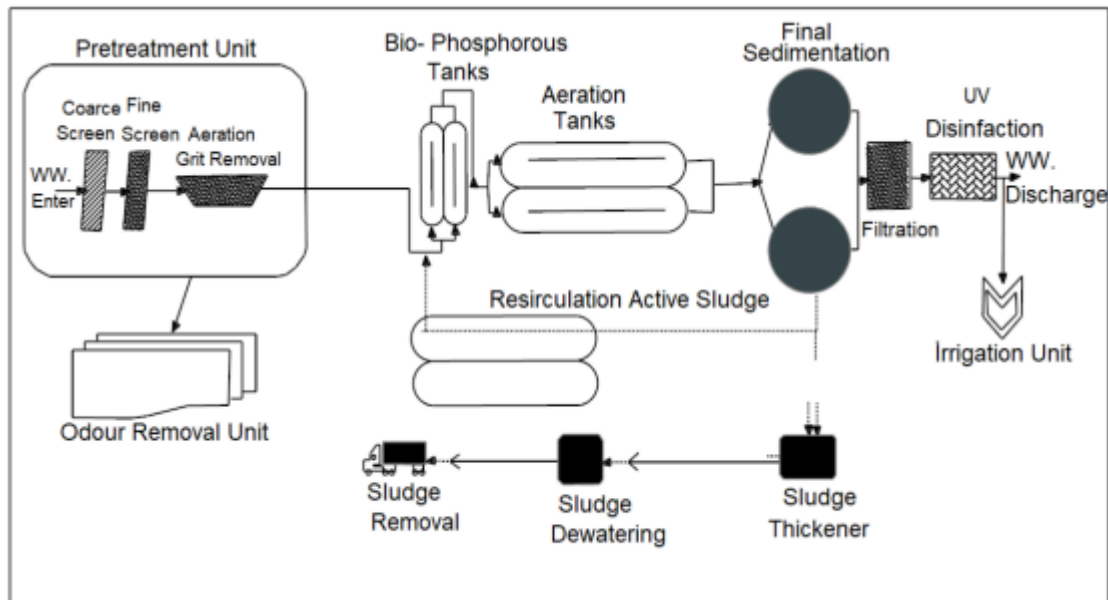


Figure 1 – Work Items in relation to the WWTP

When considered as a whole, the main work items include the sewerage network and collector, deep sea discharge line, electricity transmission lines, pumping stations and the power distribution unit. Within this scope, except the area of the WWTP, no land acquisition is required. In the project scope, with total length of 417 km. Turgutreis- Akyarlar-Gümüşlük Sewerage network and Wastewater Treatment Plant in the City of Muğla, Bodrum District, Turgutreis neighborhood, Kum area Plot no. 421 parcel no 11, 30.436 m² land are planned to be constructed with removal of Nitrogen and phosphorus with the capacity of 37.000 m³ /day. The design showing the facility components is presented in Figure 2.

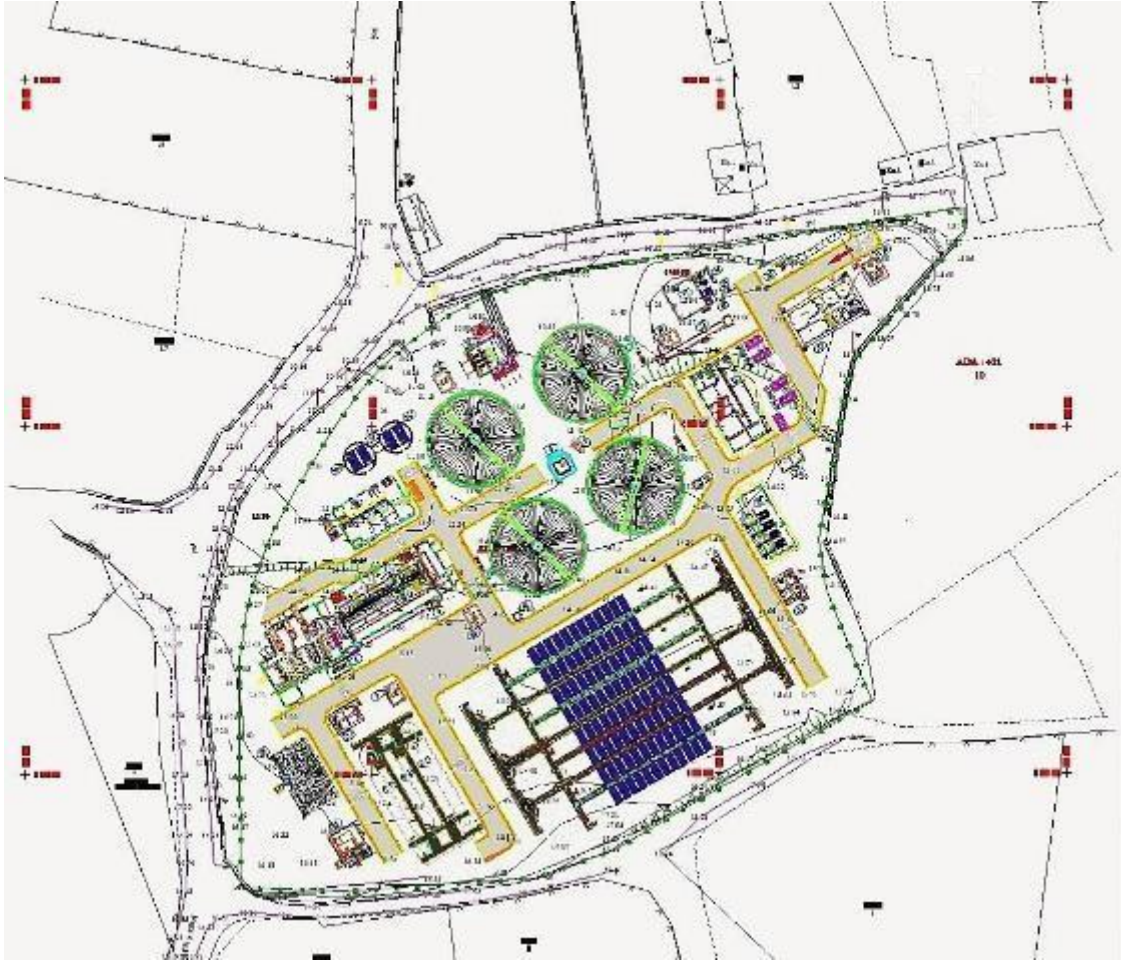


Figure 2 – Design of the 1st Stage of the Turgutreis Advanced Biological Wastewater Treatment Facility

1.4.2 Second Stage WWTP

The capacity of the treatment plant can be increased with the addition of sewerage lines in Turgutreis and Akyarlar region, increasing in the amount of wastewater collected. In this case, the 2nd stage of WWTP planned to be constructed will allow a total capacity of 61,000 m³ / day to be processed, including the 1st stage of WTP processing 37,000 m³ / day, and these stages will be operated independently from each other. For the area where the capacity increase will take place, parcels with plot no. 421 parcel no. 10 located on the adjacent parcel of the 1st stage of WWTP are planned to be used.

1.4.3 MUS-W2 – Sewerage Network Construction Work in Bodrum District

The Sewerage Network Project has been designed as the “Final Designs of Sewage Network and Pumping Stations”, and will include Turgutreis, Akyarlar, Gümüşlük, İslamhaneleri, Dereköy and Peksimet Neighborhoods of the Bodrum District.



Figure 3 - Sewerage Network Sampling Plan Map



Image 35: Satellite Image of Parcel no. 5 Block no. 105 at Islamhaneleri Neighborhood with Issued Deed of Consent

As can be seen from the Sampling Plan Map above, the planned sewerage lines were planned to be built on the zoning roads and the Consultant firm and the construction company had to undergo revision at certain points where the sewerage line passes in the area within the borders of Islamhaneleri neighborhood. The works to be carried out on the lands that are likely to be affected during the project construction phase in the aforementioned location are explained in **Chapter 2**. There are roads in the zoning plan and the roads that have not been opened yet will be opened by applying to the relevant Municipality. If the relevant Municipality does not open the roads in time, the removal of zoning roads will be initiated by the Metropolitan Municipality. Easement or expropriation is not considered for the sewerage network, and zoning roads will be used. The pumping stations will be built in public parcels or non-registered places, and the transmission lines to be established for the electricity needs of the Pumping Centers (PC) will pass through the existing roads.

1.4.4 Project Components and Ownership: Permissions

To sum up project components as basic headings,

1st stage components consist of 6 main components;

- ✓ Advanced Biological Waste Water Treatment Facility (Stage 1)
- ✓ Deep Sea Discharge Line
- ✓ Sewerage Network Line
- ✓ Sewerage Main Collector Line

- ✓ Pumping Stations
- ✓ Electricity Transmission Line and power distribution units ,

2nd stage components consist of 5 main components;

- Advanced Biological Wastewater Treatment Facility (Stage 2)
- Sewerage Network Line
- Sewerage Main Collector Line
- Pumping Stations
- Electricity Transmission Line and power distribution units

Land acquisition is required for the 2nd stage of Turgutreis Advanced Biological Wastewater Project to cover population projection after 2032. Even though the capacity increase, which is described as the 2nd stage of the Treatment Facility is not covered under the “Sustainable Cities Project” financed by the World Bank (WB) and being executed by İlbank Corporation, the 2nd stage project studies have been addressed within the scope of the Abbreviated Land Acquisition Action Plan (ALAP) due to being a “associated facilities”. For this reason, adjacent to the parcel plot no. 421 parcel no. 11 (30,436.28 m²) which belongs to MUSKI, the following parcels are also needed with a total area of 24,957.70 m². Plot no. 421 parcel no. 7 (2.667,62 m²), plot no. 421 parcel no. 8 (908,89 m²), plot no. 421 parcel no. 9 (5.276,96 m²) and 16,104.23m² of subdivided parcel with plot no. 421 parcel no. 10 (masonry house has been excluded and “**Housing Right**” has been reserved) and expropriation will be made for this area within the scope of the land acquisition process. However, with the change made on the project design on 13.01.2021, the need to acquire parcels no. 7-8-9 on island 421 has been excluded and the expropriation process has been initiated only for parcel no 10. The 1st stage and the 2nd stage of the facility will therefore be built on a total area of 47.410 m² (Plot no. 421 Parcel no. 13 Parsel is 30.450 m² and Plot no. 421 Parcel no.10 is 16.960 m²).

