# BIG POND/MYTON GULLY DRAINAGE INFRASTRUCTURE PROJECT (73624)

## ABBREVIATED RESETTLEMENT ACTION PLAN

ADDENDUM Date: June 27, 2024

**FOR DISCLOSURE** 

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## Addendum – Identification of New Impacts

#### Introduction

Further to the completion of the Abbreviated Resettlement Plan completed prior to the start of works and approved on *March 02*, *2023*, three of the identified PAPs had experienced additional impacts by works as well as two additional PAPs that are facilitated under this addendum:

#### NAMES REMOVED FOR CONFIDENTIALITY

The details of the impact and the planned mitigative and compensation strategies are outlined in the report.

## NAME REMOVED FOR CONFIDENTIALITY

Name Removed for Confidentiality has been operating a mechanic shop and bar for 14 years on a property adjacent to the Myton Gully channel which is under construction. This property is currently ongoing litigation between Name Removed for Confidentiality and a relative to determine ownership of the land. He operates a mechanic shop and a bar on the property. The mechanic shop s operated on a flexible basis with two part-time workers and is operated from 8:00a.m- 12:00 pm daily. The bar is built from concrete and is approximately 221 square feet with a slab roof.

Pre-implementation assessment indicated that the construction of the detour road would affect bar operations through the downsizing of bar's parking lot. During implementation, the following issue was reported by **Name Removed for Confidentiality** in February and August of 2023 loss of sales due downsizing of parking lot.

The impacts are outlined below:

## Closing of the Bar for Road Works

The bar was closed for three consecutive weeks one (1) week to facilitate works on the detour road and two (2) weeks for implementation of mitigative measures i.e., jersey barriers to aid in protecting bar occupants of errant motorists, review, and approval by the National Works Agency.

## Loss of Sales Downsizing of Patron's Parking Lot

The works contract was awarded in December 2022 and preliminary discussions with all stakeholders commenced then. The pre-implementation activities on the ground further revealed that the construction of the 12-meter-wide, 40meter long detour road with drain and gabion basket protection, will cause temporary downsizing of the bar's customer parking lot, as the detour road will run directly alongside the property.

## Details Related to the Downsizing of the Parking Lot

The downsizing of the parking lot resulted in the temporary detour road being closer to the bar than the original road. This compromised the safety of bar users as the probability of being impacted by errant drivers increased. Additionally, the downsizing of the parking lot resulted in fewer vehicles being accommodated, and it is not suitable for parking of oversized vehicles; **Name Removed for Confidentiality** lamented that his customer base is made up of truck

operators and the temporary loss of the parking lot space resulted in reduced sales at his bar. It was also predicted to have high swirling of dust which impacted the surroundings of his business in addition to increasing health risk for patrons.

Name Removed for Confidentiality concerns were noted, and communication was made to him to provide the Jamaica Social Investment Fund with sales log, inventory log, suppliers' invoices, and utilities providers payment invoices between the period of July 2022 to September to substantiate his claim. Therefore, to allow for these records to analyze sales trends, assessing profit/loss; thereby to determine a strategy to resolve the matter. Observation visits by the team and queries with other community representatives have not verified this claim. Name Removed for Confidentiality sales records (sales log, inventory log. suppliers' invoices and utilities providers payment invoices), for the period of July 2022 to September 2203 to substantiate his loss for the period claimed. This was to determine whether there was a loss and compensate thereon if necessary. Name Removed for Confidentiality was provided with a deadline of November 24,2023 to submit these documents and an extended deadline of January 26,2024. Due to non-submission of these documents, it was communicated to Name Removed for Confidentiality via official correspondent that the matter has been brought to a close. See annex 3.

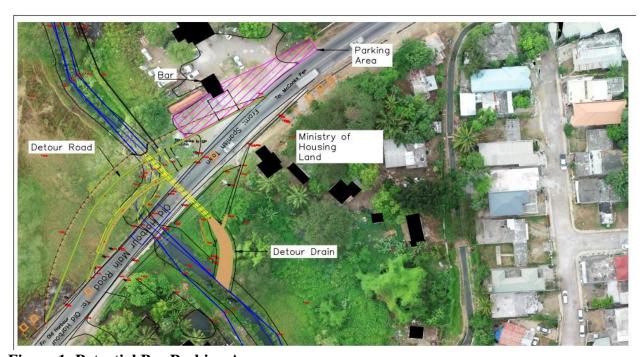


Figure 1: Potential Bar Parking Area



Figure 2: Name Removed for Confidentiality's Patron's Parking Space
The photo above represents the parking space prior to completion of the detour road; the section shaded yellow depicts the parking space that was used for completion of the temporary detour road while the arrow represents where the detour road meets with the main road.

## NAME REMOVED FOR CONFIDENTIALITY

## Background

Name Removed for Confidentiality operates on the property owned by the Ministry of Housing. The property which they occupy has 6 buildings (4 residential houses and also carries a variety of timber and non-timber trees (guango, almond, lignum vitae, calabash), some of which are used in the making of craft items. Given the size of the property (housing lot), the agricultural enterprises are very small in scale and mostly for domestic use.

Originally it was thought that **Names removed for confidentiality** were the only identified PAPs impacted by the loss of the Calabash Trees. Consultation was protracted and there were challenges securing documentation. Further research by JSIF indicated that there is a possibility of additional members with livelihood impacts. JSIF is in the process of identifying and locating the PAPs, as some have relocated.

