



# Resettlement Closeout Assessment / Completion Audit

Dominica Geothermal Development  
Company

PREPARED FOR



Dominica Geothermal Development  
Corporation

DATE  
September 2024

REFERENCE  
0741066





## DOCUMENT DETAILS

The details entered below are automatically shown on the cover and the main page footer. PLEASE NOTE: This table must NOT be removed from this document.

DOCUMENT TITLE	Resettlement Closeout Assessment / Completion Audit
DOCUMENT SUBTITLE	Dominica Geothermal Development Company
PROJECT NUMBER	0741066
DATE	September 2024
VERSION (delete field if unneeded)	02
AUTHOR	Katie Neddenriep
CLIENT NAME	Dominica Geothermal Development Corporation

## DOCUMENT HISTORY

				ERM APPROVAL TO ISSUE		
VERSION	REVISION	AUTHOR	REVIEWED BY	NAME	DATE	COMMENTS
Draft	01	Katie Neddenriep	Lindsey Bungartz	Ricardo Calvo	16 August 2024	First release
Revised	02	KN	LB	RC	15 Sept. '24	Revised



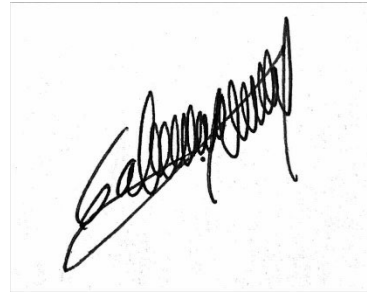
# Resettlement Closeout Assessment / Completion Audit

Dominica Geothermal Development Company  
0741066



---

**Ricardo Calvo**  
Partner in Charge



---

**Gabriela Morales**  
Project Manager

ERM, Inc.  
1776 I St. NW  
Suite 725  
Washington, D.C. 20006  
T +1 202 466 9090

© Copyright 2024 by The ERM International Group Limited and/or its affiliates ('ERM'). All Rights Reserved.  
No part of this work may be reproduced or transmitted in any form or by any means, without prior written permission of ERM.



## CONTENTS

EXECUTIVE SUMMARY	1
1. BACKGROUND	3
1.1 OVERVIEW OF PROJECT AFFECTED PEOPLES	4
1.2 LEGAL CONTEXT AND ELIGIBILITY	5
2. ASSESSMENT OBJECTIVES	7
3. METHODOLOGY	8
3.1 DESK-BASED RESEARCH	8
3.2 PRIMARY DATA COLLECTION	8
4. KEY FINDINGS	10
4.1 PUBLIC INFORMATION AND CONSULTATION	1
4.2 COMPENSATION PROVIDED	1
4.3 PARTICIPATION	2
4.4 ADEQUACY OF REPLACEMENT HOUSING	3
4.5 LIVELIHOOD RESTORATION EFFECTIVENESS	3
4.6 HOST COMMUNITY INTEGRATION	3
4.7 CULTURAL PROPERTY IMPACTS	3
4.8 VULNERABLE PERSONS & GROUPS	3
4.9 GRIEVANCE MANAGEMENT	4
4.10 RECORDKEEPING AND DOCUMENTATION	5
4.11 MONITORING AND EVALUATION	5
5. CONCLUSIONS, RECOMMENDATIONS, AND CORRECTIVE ACTION PLAN	7
5.1 CONCLUSIONS	7
5.2 RECOMMENDATIONS	7
5.3 CORRECTIVE ACTION PLAN	9

APPENDIX A INTERVIEW QUESTIONNAIRE

APPENDIX B SUMMARY OF PAP INFORMATION

APPENDIX C RAP TABLES

---

### LIST OF TABLES

TABLE 3.1	RAP AUDIT SITE VISIT AGENDA	8
TABLE 4.1	RAP REQUIREMENT IMPLEMENTATION STATUS ASSESSMENT	1

---

### LIST OF FIGURES

FIGURE 1	MAP OF PROJECT AFFECTED PROPERTIES	5
----------	------------------------------------	---



## ACRONYMS AND ABBREVIATIONS

<b>Acronym</b>	<b>Description</b>
CDB	Caribbean Development Bank
CLO	Community Liaison Officer
DGDC	Dominica Geothermal Development Company Limited
GoCD	Government of the Commonwealth of Dominica
IDB	Inter-American Development Bank
PAP	Project Affected Person
RAP	Resettlement Action Plan

## EXECUTIVE SUMMARY

The development of the Dominica Geothermal Project has necessitated the purchase of part or all of some properties in the community of Laudat. The Inter-American Development Bank (IDB) and Caribbean Development Bank (CDB) are financing the project and, because of the need to acquire lands, a Resettlement Action Plan (RAP) was developed in 2022 to align with lender's environmental and social safeguards.

A total of 24 Project Affected Persons (PAPs) were identified. Only one single-person household was required to relocate from their residence. All land disturbance, relocation, or resettlement related to the 24 PAPs included in the 2022 RAP has been completed, though not all payments had been made as of the close of this audit (July 26, 2024). This document provides an assessment of the execution of the land acquisition and compensation process against the 2022 RAP. Additional properties have been identified for acquisition for a transmission network, though these will not be financed by the CDB or IDB; and therefore, were not included in the 2022 RAP. Such properties are not part of this audit.

A combination of desktop document reviews, in-person interviews, and a site visit were conducted to evaluate the implementation of the RAP. Included in the desktop review was an analysis of the Dominica Geothermal Development Company Limited (DGDC) Grievance Register which reports 45 grievances received from July 2017 through June 2024. Of the 45 grievances recorded, eight are pending resolution. Section 4.9 provides more detail on grievances submitted.

Navigating the land acquisition process has proven challenging in the community of Laudat due to many of the properties being legacy land passed from one generation to the next without proper, updated documentation. The Lands Department within the Government of the Commonwealth of Dominica (GoCD) recognizes this and has worked with PAPs to satisfactorily prove land ownership for this process.

The DGDC team are well-respected in the Laudat community and have made great efforts to implement the RAP within their capabilities and responsibilities. The most important and complex aspect of the RAP – land acquisition – is largely outside of control or influence by the DGDC which has caused frustration for a few of the PAPs. The DGDC Community Liaison Officer (CLO) and other representatives continue to monitor PAPs through regular visits to Laudat, community meetings, and other outreach efforts. This monitoring and outreach should continue through confirmation of payment to all PAPs and completion of Project construction.