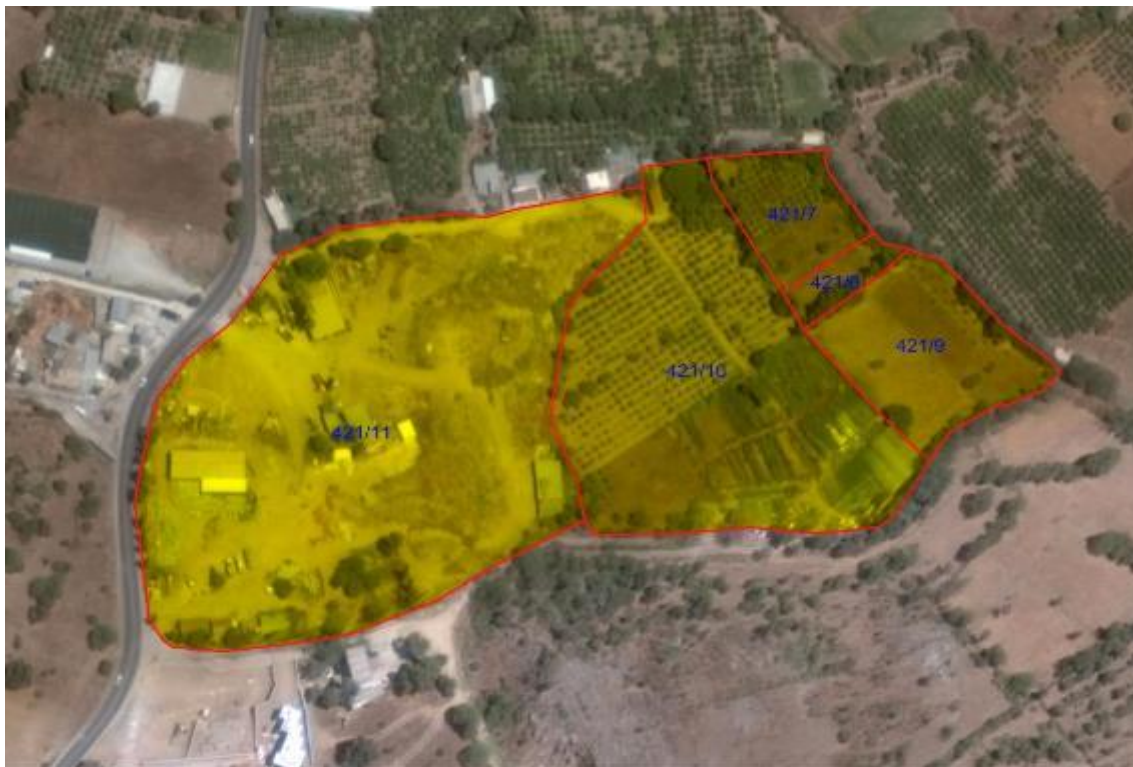


Figure 4 – 2nd Stage WWTP Cadastral Situation Map

For the land acquisition process of the 2nd stage of Wastewater Treatment Plant, face-to-face negotiations with respective to the related owners have been conducted in the year 2015. As a result of these negotiations, positive meetings have taken place with the owners or inheritors (4 persons) of the parcels with plot no. 421 parcel no. 7, 8, 9 and no negative matter has emerged verbally or written. However, as mentioned above, the expropriation process has not been officially initiated since there is no need to acquire the relevant parcels. At the current stage, the land owners were informed on 07.05.2021 that there will be no expropriation on the lands. The relevant notification was made by phone call.

No agreement could be reached with the owners of plot 421 parcel no. 10 (6 people) on the determined amount during 2015. MUSKİ has therefore taken a “Decision of Public Interest” dated 14th October 2016 and numbered 127, for expropriation of land of 16,104.23 m², (plot no. 421, parcel no. 10) by subdividing its part of 16,104.02 m². The “Ministry Approval” has been received from the Ministry of Interior Affairs with the letter dated 26.12.2016 and numbered E.27915. After the Ministry approval, as per the valuation report issued by MUSKİ, parcel owners have been invited to reconciliation as of 27.02.2017. Invitation letters have been sent to the property owners and the “proof of receipts” have been delivered to MUSKİ. The above mentioned property owners have accepted the invitation as per MUSKİ’s official letter, however, they did not sign the minutes regarding disagreement and abstained from signing.

Due to the disagreement, a lawsuit of “Determination of compensation amount for Expropriation and Registration on behalf of the Utility” has been filed in the Bodrum 4th Civil Court of First Instance with file no. MUSKİ 2017/156 . In the third session of the court, the Court has rendered the decision of determination of the compensation amount by a valuation expert appointed by the Court.

Based on the above decision, the final hearing was held on 27.02.2019, and a new appraisal value was determined by the experts according to the 2019 current prices. Following this, a court case was held on 29.05.2019 due to the objection of the defendants (owners) to the expert report, and the Court decided to appoint a new expert and make a new valuation. In the calculation of the price determined by the new experts, while accepting the valuation principles of the previous experts correctly (calculation according to the income method), a new price was determined as of the date of the lawsuit (11/07/2017) by determining the objective value increase as 500% in the empty field and 700% for citrus fruits. MUSKİ objected to the amount calculated by the expert, but this objection was rejected by the court. In accordance with the final decision of the Court, the amount determined by the court on 23.10.2020 was blocked by depositing it into the bank account of the relevant owners. Following the completion of the process, the real estate will be transferred to MUSKİ by registering the title deed.

Currently, MUSKİ does not seek any alternative land or plot of land within the scope of the Project.

In addition to the executed land acquisition process within the scope of the construction of the MUS-W1 Wastewater Treatment Plant mentioned above, other issues subject to land acquisition have also occurred within the scope of the sewerage network line under construction under MUS-W2. It is possible that the agricultural lands and tangerine gardens located within the borders of Bodrum District,

Islamhaneleri and Dereköy neighborhoods will be affected due to construction. The parcel and owner information that will be subject to land acquisition are presented in **Section 2**.

Permission letters were written to the Natural Heritage Conservation Board and the Cultural Heritage Conservation Board regarding the Wastewater Treatment Plant (MUS-W1) and the Sewerage Network (MUS-W2). In addition, a permit letter was written to the Muğla Governorship to exempt the WWTP construction ban applied between May 15 and October 15 due to the fact that the region is a tourism area and the **approval** was taken. Responses are expected from other relevant institutions and information will be provided in the Land Acquisition Progress reports.

The effects of the treated wastewater to be discharged to the sea with the Turgutreis Advanced Biological Wastewater Treatment Facility project to the species identified in the marine environment is thought to be minimal since it will be discharged to the sea after nitrogen and phosphorus elements are removed by advanced biological treatment (Detailed impact assessment is discussed in the ESIA report). Chemical analysis of the outlet water will be carried out continuously at discharge points, and all required sensitivity will be considered to avoid affecting marine species. It is planned that the main discharge pipe will extend clockwise from north (N) with an angle of 235° to the direction of WSW, with a length of 1700 m on land and 1400 m in the sea, with a total length of 3100m. The planned sea discharge line will pass through cadastral roads and zoning roads, and there will not be any easement or expropriation process. The entrance of the sea discharge line to the sea will be at the end of the cadastral road, and used as partly beach, partly jetty/port side. The construction will be done outside of the touristic season, and restriction of transportation will be minimized. Traffic circulation plans will be prepared, and continuity of transportation of the affected persons will be ensured. Since the port operation is adjacent to the discharge line, construction of the deep sea discharge line will be carried out after the tourist season, so that no one will be using the beach. After the construction is completed, the deep sea discharge line will not cause any restriction on the usage of the beach. Therefore, no economic loss is expected after the construction is completed. Consequently, it is foreseen that no material damage will be caused to hotels or residences around the route of the line during the construction and operation of the “Sea Discharge Line”. The drawing showing the sea discharge line is presented in **Figure 5**.



Figure 5 – Sea Discharge Line (Red Line)

2. POTENTIAL EFFECTS OF THE PROJECT AND AFFECTED PERSONS

2.1. Persons Affected by the Project of MUS-W1

Previously, the owners of parcels with plot no. 421 parcel no. 7, 8, 9, 10 and persons who rented the parcel with plot no. 421 parcel no. 10, were considered the persons to be affected due to land acquisition for the construction of the Advanced Biological Wastewater Treatment Plant. According to the new decision of MUSKİ, 421 parcel 7,8,9 were excluded from the expropriation process. Their owners have been reached to an agreement verbally in the past therefore parcel owner should be informed of the new expropriation decision of MUSKİ. The two of shareholders of the parcel no 9 were called by MUSKİ. It was explained to them that no action will be taken in the aforementioned parcels and they will not face any negative environmental and social problems due to the project activities. The shareholders informed that the other shareholder lives abroad and that is why he could not be reached. It is also understood that the owners of parcel no 7 and 8 are living in another city and MUSKİ will try to reach them and informed them about the latest developments regarding the expropriation process.