## Issue – Temporary Loss of Access to Land and Removal of Trees

During implementation, the planned route for the lift station to enter the work site for pouring of cement was assessed and deemed risky based on the soil composition. The area had experienced land slippage and additional land would be required for temporary use on **Name Removed for Confidentiality's** property to ensure workers were not at risk whilst executing the planned activities on site **Name Removed for Confidentiality's** was not in support of this proposition because there was a risk of going inwards on his property more than the amount previously agreed. Therefore, an alternate route to enter the site was explored via the Ministry of Housing property on the other side of the gully.

This route resulted in the temporary use of land from the Ministry of Housing property, and during clearance of the access route, three ackee trees, eight banana and two calabash trees were removed. The trees were used by **Name Removed for Confidentiality.** 

## Details of The Impact

The trees removed are land assets and of value to the group members occupying the property. The trees were mostly used for livelihood purposes. The trees were removed impromptu by the contractor/consultant team on site on April 06<sup>th</sup>, 2023 without JSIF's knowledge. The trees' sizes were captured prior to the removal resulting in the costing being guided by the National Fruit Tree Crop Project which operates through the Rural Agricultural development Authority (RADA).

The following compensation was made to Name Removed for Confidentiality due to impact of the removal of the trees:

| Name of PAP(s)                         | Asset<br>Acquired            | Category     | Unit Cost                               | Total Cost                              | Comment                      |
|--|------------------------------|--------------|---|---|------------------------------|
| Name<br>Removed for<br>Confidentiality | Three (3) Ackee trees        | Mature       | Money<br>removed for<br>Confidentiality | Money<br>removed for<br>Confidentiality | 330kg/tree@<br>\$25 *7 years |
|  | Eight (8)<br>Banana<br>trees | Mature       | Money<br>removed for<br>Confidentiality | Money<br>removed for<br>Confidentiality | \$2100 * 8<br>@7 years       |
| Total                                  | Money remo                   | ved for Conf | identiality                             |   |                              |

\*\*\*Four (4) Calabash spouts will be provided for replanting at the end of the project works for replanting. Four sports are provided versus two to decrease the risk of non-survival. This was agreed upon by JSIF and the project affected person. **See Annex 6** 

## NAME REMOVED FOR CONFIDENTIALITY

## Background

Name Removed for Confidentiality property is enclosed by approx. 71.06m chain link and scrap metal fence with posts of railroad ties (sleepers) as the principal support. It was determined that an estimate of a minimum of 11m is required from the edge of the ravine/gully onto Name Removed for Confidentiality property, to facilitate the efficient movement and operation of construction equipment during the drainage improvement works. This distance extended well into the area of his farming operations. On this basis, the existing fence had to be removed to facilitate works.

This approach was agreed under the initial ARAP and Acquisition Agreement; where the fence would be removed at the start of works and replaced upon completion by the contractor. See excerpt from the document below:

Section: Justification & Recommended Compensation Approach #3 "Restore 5.5m of chain link fence and 24.75 M2 of the lands to a state of productive agricultural use after the Easement period. (Either 5.5 m of chain link fence will be reconstructed in equal or better size and quality, or Cash compensation in lieu of reconstruction of fence"

## Issue – Delayed Re-installation of Chain-link Fence

During implementation **Name Removed for Confidentiality** 'boundary' chain-link fence was demolished by the contractor but was not immediately restored upon completion of works in the area. There were emerging technical issues during implementation which necessitated a variation order. The project was placed on hold pending the approval of the variation. This delayed the reconstruction of the fence as works were not completed.

## Details of The Impact

The missing fence left the property unsecure, causing **Name Removed for Confidentiality** to be in fear of being preyed upon by criminal elements as he conducts his livestock business on the property. He expressed being extremely vigilant of the premises at night, which made him physically and mentally exhausted.

As the timeline for the variation's approval was protracted, the decision was taken to pay the funds towards the reconstruction of the fence directly to **Name Removed for Confidentiality** instead of waiting for construction by the contractor. To facilitate this, an addendum to **Name Removed for Confidentiality** Acquisition and Abbreviated Resettlement Agreement was done. The funds will be omitted from the contractor's contract.