The RAP should be considered partially implemented as of the time of this report. Of the 17 PAPs interviewed during the site visit, two PAPs have only received partial compensation, and two PAPs are identified as having funds disbursed, but they have not received/do not have access to those funds. Seven of the 17 PAPs interviewed stated they are still waiting for updated titles to their property reflecting the adjusted property boundaries and remaining land ownership. Of the seven PAPs not interviewed, a report provided indicated three have not yet received compensation for their property. The other four have payment amounts listed, though the status of their payments



could not be confirmed. As such, the objectives of the RAP have not been met. This report provides a set of corrective actions the DGDC should implement to complete the RAP.



## 1. BACKGROUND

The development of the Dominica Geothermal Project (“the Project”) involves the construction of a Geothermal Power Plant, an injection pipeline and three production wells (WW-P1, RV-P2 and WW-03)—already drilled and tested—and an injection well (RV-I2), also drilled and tested<sup>1</sup>. The Project required the purchase of part or all of some properties in and around the community of Laudat. An Environmental and Social Impact Assessment (ESIA) undertaken by Jacobs (2018)<sup>2</sup> included a social baseline conducted in 2016-2017 which captured initial information on the Laudat community and identified resettlement needs of the Project. Eclipse Inc. was contracted in 2020 by the Dominica Geothermal Development Company Limited (DGDC) to prepare an ESIA for the Reinjection Line and Well Pad which included conducting surveys of Project Affected Peoples (PAPs), including specific questions related to land acquisition. Environmental Resources Management, Inc (ERM) prepared an addendum to the 2018 ESIA, including a Resettlement Action Plan (RAP)<sup>3</sup>, which was approved by InterAmerican Development Bank (IDB) and the World Bank. The RAP was developed to establish a framework for the land acquisition process aligned to international best practice and the IDB and World Bank requirements. The objective of this report is to assess the alignment of resettlement and compensation execution with objectives set out in the 2022 RAP and determine whether the RAP has been fully implemented. Where gaps are identified, corrective actions are issued.

Resettlement activities and impacts have been taking place for several years, with physical and economic impacts taking place at various times as Project exploration and development has progressed. One PAP noted the Project has “taken a lot of time” and indicated there had been communication and activity regarding a geothermal project in Laudat since 1997. A payment status report and the August 2020 monthly report provided by the DGDC reflect land acquisition efforts were underway prior to the finalization of the RAP in December 2021. The payment report lists one payment made to a PAP in October 2018 and the August 2020 monthly report lists 21 PAPs at various stages of land acquisition. DGDC led the implementation of the RAP, through its Safeguards Officer with primary support from the Community Liaison Officer (CLO) and additional staff support as needed. Since the initial implementation of the RAP, there have been three Safeguards Officers. The CLO has been the same throughout and PAPs recognize this person as a trusted individual.

The DGDC is leading community engagement for the development of the Project, including land acquisition. Outreach related to land acquisition for the Project has been conducted through Community Meetings to share broad, generalized Project information and individual contact to share detailed information and specific project impacts. Most interaction with the PAPs has been

---

<sup>1</sup> Well drilling and flow tests are finished. The construction of the power plant and injection pipeline is currently being done by the private company Ormat, Inc, through its subsidiary Geothermal Power Company of Dominica (2023) LTD (or GPDC). Ormat and the DGDC signed a concession agreement that became effective in January 2024. Ormat Nevada—another Ormat, Inc subsidiary—is the Engineering, Construction and Procurement (EPC) Contractor of the Project. Ormat Nevada signed a contract with GPCD in March 2024 and early works for construction July 2024.

<sup>2</sup> Available at: <https://www.geodominica.dm/esia>

<sup>3</sup> Available at: <https://www.geodominica.dm/resettlement-action-plan>



one-on-one due to the sensitivity of information being discussed and desire to maintain confidentiality of compensation details. Ongoing monitoring is done through individual contact with the PAPs. Section 4.1 provides additional details related to public information and consultation.

In December 2023 the GoCD signed a concession agreement with Ormat Technologies to complete development of the Project and bring it into operation. Ormat has begun participating in community outreach and public consultations related to the Project and three Ormat representatives were present during the kickoff meeting during the site visit of this consultancy.

## 1.1 OVERVIEW OF PROJECT AFFECTED PEOPLES

The 2022 RAP identified 24 Project Affected Persons (PAPs) eligible for compensation. Of the 24 PAPs identified in the RAP, one was required to relocate from their personal residence. One PAP had livestock structures on the acquired property. The remaining 22 PAPs had some or all of their land acquired, and structures located on impacted properties were either abandoned and not in use or were not impacted by project activities. Besides the former, there were no significant physical or economic displacement for most PAPs for the activities financed by CDB and IDB. Appendix B provides a list of the PAPs, their respective land uses prior to project acquisition, the intended project purpose, demographic profiles, RAP implementation status, and compensation details as available through July 26, 2024.

Four of the PAPs (PAP # 1, 2, 17 and 20) were considered vulnerable persons based on a set of criteria set out in the RAP, considering income, age, and dependency, among other factors. Per Table 8.1 of the RAP ("Vulnerability Matrix"), these PAPs were considered vulnerable for the following reasons:

- PAP #1: Low income, receipt of Government support programs, and home or livelihood damaged by Hurricane Maria.
- PAP #2: Sole earner in household, elderly or disabled, unemployed.
- PAP #17: Elderly, home or livelihood damaged by Hurricane Maria.
- PAP #20: Sole earner in household, low income, home or livelihood affected by Hurricane Maria.

The RAP provided an additional category of potential support, consideration, and compensation for vulnerable parties including "Supplemental compensation for loss of annual income...Priority for livelihood and agriculture restoration components...Special arrangements in the form of transportation to negotiations, meetings and access to independent advice on the process."

Following the onsite interviews, it is recommended PAP #11 and PAP #21 be considered vulnerable parties as well for the following reasons:

- PAP #11: low income, home or livelihood damaged by Hurricane Maria, uncertain situation with payment.

- PAP #21: low income, home or livelihood damaged by Hurricane Maria, uncertain situation with payment.