The expropriation process of the plot no. 421 parcel no.10 was executed. When the lease agreement of the parcel with plot no. 421 parcel no. 10 is examined, it was understood that the related PAP (on behalf of entire inheritors) which is one of the parcel owners has been paid 3250 TL (three thousand two hundred fifty Turkish Liras) as a provision of rent for one year and signed a lease agreement for 15 years as of 10.05.2013 with the related PAP, to use the said parcel as a Flower and Material Store. The number of people affected by the project and the relevant cadastral information are shown in Table 3. The owners of the parcel with plot no. 421 parcel no. 10, and the tenant who requests accessory intervention, are the litigants of the lawsuit of "Determination of compensation amount for Expropriation and Registration on behalf of the Administration" with file no 2017/156 and a compensation payment is expected as a result of the lawsuit. It will be ensured that the compensation fee will be equivalent to the replacement cost according to the social safeguard policies of the World Bank. In addition to the replacement cost, any loss of livelihood resulting from this project will be covered from social funds of MUSKİ and Muğla Metropolitan Municipality. In this context, the use of flowers and garden plants produced by the current tenant in the parks of the Metropolitan Municipality, the purchase of flowers and garden plants required for the landscaping of MUSKİ facilities, or the service procurement for landscaping can be provided from the relevant tenant.

The number of persons affected by the project is 7 in total: 6 property owners and 1 tenant. All property owners live in Bodrum district, except one owner. There is no one unauthorized using the land without permission, and there are no individuals who are physically resettled from this area. During the selection of the project area, in order to minimize the above-mentioned effects, necessary research has been conducted by MUSKİ and the location of the investments is decided to minimize the effect of the project on individuals. PAP, who is engaged in the horticultural sector as a tenant, will have 10 years of production loss in accordance with the lease agreement. The court will determine a compensation amount of this production loss. On the other hand, MUSKİ will make necessary arrangements for the tenant to continue his activity in similar conditions. If requested, MUSKİ will do an appropriate parcel research from the immovables of Treasury, Municipal or Public immovables. MUSKİ will provide the

necessary legal support; and prepare bureaucratic correspondence and permit files for the tenant to continue his works in another area. Apart from these matters, the technical staff of MUSKI will provide technical and/or administrative consultancy support related to their fields.

In accordance with the provisions of the Expropriation Law for the year 2022; since the expropriated areas cannot be used for any other purpose, the legal status of the tenant will be reviewed. As a result of the evaluation to be made with the Legal Counsel and other stakeholders of the subject, a road map will be determined with the tenant. MUSKI will carry out the necessary studies for suggestions regarding the selection of a new location. After the proposal, the tenant will carry out the work and transactions related to the allocation of space on his own behalf, and MUSKI will provide the necessary consultancy services for the drafts of correspondence and permits.



Figure 6. Horticultural Activities on Plot No. 421 Parcel No. 10

There are no restrictions for the use of the masonry house located in the parcel with plot no. 421 parcel no. 10. The structure has been preserved as a result of subdivision proceedings which MUSKI commits to protect housing rights and quality of life of the household.



Figure 7. The Mansonry House Which Is Excluded From Expropriation Process.

Table 3 - MUS - W1 Turgutreis WWTP and Sea Discharge Construction Work Land Registry and Cadaster Information and Number of Owners Regarding Lands That Will Be Subject to Land Acquisition During Construction of the 2nd Stage of WWTP

No	District	Neighborhood	Plot No	Parcel No	Deed Surface (m ²)	Quality	Number of Owners
4	Bodrum	Turgutreis	421	10	16104.23	Citrus Garden and Partial Cropland	6 Owners 1 Tenant

2.2. Persons Affected from Project Under MUS-W2 Project

In the project design studies carried out in 2016, it was not expected that there would be any person or institution to be affected during the construction works of the sewerage network within the scope of MUS-W2. However, this situation has changed due to the route line changed for technical reasons during the construction phase of the Project. It is aimed to pass the collector line designed for the disposal of the wastewater of the Islamhaneleri Neighborhood along the stream in the current planning. However, due to the changes required to be made in the project during the construction phase, it was necessary to revise in such a way that it will pass within the plots / parcels which take place in Islamhaneleri and Dereköy neighborhoods. Since the newly determined line is in the tangerine gardens and agricultural lands, as a result of the technical examination carried out on-site and in which the land owners participated, the line route has been changed in a way to have minimum impact on the aforementioned lands. With the changed route, the hydraulic principles of the project were followed in a technically gravity system, and the construction was achieved without damaging the tangerine trees. An agreement was reached with the relevant land owners and their consent was signed (see **Figure 6** "Sample Consent Letter"). In addition, according to the Expropriation Law numbered 2942, the procedures for permit easement rights have been initiated and at the end of the process, the permit fees will be paid to the parties. In Table 4, title deed and cadastral information and the number of owners regarding the lands that will be subject to land acquisition within the scope of MUS-W2 construction are

presented. At the same time, a map showing the drawing of the sewer line network that will pass through the lands that will be subject to expropriation is given in **ANNEX 1**.

Table 4 - Land Registry and Cadastre Information Regarding Lands That Will Be Subject To Land Acquisition within The Scope Of MUS-W2 Construction

No	District	Neighborhood	Plot No	Parcel	Deed Area (m ²)	Quality	Number of Owners	Size of the Affected Land (m ²)	Percentage of the Affected Land (%)	Updated Size of the Affected Land (m2)	Updated Percentage of the Affected Land (%)	Proposed Easement Fee	m2 price	Negotiated	Accepted	Paid Easement Fee Amount (final)	Block Of Building	Parcel Of Land	Easement Land(m ²)	Easement Facility Fee (TRY)
				No										Y/N	Y/N					
1	Bodrum	Dereköy	221	14	3793,87	CROPLAND	0	116,7	3%	116,70	2%	9.211,68 ₺	78,93 ₺	Continue	Continue	not yet paid	101	4	133,79	10.561,28 ₺
2			221	15	9159,73	CROPLAND	1	496,31	5%	537,02	6%	42.384,14 ₺	78,92 ₺	Continue	Continue	not yet paid	238	14	520,23	41.055,66 ₺
3		İslamhaneleri	101	4	9083,21	MANDARIN GARDEN	4	315,19	3%	133,79	1%	10.561,28 ₺	78,94 ₺	Continue	Continue	not yet paid	101	5	346,17	27.335,81 ₺
4			101	5	13836,85	MANDARIN GARDEN AND BARN	1	292,48	2%	346,17	3%	27.335,81 ₺	78,97 ₺	Continue	Continue	not yet paid	101	6	369,30	29.145,22 ₺
5			101	6	3935,81	CROPLAND	1	395,62	10%	369,30	9%	29.145,22 ₺	78,92 ₺	Continue	Continue	not yet paid	101	7	74,84	5.909,67 ₺
6			101	7	2869,11	CROPLAND	1	74,84	3%	74,84	3%	5.909,67 ₺	78,96 ₺	Continue	Continue	not yet paid	101	9	270,67	21.357,75 ₺
7			101	9	3644,06	CROPLAND	1	270,67	7%	270,67	7%	21.357,75 ₺	78,91 ₺	Continue	Continue	not yet paid	101	10	182,61	14.414,31 ₺
8			101	10	7728,46	CROPLAND AND HOUSE	1	182,61	2%	182,61	2%	14.414,31 ₺	78,93 ₺	Continue	Continue	not yet paid	101	11	191,95	15.140,97 ₺
9			101	11	6901,33	CROPLAND	5	191,95	3%	191,95	3%	15.140,97 ₺	78,88 ₺	Continue	Continue	not yet paid	101	12	127,07	10.025,83 ₺
10			101	12	8883,99	CROPLAND	3	127,07	1%	127,07	1%	10.025,83 ₺	78,90 ₺	Continue	Continue	not yet paid	101	15	115,51	9.104,53 ₺
11			101	16	3418,26	CROPLAND	1	466,97	14%	466,97	14%	36.849,52 ₺	78,91 ₺	Continue	Continue	not yet paid	101	16	466,97	36.849,52 ₺
12			101	15	18708,15	CROPLAND	1	115,51	1%	115,51	1%	9.104,53 ₺	78,82 ₺	Continue	Continue	not yet paid	101	17	286,99	22.650,59 ₺
13			101	17	8904,27	CROPLAND	6	286,99	3%	286,99	3%	22.650,59 ₺	78,92 ₺	Continue	Continue	not yet paid	221	14	116,70	9.211,68 ₺
14			238	14	6505,61	CROPLAND	8	520,23	8%	520,23	8%	41.055,66 ₺	78,92 ₺	Continue	Continue	not yet paid	221	15	537,02	42.384,14 ₺
Total							34													

As can be seen in Table 3, the number of owners to be subject to land acquisition due to the construction of the sewerage network line is 34. Consultation activities will continue to the relevant owners in all the further stages of the Project and all complaints / opinions that PAPs want to convey on related issues will be collected through the Complaint Mechanism created by MUSKI (see **Chapter 6**). In addition, a field study was conducted in November and December 2020 to understand the socioeconomic status of the people affected by the project. Within the scope of the study, a short survey study covering 30 PAP¹ which can be reached, has been conducted. As a result of the study, no members of the vulnerable group (such as female household head, elderly person in need of care, person with any disability, landless but only carrying out income generating activities on the affected land, etc.) were encountered among the PAPs. In addition, there is no PAP that is affected by all household income from the land. In addition, it was understood during the interviews that there is no tenant status on the land.

Apart from the information mentioned above, it has been determined that 2 people among the owners of parcel no 110/17 are engaged in animal husbandry on the land. Elements that make up the livestock activity do not constitute a large-scale activity. Indeed, the total number of animals belonging to PAPs is 5 cows and various chickens. During the interviews with the relevant persons, they stated that the land acquisition process would not have a negative impact on their livestock activities. In addition, barriers have been placed in the areas where there are pits and ditches in order to prevent the animals from being adversely affected by the construction activities to be carried out. The owners on the same parcel also gave a letter of consent to MUSKI on 03.09.2020 for the construction of the sewer line to be carried out on the land. In the survey study conducted, 3 owners could not be reached and it was learned that these people did not live in Muğla. However, in the interview with the headman of the Islamhaneleri neighborhood, it was learned that these 3 owners did not use the land they own in any way.