## **Entitlement Matrix**

| Name Removed for Confidentiality (Property registered to Name Removed for Confidentiality - administered by Name Removed for Confidentiality, and occupied by Name Removed for Confidentiality)  Name Removed for Confidentiality, and occupied by Name Removed for Confidentiality  Confidentiality  Confidentiality  Amame Removed for Confidentiality  And occupied by Name Removed for Confidentiality  Name Removed for Confidentiality  And occupied by Name Removed for Confidentiality  Name Removed for Confidentiality  Name Removed for Confidentiality  August 2023, based on the projected works schedule.  The eight-meter wide & 40-meter-long detour road runs along with the team and queries with other community representatives have not verified this claim. Name Removed for Confidentiality was asked to provide sales records (sales log, inventory log. suppliers' invoices and utilities providers payment invoices), for the period of July 2022 to September 2203 to substantiate his loss for the period claimed. This was in an effort to determine whether there was a loss and compensate thereon if necessary. Name Removed for Confidentiality was provided with a deadline of November 24,2023 to submit these documents and an extended deadline of January 26,2024. Due to nonsubmission of these documents and AISIF observations/research, it was communicated to Name Removed for Confidentiality via official correspondent that the matter has been brought to a close. See correspondents in Annex  Based on the proximity of the The road is lined with \$0.00 | PAP(s)   | Types of | Impacts & Required  | Mitigation Measures   | Cost JMD |
|--|--|----------|---|---|----------|
| bar to the planned detour jersey barriers to   | Name Removed for Confidentiality (Property registered to Name Removed for Confidentiality – administered by Name Removed for Confidentiality, and occupied by Name Removed for | Impact   | The eight-meter wide & 40-meter-long detour road runs alongside the property occupied by Name Removed for Confidentiality resulting in temporary loss of 7m of the land previously used as a parking area. The detour road will be removed by August 2023, based on the projected works schedule. | Observation visits by the team and queries with other community representatives have not verified this claim.  Name Removed for Confidentiality was asked to provide sales records (sales log, inventory log. suppliers' invoices and utilities providers payment invoices), for the period of July 2022 to September 2203 to substantiate his loss for the period claimed. This was in an effort to determine whether there was a loss and compensate thereon if necessary.  Name Removed for Confidentiality was provided with a deadline of November 24,2023 to submit these documents and an extended deadline of January 26,2024. Due to nonsubmission of these documents and JSIF observations/research, it was communicated to Name Removed for Confidentiality via official correspondent that the matter has been brought to a close. See correspondents in Annex  The road is lined with jersey barriers to | \$0.00   |
| road; safety risk increased as protect the building the road users were closer to the structure(bar).  |  |          | the road users were closer to   | from reckless   |          |

| PAP(s)  | Types of Impact | Impacts & Required Works  | <b>Mitigation Measures</b>  | Cost JMD                                    |
|---|-----------------|---|---|---|
| Name Removed  |                 | Increased dust from continuous movement of vehicles.  | The contractor will continue to wet the site as required to reduce the impact of dust. Hoarding is used to protect residents/patrons/pede strians traversing the route from ongoing works hazards.                                      |   |
| Confidentiality (bar employee)  Name Removed for Confidentiality (bar employee)                     |                 | The bar was closed for three consecutive weeks one (1) week to facilitate works on the detour road and two (2) weeks for implementation of mitigative measures i.e., jersey barriers to aid in protecting bar occupants of errant motorists, review, and approval by the National Works Agency. | Compensation to be paid to employees and owner of the bar for loss of income for the duration of closure.   | Money<br>removed for<br>Confidential<br>ity |
| Name Removed<br>for<br>Confidentiality<br>(Resides on<br>property of the<br>Ministry of<br>Housing) |                 | A total of 3 ackee trees, 2 calabash and 8 banana trees were removed from the Ministry of Housing property to facilitate additional workspace. This section of the property served as the bank of the gully and did not cause any other inconvenience to the occupants.                         | Restore property and compensate for the loss of the ackee and banana trees and replanting of the calabash trees.  | Money<br>removed for<br>Confidential<br>ity |
| Name Removed<br>for<br>Confidentiality<br>(Owner of<br>Property)                                    |                 | Demolition of boundary chain-link fence by the contractor for which reconstruction is delayed. This resulted in Name Removed for Confidentiality premises being unsecured and open to criminal elements.  | JSIF to revise the payment terms of Acquisition and Abbreviated Resettlement Agreement to pay directly to Name Removed for Confidentiality and facilitate immediate re-installation of Name Removed for Confidentiality boundary fence. | Money<br>removed for<br>Confidential<br>ity |

## Mechanisms to Minimize Displacement

## NAME REMOVED FOR CONFIDENTIALITY

The mechanism to prevent loss of income to **Name Removed for Confidentiality** includes both financial compensation and implementation of safety measures. Restoration of the area will be done upon completion of the project. i.e removal of the detour road and removal of spoils accumulated from works by October 2023. The project was scheduled to end in November 2023, the detour was removed prior to the project's end date. Outside of the three (3) weeks the bar was closed, it is still operable though there is a temporary reduction in the size of the parking lot size for the duration of the works. No substantiated reduction of sales was proven nor is any foreseen as the opening and closing hours are not impacted by the works. The compensation methods are as follows:

- Cash compensation to be provided to bar employees and its owner for loss of earning for the period the bar was closed for road works.
  - ➤ The proposed mitigative measures were discussed with the bar owner, Names Removed for Confidentiality on Tuesday, January 16th, 2023, payment was completed on May 24, 2023, via cheques written to all parties. (see consultation notes in annex 2). Despite efforts to engage both employees independently, they were not willing to speak with the team and insisted all matters be done through Name Removed for Confidentiality. The team tried to engage outside of work hours and there was still no interest. To increase the likelihood of the funds reaching the PAPs, the cheques were prepared in their names and Name Removed for Confidentiality signed for them.
- Measures implemented to reduce dust and noise. On the 14th of November 2023, a
  letter was issued to Name Removed for Confidentiality noting that mitigating
  measures were employed regarding the dust nuisance, See Annex. Furthermore,
  checks revealed that the bar remained open during the time he claimed he needed to
  close the business due to the dust, and hence the matter has been brought to a close.
- Provision of easement, hoarding and jersey barrier for separation of pedestrians and motorist as a safety measure.
- Investigations were done regarding his complaint of reduction in sales due to loss of parking space This matter was brought to a close on the 27<sup>th</sup> of February 2024 due to **Name Removed for Confidentiality**. Based on investigations, the issue was closed resulting in non-payment. See entitlement matrix for more information.