Figure 1 provides an illustration of the location of lands owned by PAPs.

**FIGURE 1 MAP OF PROJECT AFFECTED PROPERTIES**



## 1.2 LEGAL CONTEXT AND ELIGIBILITY

Property acquisition for public projects in Dominica is governed by the Land Acquisition Act Chapter 53:02. For the Project, once a property was identified for acquisition, the DGDC made initial contact with the landowner either by a call, visit, and/or letter notifying the landowner of the Project's interest in their property. Once this notification is made, the Government of the Commonwealth of Dominica (GoCD) surveys the land, completes a valuation assessment according to Section 19 of the Act and makes an offer to the landowner.

Section 19a of the Act establishes that "the value of the land shall...be taken to be the amount which the land, in its condition at the time of the acquisition, if sold in the open market by a willing seller, might have been expected to have realized...". Per its web site (<https://housing.gov.dm/en/property-valuation>), the Ministry of Housing & Urban Development "Maintains a real-time property sales database which serves as a basis for preparing valuation rolls for the main housing settlements and providing realistic public sector valuations".

Valuation assessments reflected three comparable properties, their identifying characteristics (such as land condition and potential use), and their associated valuations. Assessments did not identify a formula, such as an average, for determining the value offered to a PAP against the comparable properties. Following extension of an offer, two public notices are published in the

Gazette, approximately seven (7) days apart. Once the acquisition has been published twice in the Gazette, negotiations may take place. Changes in valuation resulting from negotiations may be made if sufficient justification for a change is presented. Upon finalizing the price to be paid for the property, the Lands & Treasury Department submits the acquisition to the Cabinet for approval of payment for land and buildings. The Lands & Treasury compensates for land and buildings. The DGDC does not participate in this process and receives no documentation unless the PAP provides copies of documents received from GoCD. The DGDC facilitates payments for crops and trees, transitional support, loss of income due to impacts to economic activities related to affected properties, and livelihood restoration support.

The eligibility criteria and entitlement framework were defined in Table 5.1 of the 2022 RAP. Appendix B of the RAP details how the value of lands, structures, and crops are determined, with Actual Unit Costs for Crops being defined based upon plant bearing or non-bearing. These are included in Appendix C of this report for reference.

## 2. ASSESSMENT OBJECTIVES

The Resettlement Action Plan was developed to establish a framework for supporting PAPs and provide guidance for managing displacement impacts while meeting national and international requirements. The RAP is a resource to guide resettlement activities to facilitate a fair and equitable process for all parties involved.

The RAP closure report has the following specific objectives:

- Assessment of the compliance of the implementation of resettlement, relocation and livelihood restoration activities with objectives and methods as set out in the RAP
- Assessment of the compliance of the implementation of the RAP process with laws, regulations and safeguard policies
- Assessment of compensation procedures as they have been implemented
- Evaluation of the impact of the resettlement, relocation and livelihood restoration process on incomes and standard of living, with focus on the requirement that PAPs are not worse off because of displacement
- Identification of actions to take to close identified gaps or rectify shortcomings

ERM assessed the implementation of the RAP and prepared this closure report. The assessment followed the methodology outlined in Section 3 to evaluate implementation of the RAP against the guidelines set forth in the plan and determine whether implementation is complete or to identify any corrective or remaining action items.

### 3. METHODOLOGY

ERM used a dual-pronged approach of desk-based research and primary data gathering to inform the close-out Assessment.

#### 3.1 DESK-BASED RESEARCH

The objective of this task was to familiarize the team with the PAPs and the RAP objectives, understand any concerns or grievances raised to date, identify potential vulnerable PAPs, and inform methods for primary data collection. ERM completed a desk-based review of existing documents and records including the RAP, grievance log, land acquisition and livelihood restoration reports, a sampling of DGDC monthly reports and a recording of a Laudat community meeting held in December 2023.

Following the field visit in July 2024, some additional information was requested and provided for review.

#### 3.2 PRIMARY DATA COLLECTION

The objective of this task was to gather a first-hand account of the RAP implementation from the PAPs and other parties involved in the property acquisition. ERM's RAP specialist conducted field research on July 22-26, 2024 (Table 3.1).

ERM conducted interviews with 17 of the 24 PAPs (71 percent). Interviews were held in-person for PAPs living in the Project Area, and via phone for those living abroad or unavailable to meet at the DGDC office or in the Laudat community. One PAP was interviewed at his home and another at the construction site of his new residence. A copy of the interview questions used to guide conversations with PAPs is provided in Appendix A.

During the site visit, ERM also met with the RAP implementation team and reviewed nine (9) of the PAP files and the grievance records. PAP files were reviewed for documentation of communications, valuations, and payments. ERM also spoke with the DGDC's Safeguards Officer who led the initial implementation of the RAP and left the DGDC in September 2022.

DGDC provided transportation and communication support throughout the week.

**TABLE 3.1 RAP AUDIT SITE VISIT AGENDA**

Day	Activities	Participants
1	Project team meeting – review ESIA updates RAP Implementation Team meeting (Safeguards Lead, Social Specialist & Program Support Team Lead, Program Support Officer, and Community Liaison Officer) PAP file reviews	Project Developer (Ormat) DGDC ERM
2 & 3	PAP Interviews in Laudat, via phone and at DGDC Office in Roseau (17 of 24 PAPs interviewed)	ERM
4	Public Consultation event (included comments on RAP)	ERM, DGDC



Day	Activities	Participants
	Lands & Surveys Division, Ministry of Housing and Urban Development Meeting (Director of Surveys and Commissioner of Lands)	
5	Closeout session Safeguards Lead discussion; PAP file reviews	ERM, DGDC

## 4. KEY FINDINGS

After conducting PAP interviews and reviewing files, the following themes emerged:

- Two agencies implement the RAP: DGDC, which maintains close communication with PAPs and attends to compensation other than land acquisition, and the Land and Survey Division, which assesses the property value and manages acquisition and payment.
  - These two agencies carry out their functions separately. We found no evidence that the Land and Survey Division was aware of or used the RAP to manage their valuation and acquisition.
  - The Land and Survey Division establishes a value for the land and there is little or no room for negotiating the value.
  - The DGDC team is respectful and professional and have made good efforts at communicating with PAPs and continue to be available and responsive.
- Property owners were unhappy because they feel there was not a true opportunity to negotiate in the process. Some obtained independent valuations, but this did not change the government's offer.
- The timeline for receipt of payment is not consistent across all PAPs. Six of the twenty-four PAPs are still waiting for partial or full payment.
- Seven of the seventeen PAPs interviewed, who only had a portion of their land acquired, are still awaiting their updated land ownership titles.