¹ In total, 11 meetings were held within the specified dates and information about 30 owners was collected during the meetings. Along with the information obtained from 11 PAPs accessed, information was also taken about people brother of which have the status of owner and parent of which have the status of owner.

TURKISH REPUBLIC
MUĞLA METROPOLITAN MUNICIPALITY
General Directorate of Water and Sewerage Administration
Plan Project Investment and Construction Department

LETTER OF CONSENT

In relation to the section in Islamhaneleri Neighborhood with parcel no, the main collector line with a diameter of 400 mm, which is planned to pass through the parcel border within the scope of "Bodrum Sewerage Network Construction" made with a World Bank Loan, by Mugla Metropolitan Municipality Water and Sewerage Administration General Directorate, a consultation meeting was held by Muski officials on 19.08.2020 based on the objection made by the property owner. The mukhtars of İslanhaneleri, Project Manager of the Contractor Company and the Planning Branch Manager were present at this meeting. In the meeting, it was explained to on behalf of the property owner that the project was evaluated technically and that the construction could be manufactured from the northern part of the parcel. In addition, the aforementioned route construction was designed in a way not to damage any trees or structures on the immovables by making geodetic measurements in front of all participants and the route was changed., it was stated by the owner's son, on behalf of the property owner, that the matter would be evaluated with his parents and then the decision would be forwarded to Muski officials. A meeting was held again by Muski officials on 26.08.2020 and with the participation of and his wife, the aforementioned route revision was explained to them by showing it both on the sheets and on the land itself. The route has been revised again.

As a result, I consent to the construction of the sewer lines that pass or will pass through my written field / fields the qualifications of which are written below provided that the construction of the sewer line on the changed route as shown in the attached sheet will be done so as not to damage any tangerine tree, that the permit fee of the line passing over the parcel will be paid to us, that any damage that may occur during the construction will be eliminated unconditionally, that all my legal rights will be reserved.

Name, Last name	Identification no	Relationship Degree	Plot no	Parcel No	Quantity (m ²)	Signature

	Village/neighborhood Mukhtar	Member	Member
Name, Last name			
Signature and Seal			

This report has been prepared by me.

Name, Last name: Veys Kağan YÜCEKAN

Signature:

Damages that may occur during the manufacturing works that will be required for the project components will be determined quickly through the Complaint Mechanism (building control organization, written, electronic communication channels etc.) created by MUSKI, and the damage will be eliminated. MUSKI undertakes to eliminate any temporary damage, loss or grievance that may occur during construction. In addition, it is stated in the contract draft of the construction work contractor that the damages caused by the contractor will be covered by the contractor. As a result of the land discovery made in the area, there are no **fragile (sensitive)** groups among the immovable owners and land users remaining on the Turgutreis Advanced Biological Wastewater Treatment Plant and the sewerage network route. There is no affected person on the sea discharge route.

2.3. Adverse Impacts of the Project

In the area determined for Turgutreis Wastewater Treatment Plant (Stage 1), there are places such as warehouses, workshops, hangars, and place for vehicle maintenance currently and this site is currently used as a warehouse by MUSKI Water and Channel Operation Administration. Existing 35 year old sewerage line can not be removed and taken out and will be left buried in place. The old route will be used for the sewerage line to be newly built. It is therefore not expected that the structures are affected or persons will be removed physically from project areas.

Within the area of the 2 nd stage of WWTP, as a result of land acquisition, the greenhouses, wire fences, garages, barns, and trees with or without economic value will be damaged to a certain extent. The trees that can be transported will be moved to areas determined by the Municipality. Drilling wells will be protected in the area. A construction ban is imposed in the region due to tourism activities between 15 May and 15 October. However, a letter of permission has been written to the Muğla Governorship in order to allow the project to be exempt from the tourism ban and carried out urgently. Since the construction of the wastewater treatment plant will be exempt from the tourism ban, visual pollution and pollution resulting from construction will be avoided by closing the surroundings of the parcel. It is foreseen that no tourism establishment will be affected during construction.

2.4. Positive Impacts of the Project

The fact that the investment of the project will be financed by a World Bank loan will allow the Muğla Municipality and MUSKI to use its own resources for other services to be planned on behalf of the Bodrum District. It is anticipated that 80 people will be employed during construction phase, and approximately 25 people for the operation phase of the project. The project will provide new business opportunities to the local community and will contribute to the region economically.

The treated wastewater from the Turgutreis WWTP will be discharged to the Aegean Sea through the new deep sea discharge line. It is observed that there is a relatively high standard of living created by the income from tourism all over the Turgutreis Neighborhood of the Bodrum District. And together with the activation of the tourism sector, including sea tourism, entertainment tourism and yachting became the other means of livelihood in the region. Treated wastewater to be discharged into

the sea will eliminate the risk for tourism activities. Since the water discharged from the wastewater treatment plant is at the quality of the “irrigation water”, it is considered that for the irrigation of gardens and greenery areas, need for agricultural irrigation of farmers could be met by means of cooperatives where the local community is involved. By this, an economical value added will be created in addition to the savings from drinking and potable water will be achieved since the water resources in the region are inadequate. When the decrease in freshwater resources in the world is taken into consideration, the importance of the project increases further. The map showing the project impact area is presented in Figure 7.



Figure 8. Project Impact Area

2.5. Entitlement Criteria

In the matrix of ownership rights, the persons described in detail above who are affected are as follows:

- Land owners,
- Tenant in the property to be expropriated,

After the expropriation decision was issued, project affected persons have been identified through land registry and cadastral records following the field research. Affected persons shall be notified regarding the process of land acquisition. This will also be the cut off date for determining the affected people for conformity. Affected persons are listed in Table 3, contained in Section 2.1. The type of land acquisition is expropriation. For the determination of the compensation amount “Capitalization of Income” method has not been used. Instead the “Equivalence Value Method” has been used; the unit price was determined based information collected via correspondence and face to face interviews from the Bodrum Municipality, General Directorate of National Real Estate, Chamber of Commerce and real estate dealers adjacent to Bodrum District. As a result of the price evaluation, it is observed that prices from official agencies are relatively high and the prices taken from the market (from real estate dealers) are low. It is considered that the reason for this situation is due to stagnation in the market. The prices received verbally from the Provincial Directorate of Agriculture have been used for the valuation of the trees in the area. When determining the compensation amount , the price of the land, trees and renewal price has been taken into consideration.

MUSKI commits life quality and the housing rights of the people living near the WWTP in the masonry house under this project. Therefore, detailed information about the effect of the project (odor, view and etc.) has been given to people by MUSKI.

3. LEGAL FRAMEWORK

Within the scope of the Turkish legal framework, land acquisitions and expropriation proceedings are based on Expropriation Law No. 2942 and the Article 46 of the Turkish Constitution.

Other legislations that regulate the expropriation activities of MUSKI are as follows:

- ✓ Turkish Civil Code No. 4721,
- ✓ Decree Law on State Economic Enterprises No. 233
- ✓ Main statute
- ✓ Law on Land Development Planning and Control, Cadaster Law, Forrest law, Pasture Law, Law on Organized Industrial Zones
- ✓ Environmental Law, Law on Land Reform Regarding Rearrangement of Land In Irrigated Areas and other relevant legislations,
- ✓ Law No. 5403 on Soil Preservation and Land Utilization

In addition to the national legislation to be followed, MUSKI commits to implement the OP/BP 4.12 “Involuntary Resettlement Policy” of World Bank. This report has been prepared by considering the matters specified in the document “Land Acquisition and Resettlement Policy Framework” and Turkish Legislation as well as the OP 4.12 “Involuntary Resettlement Policy” of the World Bank.

Although the national regulations and procedures have been updated, there are still some matters that will create a gap between the Turkish Legislation and the OP 4.12 of World Bank. These matters are given in the following Table 5:

Table 5 - Differences between Turkish Legislation and World Bank Requirements (OP 4.12)

World Bank Requirements (OP 4.12)	Regulations / Practices and Differences in Turkish Legislation	Mechanisms to be Used to Eliminate Differences
Involuntary displacements should be <u>avoided or minimized</u> ; taking into account all project design options (Para. 2 (a)).	There is no regulation in Turkish Laws to minimize displacement.	Alternative ground works were carried out within the studies conducted in 2019, and land acquisition and resettlement issues were taken into consideration in the Feasibility Studies.
The displaced persons should be provided with assistance to <u>improve</u> their previous living standards, livelihoods and production levels, or at least <u>reinstated</u> , and whichever situation is more positive should be brought to the level before the beginning of project implementation (Para. 2. (C)).	There are certain provisions in this regard in the Settlement Law (eg providing project specific income restoration plans and offering credit facilities). However, the aforementioned aids and supports are not compulsory and vary according to the characteristics of the family resettled by the state. In addition, state-assisted resettlement is not expected in this project.	Compensation methods aimed to eliminate these gaps have been proposed in ALAP, which has been prepared in accordance with international standards.
All losses <u>must be brought to the pre-resettlement level by paying full replacement costs</u> . (Para.10)	There is no legal provision as to whether the expropriation price reflects the full replacement price or not.	In order to eliminate this gap, full replacement costs within the ALAP process will be calculated and reflected in the total budget.
Everyone affected by forced resettlement and / or losing their livelihoods <u>should be</u>	There is a provision in the EIA Regulation that requires a public participation meeting in the	Consultation activities will be conducted regularly in line with international standards