#### NAME REMOVED FOR CONFIDENTIALITY

Similar mechanisms are being used to ensure the occupants on the Ministry of Housing property are safe; in addition to provisions for the property to be restored to pre project state or better. The compensation methods are as follows:

- Cash compensations will be provided to members of the group. JSIF is in the process
  of identifying members whose livelihoods are being impacted. Once identified
  payment will be appropriately distributed among members
- Provision of easement to ensure occupants do not build or carry out activities on the side of the gully commonly known as the "bank".
- Measures implemented to reduce dust and noise. The mitigative measures were discussed with property occupants.

## NAME REMOVED FOR CONFIDENTIALITY

To resolve the issue of **Name Removed for Confidentiality** property being unsecured, swift action was taken to amend his Acquisition and Abbreviated Resettlement Agreement.

- Cash compensation was provided **Name Removed for Confidentiality**. As indicated in the revised agreement, the option for cash payment in lieu of the chain-link fence reconstruction, was made the primary mitigation measure.
- Criteria added that the Chain link fence is to be reinstated by the 31st of December 2023. Visits to the project site in late 2023 revealed that the reinstatement was already completed.

Table 4: Possible Risks and Objections

| Risk  | Possible<br>Alternatives | Viability  | Possible objections  |
|---|--------------------------|------------|--|
| PAP (s) may object to the detour road using a portion of the bar patron's parking space in addition to closing his enterprise to facilitate use of heavy equipment for completion of the detour road.               | None                     | Short term | Consultations were done to clearly outline to PAP(s) the intent of works, how it will enhance their safety against disaster risks, the impacts and compensation for any related loss towards getting their |
| PAP (s) property occupants may object to the replanting of trees due to limited information for valuation and the inability to determine owner.   | None                     | Long term  | permission to move forward.  |
| PAP(s) may object to having now<br>being inconvenienced to undergo<br>challenges in engaging suppliers<br>to reinstate the fence. In addition,<br>to the possibility of inflation cost<br>of reconstruct the fence. | None                     | Long term  |  |

## Valuation and Compensation

## Name Removed for Confidentiality and Employees- Names Removed for Confidentiality

**Enterprise:** Where impacts include loss of income by business operators during the period of works, the valuation was based on the reported daily/weekly income that would have been earned during the period when the business remained closed / inoperable.

The compensation payment for the bar owner was calculated by averaging the bar's capital for a period of three weeks in December 2022, based on records submitted by the PAP. See annexes 2 and 4 for more information related to sales records submitted by the PAP. Please see table below for breakout:

| WEEKS | BAR WEEKLY<br>CAPITAL (JMD)       | DATE                |
|-------|-----------------------------------|---------------------|
| 1     | Money removed for Confidentiality | December 10-16,2022 |

| 2     | Money removed for Confidentiality | December 17-24,2022               |
|-------|-----------------------------------|-----------------------------------|
| 3     | Money removed for Confidentiality | December 25, 2022-January 05,2023 |
| TOTAL | Money removed for Confidentiality | 05,2025                           |

Average = \$ Money removed for Confidentiality /3 = Money removed for Confidentiality weekly

Proposed Payment Due for 3 weeks = Money removed for Confidentiality \*3 = \$ Money removed for Confidentiality

Compensation of **Removed for Confidentiality (JMD)** is recommended to compensate the bar owner and employees for loss of earnings while the shop is closed. The details of payments are outlined below in the PAPs payment breakdown table.

| Employee         | Income            |
|------------------|-------------------|
| Name Removed for | Money removed for |
| Confidentiality  | Confidentiality   |
|                  |                   |
| Name Removed for | Money removed for |
| Confidentiality  | Confidentiality   |
| •                |                   |
| TOTAL            | Money removed for |
|                  | Confidentiality   |

## Name Removed for Confidentiality

The impact included loss of bearing fruit trees which were essential property assets. The valuation was done based on the National Fruit Tree Crop Project, which operates through the Rural Agricultural Development Authority (RADA). For the ackee trees calculation was done at 330kg/tree@ \$25 \*7 years while the banana tree was calculated at **Total Removed for Confidentiality** per banana tree. The calabash tree was young and was not bearing age and the option to replant same was agreed by both parties.

| TYPE OF TREES     | CATEGORY | UNIT COST                         | TOTAL COST                           |
|-------------------|----------|-----------------------------------|--------------------------------------|
| Three (3) Ackees  | Mature   | Money removed for Confidentiality | Money removed for Confidentiality    |
| Eight (8) Bananas | Mature   | Money removed for Confidentiality | Money removed for<br>Confidentiality |
| Calabash          | -        | Money removed for Confidentiality | Money removed for<br>Confidentiality |
| Total             |          | Money removed for Confidentiality | Money removed for Confidentiality    |

## Name Removed for Confidentiality

The impact of losing his boundary chain link fence resulted in **Name Removed for Confidentiality** property being open to criminal elements and possibility of trespasser's accessing his premise. The cost to reinstate **Name Removed for Confidentiality** chain fence was derived by an external quantity surveyor from Brac Consultants based cost of construction resources and labour at the time. See ARAP for calculation details.