Table 4.1 below summarizes requirements of the RAP and ERM's assessment of implementation. The table includes recommendations to close any gaps identified and to continue successful implementation of those aspects which were considered completed or ongoing. Appendix B summarizes the status of the PAPs.

TABLE 4.1 RAP REQUIREMENT IMPLEMENTATION STATUS ASSESSMENT

RAP Requirement	Responsible	Status	Implementation Observed	Recommendation
Consultation with PAPs on resettlement site options, livelihood restoration, compensation or improvement measures (training, financial training/credit opportunity, business training)	DGDC	Ongoing	<ul style="list-style-type: none"> <li>Initial consultation and communication with PAPs is complete</li> <li>Physically displaced PAP was involved in the selection of new property</li> <li>Ongoing, informal engagement takes place between CLO and PAPs during regular visits to community</li> </ul>	<ul style="list-style-type: none"> <li>Continue regular visits to community and engagement with PAPs</li> <li>Document engagement with PAPs and add to individual files</li> <li>Identify additional opportunities for PAPs as project development advances and moves into operation</li> </ul>
<p>Compensation: land acquisition - replacement cost (market value, transaction costs, transfer/retitling fees, salvageable materials). Compensation as "mutually agreed" with landowners.</p> <p>Payment timing and land possession: possession of land only after compensation has been paid in full.</p>	GoCD	Partial	<ul style="list-style-type: none"> <li>Acquired lands have been accessed / impacted, however, not all PAPs have received full compensation</li> <li>Process is aligned to National Land Acquisition Act policy; but does not align step-by-step with RAP requirement.</li> <li>PAPs indicated there was little to no negotiation in the process</li> <li>6 of 24 PAPs are still awaiting payment</li> <li>7 of 17 PAPs interviewed need updated land titles</li> </ul>	<ul style="list-style-type: none"> <li>Follow up with PAPs awaiting payment to verify when payment is made</li> <li>Follow up with Titles Registry and Lands Department to expedite/influence process and ensure prompt issuance of titles</li> <li>Request documentation from PAPs / GoDC regarding land valuations and payments to add to PAP files</li> </ul>
Compensation: loss of residential structures	GoCD	Complete	<ul style="list-style-type: none"> <li>The only physically displaced PAP has moved and is living in a new home which is larger and more easily accessed than the prior residence</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>
Compensation: loss of agricultural structures	GoCD	Complete	<ul style="list-style-type: none"> <li>Individual compensated for impacted structures</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>

RAP Requirement	Responsible	Status	Implementation Observed	Recommendation
Compensation: loss of crops/trees	DGDC	Complete	<ul style="list-style-type: none"> <li>Individuals impacted compensated for loss</li> </ul>	<ul style="list-style-type: none"> <li>While this requirement is complete, it is recommended to follow up with impacted PAPs to confirm adequate replacement and provision of additional support if needed (part of closeout survey of PAPs)</li> </ul>
Compensation: transitional support	DGDC	Complete	<ul style="list-style-type: none"> <li>Support provided to impacted PAPs as identified</li> </ul>	<ul style="list-style-type: none"> <li>Continue regular visits and monitoring for possible identification of additional needs</li> </ul>
Compensation: loss of income	DGDC	None	<ul style="list-style-type: none"> <li>No evidence of lost income</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>
Livelihood restoration (DGDC)	DGDC	Ongoing	<ul style="list-style-type: none"> <li>Two PAPs eligible for livelihood restoration have not expressed interest in livelihood restoration support</li> <li>As needs are identified DGDC responds</li> <li>Two PAPs displaced are closely monitored to identify needs for additional support</li> </ul>	<ul style="list-style-type: none"> <li>Continue regular visits and monitoring for possible uptake of livelihood restoration activities</li> </ul>
Support/compensation: loss experienced by vulnerable parties	DGDC	Partial	<ul style="list-style-type: none"> <li>Transportation support provided between Laudat and Roseau if needed</li> <li>Ongoing consideration of potential vulnerabilities is lacking, leading to some PAPs still not having received compensation (e.g., PAP #21)</li> <li>2 PAPs interviewed are reported as funds having been paid, but the PAPs have not</li> </ul>	<ul style="list-style-type: none"> <li>Follow up with vulnerable PAPs to identify support needed</li> <li>Continue regular visits and monitoring for possible identification of additional needs</li> <li>Support the 2 PAPs who say they have not received payment to track payment and clarify the fate of the proceeds.</li> </ul>

RAP Requirement	Responsible	Status	Implementation Observed	Recommendation
			received the funds, nor do they know where the funds are	
Support for displacement	DGDC	Complete	<ul style="list-style-type: none"> <li>One individual (not a PAP) requested support for temporary displacement during construction. Support was provided and resolved.</li> <li>No other displacements identified</li> </ul>	<ul style="list-style-type: none"> <li>No further actions</li> </ul>
Opportunity to derive development benefits from Project	DGDC	Ongoing	<ul style="list-style-type: none"> <li>Local workforce utilized where possible</li> <li>Additional training and recruitment efforts planned as project development advances and when operations commence</li> </ul>	<ul style="list-style-type: none"> <li>Continue regular visits and engagement to share opportunities with community members, particularly PAPs</li> </ul>
Grievance Mechanism	DGDC	Implementations complete	<ul style="list-style-type: none"> <li>Grievance mechanism information is posted on the DGDC website and CLO has forms available when engaging with the community members</li> </ul>	<ul style="list-style-type: none"> <li>Add to grievance register: category to classify grievances and time to close</li> </ul>
Monitoring & evaluation	DGDC	Ongoing	<ul style="list-style-type: none"> <li>Continued engagement with PAPs will facilitate identification of potential concerns or issues requiring attention</li> <li>Continue including PAP status in monthly reports</li> </ul>	<ul style="list-style-type: none"> <li>Update monitoring protocol to align with monitoring requirements established in the RAP</li> <li>Establish protocol and practice of documenting engagement</li> <li>Conduct community survey to assess impacts on livelihoods against last survey results</li> </ul>



RAP Requirement	Responsible	Status	Implementation Observed	Recommendation
				<ul style="list-style-type: none"> <li>• Prepare summary implementation reports quarterly</li> <li>• Prepare closeout report for each PAP when process is deemed complete</li> </ul>

## 4.1 PUBLIC INFORMATION AND CONSULTATION

The DGDC has held seven community meetings in Laudat since January 2021 to provide Project updates, including the need for land acquisition. Public consultation events were also held in surrounding communities in the Roseau Valley and virtually to share project information. An interview with the Safeguards Officer who supported the RAP's early implementation indicated there were one or two meetings with landowners in Laudat, one of which included a representative from the Lands Department to explain the land acquisition process and respond to questions.