World Bank Requirements (OP 4.12)	Regulations / Practices and Differences in Turkish Legislation	Mechanisms to be Used to Eliminate Differences
<u>consulted</u> and their <u>participation</u> in the resettlement plan should be ensured (Para.6).	preparation phase of the EIA. Apart from this, there is no other provision stipulating public participation in the expropriation process. In the Settlement Law, there are provisions stating consultation and information issues in the regulations and operating directives of the Settlement Department (state-assisted resettlement is not expected in this project).	within the scope of ALAP studies.
An appropriate and accessible grievance mechanism should be established for displaced persons and groups (Para.13 (a)).	The law in Turkey, "Right to Information Act" is available. Complainants can apply to the following authorities with a petition: <ul style="list-style-type: none"> - Regional Directorates - District Governorship and Provincial Governorship - Headquarters - Ministry - Prime Ministry - Presidency and Parliament Petition Commissions Petitions are answered within 30 days. On the other hand, there are sections related to obtaining information on the websites of the state institutions and the people who apply here are answered within 15 days.	An effective grievance mechanism so as to correspond to international standards and applications in Turkey's Regulations is determined within the context of ALAP.
If displacement is unavoidable, resettlement action plans should be developed (Para.2. (b)). An Abbreviated Resettlement Action Plan should be prepared for projects where land is lost or where less than 200 people are resettled (Para.25).	There is no provision in Turkish Law that requires the preparation of a resettlement action plan.	Within the scope of the project, ALAP in accordance with World Bank standards was prepared.
The Project Owner will prepare and make available the relevant draft resettlement documents and tools at a point easily accessible to the displaced persons and local NGOs in an understandable language and style (Para.22).	Information and participation activities are carried out in accordance with the Settlement Law in the resettlement made by the state. However, in this project, state-assisted resettlement is out of the question.	During the project studies, many participation was carried out in Turkish, which is the native language of the people whose activities were affected. ALAP has been prepared in Turkish and English.
In order to ensure the eligibility status, by means of the primary current situation research (<u>including census and asset inventory and socio-economic research for cut-off date of ownership</u>) affected persons should be identified and should be recorded as early as possible, if possible in the process of defining the project, in order to prevent the illegal settlers wanting to take advantage of this type of benefits and who are not entitled (Para. 16).	There is no provision regarding primary baseline studies within the scope of Turkish Laws. A general form is completed only by state sponsored settlers. There is a definition regarding the cut-off date and accordingly, persons settled in the Project Area after the Public Benefit Decision announced in accordance with the Expropriation Law cannot be entitled.	The primary baseline study was carried out within the ALAP study. According to Turkish Legislation, the cut-off date starts with the Decision of Public Benefit and will be implemented also in this Project.
Right ownership covers PAPs with a previous legal right to land (including traditional land rights recognized by law), PAPs who did not previously have legal rights at the time of the census but had a claim for such lands and assets, and PAPs who did not have any defined legal rights for the land on which they are located.. Persons who claim rights to the land after the right ownership cut-off date are not entitled to compensation or any other type of resettlement support (Para. 15).	Under Turkish law, only legal property owners can receive compensation (by expropriation of physical assets). Right ownership criteria are defined for those who will be eligible for compensation. If there is state assisted resettlement, the resettlement department prepares special "resettlement projects" locally. Income, access to common property or social losses (such as opportunity cost) are not compensated through expropriation.	As of September 2020, PAPs, who have legal rights regarding the land and other assets within the scope of the Project, have been determined. If the person who is not legally entitled to the land and other assets, but will claim right ownership, will also benefit from the relevant compensation rights after the possession right determination process to be applied by MUSKI. At the same time, PAPs, who do not have legal rights on the land they currently occupy and can not claim, will be able to benefit from compensation rights regarding the assets (such as buildings and trees) on the land.
Negative impacts on local communities should be minimized (Para. 13 (b)).	Members of local communities are not considered "project affected persons" under	There will be no new resettlement areas or local communities prepared for this Project

World Bank Requirements (OP 4.12)	Regulations / Practices and Differences in Turkish Legislation	Mechanisms to be Used to Eliminate Differences
	Turkish law.	where PAPs will be settled.
For displaced persons whose livelihoods depend on land, priority should be given to land-based resettlement strategies (Para. 11).	Article 3, paragraph 1, clause a of the Settlement Law provides agricultural resettlement (land based) for the settler family.	During the consultation meetings, PAPs preferred monetary compensation.
Particular attention should be paid to the needs of vulnerable groups, in particular those under the poverty line, those without land, the elderly, women and children, ethnic minorities, etc. among the displaced persons. (Para. 8).	Pay, pensions, etc. will be given to those eligible for state-sponsored resettlement.	No vulnerable groups were identified during the land acquisition process under ALAP.
Arrangements should be developed for the monitoring practice of resettlement and assessment of its effects (Para. 13 (a)).	There is no provision regarding the monitoring issue.	A monitoring and evaluation program specific to the Project has been established within the scope of ALAP.
The entire budget of resettlement activities required to achieve the project's objectives is within the total budget of the project (Para. 20).	In accordance with Article 33 of the Settlement Law, all costs of resettlement activities are included in the budget of the organization performing the main project.	Resettlement and compensation costs were included in the total Project budget in the ALAP study

MUSKI will make maximum effort to eliminate the deficiencies stated under the headings above. If there is a difference between the valuation made according to the Turkish legislation and the full replacement cost, a mechanism will be established to cover the compensation difference by MUSKI or from social aid funds.

4. IMPLEMENTATION, COMPENSATION AND OTHER AIDS

The land acquisition process will be carried out by local units of MUSKI. Depending on the type of land (public or private), MUSKI will obtain permits, conduct negotiations, or acquire land by means of expropriation.

The valuation of assets will be done by expert engineers and other experts of MUSKI, before the acquisition of the private land. Once the valuation process is complete, all persons who will be compensated with the appropriate expropriation value will be contacted for negotiations. In the event that the negotiations fail, MUSKI will initiate legal action in accordance with the Expropriation Law. Valuation of immovables will be done by a Valuation Committee appointed by the Court. After the completion of the court process, MUSKI will deposit the compensation amount (equivalent to the replacement cost) determined by the court into the bank account of every owner before construction commences.

Compensation to be paid to property owners will be determined sufficiently covering the purchase of an equivalent property in the same region. The criteria specified in Article 11 of the Expropriation Law will be taken into consideration during the valuation of the expropriated properties.

The price of a land will therefore be determined according to 'equivalence value' method and the price of the agricultural lands will be determined according to the 'net income' method. For agricultural lands, the prices of properties is calculated according to the income method, based on average annual net income and capitalization interest rate. This will be done using data such as alternation scale, annual average yield and average unit prices of products in that region from the relevant provincial or district directorate of agriculture. The work flow chart regarding the expropriation process to be carried out within the scope of the project is presented in **ANNEX 2**. The expropriation process in question also includes the activities to be carried out for the lands for which easement rights will be acquired. A summary of the land valuation method in the process of establishing the easement right is provided below:

When pipes and channels pass through certain parts of the land, that is, under and above the land, instead of expropriating the immovable, easement right can be established on a certain part of the property by expropriation. In this way, the impairment of the property is calculated and the loss of the owner who suffered the damage is determined. The path followed in this process is as follows:

- 1) The expropriated land value is determined by the methods used in full expropriation.
- 2) The loss incurred is calculated according to the net income method. For this, the difference in net income (rent) of the land before and after the easement right is calculated.
- 3) In the land appraisal process, infinite (annual) income capitalization is used on **permanent easement**.
- 4) In the **temporary easement process**, since there is no permanent loss of value in the value of the real estate, instead of the deprived income of the real estate; The cost of easement right is calculated over the current rental value in the environment according to its location and characteristics

In cases where the land must be taken before harvesting, MUSKI will also compensate for the standing crops. Not only losses of the landowners will be compensated, but also losses of the land users who have plants, economic trees or structures during expropriation will be compensated. MUSKI will provide necessary effort to identify unauthorized users, through negotiations with landowners and local authorities. MUSKI will also investigate additional land conditions in the area for landowners and users not to be affected after the project. The immovable property research will be carried out by investigating the immovable properties owned by Municipalities, Treasury, Forestry and Public Administrations. Allocation permits or transfers of the appropriate lands will be provided and will be made available to the owners when deemed necessary. The size of the land that will be subject to the permanent easement agreement within the scope of the W2 project is 3739.81 m² and the number of owners to be affected by the relevant process is 34. The landowners will be allowed to use post-construction lands for which easement will be obtained for the construction of the sewer line. While the relevant disposition right will be suitable for the cultivation of herbaceous plants and agricultural products with their derivatives; Planting of deep rooted trees will not be allowed.

MUSKI will place a great importance on commencing the construction only after the harvesting season. However, if this is not possible (if crops are cultivated before the construction commences), evaluation of losses and damages will be carried out with the help of the Provincial Directorate of Agriculture and compensation for crops will also be paid.

In the event of publicly owned land acquisition, this compensation will be paid to village legal entities or in the Metropolitan Municipalities Governorships in accordance with the Municipality Law.

In case of needs such as electricity transmission lines or power distribution units, MUSKI will obtain electricity permits by applying to the ADM Elektrik Dađıtım A.Ş.who is authorized for the electricity distribution in Muđla Province. The electricity transmission project to be prepared as per the energy permit obtained will be submitted for the approval of the ADM Elektrik Dađıtım A.Ş.and following this, construction will be carried out. No land acquisition is planned for these processes.

If required, the necessary support will be provided by MUSKI in order to improve the livelihood of persons affected by expropriation.

In addition to the compensation amounts equivalent to the replacement cost, MUSKI or the Muđla Metropolitan Municipality will cover any livelihood loss from the social aid funds. Therefore, in order to prevent unjust treatment for the tenant and other project affected people some methods can be used such as purchasing the flowers planted by the tenant by MUSKI for the use in Metropolitan Municipality Parks and gardens; or employment for the construction of the Wastewater Treatment Plant and sewage network or other similar opportunities for increasing their income.