| Chain-link Fer  | nce                               |
|---|-----------------------------------|
| Payment to the owner for reconstruction of the Chain-link fence | Money removed for Confidentiality |

PAP(S) PAYMENT BREAKDOWN

| Name of PAP(s)   | ASSET ACQUIRED/IMPACT                                      | COST (JMD)  | STATUS<br>OF<br>PAYMENT |
|--|--|---|-------------------------|
|  |  |   |                         |
| Name Removed for Confidentiality   | Temporary Loss of parking space to facilitate detour road. | This matter was brought to close, and no payment was required based on investigations. A formal letter was written to the PAP | PAID                    |
|  | Service disruption of bar for three weeks                  | Money removed for Confidentiality   |                         |
| Name Removed for Confidentiality   | Loss of 3 weeks wages                                      | Money removed for Confidentiality   |                         |
| Name Removed for Confidentiality   | Loss of 3 weeks wages                                      | Money removed for Confidentiality   |                         |
| Sub Total  |  | Money removed for Confidentiality   |                         |
| Name Removed for Confidentiality   | Loss of 3 ackee trees                                      | Money removed for Confidentiality   |                         |
| , and the second | Loss of 8 banana trees                                     | Money removed for Confidentiality   |                         |
|  | Loss of two calabash tree                                  | Money removed for Confidentiality   |                         |
| Sub Total  |  | Money removed for Confidentiality   |                         |
|  |  |   | _                       |
| Name Removed for Confidentiality   | Loss of 1.83m high Chain Link Fence                        | Money removed for Confidentiality   |                         |
| GRAND TOTAL  | 1 CHCC   | Money removed for Confidentiality   |                         |

## Annex 1 – Consultation Notes

Removed due to confidentiality reasons

## Annex 2- Consultation - Bar Employees

**Date of Consultation**: March 2023 **Location**: Name Removed for

Confidentiality

#### **EMPLOYEES CONSULTATION NOTES**

• Name Removed for Confidentiality Names Removed for Confidentiality as bartenders to his enterprise. Both employees are scheduled to work seven- ten (7-10) hours shifts daily and are paid cumulatively a total of **Total Removed for Confidentiality** 

- During the period when the bar services are to be suspended to facilitate construction of the detour road, both employes will lose their wages. The sums are included in the proposed compensation payment.
- Efforts to directly consult the bartenders were unsuccessful as they declined to speak to the JSIF Social Officer, without giving a reason.
- The Bar Owner indicated that the sum of **Total Removed for Confidentiality** is paid for wages. This was compared to the wages of other bartenders in the area, who reported a similar sum ( the operator interviewed requested his information to be kept confidential). Additionally, extensive research was done to verify that the sum being paid matches the wage standards outlined by the Ministry of Labour and Social Security. As per, the recently update labour scale, single time rate is **Total Removed for Confidentiality** for work done during any period not exceeding 40 hours in any week.
- Payment for a loss of three (3) weeks' income will be made directly to the bartenders.
- The terms of the payment will be enclosed in the enterprise owner acquisition agreement.

Annex 3 – Request letter to **Name Removed for Confidentiality** for Sales Records

Removed for confidentiality reasons.

| Annex 4 - Closure of matter regarding loss of sales claimed by Name removed for confidentiality reasons |
|---|
|   |
| Removed for confidentiality reasons   |

| Annex 5 – Example of weekly bar stock taking log |
|--|
|  |
|  |
|  |
|  |
|  |

Removed due to confidentiality reasons

| Annex 6 reasons | Proof of Payments to       | Name removed for confidentiality |
|-----------------|----------------------------|----------------------------------|
|                 |                            |                                  |
| Removed         | due to confidentiality rea | asons                            |
|                 |                            |                                  |
|                 |                            |                                  |
|                 |                            |                                  |

## Annex 7: Project Consultant Report for Removal of Trees from the Property Occupied by Name Removed for Confidentiality

## **Big pond/Myton Gully Drainage Improvement Project**

#### **Project Background**

Over the years Myton Gully area has been adversely affected by natural disasters which have negatively affected the road and drainage infrastructure. Despite periodic maintenance of the Myton Gully, consecutive flood events, landslides, storm surges etc. have caused infrastructural damage which affected the livelihood of residents, neighboring communities, and commercial activities. The situation also affected Schools, commuting and have an economic and psychosocial Impact on residents and persons operating in the space.

Recognizing the need for the rehabilitation of this section of the infrastructure, the Government of Jamaica (GOV) in 2022 through Jamaica Social Investment Fund (JSIF) seek funding via Jamaica Disaster Vulnerability Reduction Programme (JDVRP) from the World Bank to improve that corridor to an all-weather road by improving the hydraulic condition and replace the inadequate existing bridge infrastructure with a four (4) cell box culvert, supported by concrete u-drain to channel the huge body water smoothly under the roadway through the box culvert in an earth drain to the point of discharge.

### **Reason for Compensation**

The Myton Gully Drainage Improvement Project in Old Harbour, St. Catherine is currently being implemented by the Jamaica Social Investment Fund (JSIF) under the World Bank funded Jamaica Disaster Vulnerability Reduction Project (JDVRP) with the National works Agency (NWA) as consultant/project management.