Additionally, DGDC representatives have frequent direct, one-on-one contact with PAPs and community members. The CLO is regularly in the community and conducts periodic visits to monitor the progress. During our site visit, we observed that, as the CLO is driving through the community, residents will stop him to chat, share concerns, or provide updates.

Monthly reports from 2020 to present include highlights of community meetings and public consultations and, when no organized events are held, state the "DGDC continues to engage the community and impacted persons both directly, through the Community Liaison Officer with support from the wider DGDC staff and indirectly through public announcements via the various media outlets." The routine presence of the CLO in the community is the most frequent, current engagement providing insight into how PAPs are doing.

Seven PAPs interviewed expressed they were dissatisfied with the communication around the land acquisition process. Three PAPs interviewed stated they wished there had been more communication, with one PAP stating they "should have brought everyone together." The Safeguards Officer noted, "Group meetings focused on lands have not been a preferred tool for communication due to the sensitivity of land ownership in the project area – especially in Laudat where ownership disputes are not uncommon. Collective discussions, while useful, could have negative impacts with PAPs desiring confidentiality."

## 4.2 COMPENSATION PROVIDED

The compensation provided for land and associated buildings was reportedly calculated in accordance with Dominican law and as detailed in Appendix B of the RAP, which is included in Appendix C of this report. Detailed documentation of each PAP valuation and final payment decision was not readily available, as the Government does not provide copies of this documentation to the DGDC. The DGDC is only able to add it to a PAP file if the PAP provides a copy. While many PAPs expressed dissatisfaction with the process and amount paid, and stated there was no opportunity for negotiation, the documents available for review detailing the valuations for some properties were consistent with the RAP. There was also evidence in PAP files and in three PAP interviews of successful negotiation, meaning the PAPs were able to provide information to the government justifying a higher rate of compensation for their land and leading to payment at a rate greater than what was initially offered, though most still felt their property was undervalued at the end.

During our interview, the Director for Surveys and Commissioner of Lands, Mr. Marcus Lestrade, acknowledged the Land Acquisition Act “is rough” and doesn’t always represent the best interest of the PAPs. In efforts to reduce the impact to PAPs, land acquisitions are registered as “compulsory”, which eliminates a 2.5 percent fee usually charged on land transactions.

Compensation for trees and crops paid by the DGDC were calculated according to the RAP. As noted in the RAP, while some PAPs indicated they derived income from some crops on the property, none kept records of sales to verify actual lost income. Due to the absence of income records, no income replacement was paid. Two of the PAP files reviewed contained documentation regarding compensation for loss of crops. The valuations reflected were in alignment with those detailed in Appendix B of the RAP.

For most PAPs, their property was not actively in use either residentially or agriculturally, so payment was additional revenue which several utilized to pay down other obligations.

Of the 24 PAPs identified:

- Four PAPs have not received compensation for their acquired property,
- Two PAPs have only received partial compensation, and
- Three PAPs are identified as having funds disbursed but have not received/do not have access to those funds.

PAPs who had only a portion of their land acquired (13 of 17 interviewed) reported they have not yet received their updated land titles reflecting adjusted property boundaries and documenting land ownership.

### 4.3 PARTICIPATION

There was a broad range of engagement approaches in the process of negotiating the land acquisition by the Government. One PAP is an attorney who was actively involved; some PAPs navigated the process on their own; and some chose to hire an attorney or other individual to represent their interests in the process.

The PAP who was physically displaced actively participated in the selection of the relocation site and chose to take payment for his property rather than alternate property available from the Government.

Several PAPs indicated they participated in all community meetings to hear about project updates. One PAP indicated the Project has been in discussion for so long, there is a level of fatigue around when the Project will become a reality, leading some to not be as actively involved.

Eleven of 17 PAPs interviewed expressed frustration and dissatisfaction with the land acquisition process. Thirteen of 17 PAPs interviewed felt there was no opportunity for negotiation or reported that efforts to negotiate were useless.

#### 4.4 ADEQUACY OF REPLACEMENT HOUSING

The physically displaced PAP relocation process took place between January and June 2022. Between March and April 2022, the PAP started his relocation and constructed a temporary wooden house to live in on the new property. Between May and June, he began excavation and construction on his new house. This PAP utilized the payment received for his land to purchase a property. The property for his new home is not far from his original property and is closer to the central part of the Laudat community. The new location has better access to community resources and primary roadways. Additionally, the new home he constructed is larger, stronger, and more easily accessible.

#### 4.5 LIVELIHOOD RESTORATION EFFECTIVENESS

Individuals eligible for livelihood restoration support have been provided some support to improve access roads to their property. No additional needs have been identified to date. The DGDC continues to monitor these PAPs to make support available when desired. PAP #1 had previously raised sheep on his property and decided to no longer raise sheep prior to the project acquiring his land, eliminating a need for additional livelihood restoration support.

It is too soon to determine effectiveness of crop replacement compensation, as the trees will take some time to mature to production levels equal to those prior to property acquisition. PAPs provided with crop replacement compensation did not provide evidence of income loss or report a financial burden of having to purchase produce previously sourced on their properties. No other PAPs expressed burdens (financial or otherwise) due to loss of crops on their acquired properties.

#### 4.6 HOST COMMUNITY INTEGRATION

There were no PAPs relocated to a new community because of property acquisition. The individual relocated his residence remained within the community, where he was already a community member.

The CLO is a resident of the Laudat area, and both he and the project have been accepted by members of the host community.

#### 4.7 CULTURAL PROPERTY IMPACTS

There were no cultural properties identified among the lands acquired for Project development.

#### 4.8 VULNERABLE PERSONS & GROUPS

The RAP identified four PAPs as vulnerable individuals, as identified in Appendix C, who may require additional support throughout the land acquisition process. The DGDC reported they encouraged vulnerable individuals to take someone with them to negotiations to help them navigate the process or represent their interests. The DGDC provided support to one PAP considered vulnerable in the negotiation process. This type of support was not consistently provided to all PAPs considered vulnerable in the RAP.

One PAP interviewed during the site visit is disabled and unable to leave his home without assistance. This PAP is still awaiting compensation. Another PAP interviewed is perceived to have lower financial literacy and is still awaiting compensation. Based on feedback received during the PAP interviews, it appears support for vulnerable PAPs was inconsistent and did not consider additional vulnerabilities which may have emerged during the RAP implementation.

## 4.9 GRIEVANCE MANAGEMENT

The project-wide grievance mechanism was launched in 2017, and records reviewed indicate it is active and effective to the present day. The mechanism and reporting forms are available on the DGDC website, there is an option to submit a grievance directly on the website, and the CLO keeps copies of the grievance form with him when traveling throughout the community for distribution if needed.

Table 4.2 summarizes the grievance register. From 2017 to present there have been 45 grievances registered, with 8 pending resolutions. The DGDC does not categorize grievances in their register, so ERM categorized them in Table 4.2.

**TABLE 4.2 GRIEVANCE REGISTER ANALYSIS**

Category	Count	Resolved	Pending
Compensation	2	1	1
Construction Nuisance	13	12	1
General concern	2	2	0
Income Loss	4	4	0
Land Access	5	5	0
Personal Health & Wellbeing	3	3	0
Property Damage	16	10	6
Totals	45	37	8

The two grievances related to compensation were from PAPs:

- One PAP reported he was not compensated for legal fees related to the land acquisition process. This grievance was submitted in 2022 and was resolved by reimbursing the expense.
- The other PAP was not content with compensation provided for his crops. This grievance was submitted in May 2024 and is pending resolution. DGDC is conducting further review of property assessments and discussions with the stakeholder.



Of the 45 grievances submitted, 27 were related to impacts from construction activities, ten related to flow-testing, two related to land acquisition, two were general concerns regarding potential long-term project impacts, three were not project related/the responsibility of a third-party, and one is pending determination. For the grievance pending determination, the stakeholder is claiming property damage is due to the Project activities; however, the condition about which the complaint is made was identified to have started in 2012.

Grievances related to income loss were related to impacts from construction activities. In 2022, three grievances were submitted on the same day – two were related to lost income due to an unplanned power outage disrupting business and the other was lost income resulting from an emergency road closure prohibiting travel to market to sell produce. In all three cases replacement compensation was provided. The other income loss grievance is related to unforeseen, additional expenses associated with a temporary relocation during well testing activities. The individual had elected to temporarily relocate during the testing activities, for which all expenses were paid by DGDC. The DGDC provided additional assistance in response to this report to meet the needs identified.

During one PAP interview a potential grievance came up related to construction activities and the CLO provided the PAP with a grievance form immediately. The register reviewed, and statistics above, do not include this potential grievance.

#### 4.10 RECORDKEEPING AND DOCUMENTATION

DGDC's Documentation is inconsistent and often incomplete. Reviewed PAP files were inconsistent and no specific structure for the files was evident. For example, not all PAP files had copies of the notification letters. PAP files had no copies of sign-in sheets from community meetings, nor was there documentation of one-on-one conversations or phone calls or emails. Section 6.4 of the RAP directs "Prior to disbursement of compensation, each eligible PAP will sign a compensation certificate which sets out the mutual commitments for each party. The format of the certificates will be easily understandable to affected people. This will be countersigned by the Ministry of Housing & Lands and representatives of DGDC will be present for this process." There was no evidence of this document in any of the PAP files reviewed.

Due to separation of responsibilities between the DGDC and GoDC, the DGDC was not copied on documents related to land valuation, surveys, or offers. A few files contain this document because the PAP provided a copy. We found copies of the valuation forms for the two PAP files reviewed in which the PAPs were given crop compensation.

#### 4.11 MONITORING AND EVALUATION

The DGDC prepares monthly reports which are reviewed by staff and presented to the Managing Director for approval. Eighteen monthly reports from August 2020 through June 2024 were reviewed as part of this audit. The monthly reports provide comprehensive project updates related to health, safety and environmental incidents, land acquisition and access, community

engagement, and grievances. Each report includes a table reflecting the status of land acquisition detailed by PAP.

Monthly reports state "Livelihood restoration activities for two displaced landowners continue. Periodic visits are conducted to monitor their progress." Additionally, they indicate that "DGDC continues to engage the community and impacted person both directly, through the Community Liaison Officer with support from the wider DGDC staff and indirectly through public announcements via the various media outlets." The monthly reports include a table listing all PAPs and the status of land acquisition through completion of payment.

Given the sensitivity of the topics of land and money, and the CLO being a community member, routine visits to the community by the CLO are effective in maintaining awareness of PAP status and Project impacts. Other DGDC personnel have been trained on how to receive inquiries and feedback and instructed to pass any information received to the CLO for response.

## 5. CONCLUSIONS, RECOMMENDATIONS, AND CORRECTIVE ACTION PLAN

### 5.1 CONCLUSIONS

ERM identified three systemic shortcomings in the implementation of the RAP:

1. The separation of responsibilities and resulting lack of coordination between DGDC and the Land and Survey Division prevent a concerted awareness of alignment with, and implementation of the RAP.
  - a. The Land and Survey Division conducts its valuation and acquisition process strictly in line with Dominican law, with no apparent consideration of, or purposeful alignment, with the RAP.
  - b. The Land and Survey Division does not share process information or documentation with DGDC.
  - c. Per Section 19 of the Land Acquisition Act, Chapter 53:02, the GoCD assesses land value based on market value, which in line with the RAP but, according to PAPs, offers little opportunity for negotiation.
  - d. DGDC engages with the PAPs and the community but has no influence over the Land and Survey Department.
2. DGDC's documentation of the RAP implementation is inconsistent and often incomplete. Therefore, the land acquisition and compensation process has been poorly documented. This is in part due to the division of roles and responsibilities between the DGDC and GoCD, as the government does not provide files or information on how they assess and pay for properties. In reviewing files for PAPs, it was noted "business practices common in developed nations aren't necessarily adopted in Dominica," specifically as it relates to documentation of engagements and record-keeping.
3. DGDC has little or no previous experience implementing a RAP aligned with IDB, CDB, and WB standards.

The RAP implementation is not complete. For example:

- Six (6) PAPs are still awaiting payment for their land (partial or full).
- Seven (7) PAPs have not received their updated land titles.
- Compensation for loss of income from crops/trees has not yet been established (for PAPs # 2, 16, 20).

### 5.2 RECOMMENDATIONS

In this report, we separate recommendations from corrective actions. Recommendations aim at improving current practices and implementation tasks. Corrective Actions (Section 5.3) are actions required to correct ongoing gaps in the process and close the RAP implementation successfully.



We recommend the following:

- DGDC convene a meeting with the Land and Survey Division to:
  - Describe its obligation (and, by extension, the obligation of the GoCD) to implement the RAP
  - Solicit documentation, by PAP, on how the Land and Survey Division conducted the assessment, negotiations, and payment
  - Solicit prompt payment of the pending commitments
  - Solicit prompt issuance of pending land titles
- Prepare a table of contents for the PAP files and organize the files according to the table of contents. Where possible, close gaps in the files.
  - The table of contents should include, at minimum: summary of PAP information (e.g., identifier, status, property information)
  - Summary of communications (e.g., meeting minutes, summary of phone conversations, summary of periodic conversations)
  - Property valuation and assessment
  - Additional compensation: assessment and resolution
  - Closing (e.g., closeout document or affidavit signed by the parties)
- Enhance the Grievance Register.
  - Add columns to track the following data:
    - Submittal method (e.g., form, email, phone, etc.)
    - Category of grievance (categories to be determined by DGDC)
    - Time to close
    - Costs associated with mitigation (outside of labor/time for DGDC staff)
- Should additional land acquisition become necessary:
  - Offer a minimum of one group information session for high-level information sharing, introduction of involved entities (e.g., DGDC and Lands and Survey Division), and explanation of the process and how PAPs participate and engage
  - Invite participation by the Land & Survey Division in community engagements; and
  - A DGDC representative remain involved with each PAP throughout the process.
- Establish a RAP checklist reflecting all RAP requirements and potential benefits available to PAPs, complete the checklist for each PAP, and add it to the respective files. There was no comprehensive RAP checklist established to guide the process for each PAP, which would facilitate confirming and documenting each PAPs eligibility for each aspect of potential compensation detailed in the RAP.

### 5.3 CORRECTIVE ACTION PLAN

Table 5.1 below lists corrective actions to complete the successful implementation of the RAP.

**TABLE 5.1 CORRECTIVE ACTION PLAN**

<b>No.</b>	<b>Corrective Action</b>	<b>Responsible</b>	<b>Proposed Schedule</b>	<b>Budget*</b>
1	Complete payments to PAPs <ul style="list-style-type: none"> <li>• DGDC solicit prompt payment from the Land and Survey Division</li> <li>• Affected PAPs (identified by ERM):               <ul style="list-style-type: none"> <li>◦ PAPs #7, 9, 11, and 21</li> </ul> </li> <li>• Other PAPs who may be affected (to be confirmed by DGDC):               <ul style="list-style-type: none"> <li>◦ PAPs 4, 6, 8, 12, 15, 23, and 24</li> </ul> </li> </ul>	DGDC, Land and Survey Division	End of Q4 2024	Operating budget (OB)
2	Release payment held in escrow for PAP #14	Land and Survey Division	End of Q4 2024	OB
3	Issue pending titles to affected PAPs <ul style="list-style-type: none"> <li>• Affected PAPs (identified by ERM):               <ul style="list-style-type: none"> <li>◦ PAPs #10, 11, 13, 17, 19, 20.1, and 22</li> </ul> </li> </ul>	Land and Survey Division	End of Q4 2024	OB
4	For Pap #11: Provide support in following up with attorney to determine action required to release funds paid.	Safeguards Officer or CLO	End of Q3 2024	OB
5	For PAP #21: Provide support in following up with Lands Department to determine where/to whom funds were paid.	Safeguards Officer or CLO	End of Q3 2024	OB
6	For PAPs #1,2,3,6,7,10: Negotiate payment of compensation for loss of income as detailed in the RAP.	Safeguards Officer or CLO	End of Q4 2024	OB
7	Prepare close-out documentation for each PAP as the process is completed. This documentation should include evidence that the PAP acknowledges the process has been completed.	Safeguards Officer or CLO	End of Q4 2024	OB

\*All these actions should be covered by the normal operating budget of DGDC or Land and Survey Division





## APPENDIX A      INTERVIEW QUESTIONNAIRE





## RESETTLEMENT CLOSEOUT ASSESSMENT INTERVIEW QUESTIONNAIRE - PAP

### Opening

- Introductions
- Why we're here (audit/validation the DGDC did what they said they would do in the RAP)
- Desired outcomes (honest feedback on how the process was executed, identify successes and any pending concerns)

### **PAP Profile**

Name: \_\_\_\_\_

Description of property impact: \_\_\_\_\_

Physically displaced? \_\_\_\_\_ Income replacement? \_\_\_\_\_

Were any other assets lost/impacted? \_\_\_\_\_

Compensation provided: \_\_\_\_\_

Other notes of relevance: \_\_\_\_\_

---

### **Questions**

1. Validate profile details above.
2. Tell us about your experience with this process.
  - a. How did the DGDC engage with you?
  - b. How did you participate in the RAP planning and implementation?
3. Do you feel you were given sufficient time to:
  - a. Consider the offer/information presented?
  - b. Prepare for the impact/work?
4. Were you given enough information about what was to happen? Was the information provided accurate?
5. Did you understand the cutoff date, at which no additional changes would be considered?
6. Did you understand the process? Y/N
7. How did you use your property ahead of the project impact? (*establish baseline for potential of impact – relocation, loss of revenue source, loss of resource source (food, animals, etc.)*)
8. How do you feel about the compensation offered/provided? Was it what you were expecting? Was it sufficient to cover replacement costs of lost assets, housing conditions, compensation/entitlements, income restoration and livelihood sustainability, etc.?
9. Have you received your compensation from ####?
  - a. No? why?
  - b. Yes?

- i. Have you spent any? What have you spent it on? If land, what is it used for?
    - ii. Did you open a bank account?
    - iii. If funds still left, what are plans with those funds?
  - c. Any "livelihood restoration assistance" received? (Other support.)
10. How has your livelihood/living conditions changed since this project? Better? Same? Worse? How/why? (physical structure, location, access to resources & services – health, education, water/sanitation, transportation, social/medical security, agricultural/pastoral land, employment, training, community development initiatives, etc.)
11. Have you changed the way you provide for your household since you received compensation?
12. Do you know how to contact the government/company with any questions or concerns?
13. What could have made this experience better?
14. Do you have any other comments to share? Questions?

**Closing Remarks**

Thank you for your time.  
Who/how to contact with questions.

Interview form completed by:  
Interview Date:  
Participants:

Location:

Other notes/observations (demeanor of stakeholder, assessment of venue, etc.):



## APPENDIX B      SUMMARY OF PAP INFORMATION (EXCEL)





## APPENDIX C      RAP TABLES



**Table 5.1 Entitlement Matrix**

PAP Category	Type of Loss	Eligibility Criteria	Entitlement	# PAPs Affected	Details of Support/Compensation
Power Plant, Production Well, Reinjection Well and Reinjection Route including access roads Landowners (where more than 20 percent of a parcel of land needs to be acquired for the Project) <sup>16</sup>	Permanent loss of land	Land title or other document establishing ownership in case of unregistered land to affected property, those without legal rights to the land at time census begins but with a recognizable claim to the land, those with no recognizable claim to the land they are occupying.	Compensation at replacement cost <sup>17</sup> Valuations done using market value including improvements to the land (considerations detailed in text following matrix) plus all transaction costs and statutory fees.	13 – PAP #1,2,3,4,5,6,7,9,10, 11,16,17, 21,22,23,24  Note: PAP 9 is a legacy property for WW01	Appropriate price/compensation as mutually agreed with the landowners. The value agreed will be based upon the individual valuations completed by the Dominica Lands and Surveys Division, consistent with the methodology outlined in the basis of compensation letter completed by DGDC for the RAP included in Appendix B This meets replacement costs per OP 4.12
Power Plant, Production Well, Reinjection Well and Reinjection Route including access roads owners or land users <sup>18</sup>	Permanent loss of trees and crops	Crops or trees on affected property at time of property acquisition.	Financial compensation for crops/trees. Valuations done using combination of cost of production, selling price at time of valuation and future bearing capacity.	6 – PAP #1,2,3,6,7,10	Cash compensation for the loss of trees, crops, perennials based on 2021 estimates.
Power Plant, Production Well, Reinjection Well and Reinjection Route including access roads owners or occupants	Permanent loss of a residential structure	Permanently residing on the affected property prior to property acquisition	Compensation for lost assets. Structure will be valued by the PVU and compensation paid to the owner of the structure. Moving/transitional assistance	1– PAP # 3	Appropriate price/compensation as mutually agreed with the landowners based upon Government valuation asset values adjusted to replacement value. Moving assistance in lump sum payment.

<sup>16</sup> Where it is less than 20 percent of the parcel, there is cash compensation.

<sup>17</sup> Replacement cost means that the affected person can replace the affected asset to the same condition. Replacement cost typically reflects market value plus transaction costs, transfer or retitling fees, and salvageable materials.

Note: 1. Two of the four structures referenced in the text have been abandoned for 5 plus years. Only one PAP resides on his property. 2. All compensation is at replacement cost

<sup>18</sup> Owners refers to the owners of the land; users refers to owners of crops/structures not belonging to the land owner e.g. agricultural tenants.

PAP Category	Type of Loss	Eligibility Criteria	Entitlement	# PAPs Affected	Details of Support/Compensation
Power Plant, Production Well, Reinjection Well and Reinjection Route including road access or land users <sup>19</sup>	Permanent loss of an agricultural structure	Commercial structure present on the affected property prior to property acquisition.	Compensation for lost assets. Structure will be valued by the PVU and compensation paid to the owner of the structure. Moving assistance.	2 – PAP #1, 3	Appropriate price/compensation as mutually agreed with the landowners based upon Government valuation asset values adjusted to replacement value. Moving assistance in lump sum payment.
Land owners with loss of income due to loss of land use	Loss of income	Farmers or business owners operating on affected property at the time of the cut off date or census if carried out after	Assistance for livelihood restoration by Providing access to existing social programmes: 1.Elderly pension and health care services 2.Skills training programmes	6- #1,2,3,6,7,10 PAP	Loss of income compensation will be provided based upon a percentage of income loss experienced by the affected party. If this is being provided to people who do not necessarily own land, DGDC might include support to find replacement land.
Vulnerable households, potentially including households headed by women, elderly, very poor, disabled, or those affected or displaced by the effects of Hurricane Maria	Loss experienced by vulnerable parties	Qualifies under one of the eligible criteria and is considered 'vulnerable' including widows, sole income source in the household, elderly.	Additional assistance to households for 3% of their annual income according to vulnerability levels.	4 – PAP #1, 2, 17, 20	Supplemental compensation for loss of annual income. Priority for community enhancements including health and education components. Priority for livelihood and agriculture restoration components. Priority for suitable employment and transport to nearby shopping if needed. Special arrangements in the form of transportation to negotiations, meetings and access to independent advice on the process.
Landowners, property owners who are impacted by temporary construction activities <sup>20</sup>	Loss of income/property	Anyone that can demonstrate loss of income related to lost use of land; this may include (but is not limited to) land occupied temporarily,	Compensation for loss and restoration where necessary	None identified	Loss of income / property compensation and restoration at replacement value

<sup>19</sup> Agricultural tenants are usually allowed to erect structures on lands being used on farms in Dominica. The structures belong to them, and not the land owner.

<sup>20</sup> Additional to impacts listed in Jacobs 2018 ARAP



PAP Category	Type of Loss	Eligibility Criteria	Entitlement	# PAPs Affected	Details of Support/Compensation
		or land damaged due to construction activities			