The rights and compensation to be provided under the project are presented in Table 6 in a matrix:

Table 6 Impact Categories and Entitlement Matrix within the scope of the project

Categories Affected	Ownership Right
Loss of all land ownership	Full replacement cost
Partial loss of the land (easement)	Full replacement cost of the part of the lost land. For the construction of the sewer line, the lands for which easement will be obtained will be allowed to be used by the landowners after construction. While the relevant disposition right will be suitable for the cultivation of herbaceous plants and agricultural products with their derivatives; Planting of root-growing trees will not be allowed.
Land parcels/structures that cannot be used, become non-functional	If a land parcel remaining after partial expropriation of a land is economically unavailable, this remaining part will be acquired and compensated on demand of the landowner (at full replacement cost).
Land structures (barn, hovel, fence, etc.)	Full replacement cost. No depreciation will be deducted.
Crops, trees and other land-based products	The crop value (market price) and the amount of investment amount made for the crop (input, labor, age of trees)
Land needed on temporarily bases	The market rental price for the duration of the lease. The land should be returned to the project affected individual, in the same condition as it was taken. If agricultural land and crops lost during the lease, the owner should be compensated for the crop losses for the duration of lease. If land is used for business and income is affected during the lease, the business shall be compensated for losses for the duration of the lease.
House	Full compensation based on replacement cost in a similar / comparable area plus moving and freight allowance. Depreciation will not be deducted.
Legal renters, employees or workers on the land or businesses	Assistance in finding a new place, moving and shipping allowance. In case of early termination of the lease agreement, compensation to ensure that the tenants are not negatively affected. Compensated for their income earned from the land, crops, and any investment made on the land, in a manner that they will not be worse off than before the project.
Affected Businesses	Full replacement cost of affected business place. Transitional assistance to re-establish business in new location and compensation for lost income (depending on case and time lost) as necessary

5. PUBLIC DISCLOSURE, CONSULTATION AND PARTICIPATION

Prior to land acquisition works, the preparation of the Environmental and Social Impact Assessment (ESIA) has been commenced. Within this scope, the Public Participation Meeting was held on 12 July 2016 with information on the environmental impacts of the project released to the public. In parallel to this meeting, a separate meeting has been held with the persons affected by land acquisition, on the same day. Although there are not enough provisions in Turkish Legislation in the matters of public consultation and disclosure on land acquisition, MUSKI has given the necessary information to local authorities and has left the Land Acquisition and Resettlement Policy Framework to local authority offices in order to notify the affected community. In regards to the complaint mechanism of the project, contact methods will be provided by delivering names and contact information of authorized persons, via local newspaper advertisements and announcements on website, posters and brochures to reach affected persons. The consultation process was carried out before MUSKI started the expropriation process. During the preparation of expropriation plans, MUSKI consulted with the affected people individually and informed them. Later, during the public participation meeting held on 1-2 August 2018 for the draft ESIA document, affected persons were also interviewed to explain the environmental and social impacts of the sub-project.

If required, negotiations for land acquisition will be conducted between the MUSKI local office staff and the affected persons and İller Bank will be informed through Land Acquisition Progress Reports.

MUSKI expropriation staff who have negotiated with landowners and other affected persons, have collected the socioeconomic information necessary for the implementation of this ALAP.

Negotiations to be conducted with the affected persons will continue throughout the land acquisition process, via visits by the MUSKI local expropriation team. Meetings conducted with participants and problems will be submitted through Land Acquisition Progress Reports prepared for İller Bank and the World Bank.

In cases where immovable owners or inheritors do not live in the immediate surroundings, the following procedures will be applied to reach the immovable owners:

1. Asking questions to local villagers and authorities for addresses research.
2. Using the national identification number of the person, officially registered place of residence is determined from land registry and cadastral records.
3. A notice is placed via announcement in accordance with Article 10 of the Expropriation Law No. 2942

In spite of all this, if the owner of the immovable still cannot be reached, the compensation fee of the immovable is deposited into the bank on behalf of the owner of the immovable. The owner of the immovable can withdraw the money at any time.

The information regarding the consultation activities carried out in İslamhaneleri and Dereköy neighborhoods within the scope of the MUS-W2 sewerage network line planned to be constructed are summarized below:

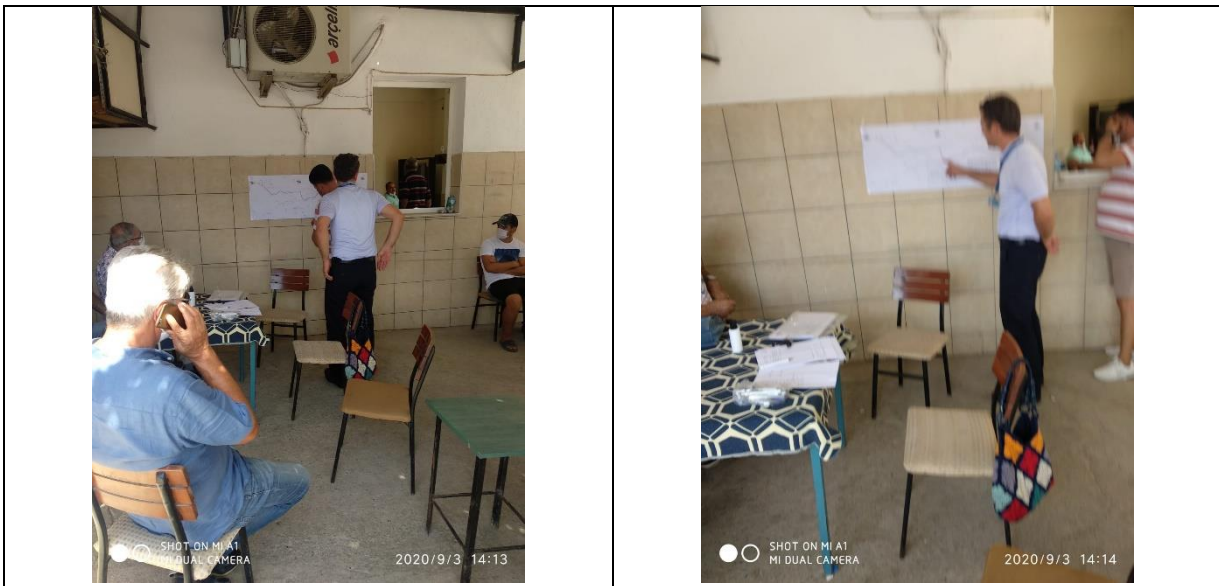
Regarding the complaint filed by the owner of the Islamhaneleri neighborhood, plot 101, parcel no 5, on 30 July 2020 against the passage of the sewer collector line through the tangerine gardens; a consultation meeting was held on 19 August 2020 by MUSKI Officials.

At this meeting, the neighborhood headman of the İslamhaneleri, the Project Manager of the Contractor Company and the Planning Branch Manager were present. At the meeting, on behalf of the property owner, it was explained to his son that the project was evaluated technically and that the construction could be continued from the route that appeared as a shrubbery / scrub in the northern part of the subject parcel, but was separated as a road in the cadastral layouts. In addition, it was stated that the said route construction will be carried out in front of all participants by making geodetic measurements in a way that will not damage any tree or structure on the immovable properties. The meeting was concluded on behalf of the property owner by his son that they would make the actual decision after evaluating the issue with his parents. A meeting was held again by MUSKI officials on 26 August 2020 and the aforementioned route revision with the participation of the main property owner and his spouse was explained to them both on the sheets and on the land itself (see **Photograph 1**). They said that they would discuss the issue with the family and report their evaluations later. On September 4, 2020, they contacted the Planning and Branch Manager and declared that they gave the right of easement for the route included with the layout and sketches in the latest supplement. It is agreed that the wastewater pipe production to be made will not damage mandarin trees and similar structure in no way. The owner of the immovable has also stated that they want to be present during the productions together with the Project Manager of the Contractor Company and perform the follow ups accordingly. Regarding the revision of the line to be constructed, the parcel owner has been paid the amount of road / meter crossed and at the parcel border and it has been committed to minimize the environmental and social effects. Provided that all rights of the parcel owners are reserved, MUSKI will hold a responsible position regarding the said construction work.



Photograph 1 - Photo of Consultation Activities with Land Owners on 26 August 2020

During the field visit, the works carried out on the parcels other than 101/4 and 101/5 were completed regarding the parcels where the works were carried out in the fields which have the characteristic of cropfield and tangerine gardens which take place in the Islamhaneleri and Dereköy neighborhoods. A Consultation Meeting was held with the mukhtars and the landowners for the parts up to the relevant parcel at the coffee house opposite the Islamhaneleri Mukhtarship on 03 September 2020 (see **Photograph 2**). In the meeting realized, the methods of evaluation of the alternatives of the relevant route and the alternative designs where the line crosses the garden border and cadastral route were shared with the participants. The opinions of the participants on the relevant issue were received and the easement right procedures for the route where the construction will be carried out were started as of September 2020 in accordance with the Expropriation Law No. 2942 and negotiations within the scope of the Law is in progress.



Photograph 2 - Photo of the Consultation Meeting Held on 3 September 2020 at the Mukhtarship of İslamhaneleri Neighborhood

6. GRIEVANCE REDRESS MECHANISM

The Grievance mechanism established by MUSKI allows for the recording of complaints, concerns and demands of affected persons and the evaluation of these in due time.

In order to resolve the complaints of affected persons in due time and in a satisfactory way, without causing any unjust treatment, MUSKI will establish an in-house Grievance Redress Commission for Sustainable Cities Project (SCP). MUSKI will also provide attention to ensure equal access to the mechanisms for resolving complaints, particularly for women and vulnerable groups (e.g. elders, disabled persons, etc.). MUSKI will provide the necessary effort to execute the grievance mechanism of the project properly for all information and consultation related to the affected persons and affected land(s) throughout the project period. MUSKI will allocate an accessible contact person (with name /position) to whom all kinds of problems (concerns, complaints, demands etc.) related to the project could be communicated, including the issues regarding land and property acquisition during the construction period. This person is responsible for keeping records of filed complaints. MUSKI will address and resolve all complaints in due time in accordance with World Bank policies. Complaints received will be notified to İller Bank via Land Acquisition Progress Reports.

The contact phone of both MUSKI and the authorities and the address of MUSKI has been delivered to local authorities. In case of any information requested on any issue, it is ensured that they can reach the MUSKI Call Centre. MUSKI have also made necessary arrangements within its own system, in order to record the complaints received within the scope of Sustainable Cities Project, separate from other investments made in the region. There is a separate grievance mechanism regarding SCP on the web site of MUSKI. The related link is below:

<https://muski.gov.tr/surdurulebilirsehirlerprojeleri.aspx#proje>

Complaints will be primarily addressed at the local offices opened by MUSKI. Grievance Redress mechanisms to be executed, specific to the Sustainable Cities Project (SCP) is displayed in the Table 7 below:

Table 7 - The Grievance Mechanism Established within the scope of Sustainable Cities Project

Level	Authority	Method	Procedures	Response Time
1.	Grievance Redress Commission www.muski.gov.tr sehproje@muski.gov.tr 444 48 01 0252 214 48 85 Orhaniye Mahallesi Uğur Mumcu Blv. No:41 Mentese/MUĞLA	Personally, by telephone, by writing; in all cases, grievances will be recorded in the Grievance logbook.	Lodging of grievance will be confirmed. Grievance will be assessed. Response / redress of grievance will be communicated to petitioner. If cannot be resolved, petitioner will be referred to Level 2, Level 3 or Court of First Instance depending on grievance.	1 week
2.	Municipality www.muski.gov.tr 0252 214 48 85 Orhaniye Mahallesi Uğur Mumcu Blv. No:41 Mentese/MUĞLA	Personally, by telephone, by writing, electronically; in all cases, grievances will be recorded in a grievance logbook.	Lodging of grievance will be confirmed. Grievance will be assessed. If needed will be examined on-site. Response / redress of grievance will be communicated to petitioner. If cannot be resolved, petitioner will be referred to Level 3 or Court of First Instance depending on grievance.	2 weeks
3.	İller Bankası A.Ş.– Ankara	By telephone, by	Lodging of grievance will be confirmed.	4 weeks

Level	Authority	Method	Procedures	Response Time
	(Uluslararası İlişkiler Dairesi Başkanlığı, Kızılırmak Mah. Ufuk Üniversitesi Cad. No: 12 Çukurambar / ANKARA, Tel: 0 312.508 79 27, e-mail: ilbankpyb@ilbank.gov.tr)	writing, electronically	Grievance will be assessed by the sub-borrower and İllerbank will be informed. Response / redress of grievance will be communicated to petitioner by the sub-borrower. İllerbank will monitor the sub-borrower to run the grievance mechanism smoothly. If cannot be resolved, petitioner will be referred to Court of First Instance.	
4.	World Bank's Corporate Grievance Redress Service		For information on how to submit complaints to the World Bank's corporate Grievance Redress Service, please visit , http://www.worldbank.org/GRS For information on how to submit complaints to the World Bank Inspection Panel, please visit, www.inspectionpanel.org	
5.	Relevant Court of First Instance (address)	By writing	According to legal regime	According to legal regime

Centers that can be reached for the grievances of citizens in the current situation are listed in the Table 8 below:

Table 8 - Authorities to be Reached by Persons Wanting to Provide Complaints / Opinions and Suggestions and Application Methods

Level	Authority	Form of Application	Things Done	Duration
1	MUSKİ Call Centre (Phone: 444 48 01 - ALO 185) Mehtap EYLEN (Environmental Engineer)	Telephone	The question or grievance is evaluated. The subject is transferred to the relevant staff responsible. Feedback is provided to the person. In case the grievance cannot be resolved, legal action is taken. There is a separate grievance redress mechanism related to the Sustainable Cities Project in MUSKI website. The link is given below: https://muski.gov.tr/surdurulebilirsehirlerprojeleri.aspx#proje	2 weeks
2	General Directorate of MUSKİ (Phone: 0252 214 48 40) (Fax: 0252 214 48 98) (Address: Orhaniye Mah. Uğur Mumcu Bulvarı No: 41 Mentеше / MUĞLA)	Face to face, by telephone, by fax, by writing	The question or grievance is evaluated. The subject is transferred to the relevant responsible staff. Feedback is provided to the person. In case the grievance cannot be resolved, legal action is taken.	2 weeks
3	Presidency Communication Centre (CIMER) (Phone: ALO 150) (Fax: 0312 525 58 31) https://www.cimer.gov.tr	By telephone, fax, by writing	The question or grievance is evaluated. The subject is transferred to the relevant responsible staff. Feedback is provided to the person. In case the grievance cannot be resolved, legal action is taken.	2 weeks
4	Relevant Civil Court of First Instance (Muğla)	By writing	Grievance is executed within the framework of the legal legislation.	Within the frame of legal process

Two complaints are related to land acquisition. Grievances about land acquisition issue, elaborate the actions and their status are shown in the table below.

Complaint Register Number	How Complaint is Received (Grievance Form, Community Meeting, Telephone)	Date of Complaint Received	Location of Complaint Received	Project Component Related to Complaint	Grievance Category (Construction, environmental issues, restriction to access, damage, land acquisition, complaint about a worker, accident etc.)	Grievance Category (if grievance is related to a confidential/sensitive issue ie. harrasment, bullying, fraud the person receiving the grievance should direct this to national referral systems immediately and record that this has been directed. All details of the complainant of the sensitive case should be kept strictly confidential and logged in a separate spreadsheet locked with a passcode which only the GRM focal point can access)	Complaint Summary	Grievance Status (open, closed or pending)	Action Taken				Supporting Documents for Grievance Closeout (if any, if a damage took place or any accident caused on user then all necessary documents should be recorded)
									Responsible Person/Department	Action Planned	Due Date of the Addressing the Grievance	Date of Action Taken	
1	E-mail	5.08.2020	Turgutreis	MUS-W2	Land Acquisition	Information Request	The complainant stated that the current project is passing through their 50 years old tangerine garden which is located on map section 101- 5. She proposed two different alternative route which are located in the north border and south borders of the garden. She kindly requested to stop the construction and evaluate the proposed alternative routes	Closed	Consultant Company	A meeting has been made with the complaints about the request for the betting subject. The alternative line route is working, and the technical and administrative process continues.	20.08.2020	20.08.2020	The Easement Process will be closed after its completion.
2	Sustainable Cities	25.08.2020	Turgutreis	MUS-W2	Land Acquisition	Information Request	According to the complaint regarding the er-tm3 / 1 code waste water pump station planned to be conducted in the coast region of gümüşkaya site, part 2, at the result of the construction of muskı authorities in the construction of the water pump with the power of the waterp it is declared that the station will be built into the soil to prevent the image pollution in the beach area and the sea view of the houses will not be closed. Including these terms, the stakeholder has reclaimed their objections in writing on 19.08.2020. In this scope, it is requested to provide written information about the final state of the project related to the er-tm3 / 1 code waste water pump station.	Closed	Consultant Company	Necessary technical information has been given from the e-mail address of sustainable cities.	9.09.2020	9.09.2020	Complaint Closed

Table 8 - Grievances About Land Acquisition Issue, Elaborate The Actions And Their Status

Addition to abovementioned channels and methods, individuals/groups/institutions who wish to submit grievance or give feedback can reach out Community Liaison Officers (CLOs) at all times. Contact details of the CLOs are given below:

MUS-W1:	MUS-W2:
Name: Selin SARAÇ	Name: Dilara Özçelik BAYBUĞA
Phone: +90 536 325 0358	Phone: +90 533 085 5994
E-Mail: selin.sarac@alkatas.com.tr	E-Mail: dilaraozcelikbaybuga@gmail.com

7. MONITORING AND REPORTING

MUSKI will ensure that the implementation of land acquisition process will be in full compliance with ALAP. As part of the ALAP implementation, MUSKI will prepare a Land Acquisition Progress Report, including the land acquisition process executed within the scope of the Sustainable Cities Project, and will submit this report to İller Bank every six months. This report will cover the following:

- ✓ Number of parcels, affected owners and their current status;
- ✓ The status of the negotiations, appeal and ongoing cases if any;
- ✓ Recommended and paid compensation (if possible, the size of the acquired land in square meters and an excel list showing the number and compensation paid);
- ✓ Negotiations conducted with affected persons (how often and the issues discussed);
- ✓ Types and number of filed grievances, percentage of resolved grievances; any ongoing and unsolvable problematic issue is stated, if any.
- ✓ Types and numbers of trees cut down and transported due to 2nd Stage WWTP construction

The purpose of the monitoring of land acquisition will verify the followings:

- ✓ The actions and commitments described in this ALAP are applied in due time;
- ✓ The affected persons have received full compensation within the agreed time frame;
- ✓ The grievances raised by persons affected by the project are followed and whether corrective actions are implemented for these grievances or not.

At the end of the project, MUSKI will submit a completion report describing all land acquisition activities and expropriation results to İller Bank and World Bank.

8. TIMING AND BUDGET

The foreseen timetable for land acquisition activities for the projects is presented below in Table 9:

Table 9 The Foreseen Timetable for Land Acquisition Activities

Year	2017	2018	2019	2020	2021
Construction Work of 1 st Stage WWTP and Sea Discharge in Bodrum District, Turgutreis Neighborhood		✓	✓	✓	✓
Public Disclosure	✓	✓	✓	✓	✓
Planned Compensation Payments	✓	✓	✓	✓	✓
Completion of Expropriation and Permit Proceedings in Bodrum District for the 2 nd Stage WTP	✓	✓	✓	✓	✓
Obtaining construction permits	✓				
Construction Work of Sewerage Network in Bodrum District		✓	✓	✓	✓

The easement right process, which will be carried out on the private lands in the İslamhaneleri and Dereköy neighborhoods, has started as of September 2019. The land easement valuation is still in progress for İslamhaneleri Houses and the value determination will be made in line with national legislation and OP 4.12. The Expropriation file was sent to the Ministry of Environment and Urbanization on 15.10.2020 for the approval of the Decision of Public Benefit taken by MUSKI Board of Directors. The Ministry responded that they will answer the letter according to the decision from the the Ministry of National Defense due to the region is in a military forbidden zone. The Ministry of National Defense sent the letter to the Aegean Army Command. According informal information which was given to MUSKI Administration, the Aegean Army Command approved the infrastructure work for the Military Forbidden Zone. Then the letter of appropriate opinion was sent to the Ministry on 08.01.2021 and the relevant file is expected to be approved.

The valuation method in the establishment of the easement right is depending the decrease in value that will arise in the entire property due to easement. In other words, the difference between the value of the immovable before expropriation and the expected value after the implementation is determining the valuation. This price is determined according to the size of the immovable, the mean of usage, whether it is a plot or agricultural land, the nature of the easement, the area it covers and the expropriation cost is calculated according to the rate of decrease in the value.

The approximate cost of the costs to be paid for the lands subject to expropriation as a result of the land acquisition activities carried out so far within the scope of the project is given in Table 10.

Table 10 - Approximate Cost Table of Expropriation Costs to be paid for Lands Subject to Expropriation within the Scope of the Project*

Item No	District	Neighborhood	Plot no	Parcel no	Deed surface area (m²)	Quality	(*) Expropriation Cost (as of 2017)
1	BODRUM	TURGUTREİS	421	10	16964.23	Masonry House and Citrus Garden and Partial Cropland	3.277.019,58 TL (6 people)
2	BODRUM	TURGUTREİS	421	10	16964.23	Masonry House and Citrus Garden and Partial Cropland	37.344 TL (1-person Tenant)
TOTAL							5.218.283,58 TL

(*)During the calculation of the estimated cost, the values for 2017 are used and the costs may vary depending on the situation when all expropriation processes are concluded.

9. INFORMATION DISCLOSURE AND STAKEHOLDER ENGAGEMENT DURING THE LAND ACQUISITION PROCESSES

In information dissemination efforts, MUSKI seeks to ensure that reliable, accurate information reaches all PAPs, by making it available in readily understandable and culturally appropriate formats and language. Following tools are used by MUSKI to engage with PAPs during the land acquisition processes include but not limited to:

- Project Leaflets

- E-mail

- Community Notice Boards

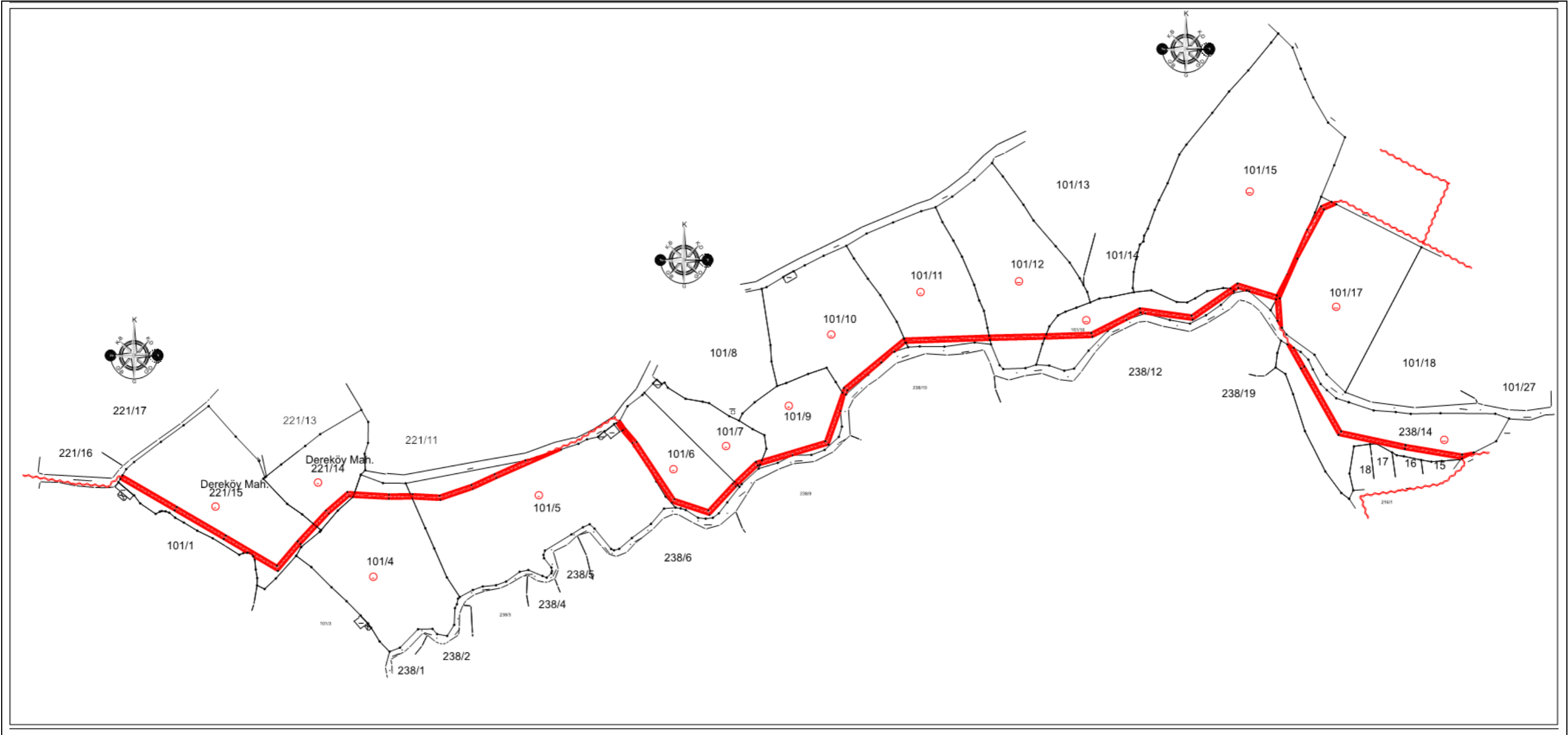
- Phone Calls

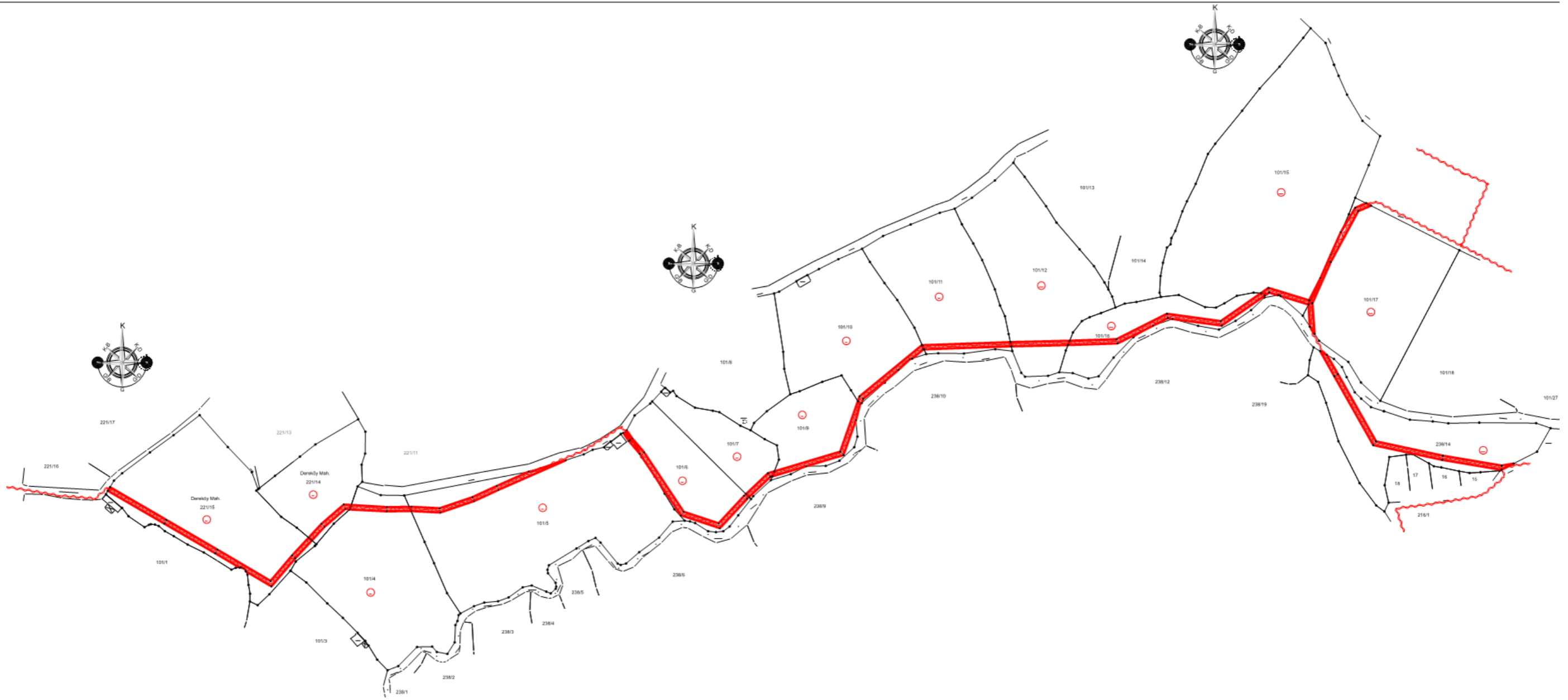
- Project Website

- Social Media Platforms

ANNEX 1

**THE MAP SHOWING THE DRAWING OF
THE SEWERAGE LINE NETWORK THAT
WILL PASS THROUGH LANDS THAT WILL
BE SUBJECT TO EXPROPRIATION IN
ISLAMHANELERİ AND DEREKÖY
NEIGHBORHOODS**





ANNEX 2

WORKFLOW GRAPH OF THE EXPROPRIATION PROCESS TO BE CARRIED OUT IN THE SCOPE OF THE PROJECT