During the initial stage of the project, discussions were held with stakeholders regarding the use and compensation of land space. A decision was made to use the land space owned by **Name Removed for Confidentiality** for which an agreement was sign. However, during the construction phase of the project there was disagreement and falls out with some aspects and conditions of the agreement, which led to the unavailability of original proposed site to be used as access for the concrete lift truck.

For the project to continue, accommodation was sought, and permission granted to use the Ministry of Housing property adjacent to the earth drain as indicated in *figure 1*.



#### Figure 1

Contact was made with Name **Removed for Confidentiality** on March 31, 2023, who is the authorized occupant of the property. **Name Removed for Confidentiality** has been living on the property for over thirty-four (34) years, she is also a member of the Myton Gully Youth Project that was authorized to use the property.

### **Brief Property Description**

The subject property address is **Removed for Confidentiality**, and it comprises of 6 single story small units weatherboard clad dwellings, being some 50 years old and is in average condition. They are constructed on level land that fronts Old Harbour Main Road, which forms part of Old Harbour Villa Scheme and the newly re-aligned Old Harbour Main Road. Associated with the property are various fruit trees, Guango trees and shrubs. The land is primarily being use by the Myton Gully Youth Project sponsored by the princess trust of England for art and sculpture work.

## Works Associated with the Area of Land use for Concrete Lift Trucks

The area temporarily being utilized for the construction purpose is about 1800-meter square and will be used for a period of six (6) months (April - October).

The works associate are as follows:

- Clearing and grubbing 1800 m<sup>2</sup>
- Removal of trees (13 Nos.)
- Excavate and disposal of material (96m<sup>3</sup>)
- Granular fill (50 m<sup>3</sup>)
- Base course (50m<sup>3</sup>)
- HDPE culvert (6m)
- Earth drain construction.(30m)
- Clean up & Landscape.

## Reason for Removal of Trees.

- 1. Trees were removed as this location was the designated area to operate from and as a result the area had to be prepare for a load bearing platform for concrete lift truck to work from
- 2. To create a safe zone outside of JPS high tension wires to pour concrete for u drain construction.

## **Information on Trees Removed**

| Types of Trees | Numbers | Category | Date of<br>Removal | Approval          | Remarks          |
|----------------|---------|----------|--------------------|-------------------|------------------|
| Ackee          | 3       | Mature   | April<br>6,2023    | Verbal<br>Consent | Had fruits on it |
| Banana         | 8       | Mature   | April<br>6,2023    | Verbal<br>Consent | No fruits        |
| Calabash Tree  | 2       | Mature   | April 6,2023       | Verbal<br>Consent | Had fruits on it |
|                |         |          |                    |                   |                  |

<u>Table 1</u> Pictures of Some of the Tree Removed



Figure 2 Ackee Tree



**Figure 3 Banana Trees** 

## Recommendation

Based on the information gathered, it is recommended that a compensation package is work out to compensate the authorized occupant for loss of fruit trees, potential crops/reaping, and the temporary use of the space. In addition, the contractor should make good to the area used during the construction by way of landscaping.

It is also recommended that the Rural Agriculture Development Authority (RADA) compensation table 2 and 3 be used to assist in the calculation for compensation.

# Rural Agriculture Development Authority (RADA) Fruit Tree Cost Estimates Table 2

| Cost of certified plant   | 500.00   |
|---|----------|
| Cost of land preparation (involving land clearing, lining, ploughing, ripping and mound preparation per plant | 350.00   |
| Weed control over 3 years period (per plant)  | 150.00   |
| Pest and disease control over 3 years period (per plant)  | 336.00   |
| Fertilizer purchase and application (per plant)   | 180.00   |
| Tree training and pruning (per plant)   | 90.00    |
| Security fencing, etc. (per plant)  | 70.00    |
| Watering (per plant)  | 120.00   |
| Harvesting  | 30.00    |
| Sub-total Sub-total   | 1,826.00 |
| Overheads and management. 10% of sub-total  | 182.6    |
| Total   | 2008.6   |

## **Fruit Tree Cost Estimate**

| Crops       | Population | Cost of | Replacement     | Yield of            | Mature tree value                         |
|-------------|------------|---------|-----------------|---------------------|---|
|             | per Ha     | young   | cost of re-     | mature              |   |
|             |            | plant   | establishment   | tree per            | NB* 7 years future                        |
|             |            | S       | of a fruit tree | Ha                  | production                                |
|             |            |         | up to 3 years   |                     | •   |
|             |            |         | old             |                     |   |
| Ackee       | 120        | 300     | 1788            | 40 Ton              | 330kg /tree @ \$25 x 7 yrs.               |
| Apple       | 120        | 300     | 1788            | 20 Ton              | 160kg/tree @ \$22 x 7 yrs.                |
| Avocado     | 120        | 500     | 2009            | 20 Ton              | 166kg/tree x \$44 x 7 yrs.                |
| Breadfruit  | 90         | 500     | 2009            | 20 Ton              | 222kg/tree x \$44 x 7 yrs.                |
| Cashew      | 120        | 300     | 1788            | 2 ton (dry)         | 16kg/tree x \$275 x 7 yrs.                |
| Guava       | 476        | 300     | 1788            | 40 Ton              | 84kg/tree x \$20 x 7 yrs.                 |
| Guinep      | 120        | 300     | 1788            | 10 Ton              | 83kg/tree x \$20 x 7 yrs.                 |
| Nutmeg      | -          | -       | -               | -                   | <ul> <li>Export Division</li> </ul>       |
| June plum   | 120        | 300     | 1788            | 25 Ton              | 208kg/tree x \$20 x 7 yrs.                |
| Pimento     | •          | -       | -               | -                   | <ul> <li>Export Division</li> </ul>       |
| Naseberry   | 400        | 300     | 1788            | 20 Ton              | 166kg/tree x \$45 x 7 yrs.                |
| Mango       | 120        | 500     | 2009            | 25 Ton              | 208kg/tree x \$40 x 7 yrs                 |
| Soursop     | 476        | 300     | 1788            | 20 Ton              | 20 kg/tree x \$50.00 x 7<br>vrs.          |
| Cherry      | 476        | 300     | 1788            | 10 Ton              | 21kg/tree @ \$220 x 7 yrs.                |
| Pomegranate | 476        | 300     | 1788            | soursop             | *   |
| Sweetsop    | 476        | 300     | 1788            | soursop             | *   |
| Jackfruit   | 120        | 300     | 1788            | breadfruit          | *   |
| Pineapple   | 20,000     | 150     | 1500            | 25 tons             |   |
| Tamarind    | 120        | 300     | 1788            | nutmeg              | *   |
| Cocoa       | 1000       | 50      | -               |                     | <ul> <li>JACRA</li> </ul>                 |
| Lychee      | 90         | 700     | 2228.6          | 15 Ton              | 166kg/tree @ \$100/kg x 7                 |
| Coconut     | 225        | 150     | LLLUSO          | 13 bunches          | 78 nuts per tree/year x \$50              |
|             |            |         | 2541            | x 6 nuts            | x 7yrs                                    |
| Lime/Citrus | 485        | 500     | 2981            | 1 box per           | 1box cost \$4500 x 7 years                |
|             |            |         |                 | tree/year           | = \$31,500.00                             |
| Banana      | 1730       | 60      | -               |                     | 6 hand x 3.5lbs x 20.00 x                 |
|             |            |         |                 |                     | 7 yrs = 2940                              |
| Plantain    | 2222       | 60      | -               |                     | 6 hand x 3.5lbs x 20.00 x<br>7 yrs = 2940 |
| Coffee      | 2180       | 120     | -               |                     | <ul> <li>JACRA</li> </ul>                 |
| Papaya      | 2500       | 150     | 1000            | 3lbs per            | 104 weeks x 3lbs x                        |
|             |            |         |                 | tree                | \$70 = \$21,840.00                        |
| Sugar Cane  | 4355       | -       | -               | 5 canes per<br>root | 5 canes x \$150 x 7<br>yrs = \$4,550      |
| Aloe Vera   |            |         |                 | 1000                | 3 leaves/year x \$100.00 x<br>7 years     |
|             |            | l       |                 | I                   | 1 / 1000                                  |

Table 3

Annex 8: Consultation Ministry Of Housing – Name Removed For Confidentiality

Removed for Confidentiality reasons

| Annex 9  | Name     | removed     | for conf | identiality | purpose – | Appointed |
|----------|----------|-------------|----------|-------------|-----------|-----------|
| Coordina | ator , M | linistry of | Housing  | Property    |           |           |

Removed for confidentiality purpose

| Annex 10 –  | - Memorandum r     | regarding | revised | payment to | PAP – | Name |
|-------------|--------------------|-----------|---------|------------|-------|------|
| removed for | or confidentiality | purpose   |         |            |       |      |

Removed for confidentiality.

## Annex 11: Entitlement Matrix- ARAP And Addendum

See table below.

| PAP(s)                              | Types of Impact   | Impacts & Required Works   | Mitigation Measures   | Cost JMD                             | Comments |
|-------------------------------------|---|--|---|--------------------------------------|----------|
| Name Removed for<br>Confidentiality | Removal of crops in plant nursery operated by Name Removed for Confidentiality. | Construction of existing fishpond  | Removal of fishpond to leased lands being farmed elsewhere by Name Removed for Confidentiality or to another location on the property.  | Money removed for<br>Confidentiality | PAID     |
|                                     | Demolish and relocate<br>farm buildings housing<br>piggery, broiler poultry,    | Existing fish stock  | The current fish stock will be sold if to facilitate the removal of the pond  | Money removed for<br>Confidentiality | PAID     |
|                                     | goat, rabbit, storeroom, and plant nursery.  [Property registered to            | Loss of bearing fruit trees  | Bearing fruit trees removed from<br>the property to allow space for<br>easement and construction.   | Money removed for<br>Confidentiality | PAID     |
|                                     | Name Removed for<br>Confidentiality   | Loss of Income from<br>existing fish stock for a<br>period of seven (7)<br>years | Transition cost to facilitate loss of income for a reasonable period.   | Money removed for<br>Confidentiality | PAID     |
|                                     |   |  | Plant nursery relocated to leased lands being farmed by Name Removed for Confidentiality at another location in the Old Harbour area. This relocation would allow for the upgrading to current practice and technology in plant nursery construction and operation.     | Money removed for<br>Confidentiality | PAID     |
|                                     |   |  | Animal enclosures will be demolished, and compensation payment made. PAP will be able to reconstruct after the project as sufficient land space will be available on the existing property. Name Removed for Confidentiality will also have the right to salvage items. | Money removed for<br>Confidentiality | PAID     |
|                                     |   | Loss of Husbandry / livestock to facilitate construction works.                  | Discontinuation of livestock operations (piggery, broiler, goats, etc.) during the period of  | Money removed for<br>Confidentiality | PAID     |

| PAP(s)   | Types of Impact     | Impacts & Required Works   | Mitigation Measures  | Cost JMD                             | Comments                       |
|--|---------------------|--|--|--------------------------------------|--------------------------------|
|  |                     | [Property registered to<br>Name Removed for<br>Confidentiality & Name<br>Removed for<br>Confidentiality<br>(Deceased].   | construction works. Cash compensation for potential income loss. Business will continue with the reconstruction of animal enclosures as normal upon completion of the project. |                                      |                                |
|  |                     | Easement for access by construction equipment  | Easement access will provide<br>temporary access based on the<br>Parish Councils Road Act. No<br>land will be lost.  | \$ 0.00                              | -                              |
|  |                     | Fencing was removed temporarily and reconstructed five (5) meters inwards from its current location to facilitate the works.( this installation will be temporary and is being done for security purposes). The fence will be reconstructed at the end of works. | Payment was made to PAP to reinstate fence to permanently secure property.   | Money removed for<br>Confidentiality | PAID                           |
| Name Removed for<br>Confidentiality (deceased<br>– administered by | Assets / Structures | Section of wall along the Myton Gully path to be temporarily demolished. [Property registered to   | The wall will be temporarily demolished to provide working space and a detour road. The Demolished wall is to be rebuilt in  | Money removed for<br>Confidentiality | DONE 'Cost to rebuild the wall |
| Name Removed for Confidentiality                                   |                     | Name Removed for<br>Confidentiality –  | the original location when works are completed. The reconstructed  |                                      | by contractor'                 |
| (appointed owner)  |                     | administered by Name<br>Removed for  | wall will be equal to or better than that which is in place presently.   |                                      |                                |
| Occupied by Name   |                     | Confidentiality, and   | Occupants will also have the right   |                                      |                                |
| Removed for Confidentiality  |                     | occupied by Name<br>Removed for  | to salvage items.  |                                      |                                |
| Сопристиши   |                     | Confidentiality]   |  |                                      |                                |

| PAP(s)                                     | Types of Impact           | Impacts & Required Works  | Mitigation Measures   | Cost JMD                             | Comments                                    |
|--|---------------------------|---|---|--------------------------------------|---|
|  | Land Acquisition & Assets | One Almond Tree to be removed to facilitate works   | Since there is an ongoing land dispute, both parties will be asked to sign a 'no objection' letter giving permission for the temporary access road. (Once we have approval from both parties, the work will not be affected by the decision of the court)  Name Removed for Confidentiality has signed a No Objection however the legal firm representing Name Removed for Confidentiality has asked the JSIF to desist from sending communication through them on her behalf. We have been unable to contact Name Removed for Confidentiality. | Money removed for<br>Confidentiality | Held has a manager's cheque/ escrow account |
|  |                           |   | The matter was not settled at the initial court date on May 5th, 2022. Name Removed for Confidentiality lawyer advised that a new date will be set by the court.  Compensation to residents will be for bearing fruit trees   |                                      |   |
| Name Removed for<br>Confidentiality Cont'd | Economic                  | The eight-meter wide & 40-meter-long detour road runs alongside the property occupied by Name Removed for Confidentiality resulting in temporary loss of 7m | Observation visits by the team and queries with other community representatives have not verified this claim. The matter is closed, and the PAP was advised via written correspondence.   | \$0.00                               | N/A   |

| PAP(s)                              | Types of Impact | Impacts & Required Works  | Mitigation Measures   | Cost JMD                             | Comments |
|-------------------------------------|-----------------|---|---|--------------------------------------|----------|
|                                     |                 | of the land previously used as a parking area. The detour road will be removed by August 2023, based on the projected works schedule.   |   |                                      |          |
|                                     |                 | Based on the proximity of the bar to the planned detour road; safety risk increased as the road users were closer to the structure(bar).  Increased dust from continuous movement of vehicles.  | The road is lined with jersey barriers to protect the building from reckless motorists.  The contractor will continue to wet the site as required to reduce the impact of dust.  Hoarding is used to protect residents/patrons/pedestrians traversing the route from ongoing works hazards. | \$0.00                               | DONE     |
|                                     |                 | The bar was closed for three consecutive weeks one (1) week to facilitate works on the detour road and two (2) weeks for implementation of mitigative measures i.e., jersey barriers to aid in protecting bar occupants of errant motorists, review, and approval by the National Works Agency. | Compensation paid to the owner of the bar for loss of income for the duration of closure.   | Money removed for<br>Confidentiality | PAID     |
| Name Removed for<br>Confidentiality |                 | Loss of three (3) weeks wages   | Compensation paid to employees for loss of income for the duration of closure.  | Money removed for<br>Confidentiality | PAID     |
| Name Removed for<br>Confidentiality |                 |   |   | Money removed for<br>Confidentiality |          |

| PAP(s)                                       | Types of Impact              | Impacts & Required Works  | Mitigation Measures   | Cost JMD                             | Comments  |
|--|------------------------------|---|---|--------------------------------------|---|
| Name Removed for Confidentiality and family. | