



Livelihoods Restoration Plan

2019



LLC "DB WPP"

Bilozerskyi District of Kherson Region

1.1.2019

**PROJECT: 110 MW DNIPRO-BUZKA
WIND POWER PLANT in Bilozerskyi
District of Kherson Region**

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Abbreviations

CC	Control Center
CLO	Community Liaison Officer
DB WPP	Dnipro-Buzka Wind Power Plant
EBRD	European Bank for Reconstruction and Development
EIA/ESIA	Environmental Impact Assessment/Environmental and Social Impact Assessment
ESP 2014	EBRD Environmental and Social Policy
GRM	Grievance Redress Mechanism
LLC DB WPP	LLC “DNIPRO-BUZKA WIND POWER PLANT”
LRP	Livelihoods Restoration Plan
MSS	Main Substation
OHL	Overhead Line
PR	Performance Requirements
Project	Project on construction of DB WPP
PAP	People Affected by the Project, including impacts related to land acquisition and restrictions on land use
WPP	Wind Power Plant
WT	Wind Turbine

Introduction

The European Bank for Reconstruction and Development (EBRD) is considering to provide financing to the Limited Liability Company “DNIPRO-BUZKA WIND POWER PLANT” (LLC DB WPP) to support the construction of the Dnipro-Buzka Wind Power Plant (DB WPP) on the territory of Bilozerskyi District of Kherson Region (the “Project”). Further development of wind energy projects in this region, considering wind potential in southern Ukraine, is promising.

During the Project preparation process, LLC DP WPP gave serious consideration to avoiding and, where it was not feasible, minimizing the land acquisition impacts. The Project does not envisage physical resettlement of people; however, the project implementation is going to cause economic displacement because of the imposition of servitudes and restrictions on private lands and damages caused to crops due to installation works.

The Project, including acquisition of required land plots and associated economic and physical displacement, is structured to meet the requirements of the national legislation and EBRD ESP 2014, in particular PR 5 – Land Acquisition, Involuntary Resettlement and Economic Displacement.

1. Project Description

The Project envisages the construction of DB WPP with the capacity up to 110 MW for generation of electricity and its operation in accordance with the laws of Ukraine. More specifically, the following works shall be performed during the Project implementation:

- installation of 25 wind turbines N149 4.4MW TS105m Nordex Energy GmbH, Germany, including construction of temporary and permanent platforms, and service roads to wind turbines (WT);
- laying of 35 kV cable lines and control cable lines (communication cables) between the wind turbines for a total length of 167.6 km and 81.7 km respectively;
- construction of 35/150 kV main substation (MSS) and DB WPP supervisory control center (CC);
- construction of access roads to the wind turbines, main substation and CC with a total length of 23.8 km;
- construction of 150 kV overhead line (OHL) with a length of 27.3 km, from the project site to Posad Pokrovskaya substation.

The construction site of DB WPP is located on the right bank of the Dnipro Estuary, within the territory of Oleksandrivska Village Council of Bilozerskyi District of Kherson Region. The wind turbines will be located on state-owned land with a total area of 4.3 hectares leased for 30 years to LLC DP WPP. In the south, the DB WPP site borders with Oleksandrivka, Oleksandrivskyi Landscape Park, and the Solonets Lake; in the north and north-east, it borders with the territory of Mykolaiv Region.

The figure below shows the location of DB WPP.

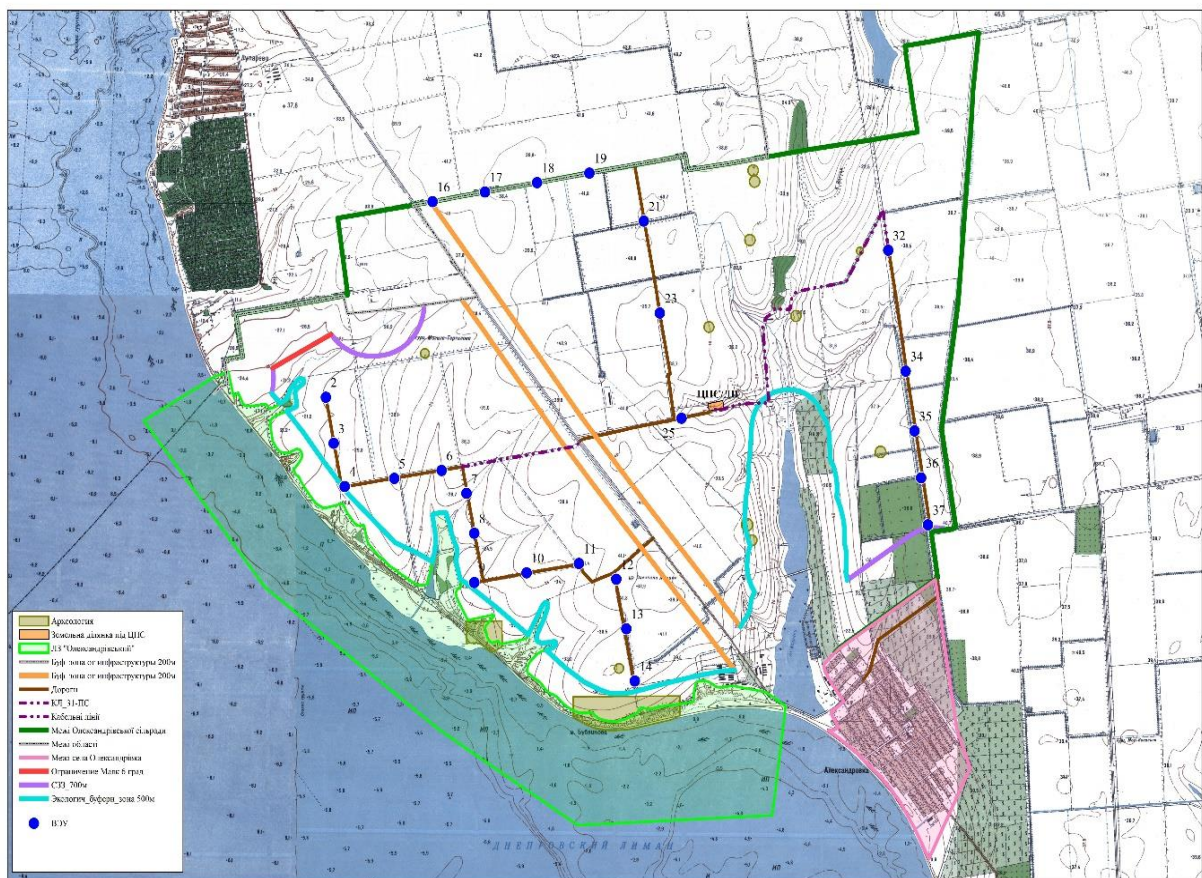


Figure 1: Location of DB WPP

The Project scope also includes the construction of a Control Center (CC) along with buildings, structures, on-site utility networks, on-site motor road.

Near each wind turbine a platform is to be set up with main crane, auxiliary cranes, where the wind turbine components will be unloaded and stored. The temporary and permanent platforms at each wind turbines will be made of concrete slabs. Part of these concrete slabs will remain for the whole lifetime of the project (permanent part of the platforms), whereas the remaining part of the platform will be dismantled once the turbine is erected (temporary part of the platforms). Platforms (or “crane pads”) will have overall vertical planning. When placing wind turbines on the slopes or at their bottom, slope drains are required to protect such turbines against flooding from upstream side. Planting of shrubs or trees in the area of wind turbines is not provided for. Perennial grasses are to be planted around the tower at the top of the cushioning layer and the slopes of the foundations.

The Project will build a network of service roads to wind turbines, main substation and CC. The wind turbine components are to be delivered to their installation sites using regional general-purpose highway of local significance O151125 (Mykolaiv - Stanislav - Kherson) and O220225 (Mykolaiv Region border - Stanislav - Bilozerka). The service transport traffic management is based on the one-way traffic principle. The width of the roadway is 4.5 m, the subgrade is 7.5 m. Asphalt concrete pavement is provided on the service road to the main substation and control center as required. The sidewalks of the service roads are fixed with 15-cm layer of stone screening dust. After the construction is completed the service roads will be used by agricultural vehicles and wind park service transport.

Access roads are formed with the established system of existing field roads, which are public roads. No additional acquisition of lands will be required for paving the service or access roads. Legislation provides for unhindered access through public roads to land plots for both land owners and land users. For the time of construction and installation work DB WPP has concluded short-term servitude agreements stipulating the access right. Upon completion of works, the unhindered access right shall be ensured by the provisions of national legislation.

The Project provides for construction of a new 150 kV double circuit OHL (150 kV OHL) for power delivery by DB WPP, between the site substation and Posad-Pokrovska substation. This new 150 kV OHL will pass through three district councils: Oleksandrivska (7.3 km), Pravdynska (13.4 km) and Posad-Pokrovska (6.5 km) village councils of Bilozerskyi District of Kherson Region.

The following towers are to be used for 150 kV OHL:

- intermediate towers – П150-2B lattice towers without a stand and with a stand +4 meters;
- anchor and angle tension towers for up to 65° angle – Y110-2 lattice towers without a stand and with a stand +5, +9, +14 meters;
- anchor and angle tension towers for over 65° angle – Y220-2B lattice towers without a stand and with a stand +9, +14 meters;

The total length of 150 kV OHL is 27.3 km:

- 27.2 km – double-circuit;
- 0.1 km – single-circuit.

The total number of installed towers is 195, including:

- 155 towers being intermediate towers;
- 40 towers being anchor and angle tension towers.

The figure below shows the route of 150 kV OHL.

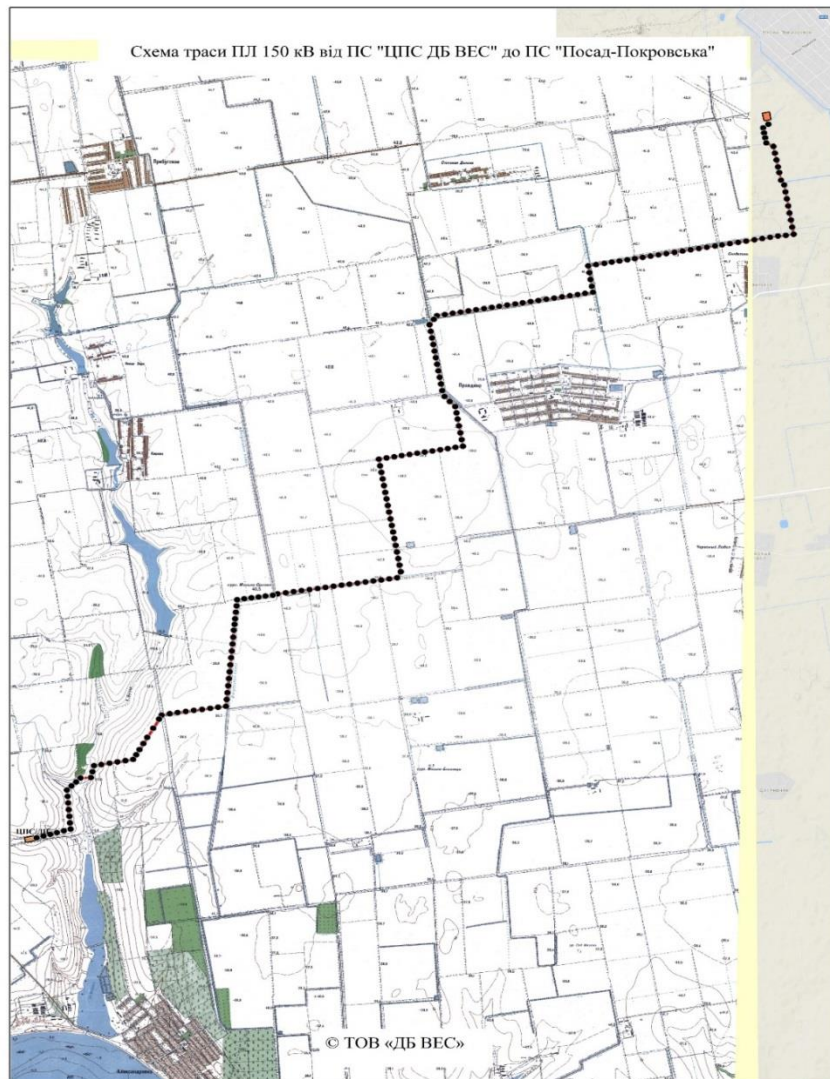


Figure 1: 150 kV OHL route from DB WPP Main Substation to Posad-Pokrovska Substation

2. Objective of Livelihoods Restoration Plan

The purpose of this Livelihoods Restoration Plan (LRP) is to specify the overall approach and procedures that the LLC DP WPP will follow to address impacts related to the land acquisition, compensate for lost assets/incomes/livelihoods, provide assistance to vulnerable people, and otherwise manage displacement related impacts. Specifically, LRP will provide a policy and legal analysis, overview of socio-economic assessment, scale of displacement impacts, entitlement matrix, grievance redress procedure, and monitoring and evaluation arrangements.

The Project is not expected to cause any physical displacement. All impacts will be limited to short and long-term temporary easements, as well as restrictions on land plots due to installation of supporting structures of towers, overhead lines, and other Project related works. Other impacts include the damages to standing crops and partial loss of productivity of affected agricultural lands, which will be also addressed in accordance with the policy principles outlined in this LRP and national legislation.

3. Land Use Survey in Bilozerskyi District of Kherson Region

The Project implementation requires a total of 113.1 ha hectares of land for construction and operation of DB WPP and 150 kV OHL.

The acquisition of lands will be carried out by the LLC DP WPP through a combination of the following means:

- state lands will be allocated to LLC DP WPP based on the long-term lease agreements (up to 30 years) for the wind turbine installation;
- private lands to be acquired based on long-term use servitude agreements (up to 30 years) for partial placement of the supporting structures of wind turbines and construction of 150 kV OHL supporting structures;
- private lands to be acquired based on the short-term use servitude agreements (up to 3 years) for arrangement of construction and installation sites, laying cable lines and passages (damages to standing crops).

Nearly 95% of lands affected by the Project are private agricultural lands, while the rest are state owned plots managed by various state agencies. Most land owners do not use their land themselves, but lease them to farmers for various uses. 30% of these owners do not have duly signed land use lease agreements with the farmers, hence the pending lease agreements have to be regularized (legalizable land use rights). The Project will provide further assistance to affected people with legalization of farmers' use rights and compensate them for their losses.

Due to the nature of the Project, the impacts associated with imposing long-term servitudes and restrictions on private lands will be rather limited, as none of the private land plots affected (and hence leased by the Project) exceed more than 10 % relative to the total area of the land plot. The small portion of lands taken from the affected people will not be expected to cause either change of designated use or cultivation pattern of the land plots.

The Project impacts associated with imposing short-term servitudes on private agricultural lands will be limited to the period of construction and installation works. It should be noted that the Project will be paying compensation to the project affected people for 3 years, although the construction period is expected to span no more than 1.5 years. The lands occupied directly by permanent structure (wind turbines and 150 kV OHL supporting structures) will be compensated for a period of 30 years, which is the length of the long-term servitude agreements. The compensation for the temporary loss of land portions will be paid to both owners and users (farmers).

Out of the 27.3 km of the planned 150 kV OHL, 26.8 km will pass through arable lands. In order to ensure reliable operation and security of generating and transmission facilities, as well as the safety of the population and the protection of the environment, special security zones of energy facilities (a zone along power lines, around transformer substations, power stations to ensure their normal operation and prevent damage, as well as to decrease their negative effect to population, nature, etc.) will be established. As a result, land owners and land users will be restricted in land use due to establishment of such zones at 25 meters along both sides from outer wires projection during the operation of 150 kV OHL.

According to legislation of Ukraine, the following restrictions will be imposed within the security zones: growing trees or vineyards, conducting earthworks, building structures, and other activities that may compromise the functioning of OHL and associated structures. Such restrictions have been included in the servitude agreements and compensation will be paid to the both owners and users of land plots. It should be noted that none of the imposed restrictions are expected to result in change of designated use and cropping pattern of the land plots, as affected people do not grow orchards or have structures within security zone imposed on the land plots.

4. Legislation of Ukraine and Lender's Policies

4.1. Normative and Legal Acts of Ukraine related to Land Acquisition and Use

The legislative acts of Ukraine related to land acquisition and use include:

1. The Constitution of Ukraine dated 28 June 1996;
2. The Civil Code of Ukraine;
3. The Land Code of Ukraine No. 2768-III dated 25 October 2001;
4. The Law of Ukraine "On Energy Sector Land and Legal Regime of Special Zones of Energy Facilities" No. 2480-VI dated 9 July 2010;
5. State Construction Norms B.2.1-10-2009 "Bases and foundations of buildings";
6. Resolution of the Cabinet of Ministers of Ukraine "On the procedure for determining and compensation of damages to land owners and land users" No. 284 dated 19 April 1993.

According to the Constitution of Ukraine the landownership is guaranteed. This right is acquired and realized by citizens, legal entities and the state exclusively in accordance with the law. No one can be illegally deprived of property. The right to private property is immutable. Forced alienation of the objects of the right of private property can be applied only as an exception to the motives of social necessity, on the basis and in the order prescribed by the law, and subject to the prior and full reimbursement of their value. Forced alienation of such objects with the subsequent full reimbursement of their value is allowed only in conditions of martial law or state of emergency.

According to the Land Code of Ukraine use of lands in Ukraine is carried out according to their designated purpose, determined for each land plot in accordance with the Land Code of Ukraine. For example, agricultural land can be used only for agricultural purposes, but can not be used for other purposes without changing the designated purpose. However, the provisions of the Land Code of Ukraine and the Law of Ukraine "On Energy Sector Land and Legal Regime of Special Zones of Energy Facilities" determine the possibility for placing energy objects on land plots of all categories of land without changing the designated purpose of the land.

In accordance with the Resolution of the Cabinet of Ministers of Ukraine dated April 19, 1993, No. 284 "On the Procedure for Determining and Compensating Losses to Landowners and Land Users", the damages for landowners (due to withdrawal (redemption) of lands, and limited time use of land plots on the basis of land servitude agreements, establishment of restrictions on land use, deterioration of the soil quality and other useful properties of land plots or bringing of soils to a state unsuitable for use and non-receipt of income in connection with the temporary non-use of land plots is a subject to compensation. Compensation principles adopted for the Project will be further discussed in the LRP.

4.2. Lenders' Policies

The EBRD Performance Requirement 5 on Land Acquisition, Involuntary Resettlement and Economic Displacement applies to this Project.

Lender requirements pertaining to land acquisition and displacement can be summarized as follows:

- to avoid or, when unavoidable, minimize, involuntary resettlement by exploring alternative project designs;
- to mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons' use of and access to assets and land by:
 - providing compensation for loss of assets at replacement cost; and
 - ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation and the informed participation of those affected

- to restore or, where possible, improve the livelihoods and standards of living of displaced persons to pre-displacement levels
- to improve or, at a minimum, restore the livelihoods, income earning capacity and standards of living of all displaced persons, including those who have no legally recognisable rights or claims to the land, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher;
- to make special provisions for assisting disadvantaged or vulnerable individuals or groups that may be more adversely affected by displacement than others and who may be limited in their ability to claim or take advantage of livelihood assistance and related development benefits;
- to establish a grievance mechanism to receive and address in a timely fashion specific concerns about compensation and relocation that are raised by displaced persons, including a recourse mechanism designed to resolve disputes in an impartial manner.
- to monitor the land acquisition, resettlement and livelihood restoration process and to involve key stakeholders such as the affected communities.

4.3. Key Gaps between Ukrainian Legislation and EBRD PR 5 Requirements

The key gaps between Ukrainian legislation and EBRD ESP 2014 PR5 requirements, relevant for this project, include:

- There is no requirement in the Ukrainian legislation on the development of Liveihoods Restoration Plan, based on the results of a socio-economic baseline assessment, as well as its disclosure;
- Persons who have no legal rights or claims to the land they occupy cannot be registered through any census and Ukrainian legislation does not require the implementation of a socio-economic baseline assessment (survey) for any category of affected persons;
- Persons who have no recognizable legal right or claim to the land they occupy are not entitled to compensation / assistance under Ukrainian land acquisition laws;
- Compensation under national legislation is provided at the real value of affected assets at the moment of damages incurred. Registration and transaction costs are not taken into account in the calculation of compensation;
- There is no requirement to consult affected people during resettlement planning and implementation under Ukrainian legislation;
- The establishment of the Project specific grievance mechanism to address land securizaion complaints and grievances, outside of courts, is not foreseen by Ukrainian legislation;
- There are no requirements in Ukrainian legislation for monitoring and evaluation of the resettlement / livelihood restoration process and outcomes.

4.4. Key Policy Principles

To overcome the gaps listed in the previous section LLC DB WPP has committed to implementing the following policy principles:

- Efforts must be made to avoid and minimize involuntary resettlement impacts whenever possible – especially physical displacement. When resettlement cannot be avoided, mitigation of potential impacts is required;
- Ensure that the affected households without titles to land are eligible to resettlement assistance and compensation for the loss of non-land assets;
- If resettlement impacts occur, the resettlement or/and livelihood restoration plan need to be prepared, specifying the affected persons' entitlements, livelihoods restoration strategy, institutional arrangements, monitoring and reporting requirements, budget, and time-bound implementation schedule;
- Extend the compensation and provide other resettlement entitlements before physical and economic displacement take place;

- Meaningful consultations need to be carried out with the affected people, which involves consulting affected parties on their entitlements and rights;
- Special provisions should be made for those affected people who belong to the vulnerable groups, so as to improve their living standards and well being;
- Ensure that the project monitors and assesses the resettlement outcomes, impacts on standards of living of the affected people, and if the objectives of the resettlement and/or livelihoods restoration plan have been achieved;
- A grievance redress mechanism needs to be put in place to receive and facilitate the resolution of affected people's concerns;
- In cases when temporary easements or other forms of restrictions are imposed on land plots, the project needs to ensure that the affected people are compensated for temporary impacts associated with the easements/restrictions and the affected lands are restored to pre-project level.

5. Consultation and Public Information

During the period between November 2016 and March 2017 about 40 meetings with different authorities and residents of Oleksandrivka village were held. The goal was to familiarize the local community and affected people in particular with the work of a wind power plant, and included a visit to the existing wind power plant in Kherson Region.

In addition, during 2017 - 2018, around 200 consultation meetings were held with the owners and users of land involved into Project construction within the territory of Oleksandrivska, Pravdynska and Posad-Pokrovska village councils to raise awareness of affected people about the project. Consultations with public and private stakeholders were held over several stages of the Project, among which were public hearings during development of the detailed territory plan, environmental impact assessments, and inventory of land plots.

The consultation meetings were held in individual and group format. Both men and women participants were involved. The consultations were held with all land owners and land users and included, among other things, information on the issues relating to land use during construction and operation of a wind power plant and an overhead line, the rights and obligations with regard to the Project, information on compensation and entitlements for losses and impacts, and details of signing servitude agreements. The consultations will be continued throughout the Project cycle.

The extensive communication process was carried out at local level, especially at the early stages of the Project development. The premises of Oleksandrivska Village Council, Pravdynska Village Council, Pravdyne Village cultural centre, Posad-Pokrovske Village Council, farm enterprise of Kravets Mykola Pavlovych, farm enterprise LLC “EcoLand” (former name – LLC “Super-Nyva”), farm enterprise of LLC “Tavria Pravdyne”, households from Oleksandrivka, Pravdyne and Posad-Pokrovske Villages of Bilozerskyi District of Kherson Region were used to inform citizens about the Project and to discuss land issues.

Heads of Oleksandrivska, Pravdynska, and Posad-Pokrovska Village Councils, land surveyors of Oleksandrivska, Pravdynska, and Posad-Pokrovska Village Councils, deputies of Oleksandrivska, Pravdynska, and Posad-Pokrovska Village Councils, certified land surveyors eligible to develop land management and land allocation documentation were involved to clarify certain nuances during consultations and address people’s questions and suggestions

The list of consultation meetings and measures taken to inform the public during impact assessment and land surveys, construction and operation of DB WPP facilities is provided **in the Annex 1 to the LRP**.

The main issues discussed during consultations included the following:

- Land lease and servitude to part of the land plot

Land owners and land users were explained the concepts of “land lease” and “servitude to a part of the land plot” as well as the difference between these two contracts. Land owners and land users were familiarized with the provisions of the Land Code of Ukraine (Articles 98 - 102), the Civil Code of Ukraine (Articles 401 - 406), the Law of Ukraine “On Land Lease”.

- Use of agricultural land for placement of power transmission facilities

Land owners and land users were explained the concepts of “power transmission facilities” as well as the legality of their placement on land with any designated purpose according to the Law of Ukraine “On Energy Lands and Legal Regime of Special Zones of Energy Generating Facilities”. The emphasis was placed on the fact that the land plot as a whole would not be acquired from the owner and land owners and users can carry on using it according to its designated purpose subject to restrictions imposed under the servitude agreement.

- Signing and registration of the servitude agreement

Land owners and land users were explained the procedures for preparing technical documentation, including servitude provisions applicable to part of the land plot on which restrictions are being imposed, approval and agreement of technical documentation, signing the servitude agreement, registration of the servitude agreement in the State Land Cadastre, and registration of the servitude agreement with the State Register of Property Rights to Immovable Property of Ukraine.

Land owners and land users were also familiarized with the provisions of the Law of Ukraine “On Land Management” and the Law of Ukraine “On State Land Cadastre”. Emphasis was placed on the need to strictly adhere to the procedure for technical documentation development and for registration activities. Separate emphasis was placed on the need to agree servitude technical documentation with the lessee of the land plot if relevant.

- Entitlements and calculation of fair compensation amounts for a different type of servitude (short term and long term)

To ensure involvement of the land owners, a number of consultations (with individual or several owners at once) were held on the entitlements and calculation of fair compensation amount for the following servitudes:

- placement of supporting structures of wind turbines;
- temporary siting of machinery during construction;
- laying of underground cable line and arrangement of passage, driveways;
- placement of supporting structures of the OHL.

Land lease agreements of Oleksandrivska, Pravdynska and Posad-Pokrovska Village Councils were analysed in terms of rent amount and possibility of its application for servitude agreements.

As a result, in order to engage land owners in a fair servitude agreement conclusion, the base cost of one square meter of land of Oleksandrivska Village Council as well as the factors depending on type and term of land use under the servitude agreement have been applied.

- Explanation of the concept of “security zones” and the list of works prohibited in the security zone of an OHL.

Land owners and land users were explained the Provisions of the Electrical Grid Protection Procedure, approved by the Resolution of the Cabinet of Ministers of Ukraine No. 209 dated 04 March 1997. The main focus was on the area of the 150 kV OHL security zone which is 25 meters along the entire line on both sides and on inadmissibility of fires, landfills, building houses and structures, storing flammable materials, etc. within the security zone.

Land owners/users received clarifications on the working procedures within the security zones as well as the compensation procedure for damages likely to be caused to crops during the installation and other works.

Land owners and land users were explained the Provisions of the Terms and Conditions of Works within Security Zones of Electrical Grids, approved by the Resolution of the Cabinet of Ministers of Ukraine No. 209 dated 04 March 1997. Emphasis was put on Clause 12 of the above terms and conditions which stipulates the obligation of the energy company to compensate all losses to land owners and land users, as well as to bring land into condition suitable for its use according to the designated purpose.

Land owners and land users were explained the Provisions of the Procedure for Compensation of Damage Caused to Land Owners and Users, approved by the Resolution of the Cabinet of Ministers of Ukraine No. 284 dated 19 April 1993. According to the explanations, amount of damages is calculated based on an act of a special committee supervised by the regional state administration after revealing the caused damage; the losses shall be compensated within 30 days after the act is prepared and signed. In addition, it was emphasized that no losses would

be compensated in case if land owners and land users do not comply with the restrictions in terms of their land plots.

For those affected people who have legalizable rights to land plots, the detailed advisory assistance was provided on how to regularize their property rights and bring their title documentation in line with the national legislation. The advisory support was also provided to address issues such as: inheritance process; development of technical documentation for the restoration/delimitation of the land boundaries; assigning the land the unique cadastral number; and other nuances in bringing the title documentation into compliance with the applicable laws.

The land owners with incomplete inheritance process were provided with advisory assistance on necessary actions to come into inheritance in accordance with the current civil laws of Ukraine and were provided with contact details of notaries, etc.

The owners with old title documents (documents issued earlier, under the former standard no longer effective) were provided with consultations on the need to assign a cadastral number and register data on the land plot with the State Land Cadastre, and have the technical documentation developed on restoration/demarcation of land boundaries. The emphasis was put on possible change of configuration and area of the land plot during the procedure of boundaries restoration/demarcation.

Summary of issues solved during land consultation meetings as well as some pictures of such consultations are presented in the **Annex 2 to the LRP**.

Materials used during consultations were as follows:

- Printed texts of legal acts (from the official website of the Verkhovna Rada of Ukraine - <http://rada.gov.ua/>).
- Draft agreements in respect to servitude creation for each type of land use (texts were distributed to land owners and users).
- Sample technical documentation on the part of the land subject to the servitude right.
- Sample technical documentation on restoration of the boundaries.
- Sample extract from the State Land Cadastre.
- Sample extract from the State Register of Property Rights to Immovable Property and other property rights.

As an outcome of the consultation the owners of the land plots were identified in accordance with the master layout plan of DB WPP and the OHL; the owners agree to conclude servitude agreements under the terms and conditions agreed during the consultations and entitlements offered under LRP.

Within transfer of the land plots for use, land owners and land users were thoroughly informed about the construction project and the work methods of LLC DB WPP.

Land owners and land users received detailed information about the applicable land laws in terms of use of land plots of any designated purpose for placement of electric power transmission facilities. The affected people were informed about the grievance redress mechanism, whereby they can file a grievance and have it reviewed and resolved.

Minutes of the consultations meetings held with public and stakeholders presented in the **Annex 3 to the LPR**.

6. Socio-Economic Assessment and Summary of Impacts

6.1. Overview

This chapter presents the results of the main socio-economic characteristics of the Project's affected communities. These results are based on information from data collected during the socio-economic surveys (SES) conducted in the Project area. The main tasks of the SES are to understand the current socio-economic situation and the vulnerability of affected people in the Project area as well as to use data to prepare the budget and identify groups and individuals who may need additional support during the Project implementation.

The project involves three village councils: Oleksandrivska, Pravdynska and Posad-Pokrovska. All three village councils are part of Bilozerskyi district of Kherson Oblast. Total population of Oleksandrivska Village Council amounts to 2270 people, Pravdynska Village Council – 2170 people, Posad-Pokrovska Village Council – 2310 people.

A total of 279 land parcels will be affected, of which 138 are registered/legalized, 141 are legalizable. There are no non-legalizable/unauthorized land parcels. Total land area required for the Project is 1,131,000 square meter (sqm) equivalent to 113.1 hectare (ha). Out of the total land required, 920,000 sqm (92 ha) is private land and 210,100 sqm (21.1 ha) is state-owned land. Total number of agricultural parcels is 279. None of private non-agricultural parcels are affected by the Project. No trees will be affected due to use of private land for the Project. Total area of 920,000 sqm (92.00 ha) under cereals crops is affected. No structures are affected. No cases of residential tenants have been recorded. There are no households that will lose more than 10% of their productive assets due to land related impacts in the Project. No cases of vulnerable households have been recorded. Total number of affected households is 295. The summary of impacts related to land acquisition is given in **Table 1**.

Table 1: Summary of Impacts Related to Land Acquisition

#	Impacts	Unit of Quantification	Quantity
1	Total Land Requirement	Square meter (Hectare)	1,131,000 sqm (113.1 ha)
2	Private Land	Square meter (Hectare)	920,000 sqm (92 ha)
3	State Land	Square meter (Hectare)	210,100 sqm (21.1 ha)
4	Land parcels	Number	279
5	Registered Parcel	Number	138
6	Legalizable Parcel	Number	141
7	Non-legalizable/unauthorized Parcel	Number	0
8	Agricultural Land Parcel	Number	279
9	Non-Agricultural Land Parcels	Number	0
10	Area of Agricultural Land (Registered and Legalizable)	Square Meter	920,000 sqm (92 ha)
11	Area of Agricultural Land (Non-Legalizable)		0
12	Area of Non-Agricultural Land	Square Meter	0 sqm (0 ha)
13	Area under Cereals Crop Cultivation	Square Meter (Hectare)	920,000 sqm (92 ha)

#	Impacts	Unit of Quantification	Quantity
14	Area under Vegetables Crop Cultivation	Square Meter (Hectare)	0 sqm (0 ha)
15	Fruit Tress	Number	0
16	Non Fruit/Timber Trees	Number	0
17	Total number of structures	Number	0
18	Residential Houses/	Number	0
19	Commercial Structures/ Shops	Number	0
20	Structures needing Relocation	Number	0
21	Severely Affected Households	Number	0
22	Vulnerable Households	Number	0
23	Affected Households	Number	295

Source: Census Survey, November, 2017 to November, 2018

The households living in the Project area do not have many choices for a business activity, therefore families or some family members moved to the nearest cities (Kherson or Nikolaiev) or abroad. Oleksandrivka and Pravdyne village councils are geographically located in the steppe zone of southern Ukraine with a limited industrial enterprises and transport infrastructure. At the same time, if we compare the level of employment and income of the population of these villages with Posad-Pokrovske Village, the standard of living of the local population of the latter is somewhat higher, since the M-14 Odessa-Melitopol-Novozovsk international road passes through its territory.

The main activity of the households, living in the Project area, is growing of agricultural crops (vegetables and fruits), breeding of cattle, hens. The population receives income from the sale of grown products, sour-milk products, eggs and meat in local markets.

The average monthly expenses of households are at the level of about 3,500 UAH, while their largest part (40%) is spent on food. Other expenses, such as health care, clothing, water and electricity make an average of 60%. The majority of local population relies on pensions as their main source of income. The proposed Project will benefit the local population as it will bring development to the area in terms of local employment during the Project implementation. The local community is eager to be employed for the Project-related works.

6.2. Material Conditions of Households

Each surveyed household in the project area has a TV with a connection to either an on-air television network broadcast in Ukraine or satellite antennas. Computers and Internet are commonly used. Mobile phones are used by almost all surveyed households (the exception is household of Kharina Svetlana Vitalyevna in the village of Pravdyne, it was her own decision not to use mobile phones). All households without any exceptions use refrigerators. Only a small part of households (about 15%) have air conditioners, and an even smaller number have their own cars (about 3-5%). Approximately 1% of households have a horse.

6.3. Gender

The majority of the rural male population of Oleksandrivska, Pravdynska and Posad-Pokrovska village councils look for work outside the region and abroad. The majority of the female population of this region is engaged in household works, and sells the products of household in local and city markets.

Small part of the female population works in private agricultural enterprises. Retirement age population is mainly represented by women. There is a traditional for rural areas division into male and female professions. Most of the men have professions related to machines (a tractor

driver, a driver, a combine operator, a security guard, a stoker, an electrician, a locksmith, an electric welder, an agronomist, a mechanic, an engineer). Women mainly have professions related to animal husbandry, horticulture, education, culture, and health care: a teacher, a medical worker, a librarian, a kindergarten teacher, a nanny, technical staff, an accountant, a vegetable worker.

In the surveyed households, there are 258 women and 354 men, the households headed by men constitute more than 90%, and the remaining 10% of the surveyed households are headed by women.

6.4. Women in the Project Area

In all surveyed households, women do household work and take care about family members. Other types of activities performed by women are handling financing issues (about 80%), education of children (100%), buying/selling home goods (50%), daily activities (100%). Questions related to decision-making processes in the surveyed households have shown that women are consulted to and they actively participate in the decision-making process in all large and significant family activities, including the decision-making processes in household financial matters as well as the purchase or sale of household items.

6.5. Age and Marital Status

The age distribution of the surveyed residents shows that age groups from 55 to 68 and above make up the largest number (about 75%). 36-45 age group makes 15%, and the age group up to 35 years makes only 5%. Heads of households are mainly represented in age groups from 55 years old, 36-45. Almost 65% of surveyed people live in complete families. The composition of households ranges from 2 to 4 people per household.

6.6. Education

The household survey showed low level of education of the population, only a small percentage (about 15%) have higher education, about 40% of respondents have technical education, the rest have secondary education. There is no such household where the head of the household belongs to the category of illiterate.

7. Compensation to Economically Displaced People

This section defines the compensation payments and the payment procedure, as well as the categories of people entitled to such payments.

7.1. Overview

The grounds for compensation payments to owners and users of land plots are as follows:

- temporary use of agricultural land for the purposes of the Project;
- imposing of restrictions for energy facilities in accordance with the laws of Ukraine regarding the use of land plots;
- deterioration of quality of soil cover and other useful properties of agricultural land;
- loss of income due to loss or damages to agricultural crops.

Damages/restrictions will be compensated with:

- payment for the establishment of a servitude;
- payment for restrictions on the use of land plots;
- recultivation of land to its pre-project conditions before returning them to owners/users at DB WPP expense;
- compensation for losses in case of loss or damage of agricultural crops.

The Project identified 3 categories of people entitled to compensation and assistance in the restoration of livelihoods:

- PAPs who have duly registered land plot ownership;
- PAPs who have duly registered rights to use a land plot;
- PAPs who do not have duly registered rights to use a land plot, but use it.

There are no other categories of people entitled to compensation and assistance in the restoration of livelihoods.

21 of March 2019 was taken as the cut-off date for the Project. The people, whose property was affected by the Project, but was not surveyed and not included into the LRP, can utilize the grievance review mechanism to raise their concerns and have their plot, if found eligible, included into the LRP.

7.2. Payment for the establishment of servitude on private land

The main legislative acts of Ukraine related to the payment for the establishment of servitude on private land include:

1. The Civil Code of Ukraine;
2. The Land Code of Ukraine No. 2768-III dated 25 October 2001;
3. The Law of Ukraine “On Energy Sector Land and Legal Regime of Special Zones of Energy Facilities” No. 2480-VI dated 9 July 2010;
4. Resolution of the Cabinet of Ministers of Ukraine “On the procedure for determining and compensation of damages to land owners and land users” No. 284 dated 19 April 1993.

Current legislation of Ukraine does not provide any procedure for determining the payment for land plot servitude. According to the provisions of the Land Code of Ukraine (Article 98) and the Civil Code of Ukraine (Article 403), the right of use on the basis of servitude agreement may be both free and fee-based, with terms of payment between the owner and the user are subject to agreement.

Unified approach to all land plot owners on the Project area at the territory of Oleksandrivska, Pravdynska and Posad-Pokrovske Villages has been applied when calculating the payment for servitudes. The level of payment has been modified to comply with the highest level of living standard existing in the villages involved in the Project area.

When calculating the payment for the use of land plots under the servitude agreements the rent amount established by lessors has been taken into account. As for Oleksandrivska village council, the rent amount received by the owners from land leasing equals to UAH 2,000 per one hectare; as for the Pravdynska and Posad-Pokrovske village councils, the rent amount received by the owners from land leasing equals to UAH 6,000 per unit and the unit size on average is from 3.5 ha to 7 ha, depending on the quality and category of land. Rent per hectare for Oleksandrivska Village Council is the highest and it is used as the basis for the calculation of the payment for the use of the land plots under servitude agreements.

In the course of meetings and consultations with villagers and representatives of local authorities it became clear that when calculating the payment the type of servitude should be taken into account. Thus, the calculation of the payment included a functional purpose factor which is determined taking into account the validity of servitude and the type of land use. The Project provides for the use of three main types of servitudes:

- for a partial installation of the supporting structures of wind turbine;
- for installation of the supporting structures of the OHL;
- for construction and installation sites, laying cable lines and passages.

When determining the factor for the first and second types of servitude the fact that the land plot is not withdrawn from the owner and can be used according to its functional purpose was taken into account but considering the long validity period of the servitude (i.e., 30 years), factor 3 has been applied.

When determining the factor for the third type of servitude the fact that the land plot is not withdrawn from the owner and can be used according to its functional purpose was taken into account but considering the significantly shorter validity period of the servitude (i.e., 3 years), factor 2 has been applied.

The payment is calculated by the formula: $P = Osq/m \times Vsq/m \times 30/3 \times FPF \times BF$, where

P – payment for the use of land plots under the servitude agreements;

Osq/m – rent amount per square meter of land, which is UAH 0.20. (UAH 2,000 / 10,000 sq m);

Vsq/m – area used: for the partial installation of the support structures of a wind turbine - average is 500 sq m, for installation of the support structures of OHL with mounting area - average is 1,000 sq m; for construction sites and other purposes - average is 5,000 sq m;

30/3 – the term of validity of the servitude agreement; for the partial installation of the support structures of a wind turbine it equals to 30 years, for installation of the support structures of OHL it equals to 30 years; for construction sites and other purposes it equals to 3 years;

FPF – functional purpose factor: for partial installation of the support structures of a wind turbine it is 3, for installation of support structures of OHL it is 3; for construction sites and other purposes it is 2;

BF – is 1.6 balancing purpose factor to cover possible reduction of state aid to households in the current year, which is provided for repayment of utilities expenses;

Thus, amount of payment:

- for a partial installation of the support structures of a wind turbine with rounding up to a greater number equals to UAH 15,000 ($0.20 \times 500 \times 30 \times 3 \times 1.6$);
- for installation of the supporting structures of OHL with rounding up to a greater number equals to UAH 30,000 ($0.20 \times 1000 \times 30 \times 3 \times 1.6$);
- for construction sites and other purposes with rounding up to a greater number equals to UAH 10,000 ($0.20 \times 5000 \times 3 \times 2 \times 1.6$).

7.3. Compensation for imposing restrictions on the use of land plots

Normative acts of Ukraine provide for compensation both to land owners and land users for setting restrictions on the use of land plots. Thus, according to the Law of Ukraine “On Energy Sector Land and Legal Regime of Special Zones of Energy Facilities”, owners and users of the land have the right to recover reasonable amount of damages incurred by them due to restrictions on the use of their land within special zones of energy facilities. Persons entitled to the above compensation shall be those who have acquired the right of ownership or use of land plots before the land is allocated for the construction of the corresponding energy facility. The provisions of equality of the right to compensation of both - the owner and the user were applied to determine the amount of compensation to users of land plots. The meetings with the users of land plots resulted in an agreement upon the fairness of determining the level of compensation paid under the servitude agreements to the owners of the land plots. Taking it into account the above, the user of the land plots shall also receive a payment for the restrictions on the use of land plots in amount of UAH 30,000. The multiplying factor equal to three is applied to irrigated land which corresponds to the level of increase in yield on such lands.

7.4. Land Recultivation and Rehabilitation

The Project will ensure that all land plots temporarily used for the project purposes are restored to its pre-project level before the servitudes are lifted and land plots are returned to the owners/user. To this end, it is envisioned that the rehabilitation of affected lands will be carried out using the technical and biological approaches

The technical approach of land recultivation involves a set of engineering works related to land and comprise the following measures:

- removal and storage of the fertile soil and potentially fertile layers;
- leveling of the surface, flattening, benching and fixing slopes of dumps;
- coverage of the levelled surface with a layer of fertile soil or potentially fertile rocks.

The scope of work of the technical stage of reclamation depends on the condition of the disturbed lands areas and the type of planned use. Areas provided and prepared for non-agricultural use (for industrial construction, roads, etc.) remain in the use of LLC DB WPP. After the technical stage of reclamation, areas purposed for agriculture are returned or transferred to agricultural enterprises for the purpose of biological reclamation and subsequent use according to their designated purpose.

The removal of the fertile soil layer is obligatory for all types of works for the construction of industrial, residential and other facilities, roads and hydraulic structures. The removed layer is stored or transported to unproductive land located nearby (eroded, sandy, alkaline soil, etc.) for further restoration of the fertility of the disturbed lands.

The depth of removal of the fertile layer depends on the depth of the humus profile of the soil and the content of humus in it. The humus accumulative horizon of soil is removed.

The biological approach of the land recultivation involves a set of measures to create a favourable water-air and nutrient soil regime for agricultural and forestry crops.

The set of measures for biological recultivation depends on physical and chemical properties of undersoils and applied fertile soil layer or potentially fertile rock. These measures include the introduction of crop rotation with green manure crops, application of higher volume of organic and mineral fertilizers, mulching, etc.

All measures related to the recultivation of affected lands will be carried out at the expense of LLC DB WPP.

7.5. Compensation for losses in case of loss of or damage to agricultural crops

Actually, incurred costs/losses of expected profit during construction and installation works, routine or emergency works throughout the lifetime of DB WPP will be compensated to the land users. The calculation of losses will be made after the losses infliction according to the formula: $S = V * A * P$, where

S – the amount of loss in UAH;

V – average cost of destroyed crops in UAH at the moment of loss infliction;

A – the area of a ton of crops destroyed in hectares;

P – average crops yield per hectare in tons.

All compensation related costs will be considered an integral part of the Project cost. The total estimated cost for the LRP for Project is approximately 16,2 million UAH which is equivalent to 506,250 Euro.

The Entitlement Matrix is provided in Table 2 below.

Table 2: Entitlement Matrix

Type of Loss	Application	Definition of PAP	Compensation Entitlements
Land			
Permanent loss of agricultural land	PAP losing productive land regardless of impact severity	<u>Registered Owner:</u> Owner with full registration	Cash compensation at full replacement cost. If the residual plot becomes unviable for cultivation, the Project will acquire it if the owner so desire.
		<u>Legalizable (Eligible) Owner:</u> PAPs with pending title regularization; PAPs who are not registered but legitimately use the land.	Ownership rights of such PAPs will be regularized. PAPs will be provided with cash compensation at full replacement cost.
		<u>Non-legalizable/Informal settler:</u> PAPs that are not legitimate land users	Relocation support and other forms of assistance to help PAP re-establish livelihood elsewhere
		Agricultural Tenant	Replacement lease of equal value and location. If replacement lease is not available, consider providing compensation reflecting terms of lease and impact.
		Servitudes/Easements	<u>Permanent servitude:</u> Cash compensation for imposing permanent servitude

Type of Loss	Application	Definition of PAP	Compensation Entitlements
			based on servitude agreement reflecting replacement value of the land lost due to servitude. If permanent servitude makes the land plot unviable or prevents PAP from using the land according to its designated use, then affected land plot will be acquired in full if PAP so desires. <u>Temporary servitude:</u> Cash compensation for imposing permanent servitude based on servitude agreement reflecting replacement value of the land lost due to servitude.
Non-Agricultural Land	PAP losing their commercial/ residential land	<u>Registered Owner:</u> Owner with full registration	Cash compensation at full replacement cost.
		<u>Legalizable (Eligible) Owner:</u> Owners legalizable according to current legislation	Ownership rights of such PAPs will be regularized. PAPs will be provided with cash compensation at full replacement cost.
		<u>Non-legalizable/Informal settler:</u> PAPs that are not legitimate land users	Relocation support and other forms of assistance to help PAP re-establish livelihood elsewhere.
Buildings and Structures			
Residential and non-residential structures/assets		All PAP regardless of their legal ownership/ registration status (including legalizable and informal settlers/users)	Cash compensation for building/structures losses at full replacement costs free of depreciation and transaction costs.
Loss Of Community Infrastructure and Common Property Resources			
Loss of common property resources	Community/Public Assets	Community/Governme nt	Reconstruction of the lost structure in consultation with

Type of Loss	Application	Definition of PAP	Compensation Entitlements
			community and restoration of their functions
Loss of Income and Livelihood			
Crops	Standing crops or expected yield affected	All PAPs regardless of legal status	Cash compensation at market value for crops or expected harvest
Trees	Trees affected	All PAPs regardless of legal status	Cash compensation at market rate on the basis of type, age and productive value of the trees.
Allowances			
Severe Impacts	>10% land loss	All severely affected PAPs	Severe impact allowance.
Vulnerable People Allowances		PAPs below poverty line, headed by women and multiple children; disabled; refugees.	Vulnerability allowance.
Temporary impacts during construction		All PAPs	Due compensation to be assessed and paid when the impacts are identified based on the above provisions.

8. Grievance Mechanism

8.1 Overview

Having a grievance mechanism is an EBRD requirement for LLC DB WPP. Using the mechanism must be voluntary activity for the complainant. As required, this grievance mechanism permits anonymous complaints, respects the confidentiality of the role players involved, and protects both the complainant and the company from retaliation. The public grievance mechanism is based on the principles of being legitimate, accessible, predictable, equitable, transparent, rights compatible, continuous learning, and dialogue based. The grievance mechanism can be used to determine lessons learned and identify ways for continuous improvement. A grievance can be defined as an actual or perceived problem that might give grounds for complaint. As a general policy, LLC DB WPP and its contractors will work proactively towards preventing grievances through the implementation of impact mitigation measures and community liaison. Anyone will be able to submit a grievance to the project if they believe a practice is having a detrimental impact on the community, the environment, or their quality of life. They may also submit comments and suggestions. Any type of issue can be raised. The sections below present the project's grievance resolution process and consider confidentiality and anonymity.

8.2. Grievance reporting and resolution

The main steps for handling grievances are: receive, categorise, acknowledge, investigate, respond, allow for recourse/appeal and follow-up, and close out.

The grievance mechanism is presented on LLC DB WPP website, and has been presented as well in the public meetings for the project. Grievances will be recorded in a formal logging system for which the Community Liaison Officer (CLO) will be responsible. The grievance log will be separate from a stakeholder log which details interactions with communities and stakeholders. People may register grievances by contacting the CLO, or online using the LLC DB WPP website. Grievance forms will also be made available in public places in Oleksandrivska. Contact details for the CLO will be included in appropriate project communication materials such as the non-technical summaries.

The CLO will classify grievances according to **Table 1**. Where investigations are required Project staff and outside authorities as appropriate will assist with the process. The CLO will collaborate with LLC DB WPP or the main contractor's management, to identify an appropriate investigation team with the correct skills to review the issue raised. The investigation will also aim to identify whether the incident leading to the grievance is a singular occurrence or likely to reoccur. Identifying and implementing activities, procedures, equipment and training to address and prevent reoccurrence will be part of the investigation activities.

Table 1: Grievance Classification Criteria

Classification	Risk level (to health, safety or environment)	Response
Low	No or low	The grievance may not be related to Project performance, it may be a comment, or a request. CLO will acknowledge complaint within 7 days and conduct an investigation if required. The CLO will document findings and provide a response within 30 days of receiving. The response is likely to have minimal cost in addition to time spent on addressing the issue.
Medium	Possible risk and likely a one-off event	CLO will acknowledge complaint within 7 days. The CLO and an appropriate investigation team as needed will conduct investigation. The Site Manager or Occupational Health and Safety Manager may decide to stop work during the investigation to allow the corrective preventive actions to be determined. The CLO will provide a response within 30 days of receiving complaint. The corrective action is likely to be straight forward involving changing a piece of equipment or procedure which does not take long or have substantial cost implications to implement.
High	Probable risk and could reoccur	CLO will acknowledge the complaint within 7 days and will get the Project Manager to organise a major investigation team for prompt investigation and resolution. Work may be stopped in the affected area. The CLO will provide a response within 30 days of receiving complaint. If more time is needed to complete the investigation this will be communicated to complainant within 30 days of receiving complaint. As necessary the response will include a press release. The corrective action may be complex or sensitive involving changing equipment or a procedure which requires training of staff and has substantial cost implications.

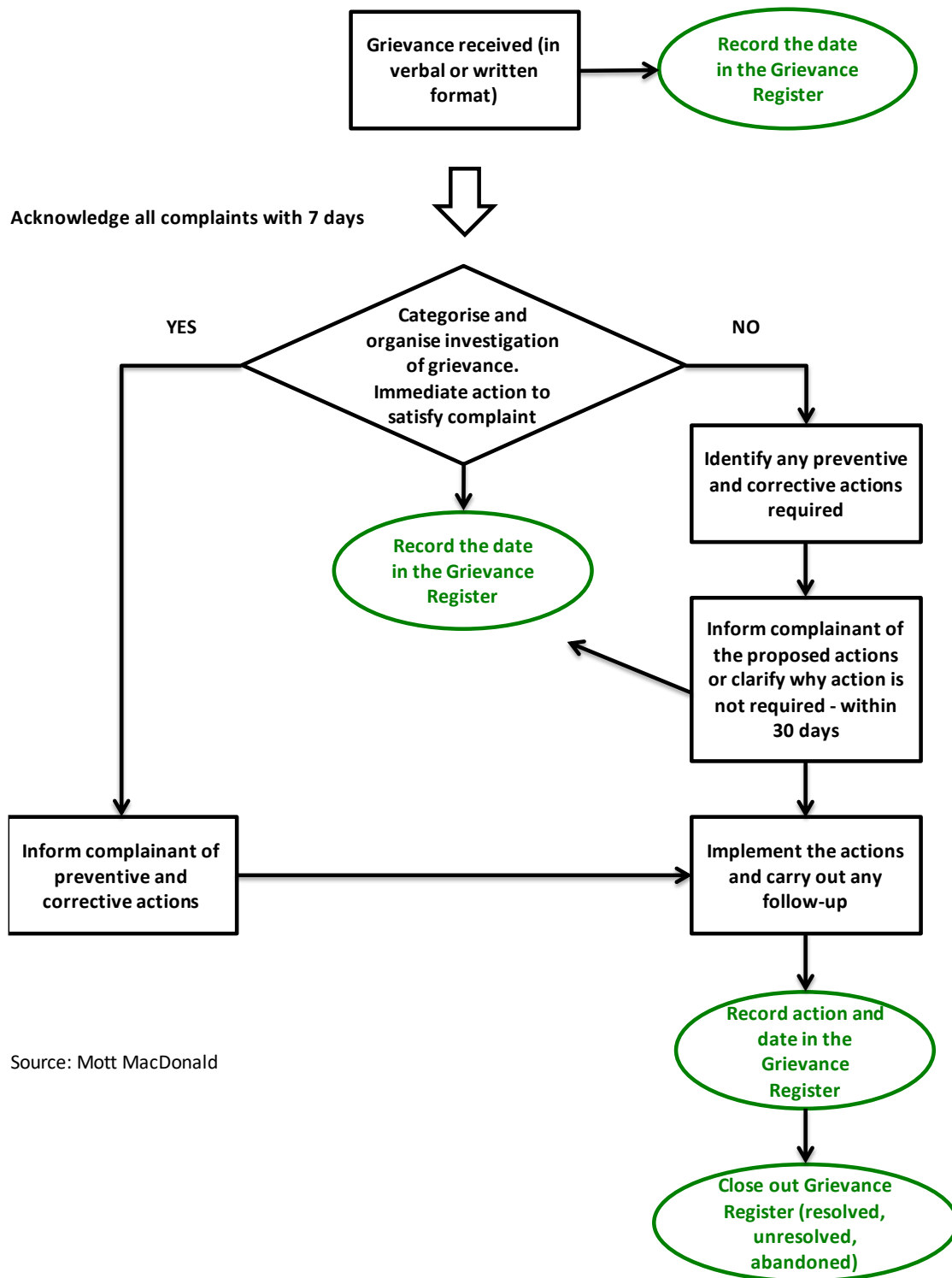
The CLO will explain to the complainant in writing (or where literacy or anonymousness is an issue, orally) the grievance review process, the investigation results, any changes to activities that will be undertaken to address the grievance, and how the issue is being managed to meet the Project's commitments and environmental and social management system. In some cases, it will be appropriate for the CLO to follow up at a later date to see if the person or

organisation is satisfied with the resolution or remedial actions. The grievance will be closed out in the register as:

- Resolved - the resolution has been communicated, agreed and/or implemented.
- Unresolved - the complainant did not accept the proposed resolution and has appealed to other entities for resolution.
- Abandoned - the complainant is no longer contactable and efforts to trace whereabouts have been unsuccessful.

The CLO will summarise grievances weekly or monthly during construction and annually during operation removing identification information to protect the confidentiality of the complainant and guaranteeing anonymity. The procedure will be at no cost and without retribution to the complainant and stakeholders. The procedure for processing grievances is depicted in Figure 3.

Flowchart for Processing Grievances



Source: Mott MacDonald

Figure 3: Flowchart for processing grievances

During the construction phase, the sponsor will nominate a staff member as the CLO and point of contact for grievances. Grievances should be sent to the CLO pursuant to the form provided in the Annex 4. Grievances may also be sent to LLC DB WPP in the construction phase. When this occurs, LLC DB WPP will forward grievances to the main contractor's CLO for management. The contact details will be updated once the CLO positions have been appointed.

8.3. Confidentiality and anonymity

The project will aim to protect a person's confidentiality and will guarantee anonymity in annual reporting. Individuals will be asked permission to disclose their identity in situations when LLC DB WPP wants to reference the stakeholders. Investigations will be undertaken in a manner that is respectful of the complainant, following the principle of confidentiality. The complainant will need to recognise that there may be situations when disclosure of identity is required and the project will identify these situations to see whether the complainant party wishes to continue with the investigation and resolution activities.

9. Monitoring and reporting

9.1. Overview

The primary objective of monitoring is to identify as early as possible progress on LRP implementation and the underlying reasons that may hold back smooth implementation process, so the adjustments or corrective measures can be undertaken. Monitoring is important because LRP implementation is often the critical path for any project where civil works are involved, due to issues on land acquisition, compensation and resettlement that may cause delay in civil works. The early identification of the causes of delay will enable the DP WPP to prepare the mitigating measures during LRP implementation process. The following two mechanisms will be used: (i) internal monitoring and reporting; and (ii) completion audit by independent expert(s).

9.2. Internal monitoring

All activities in LRP are time bound. The Company will routinely perform internal monitoring of LRP implementation activities with results to be reported to EBRD on an annual basis as part of the Project annual report. Related information will be collected from various sources and field to assess the progress and results of LRP implementation, and to adjust the work program, when necessary. Indicators subject for integrated internal monitoring will be those related to process and immediate outputs and results, such as the following (the list will be adapted to the specific grievances raised): (i) disclosure, information campaign and consultations with PAPs and stakeholders; (ii) payments of compensation on land, servitude agreements, and affected crops; (iii) status of recultivating and restoring lands temporarily used by the project; (iv) payments of loss incomes to affected small businesses; (v) provision of alternative land leases; (v) re-registration of plots and (vi) total expenses for compensation, restoration of livelihoods; (vi) (vi) amount and percentage of paid compensations; (vii) the number of signed compensation agreements; (viii) the number of signed servitude agreements. (ix) number of resolved and pending grievances.

9.3. Completion Audit

Within the framework of the Project, independent experts will audit the implementation of the LRP to compare its outcomes with the intended objectives of LRP and recommend any further actions to ensure all objectives of LRP are met.

The completion audit will be carried out after all project activities envisaged under LRP and construction of the project as a whole have been implemented and it is possible to define the final results of the LRP's implementation.

The completion audit will include examination of all related documentation, internal monitoring results, and other progress reports. Independent experts can also conduct evaluation survey and consultations with selected affected people, community members, and other stakeholders.

The completion audit will determine whether measures to restore livelihoods have been adequately implemented.

10. Information disclosure

This LRP is prepared in compliance with the requirements of local legislation and EBRD policy, in particular PR 5 – Land Acquisition, Involuntary Resettlement and Economic Displacement.

The LRP has been written in English and was translated into Ukrainian for its public disclosure.

Hard copies will be made available at the LLC DB WPP office and at affected village level upon request.

11. Institutional arrangements

Institutional frameworks for land management and land use include several state agencies, services and departments, of which the State Service of Ukraine for Geodesy, Cartography and Cadastre as the specially authorized land resources agency is the main national agency on land issues.

Below there is an overview of main government agencies and their authorities.

Ministry of Ecology and Natural Resources of Ukraine organizes land monitoring, state ecological expertise, exercises control powers in accordance with the provisions of Art. 14 of the Land Code of Ukraine, art. 17 of the Law of Ukraine “On Land Protection”, Art. 20, 20-1, 20-2 of the Law of Ukraine “On Environmental Protection”, Art. 7 of the Law of Ukraine “On State Control of Use and Protection of Lands” and acts on the basis of Regulations on the Ministry of Environmental Protection of Ukraine, approved by the Resolution of the Cabinet of Ministers of Ukraine of 02.11.2006. No. 1524.

Ministry of Agrarian Policy and Food of Ukraine participates in the monitoring and protection of agricultural land according to the provisions of Art. 18 of the Law of Ukraine “On the Protection of Lands”, Art. 8 of the Law of Ukraine “On State Control of Use and Protection of Lands” and acts on the basis of the Regulation on the Ministry of Agrarian Policy and Food of Ukraine, approved by the Resolution of the Cabinet of Ministers of Ukraine of 25.11.2015, No. 1119.

Ministry of Regional Development, Construction and Housing and Communal Services of Ukraine and Ministry of Agrarian Policy and Food of Ukraine exercise control in the field of land relations in accordance with Art. 9 of the Law of Ukraine “On Regulation of Urban Development”, Regulation On the Ministry of Regional Development, Construction and Housing and Communal Services of Ukraine, approved by the Resolution of the Cabinet of Ministers of Ukraine of 30.04.2014. № 197, Regulation on the Ministry of Agrarian Policy and Food of Ukraine, approved by the Resolution of the Cabinet of Ministers of Ukraine of 25.11.2015 No. 1119.

State Service of Ukraine for Geodesy, Cartography and Cadastre is a central executive body for land resources (StateGeoCadastre) (Regulation on State Service of Ukraine for Geodesy, Cartography and Cadastre, approved by the Cabinet of Ministers of Ukraine of 14.01.2015 No. 15) which consists of central apparatus and territorial bodies of the StateGeoCadastre (Regulation on the territorial bodies of StateGeoCadastre approved by the order of the Ministry of Agrarian Policy and Food of Ukraine of 09.29.2016. No.333).

Central apparatus and territorial bodies of StateGeoCadastre shall:

- carry out state geodetic supervision of topographic, geodetic and cartographic activities;
- maintain State land cadastre;
- carry out state registration of land plots, restrictions on their use, abolition of such registration;
- manage agricultural state-owned lands;
- ensure preparation and implementation of organizational, economic, environmental and other measures aimed at the rational use and protection of lands, their protection from harmful anthropogenic impact, ensure that lands and other territories of environmental, health-improving, recreational, historical and cultural purposes are used according to their designated purposes;
- carry out state supervision in the field of land management;
- carry out out state supervision (control) in the agro-industrial complex;
- in terms of the compliance with land legislation, use and protection of lands of all categories and forms of ownership, including:
 - maintenance of state inventory and registration of lands, reliability of information on the availability and use of lands;

- compliance with the conditions of removal, preservation and use of a fertile layer of soil during mining, geological surveys, construction and other works related to soil disturbance, timely reclamation of disturbed lands to the extent stipulated by the relevant land management project;
- compliance with the requirements of land legislation in the process of concluding civil agreements, transfer into ownership, granting for use, including leasing, withdrawal (redemption) of land plots;
- compliance with the requirements of land legislation and the established procedure for acquiring and realization of land title by state authorities, local authorities, legal entities and individuals;
- compliance with the rules of established operation mode of anti-erosion, hydrotechnical structures, preservation of protective plantings and boundary marks;
- carrying out of land management, implementing measures provided for by land management projects, in particular, compliance with requirements specified in land management projects by owners and users of land plots;
- placement, design, construction and commissioning of facilities that adversely affect or may affect the state of the lands;
- implementation of measures stipulated by the relevant work land management projects to protect lands from water and wind erosion, mudflows, flooding, waterlogging, salinization, soil alkalinity, drying, compaction and other processes leading to land degradation, as well as to prevent damage to land plots by owners and users through contamination with chemical and radioactive substances and sewage, pollution with industrial, household and other wastes, overgrowing with shrubs, half-grown forests and weeds;
- compliance with terms of timely return of temporarily occupied land plots and the obligatory implementation of measures to bring them into a state suitable for use according to their designated purpose;
- compliance with the procedure for determining and compensating losses of agricultural and forestry production;
- using land plots according to the designated purpose;
- compliance with the requirements of land legislation on the transfer of land into the ownership and granting for use, including lease, change of designated purpose, withdrawal, redemption, sale of land plots or titles on a competitive basis by the executive authorities and local self-government bodies;

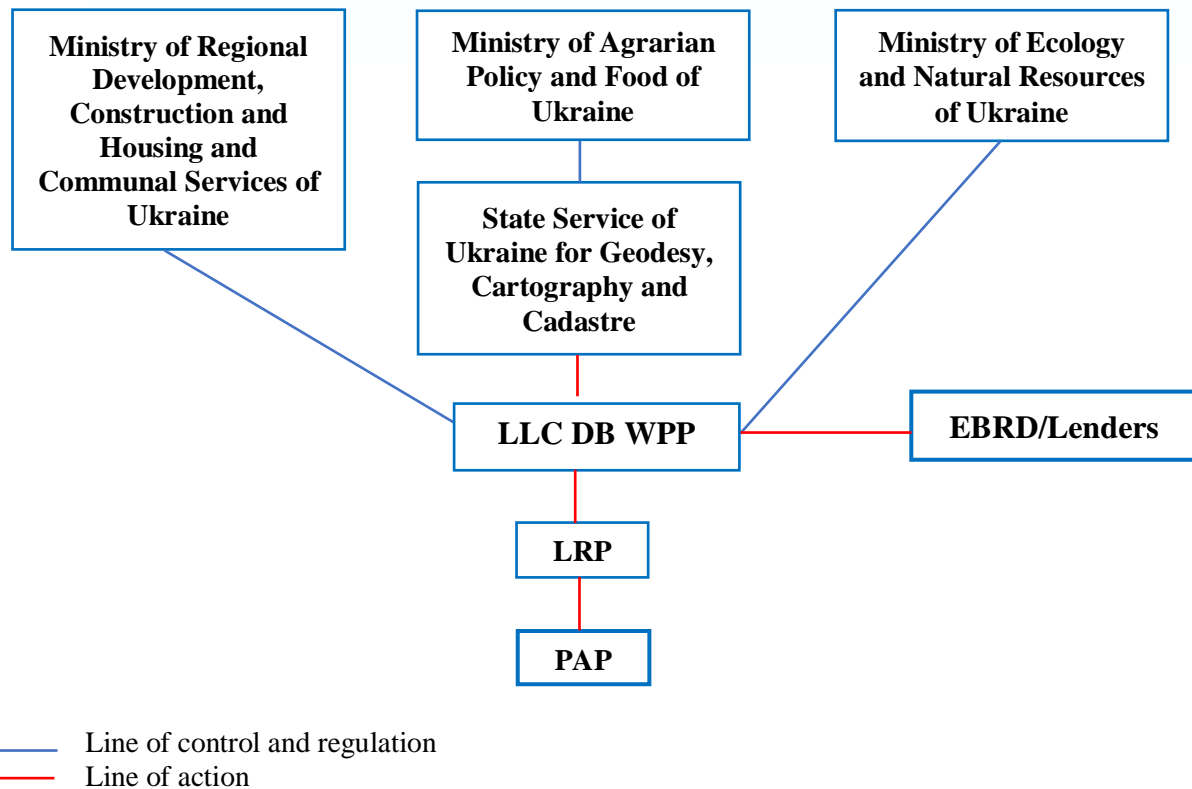
in terms of soils fertility on:

- changes of indicators of the quality of the soil as a result of economic activities on agricultural land;
- timely implementation of measures for the preservation, restoration and improvement of fertility of soil by enterprises, institutions, organizations of all forms of ownership.
- examine the land plots subject to reclamation, and issue special permits for the removal and transfer of the soil cover of land plots in accordance with projects approved in the prescribed manner, as well as examine the land plots that have been damaged due to their unauthorized occupation, use for purposes other than intended, removal of soil cover (fertile soil layer) without special permit.

LLC DB WPP shall be responsible for preparing and implementation of the LRP, including:

- Conclusion of necessary agreements with PAPs (servitudes, compensation agreements);
- Payment of compensation to PAPs;
- Recultivation of lands after construction;
- Constant interaction with the community;
- Review of grievances, etc.

Currently LLC DB WPP employs 2 people – Director and Chief Accountant. During construction, there will be an environmental and social responsible to oversee the activities on the construction site. The project will also appoint a CLO in charge of overseeing the relationships with the communities. He will be the point of contact mentioned in the grievance mechanism. The CLO will maintain a grievance log, and will prepare regular reporting together with the E&S responsible. After fulfillment of all measure indicated in the LRP E&S responsible will prepare Completion report. Organigram, showing relations between the Client, Lenders and other key project implementation partners are shown below.



12. Implementation arrangements

LRP will be fully implemented during the first year of the DB WPP operation.

- Legalizing all legalizable PAPs to the extent permissible under the national legislation;
- Signing contracts with all PAPs (servitudes, compensation);
- Paying for servitudes and compensation to PAPs;
- Monitoring LRP implementation process;
- Review of grievance (if any);
- Preparation of Completion Report

Regarding legalizing of all legalizable PAPs it should be noted the following.

Complexity of legalization of each land plot is of individual nature and depends on many circumstances:

- presence in Ukraine of persons who request legalization, their full civil rights and civil legal capacity, as well as their will to legalize land plots;
- availability of the minimum necessary set of primary documents which may be grounds for legalization;
- availability of clear provisions of the current laws of Ukraine that can be applied for legalization of land plots (depending on individual circumstances);
- entering of information about a legalized land plot shall not require the re-approval of the boundaries of the owners of already legalized land plots of the whole area and a general inventory of land of the whole area.

LLC DB WPP will make every effort to legalize mentioned land plots under condition of agreement of the concerned actual users of the land plots.

Annex 1. List of Consultation Meetings and Measures Taken to Inform the Public

No.	Date	Name and place of event	Number of people involved	Result of the meeting
Basic group consultations and measures taken to inform community of Oleksandrivka Village				
1	14.02.2017	Meeting with the members of Oleksandrivska Village Council	17	Positive
2	20.02.2017	Meeting with the staff of kindergarten in Oleksandrivka Village	19	Positive
3	20.02.2017	Meeting with the teaching staff of Oleksandrivka secondary school	24	Positive
4	22.02.2017	Meeting with the heads of agricultural enterprises conducting business on the territory of Oleksandrivska Village Council	7	Positive
5	18.04.2017	Visit of Oleksandrivka community representatives to existing wind power plant in Kherson Region	12	Positive
6	01.06.2018	Meeting with the farmers of Oleksandrivska Village Council	7	Positive
7	14.06.2018	Meeting with the farmers of Pravdino Village Council	5	Positive
8	28.06.2018	Meeting with the farmers of Pravdino Village Council	5	Positive
9	03.07.2018	Meeting with the farmers of Posad-Pokrovska Village Council	3	Positive
10	20.07.2018	Meeting with the farmers of Pravdino Village Council	5	Positive
11	23.07.2018	Meeting with the farmers of Posad-Pokrovska Village Council	3	Positive
Consultations and measures taken to inform regional and district authorities and representatives of the scientific environmental community				
1	11.11.2016	Meeting with the executive officials of Kherson Regional State Administration	11	Positive
2	01.02.2017	Meeting with the management of JSC «Khersonoblenergo»	5	Positive
3	21.09.2017	Meeting with the head of Kherson State Administration	7	Positive
4	22.03.2017	Presentation of «DB WPS» Project in Bilozerskyi District State Administration	42	Positive
5	31.03.2017	Meeting with executive officials of the Main Department of State Service of Ukraine for Geodesy, Cartography and Cadastre in Kherson Region	8	Positive
6	13.04.2017	Meeting with the executive officials of the Department of Ecology and Natural Resources of Kherson Regional State Administration	7	Positive
7	22.05.2017	Meeting with the executive officials of the Department for Urban Planning and	5	Positive

No.	Date	Name and place of event	Number of people involved	Result of the meeting
		Architecture of Kherson Regional State Administration		
8	22.06.2017	Scientific workshop to discuss the EIA report in respect of «DB WPS» Project at the National Aviation University	11	Positive
9	29.09.2017	Participation in the X International Investment Forum of Kherson Region «Tavria Horizons: Cooperation, Investment, and Economic Development»	Forum participants	Positive
10	02.11.2017	Meeting with the Head of the canals of the Ingulets Irrigation System	3	Positive
11	06.11.2017	Meeting with the Head of PJSC Ukrtelecom Kherson branch	3	Positive
12	06.11.2017	Meeting with the head of PJSC «Khersongaz»	5	Positive
13	20.11.2017	Meeting with the leadership of the road service in the Kherson region	5	Positive
14	06.02.2018	Meeting with the leadership of the Department of Construction and Infrastructure Development of the Kherson Regional State Administration	3	Positive
15	26.06.2018	Meeting of representatives of the company «Dnepro-Bugsky Wind Power Station» LLC and investors with the deputy chairman of the regional state administration Rischuk Ye.N.	15	Positive
16	26.07.2018	Meeting with the leadership of the Department of Ecology and Natural Resources of the Kherson Regional State Administration	6	Positive
17	27.09.2018	Meeting with the leadership of the Department of Ecology and Natural Resources of the Kherson Regional State Administration	7	Positive
18	01.10.2018	Meeting with the leadership of the Belozersky District State Administration and the heads of the Oleksandrivka, Pravdino and Posad-Pokrovska Village Councils	10	Positive
Informing the public through the media and the Internet				
1	16.12.2016	Publication in Prydniprovskia Zirka newspaper	2000 copies	Positive
2	24.03.2017	Publication in Prydniprovskia Zirka newspaper	2000 copies	Positive
3	14.04.2017	Publication in Prydniprovskia Zirka newspaper	2000 copies	Positive
4	05.05.2017	Publication in Prydniprovskia Zirka newspaper	2000 copies	Positive
5	22.09.2017	Publication in Prydniprovskia Zirka newspaper	2000 copies	Positive
6	22.03.2017	Publication on http://bilozerka-rda.gov.ua/ – the official website of Bilozerska District State Administration	Website visitors	Positive
7	24.03.2017	Publication on http://bilozerka-rda.gov.ua/ – the official website of Bilozerska District State	Website visitors	Positive

No.	Date	Name and place of event	Number of people involved	Result of the meeting
		Administration		
8	05.05.2017	Publication on http://bilozerka-rda.gov.ua/ – the official website of Bilozerska District State Administration	Website visitors	Positive
9	31.03.2017	Publication on http://khersonska.land.gov.ua/ – official website of Main Department of State Service of Ukraine for Geodesy, Cartography and Cadastre in Kherson Region	Website visitors	Positive
10	13.04.2017	Publication on http://ecology.ks.ua/ – the official website of Department of Ecology and Natural Resources of Kherson Regional State Administration	Website visitors	Positive
11	25.04.2017	Public hearings taken to consider public interests when elaborating detailed territory plan and environmental impact assessment in respect of «DB WPP»	82	Positive
12	01.08.2018	Publication on http://eia.menr.gov.ua – the official website of the Ministry of Ecology and Natural Resources of Ukraine	Website visitors	Positive
13	02.08.2018	Publications in the local newspaper «Nadipryanska pravda»	8893 copies	Positive
14	03.08.2018	Publications in the local newspaper «Prydniprovsk zirka»	2000 copies	Positive
15	03.08.2018	Publication on http://bilozerka-rda.gov.ua/ – official website Bilozersky District State Administration	Website visitors	Positive
16	31.08.2018	Publication in http://eia.menr.gov.ua – the official website of the Ministry of Ecology and Natural Resources of Ukraine	Website visitors	Positive
17	01.10.2018	Publication on http://bilozerka-rda.gov.ua/ – official website Bilozersky District State Administration	Website visitors	Positive
18	03.10.2018	Publication at http://eia.menr.gov.ua – the official website of the Ministry of Ecology and Natural Resources of Ukraine	Website visitors	Positive
19	05.10.2018	Publications in the local newspaper «Nadipryanska pravda»	8893 copies	Positive
20	05.10.2018	Publications in the local newspaper «Prydniprovsk zirka»	2000 copies	Positive
21	05.10.2018	Publication on http://bilozerka-rda.gov.ua/ – official website Bilozersky District State Administration	Website visitors	Positive
22	23.10.2018	Publication on http://bilozerka-rda.gov.ua/ – official website Bilozersky District State Administration	Website visitors	Positive
23	23.10.2018	Public hearings taken to consider public interests when elaborating environmental	63	Positive

No.	Date	Name and place of event	Number of people involved	Result of the meeting
		impact assessment in respect of OHPL for the Project		

Annex 2. Summary of Issues Solved during Consultation Meetings on Land Issues

Oleksandrivka Village Council of Bilozersky District of Kherson Oblast Period of consultations – August 2017-November 2018	
Issue	Issue solution
On 01.03.2018 Pekaliuk I.S. addressed to representatives of LLC DB WPP with the following problem. His mother Pekaliuk Tetiana owns a land on the part of which the servitude is to be established and she is abroad in Russian Federation. He wanted to know if he could sign agreements and receive funds on the basis of power of attorney.	<p>Pekaliuk I.S. issue is addressed the following way:</p> <ul style="list-style-type: none"> - he was explained that the agreement can be signed provided he has a power of attorney certified by notary and it contains clear and specific powers to sign agreement and to receive funds due according to this agreement; - it was separately explained that according to the article 13 of the Convention on legal aid and legal relations in civil, family and criminal cases the power of attorney issued by the notary in Russian Federation does not require any additional legalization (as apostille or in any other form); - a sample of power of attorney text has been provided. <p>Issue has been solved: Pekaliuk T. provided her son - Pekaliuk I.S. with duly executed power of attorney, the servitude agreements have been concluded.</p>
On 01.06.2018 Lehka T.S. addressed to representatives of LLC DB WPP with the issue of re-registration of the land plot title after the death of her husband.	<p>Lehka T.S. received counseling assistance and explanation of the procedure of re-registration of inherited property, also she has been offered to represent her interests before notary bodies in order to receive inheritance certificate. Lehka T.S. agreed to receive assistance, she provided representative of LLC DB WPP with relevant power of attorney.</p> <p>Issue has been solved: Inheritance certificate has been received, the servitude agreements have been concluded.</p>
On 02.10.2018 it was identified that Bartashuk L.O. who owns ¾ of land plot, has registered inheritance rights for ½ of land plot. (inheritance right for ¼ of land plot belongs to her sister Kozlionkova T.O.) However, Bartashuk L.O. didn't receive inheritance certificate for ¼ of the land plot.	<p>Bartashuk L.O. was explained that she needs to visit Alpieieva T.V. state notary of Bilozerka State Notary Office who is responsible for inheritance case in order to obtain inheritance certificate for ¼ of land plot and further register it with the Register of Property Rights to Immovable Property.</p> <p>Issue has been solved: Inheritance certificate has been received, the copy of the document has been sent to land management organization for manufacturing servitude technical documentation and further conclusion of servitude agreement.</p>
Pravdyne Village Council of Bilozerskyi district of Kherson Oblast Period of consultations – June 2018-November 2018	
Issue	Issue solution
On 15.10.2018 it was identified that Kyianu N.P. as of the stated date	Kyianu N.P. was explained the provision of the Law of Ukraine "On citizenship", provision on the passport of

has invalid passport as she didn't update the photo after she turned to be 45 years old.	<p>the citizen of Ukraine (Resolution of the Verkhovna Rada of June 26, 1992 N 2503-XII), the emphasis was put on the fact of impossibility to conclude agreements and receive of funds as her passport is invalid. Kyianu N.P. was provided consultation while solving the issue with relevant territorial subdivision of State Migration Service of Ukraine.</p> <p>Issue has been solved: photo has been updated, servitude agreements have been concluded.</p>
On 16.10.2018 it was identified that Vasnovych S.P. didn't register inherited land plots including household plot and house land plot.	<p>Vasnovych S.P. was provided a consultation and explained the procedure of inheritance re-registration as well as offered assistance.</p> <p>Issue has been solved: the works on the development of land management documentation have been performed, the land plots have been registered with state land cadaster, the inheritance certificate (for household land plot and house land plot) has been issued.</p>
On 18.10.2018 it was identified that the households of Shkarbul N.A. and her son Shkarbul V.O. lost state acts on title to the land plots granted to them as a result of land parceling and that their land plots didn't have cadastral numbers.	<p>Shkarbul N.A. and Shkarbul V.O. received the consultation on the procedure of recovery of lost documents and assignment of cadastral numbers.</p> <p>Issue has been solved: archive certified copies of state acts have been received but the originals of state acts have been found by the land plots user. The works on the development of land management documentation have been performed, the land plots have been registered with state land cadaster, cadastral numbers have been assigned.</p>
On 03.09.2018 Hlukhov A.V. addressed to representatives of DB WPS LLC and informed that he was going to stay in Kharkiv Oblast till the end of the calendar year therefore he would not be able to sign servitude agreement and receive funds due to it.	<p>Hlukhov A.V. was offered to visit any notary in order to certify the power of attorney issued to the name of the person he trusts to that he/she could sign the agreement and receive funds. The representatives of LLC DB WPP prepared the text of power of attorney in digital format.</p> <p>Hlukhov A.P. accepted the assistance; the power of attorney has been drawn up.</p> <p>Issue has been solved: power of attorney has been duly executed and issued to the authorized person, the servitude agreement has been concluded.</p>
<p align="center">Posad-Pokrovske Village Council of Bilozersky district of Kherson Oblast.</p> <p align="center">Period of consultations – June 2018-November 2018</p>	
Issue	Issue solution
On 16.09.2018 Tatochenko A.M. informed representatives of LLC DB WPP that he has inherited the land plot after the death of his mother which is confirmed with inheritance certificate and relevant	Tatochenko A.M. has been explained that in order to amend the information on the land plot in State land cadaster it is necessary to develop land management technical documentation with regard to restoration of the boundaries of the land plot, then this technical documentation and digital medium has to be submitted

record in the title act, however the land plot was not registered with the State Land Cadaster and State Register of property rights to immovable property.

to State land cadaster for the assignment of cadastral number and further receipt of the extract which contains the cadastral number; the title can be registered with the Register of Property Rights to Immovable Property after conclusion of servitude agreement (simultaneously with servitude agreement). Tatochenko A.M has been recommended to consult certified land surveyors who according to the Law of Ukraine "On Land Management" have right to develop technical documentation.

Issue has been solved: information on land plot has been entered into State land cadaster, the cadastral number has been assigned, the servitude agreement has been concluded.







Annex 3. Minutes of the Consultation Meetings Held with Public and Stakeholders

MINUTES

of group consultation on land issues during design and construction of 27 km overhead line from central substation of Dnepro-Bugsky WPS to Posad-Pokrovska substation at the territory of Oleksandrivka, Pravdyne and Posad-Pokrovske Village Councils of Bilozerskyi district of Kherson Oblast (outside the populated areas)

August 22, 2018

Venue: Oleksandrivka village of Bilozerskyi district of Kherson Oblast, premises of Oleksandrivka Village Council.

Started at: 13.00

Finished at: 15.00

Participants and attendees:

Klius S.V., Yabrotskyi S.V. – representatives of DB WPS LLC by virtue of power of attorney;

Byria P.I. – Head of Oleksandrivka Village Council;

Vytynnyk M.G., Vytynnyk V.I., Sholudko A.A., Matenkevych O.A., Khavrych C.C., Piven M.P., Bartashuk L.A. – land plot owners.

Agenda:

1. The possibility to use agricultural land plots for location of electricity transmission facilities.

Speakers: Klius S.V., Yabrotskyi S.V.

The term of “electricity transmission facilities” has been explained as well as legality of location of electricity transmission facilities on the land plots of any designated use according to the Law of Ukraine “On Lands for Energy and Legal Regime of Special Areas for Energy Facilities” has been clarified. Additionally, emphasis was put on the fact that the land plot is not withdrawn from the owner and can be used according to its designated purpose but with restrictions imposed according to the servitude agreement.

Brief summary of questions asked: no questions have been asked.

Materials provided to land plots owners: excerpts from the Law of Ukraine “On Lands for Energy and Legal Regime of Special Areas for Energy Facilities”.

Result: satisfactory

2. Clarification of the status of title documents of land plots owners and the need to bring them in line with current legislation.

Speakers: Klius S.V., Yabrotskyi S.V.

It was explained that in order to conclude the servitude agreement the owner should have a title document for land (state act, ownership certificate, inheritance certificate, court decision, etc) and the land plot itself should have a cadastral number and be registered with State Land Cadastre. In order to develop technical documentation, it is necessary to provide copies of land plot title documents as well as copies of passport and individual tax number certificate.

Brief summary of questions asked: is it possible to sign servitude agreement and receive cash by power of attorney if the land plot owner is in another city? How is it possible to register servitude rights, if the land plot is owned by 2 persons by the right of common partial

property without allocating a part of land plot in kind and how will the compensation payment be distributed under the servitude agreement between the owners?

Brief summary of answers: yes, agreement can be signed provided the power of attorney is notarized and contains clear and specific authorities to sign the agreement and receive cash due under this agreement + we have also offered the assistance in preparation of the text of power of attorney and communication with notary; if the land plot is owned by 2 persons, then both should sign servitude agreement and compensation payment will be distributed in proportion to the ideal split of the land plot: if one owner owns $\frac{3}{4}$ of a land plot and another owns $\frac{1}{4}$, then the first receives $\frac{3}{4}$ of total compensation amount and another – $\frac{1}{4}$ thereof.

Materials provided by land plots owners: copies of land plots title documents, copies of passports and individual tax number certificates.

Result: satisfactory, copies of all necessary documents have been provided.

3. Clarification of the term “protection zones” and the list of works which are prohibited to perform in protection zone of overhead line.

Speakers: Klius S.V., Yabrotskyi S.V.

Provisions of the Resolution for Protection of Electrical Grids approved by the Cabinet of Ministers of Ukraine of 04.03.1997 No.209 have been explained to attendees. The emphasis was made on the size of protection zone for 150 kV OHL which is 25 meters along the whole line on both sides; it was also underlined that it is prohibited to make fires, arrange waste deposits, build houses and structures, store flammable materials, etc.

Brief summary of questions asked: no questions have been asked.

Materials provided to land plots owners: Resolution of the Cabinet of Ministers of Ukraine of 04.03.1997 No.209.

Result: satisfactory.

4. Explanation of works procedure in the protection zone and explanation of compensation procedure for damages caused to the land owners/land users during works in the protection zone.

Speakers: Klius S.V., Yabrotskyi S.V.

The provisions of conditions of works performance within electrical grids protection zone approved by the Cabinet of Ministers of Ukraine of 04.03.1997, No.209 have been explained. It was underlined that according to item 12 of the abovementioned conditions energy enterprise is obliged to compensate all damages to all owners and users as well as to bring the land to the condition suitable for use as intended. The provisions of the Procedure of compensation of damages to land plot owners and users approved by the Resolution of the Cabinet of Ministers of Ukraine of 19.04.1993, No.284 have been clarified. It was explained that the amount of damages is determined on the basis of an act of a special commission operating under the district state administration after establishing the fact of damage; the damages must be compensated within 30 days after the act is drafted and signed. Additionally, it was underlined that in case of non-compliance with restrictions on the land plots by land owners and land users the damaged will not be compensated.

Brief summary of questions asked: no questions have been asked.

Materials provided to land plots owners: conditions of works performance within electrical grids protection zone approved by the Cabinet of Ministers of Ukraine of 04.03.1997, No.209, Procedure of compensation of damages to land plot owners and land users approved by the Resolution of the Cabinet of Ministers of Ukraine of 19.04.1993, No.284.

Result: satisfactory.

5. Determination of fair amounts of compensation payments for the establishment of servitude for the placement of supporting structures of overhead line.

Speakers: Klius S.V., Byria P.I.

It was explained that land lease agreements for Oleksandrivka, Pravdyne and Posad-Pokrovske Village Councils have been analyzed in order to determine the amount of rent and apply thereof in order to conclude servitude agreements.

It was suggested to use the cost of one square meter of land in Oleksandrivka, Pravdyne and Posad-Pokrovske Village Councils as a base and apply a magnifying coefficient.

Amount of payment is calculated according to the formula:

$P = Osq/m \times Vsq/m \times 30/3 \times CFP \times BC$, where

***P** – amount of compensation payment under servitude agreement;*

***Osq/m** – the cost of lease of 1 square meter 0,20 UAH. (2000 UAH. / 10000 sq.m.);*

***Vsq/m** – the area for placement of supporting structures of overhead line with installation platform (average of 1000 sq.m.);*

***30** – the term of servitude agreement, years;*

***CFP** – for placement of supporting structures of overhead line with installation platform, coefficient 3 is applied;*

***BC** – balancing coefficient 1,6 is applied in order to cover possible level of reduction of state aid to the household provided for payment of housing and utilities services;*

Thus, the amount of the compensation payment under the servitude agreement is calculated as follows:

$0,20 \times 1000 \times 30 \times 3 \times 1,6 = 30000,00$ UAH. (thirty thousand hryvnia).

Brief summary of questions asked: *it was suggested to settle compensation for servitude with one-time payment.*

Brief summary of answers: *the request is accepted*

Result: *satisfactory.*

Signature of representative of DB WPS LLC:

_____ S.V. Klius

_____ S.V. Yabrotskyi

Signature of representative of local government:

_____ P.I. Byria

MINUTES

of group consultation on land issues during design and construction of Dnepro-Bugsky WPS LLC with the capacity of 110 MW at the territory of Oleksandrivka Village Council of Bilozerskyi district of Kherson Oblast (outside the populated areas)

February 28, 2018

Venue: Oleksandrivka village of Bilozerskyi district of Kherson Oblast, premises of Oleksandrivka Village Council.

Started at: 14.00

Finished at: 17.00

Participants and attendees:

Klius S.V., Shpanov R.V., Khamer B.L. – representatives of DB WPS LLC;

Byria P.I. – Head of Oleksandrivka Village Council;

Baranov O.P., Vovk N.V., Prykhodko S.N., Lehka T.S., Zachesa N.A., Yushchenko S.U., Miroshnychenko V.P., Zakhara Z.L., Zakhara A.M., Puzan L.V., Osypenko S.V., Fedyshchev V.I., Homan A.A. – land plots owners.

Agenda:

1. Determination of fair amounts of compensation payments for the establishment of servitude for the placement of underground supporting structures, temporary placement of machinery during construction and other purposes.

Speakers: Klius S.V., Byria P.I.

It was explained that land lease agreements for Oleksandrivka, Pravdyne and Posad-Pokrovske Village Councils have been analyzed in order to determine the amount of rent and and apply thereof in order to conclude servitude agreements.

It was suggested to use the cost of one square meter of land in Oleksandrivka, Pravdyne and Posad-Pokrovske Village Councils as a base and apply a magnifying coefficient.

Amount of payment is calculated according to the formula:

$P = Osq/m \times Vsq/m \times 30/3 \times CFP \times BC$, where

P – amount of compensation payment under servitude agreement;

Osq/m – the cost of lease of 1 square meter 0,20 UAH. (2000 UAH. / 10000 sq.m.);

Vsq/m – the area for placement of underground supporting structures of wind turbines – 500 sq.m., for placement of underground supporting structures of wind turbines with installation platform - 1000 sq.m., for construction and installation sites and other purposes – 5000 sq.m.;

30/3 – the term of servitude agreement, years;

CFP – for placement of underground supporting structures of wind turbines with installation platform coefficient 3 is applied, for installation site and other purposes we use coefficient 2;

BC – balancing coefficient 1,6 in order to cover possible level of reduction of state aid to the household provided for payment of housing and utilities services;

Thus, the amount of the compensation payment under the servitude agreement for the placement of underground supporting structures of wind turbines is calculated as follows:

$0,20 \times 1000 \times 30 \times 3 \times 1,6 = 15000,00$ UAH. (fifteen thousand hryvnia).

Thus, the amount of the compensation payment under the servitude agreement for the installation sites and other purposes is calculated as follows:

$0,20 \times 5000 \times 3 \times 2 \times 1,6 = 10000,00$ UAH. (ten thousand hryvnia).

Brief summary of questions asked: *it was suggested to settle compensation for servitude with one-time payment.*

Brief summary of answers: *the request is accepted*

Result: *satisfactory.*

Signature of representative of DB WPS LLC:

_____ S.V. Klius

_____ R.V. Shpanov

_____ B.L. Khamer

Signature of representative of local government:

_____ P.I. Byria

MINUTES

of group consultation on land issues during design and construction of Dnepro-Bugsky WPS LLC with the capacity of 110 MW at the territory of Oleksandrivka Village Council of Bilozerskyi district of Kherson Oblast (outside the populated areas)

March 01, 2018

Venue: Oleksandrivka village of Bilozerskyi district of Kherson Oblast, premises of Oleksandrivka Village Council.

Started at: 11.00.

Finished at: 12.15.

Participants and attendees:

Klius S.V. – representative of DB WPS LLC by virtue of power of attorney;

Litosh O.V. – land surveyor of Oleksandrivka Village Council;

Zachesa N.A., Polovenko A.I., Babushok S.V., Pekaliuk I.S., Hryhorieva T.E.; Kotliarenko O.N. – land plots owners.

Agenda:

1. Concepts of land lease and servitude of part of the land plot.

Speakers: Klius S.V., Litosh O.V.

The terms “land plot lease” and “servitude of the part of land plot” as well as difference between land plot lease and servitude of the part of land plot have been explained. The owners were made familiar with the provisions of the Land Code of Ukraine (articles 98-102), Civil Code of Ukraine (401-406), Law of Ukraine “On Land Lease”.

Brief summary of questions asked: no questions have been asked.

Materials provided to land plots owners: excerpts from the Land Code of Ukraine, Civil Code of Ukraine, Law of Ukraine “On Land Lease”.

Result: satisfactory.

2. Procedure of conclusion and mechanism of registration of servitude agreements.

Speakers: Klius S.V., Litosh O.V.

The following procedures have been explained: the procedure of developing technical documentation for establishment of servitude right for a part of a land plot, the procedure of approving and agreeing upon technical documentation and signing of servitude agreement, the procedure of registering the right of servitude with the State Land Cadastre and the procedure of registering a servitude agreement with the Register of Immovable Property Rights

Brief summary of questions asked: who is paying for the development of technical documentation on establishment of servitude? Who exactly should apply for the registration of servitude rights? Is the servitude agreement valid if it is not registered properly?

Brief summary of answers: the development of technical documentation on the establishment of a servitude is carried out at the expense of “DB WPS” LLC; each of the parties has right to submit an application for registration of a servitude agreement, in order to avoid inconvenience to the owners, “DB WPS” LLC undertakes this responsibility; the registration of the servitude agreement is carried out at the expense of the person/entity submitting the application (that is, “DB WPS” LLC); according to the current legislation, the servitude agreement is valid provided it is registered with the Register of Immovable Property Rights.

Materials provided to land plots owners: excerpts from the Law of Ukraine “On Land Management”, Law of Ukraine “On State Land Cadastre”.

Result: satisfactory.

3. Clarification of the status of title documents of land plots owners and the need to bring them in line with current legislation.

Speakers: Klius S.V., Litosh O.V.

It was explained that in order to conclude the servitude agreement the owner should have a title document for land (state act, ownership certificate, inheritance certificate, court decision, etc) and the land plot itself should have a cadastral number and be registered with State Land Cadastre. For the development of technical documentation, it is necessary to provide copies of title documents for the land plot, as well as copies of passport and individual tax number certificate.

Brief summary of questions asked: is it possible to sign servitude agreement and receive cash by power of attorney if the land plot owner is abroad (Pekaliuk I.S)?

Brief summary of answers: yes, agreement can be signed provided the power of attorney is notarized and contains clear and specific authorities to sign the agreement and receive cash due under this agreement. It was additionally explained that the power of attorney issued by the notary in Russian Federation does not require any special legalization (in the form of apostille, etc) according to the article 13 of Convention on Legal Aid and Legal Relations in Civil, Family and Criminal Cases.

Materials provided by land plots owners: copies of land plots title documents, copies of passports and individual tax number certificates.

Result: satisfactory, copies of all necessary documents have been provided.

Signature of representative of DB WPS LLC:

_____ S.V. Klius

Signature of representative of local government:

_____ O.V. Litosh

MINUTES

of group consultation on land issues during design and construction of 27 km overhead line from central substation of Dnepro-Bugsky WPS to Posad-Pokrovska substation at the territory of Oleksandrivka, Pravdyne and Posad-Pokrovske Village Councils of Bilozerskyi district of Kherson Oblast (outside the populated areas)

September 15, 2018

Venue: Posad-Pokrovske village of Bilozerskyi district of Kherson Oblast, premises of Posad-Pokrovske Village Council.

Stared at: 12.00

Finished at: 13.45

Participants and attendees:

Klius S.V. – representative of DB WPS LLC by virtue of power of attorney;

Shevchenko L.V. – Head of Posad-Pokrovske Village Council;

Petiurenko S.V., Chernenko V.V., Danylevskyi N.P., Danylevska S.I., Karpin M.M., Chmylioia T.P. – land plots owners.

Agenda:

1. Concepts of land lease and servitude of part of the land plot.

Speakers: Klius S.V.

The terms “land plot lease” and “servitude of the part of land plot” as well as difference between land plot lease and servitude of the part of land plot have been explained. The owners were made familiar with the provisions of the Land Code of Ukraine (articles 98-102), Civil Code of Ukraine (401-406), Law of Ukraine “On Land Lease”.

Brief summary of questions asked: *no questions have been asked.*

Materials provided to land plots owners: *excerpts from the Land Code of Ukraine, Civil Code of Ukraine, Law of Ukraine “On Land Lease”.*

Result: *satisfactory.*

2. Procedure of conclusion and mechanism of registration of servitude agreements.

Speakers: Klius S.V.

The following procedures have been explained: the procedure of developing technical documentation on establishment of servitude right for a part of a land plot, the procedure of approving and agreeing upon technical documentation and signing of servitude agreement, the procedure of registering the right of servitude with the State Land Cadastre and the procedure of registering a servitude agreement with the Register of Immovable Property Rights.

Brief summary of questions asked: *who is paying for the development of technical documentation for establishment of servitude? Who exactly should apply for the registration of servitude rights? Is the servitude agreement valid if it is not registered properly?*

Brief summary of answers: *the development of technical documentation on the establishment of a servitude is carried out at the expense of “DB WPS” LLC; each of the parties has right to submit an application for registration of servitude agreement, in order to avoid inconvenience to the owners, “DB WPS” LLC undertakes this responsibility; the registration of the servitude agreement is carried out at the expense of the person/entity submitting the application (that is, “DB WPS” LLC); according to the current legislation, the servitude agreement is valid provided it is registered with the Register of Immovable Property Rights.*

Materials provided to land plots owners: *excerpts from the Law of Ukraine “On Land Management”, Law of Ukraine “On State Land Cadastre”.*

Result: *satisfactory*

3. The possibility to use agricultural land plots for location of electricity transmission facilities.

Speakers: *Klius S.V.*

The term of “electricity transmission facilities” has been explained as well as legality of location of electricity transmission facilities on the land plots of any designated purpose according to the Law of Ukraine “On Lands for Energy and Legal Regime of Special Areas for Energy Facilities” has been clarified. Additionally, emphasis was put on the fact that the land plot is not withdrawn from the owner and can be used according to its designated purpose but with restrictions imposed according to servitude agreement.

Brief summary of questions asked: *no questions have been asked.*

Materials provided to land plots owners: *excerpts from the Law of Ukraine “On Lands for Energy and Legal Regime of Special Areas for Energy Facilities”.*

Result: *satisfactory*

4. Clarification of the status of title documents of land plots owners and the need to bring them in line with current legislation.

Speakers: *Klius S.V.*

It was explained that in order to conclude servitude agreement the owner should have a title document for land (state act, ownership certificate, inheritance certificate, court decision, etc) and the land plot itself should have a cadastral number and be registered with State Land Cadastre. For the development of technical documentation, it is necessary to provide copies of title documents for the land plot, as well as copies of passport and individual tax number certificate.

Brief summary of questions asked: *is it possible to sign servitude agreement and receive cash by power of attorney if the land plot owner is in another city? How will the payment be made according to the servitude agreement?*

Brief summary of answers: *yes, agreement can be signed provided the power of attorney is notarized and contains clear and specific authorities to sign the agreement and receive cash due under this agreement + we have also offered the assistance in preparation of the text of power of attorney and communication with notary; since the overwhelming majority of rural residents do not have accounts with financial and banking institutions, the settlement will be made in cash with a payment order issued at the day the owner signs the technical documentation and servitude agreement. Additionally, emphasis was put on the fact that according to the restrictions imposed by the relevant Resolution of the National Bank of Ukraine, a legal entity does not have right to give out cash to a physical person in the amount of more than 50 000 UAH within 24 hours, so in these cases the settlement will be made within a few days from the date of signing of technical documentation and the servitude agreement by the owner.*

Brief summary of questions asked: *copies of land plots title documents, copies of passports and individual tax number certificates.*

Result: *satisfactory, copies of all necessary documents have been provided.*

Signature of representative of DB WPS LLC:

_____ S.V. Klius

Signature of representative of local government:

_____ L.V. Shevchenko

MINUTES

of group consultation on land issues during design and construction of 27 km overhead line from central substation of Dnepro-Bugsky WPS to Posad-Pokrovska substation at the territory of Oleksandrivka, Pravdyne and Posad-Pokrovske Village Councils of Bilozerskyi district of Kherson Oblast (outside the populated areas)

September 25, 2018

Venue: Posad-Pokrovske village of Bilozerskyi district of Kherson Oblast, premises of Posad-Pokrovske Village Council.

Started at: 13.00.

Finished at: 14.45

Participants and attendees:

Klius S.V., Shpanov R.V., Khamer B.L. – representatives of DB WPS LLC;

Shevchenko L.V. – Head of Posad-Pokrovske Village Council;

Karpin M.M., Tatochenko A.M., Danylevskyi N.P., Danylevska S.I., Chmyleva T.P. – land plots owners.

Agenda:

1. Clarification of the term “protection zones” and the list of works which are prohibited to perform on protection zone of overhead line.

Speakers: Klius S.V., Khamer B.L.

Provisions of the Resolution for Protection of Electrical grids approved by the Cabinet of Ministers of Ukraine of 04.03.1997 No.209 have been explained to attendees. The emphasis was put on the size of protection zone for 150 kV OHL which is 25 meters along the whole line on both sides; it was also underlined that it is prohibited to make fires, arrange waste deposits, build houses and structures, store flammable materials, etc.

Brief summary of questions asked: no questions have been asked.

Materials provided to land plots owners: Resolution of the Cabinet of Ministers of Ukraine of 04.03.1997 No.209.

Result: satisfactory.

2. Explanation of works procedure in the protection zone and explanation of compensation procedure for damages caused to the land owners/land users during works in the protection zone.

Speakers: Klius S.V., Khamer B.L.

The provisions of conditions of works performance within electrical grids protection zone approved by the Cabinet of Ministers of Ukraine of 04.03.1997, No.209 have been explained. It was underlined that according to item 12 of the abovementioned conditions energy enterprise is obliged to compensate all damages to all owners and users as well as to bring the land to the condition suitable for use as intended. The provisions of the Procedure of compensation of damages to land plot owners and users approved by the Resolution of the Cabinet of Ministers of Ukraine of 19.04.1993, No.284 have been clarified. It was explained that the amount of damages is determined on the basis of an act of a special commission operating under the district state administration after establishing the fact of damage; the damages must be compensated within 30 days after the act is drafted and signed. Additionally, it was underlined that in case of non-compliance with restrictions on the land plots by land owners and land users the damaged will not be compensated.

Brief summary of questions asked: no questions have been asked.

Materials provided to land plots owners: conditions of works performance within electrical grids protection zone approved by the Cabinet of Ministers of Ukraine of 04.03.1997, No.209, Procedure of compensation of damages to land plot owners and users approved by the Resolution of the Cabinet of Ministers of Ukraine of 19.04.1993, No.284.

Result: satisfactory.

3. Determination of fair amounts of compensation payments for the establishment of servitude for the placement of supporting structures of overhead line.

Speakers: Klius S.V., Shpanov R.V.

It was explained that land lease agreements for Oleksandrivka, Pravdyne and Posad-Pokrovske Village Councils have been analyzed in order to determine the amount of rent and and and apply thereof in order to conclude servitude agreements.

It was suggested to use the cost of one square meter of land in Oleksandrivka, Pravdyne and Posad-Pokrovske Village Councils as a base and apply a magnifying coefficient

Amount of payment is calculated according to the formula:

$P = Osq/m \times Vsq/m \times 30/3 \times CFP \times BC$, where

P – amount of compensation payment under servitude agreement;

Osq/m – the cost of lease of 1 square meter 0,20 UAH. (2000 UAH. / 10000 sq.m.);

Vsq/m – the area for placement of supporting structures of overhead line with installation platform (average of 1000 sq.m.);

30 – term of servitude agreement, years;

CFP – for placement of supporting structures of overhead line with installation platform, coefficient 3 is applied;

BC – balancing coefficient 1,6 in order to cover possible level of reduction of state aid to the household provided for payment of housing and utilities services;

Thus, the amount of the compensation payment under the servitude agreement is calculated as follows:

$0,20 \times 1000 \times 30 \times 3 \times 1,6 = 30000,00$ UAH. (thirty thousand hryvnia).

Brief summary of questions asked: it was suggested to settle compensation for servitude with one-time payment.

Brief summary of answers: the request is accepted

Result: satisfactory.

Signature of representative of DB WPS LLC:

_____ S.V. Klius

_____ R.V. Shpanov

_____ B.L. Khamer

Signature of representative of local government:

_____ L.V. Shevchenko

MINUTES

of group consultation on land issues during design and construction of 27 km overhead line from central substation of Dnepro-Bugsky WPS to Posad-Pokrovska substation at the territory of Oleksandrivka, Pravdyne and Posad-Pokrovske Village Councils of Bilozerskyi district of Kherson Oblast (outside the populated areas)

June 20, 2018

Venue: Pravdyne village of Bilozerskyi district of Kherson Oblast, premises of farming enterprise Tavriia

Started at: 15.00

Finished at: 18 .00

Participants and attendees:

Klius S.V., Shpanov R.V., Khamer B.L. – representatives of DB WPS LLC;

Dzhyzhhevskyi M.M., head of farming enterprise Tavriia and Tavriia Pravdyne LLC;

Nikitenko V.A., director of Vikol-Ekspo LLC; Striletskyi A.V., farmer, Plokhotnichenko V.A., farmer.

Agenda:

1. Determination of fair amounts of compensation payments for the establishment of land use restrictions.

Speakers: *Shpanov R.V., Klius S.V.*

It was explained that despite of establishing servitudes for placement of supporting structures of overhead line the land users will continue to use land but with restrictions. All present have been informed about the types of restrictions.

The difference in compensation payment to the land owner and to the land user has been discussed. According to the law, the owner and the user are entitled to compensation, so it will be fair to use the same mechanism for determining compensation payment for both land owners and land users.

Brief summary of questions asked: *the opinion was expressed that land users who irrigate the land they cultivate, or started work on restoring the irrigation system, will incur bigger damages from restrictions comparing to users who do not use irrigation.*

Brief summary of answers: *The issue is to be discussed; the land user who irrigates or has begun work on the restoration of the land irrigation system is proposed to speak on the issue.*

Dzhyzhhevskyi M.M. the head of farming enterprise Tavriia and Tavriia Pravdyne LLC spoke on the issue:

He told that he had already started design works on restoration of irrigation of the lands he cultivated; in 2019-2020 he plans to put into operation the first stage of irrigated lands and start a full cycle of land use with irrigation system. The irrigation will give him an additional income on average 1,5-2 times more than now. Dzhyzhhevskyi M.M. has provided calculations of cost and income on the land without irrigation and land with irrigation. As a consequence, his enterprise will incur more damages from the establishment of restrictions on the use of land, in particular, with regard to the part of land within the boundaries of the protection zones of the overhead line. Dzhyzhhevskyi M.M. provided the calculation of the area under restrictions on which he will incur damages, taking into account the restrictions in irrigation; according to his calculation the compensation payment for irrigated land or the land on which irrigation restoration works have begun should be higher or compensation should be calculated based on the area of restrictions.

Nikitenko V.A., director of Vikol-Ekspo spoke on the issue:

Nikitenko V.A. stated that the calculation of compensation should take into account the irrigated lands or lands where works on the restoration of irrigation have begun. The lands used by his enterprise are potentially not irrigated and he will not carry out the construction of an irrigation system. It was proposed to increase the amount of compensation for lands with irrigation or planned irrigation in proportion to increasing the yield and profitability of the enterprise, which in terms of the ratio will be from 1.5 to 3.

Additional questions: *no questions have been asked*

Result: *satisfactory.*

Signature of representative of DB WPS LLC:

_____ R.V. Shpanov

Signature of farmers' representative:

_____ M.M. Dzhyzhevskiy

MINUTES

of group consultation on land issues during design and construction of 27 km overhead line from central substation of Dnepro-Bugsky WPS to Posad-Pokrovskaya substation at the territory of Oleksandrivka, Pravdyne, Posad-Pokrovske Village Councils of Bilozerskyi district of Kherson Oblast (outside the populated areas)

September 02, 2018

Venue: Pravdyne village of Bilozerskyi district of Kherson Oblast, premises of farming enterprise Tavriia Pravdyne LLC.

Started at: 15.00

Finished at: 17.00

Participants and attendees:

Klius S.V. – representative of DB WPS LLC by virtue of power of attorney;

Shevchenko L.V. – Head of Pravdyne Village Council;

Muradov A.S., Muradova N.A., Diachenko O.M., Kyianu N.P., Savytska A.V., Dzhyzhhevskyi A.L. – land plots owners;

Dzhyzhhevskyi M.M., Streletskyi A.G., Nikitenko V.N., Plokhonichenko S.D., Shevchenko A.G. – land plots users.

Agenda:

1. Concepts of land lease and servitude of part of the land plot.

Speakers: Klius S.V.

The terms “land plot lease” and “servitude of the part of land plot” as well as difference between land plot lease and servitude of the part of land plot have been explained. The owners were made familiar with the provisions of the Land Code of Ukraine (articles 98-102), Civil Code of Ukraine (401-406), Law of Ukraine “On Land Lease”.

Brief summary of questions asked: no questions have been asked.

Materials provided to land plots owners: excerpts from the Land Code of Ukraine, Civil Code of Ukraine, Law of Ukraine “On Land Lease”.

Result: satisfactory.

2. Procedure of conclusion and mechanism of registration of servitude agreement.

Speakers: Klius S.V.

The following procedures have been explained: the procedure of developing technical documentation for establishment of servitude right for a part of a land plot, the procedure of approving and agreeing upon technical documentation and signing of servitude agreement, the procedure of registering the right of servitude with the State Land Cadastre and the procedure of registering a servitude agreement with the Register of Immovable Property Rights.

Brief summary of questions asked: who is paying for the development of technical documentation for establishment of servitude? Who exactly should apply for the registration of servitude rights? Is the servitude agreement valid if it is not registered properly?

Brief summary of answers: the development of technical documentation for the establishment of a servitude is carried out at the expense of “DB WPS” LLC; each of the parties has right to submit an application for registration of a servitude agreement, in order to avoid inconvenience to the owners, “DB WPS” LLC undertakes this responsibility; the registration of the servitude agreement is carried out at the expense of the person/entity submitting the application (that is, “DB WPS” LLC); according to the current legislation, the servitude agreement is valid provided it is registered with the Register of Immovable Property Rights.

Materials provided to land plots owners: excerpts from the Law of Ukraine “On Land Management”, Law of Ukraine “On State Land Cadastre”.

Result: satisfactory

3. The possibility to use agricultural land plots for location of electricity transmission facilities.

Speakers: Klius S.V.

The term of “electricity transmission facilities” has been explained as well as legality of location of electricity transmission facilities on the land plots of any designated purpose according to the Law of Ukraine “On Lands for Energy and Legal Regime of Special Areas for Energy Facilities” has been clarified. Additionally, emphasis was put on the fact that the land plot is not withdrawn from the owner and can be used according to its designated purpose but with restrictions imposed according to the servitude agreement.

Brief summary of questions asked: no questions have been asked.

Materials provided to land plots owners: excerpts from the Law of Ukraine “On Lands for Energy and Legal Regime of Special Areas for Energy Facilities”.

Result: satisfactory

4. Clarification of the status of title documents of land plots owners and the need to bring them in line with current legislation.

Speakers: Klius S.V.

It was explained that in order to conclude the servitude agreement the owner should have a title document for land (state act, ownership certificate, inheritance certificate, court decision, etc) and the land plot itself should have a cadastral number and be registered with State Land Cadastre. For the development of technical documentation, it is necessary to provide copies of title documents for the land plot, as well as copies of passport and individual tax number certificate.

Brief summary of questions asked: is it possible to sign servitude agreement and receive cash by power of attorney if the land plot owner is in another city? How to register servitude rights, if the land plot is owned by 2 persons by the right of common partial property without allocating a part of land plot in kind and how will the compensation payment be distributed under servitude agreement between the owners?

Brief summary of answers: yes, agreement can be signed provided the power of attorney is notarized and contains clear and specific authorities to sign the agreement and receive cash due under this agreement + we have also offered the assistance in preparation of the text of power of attorney and communication with notary; if the land plot is owned by 2 persons, then both should sign servitude agreement and compensation payment is distributed in proportion to the ideal split of the land plot: if one owner has $\frac{3}{4}$ of a land plot and another owns $\frac{1}{4}$, then the first receives $\frac{3}{4}$ of total compensation amount and another one – $\frac{1}{4}$ thereof.

Materials provided by land plots owners: copies of land plots title documents, copies of passports and individual tax number certificates.

Result: satisfactory, copies of all necessary documents have been provided provided.

Signature of representative of DB WPS LLC:

_____ S.V. Klius

Signature of representative of local government:

_____ L.V. Shevchenko

MINUTES

of group consultation on land issues during design and construction of 27 km overhead line from central substation of Dnepro-Bugsky WPS to Posad-Pokrovskaya substation at the territory of Oleksandrivka Village Council of Bilozerskyi district of Kherson Oblast (outside the populated areas)

September 02, 2018

Venue: Pravdyne village of Bilozerskyi district of Kherson Oblast, premises of Pravdyne Village Council.

Started at: 09.00

Finished at: 11.00

Participants and attendees:

Klius S.V., Shpanov R.V., Khamer B.L. – representatives of DB WPS LLC;

Shevchenko L.V. – Head of Pravdyne Village Council;

Kiyanu N.P., Muradov A.S., Diachenko R.M., Tatochenko V.S., Savytska A.V.,
Dzhyzhevskyi A.L., Makrotskyi N.I. – land plots owners;

Dzhyzhevskyi M.M., Striletskyi A.G. - land plots users

Agenda:

1. Clarification of the term “protection zones” and the list of works which are prohibited to perform on protection zone of overhead line.

Speakers: Klius S.V., Khamer B.L., Shpanov R.V.

Provisions of the Resolution for Protection of Electrical Grids approved by the Cabinet of Ministers of Ukraine of 04.03.1997 No.209 have been explained to attendees. The emphasis was put on the size of protection zone for 150 kV OHL which is 25 meters along the whole line on both sides; it was also underlined that it is prohibited to make fires, arrange waste deposits, build houses and structures, store flammable materials, etc.

Brief summary of questions asked: no questions have been asked.

Materials provided to land plots owners: Resolution of the Cabinet of Ministers of Ukraine of 04.03.1997 No.209.

Result: satisfactory.

2. Explanation of works procedure in the protection zone and explanation of compensation procedure for damages caused to the land owners/land users during works in the protection zone.

Speakers: Klius S.V., Khamer B.L.

The provisions of conditions of works performance within electrical grids protection zone approved by the Cabinet of Ministers of Ukraine of 04.03.1997, No.209 have been explained. It was underlined that according to item 12 of the abovementioned conditions energy enterprise is obliged to compensate all damages to all owners and users as well as to bring the land to the condition suitable for use as intended. The provisions of the Procedure of compensation of damages to land plot owners and users approved by the Resolution of the Cabinet of Ministers of Ukraine of 19.04.1993, No.284 have been clarified. It was explained that the amount of damages is determined on the basis of an act of a special commission operating under the district state administration after establishing the fact of damage; the damages must be compensated within 30 days after the act is drafted and signed. Additionally, it was underlined that in case of non-compliance with restrictions on the land plots by land owners and land users the damaged will not be compensated.

Brief summary of questions asked: no questions have been asked.

Materials provided to land plots owners: conditions of works performance within electrical grids protection zone approved by the Cabinet of Ministers of Ukraine of 04.03.1997, No.209, Procedure of compensation of damages to land plot owners and users approved by the Resolution of the Cabinet of Ministers of Ukraine of 19.04.1993, No.284.

Result: satisfactory.

3. Determination of fair amounts of compensation payments for the establishment of servitude for the placement of supporting structures of overhead line.

Speakers: Klius S.V., Shpanov R.V.

It was explained that land lease agreements for Oleksandrivka, Pravdyne and Posad-Pokrovske Village Councils have been analyzed in order to determine the amount of rent and apply thereof in order to conclude servitude agreements.

It was suggested to use the cost of one square meter of land in Oleksandrivka, Pravdyne and Posad-Pokrovske Village Councils as a base and apply a magnifying coefficient.

Amount of payment is calculated according to the formula:

$P = Osq/m \times Vsq/m \times 30/3 \times CFP \times BC$, where

P – amount of compensation payment under servitude agreement;

Osq/m – the cost of lease of 1 square meter 0,20 UAH. (2000 UAH. / 10000 sq.m.);

Vsq/m – the area for placement of supporting structures of overhead line with installation platform (average of 1000 sq.m.);

30 – the term of servitude agreement, years;

CFP – for placement of supporting structures of overhead line with installation platform coefficient 3 is applied;

BC – balancing coefficient 1,6 in order to cover possible level of reduction of state aid to the household provided for payment of housing and utilities services;

Thus, the amount of the compensation payment under the servitude agreement is calculated as follows:

$0,20 \times 1000 \times 30 \times 3 \times 1,6 = 30000,00$ UAH. (thirty thousand hryvnia).

Brief summary of questions asked: it was suggested to settle compensation for servitude with one-time payment.

Brief summary of answers: the request is accepted

Result: satisfactory.

Signature of representative of DB WPS LLC:

_____ S.V. Klius

_____ R.V. Shpanov

_____ B.L. Khamer

Signature of representative of local government:

_____ L.V. Shevchenko

Annex 4. Grievance registration form

Grievance Registration Form

Full Name	
Contact Information Please identify how you wish to be contacted (mail, telephone, e-mail)	By Post: Please provide mailing address By telephone: By e-mail:
Preferred language of communication?	English Ukrainian.....
Description of incident or grievance (What happened? Where did it happen? Who did it happen to? What is the result of the problem?):	
Date of incident/grievance	
	One time incident/grievance (date _____) Happened more than once (how many times? _____) On-going (currently experiencing problem)
What would you like to see to resolve this problem?	
Internal Use Only Grievance received by: Date: Reference number:	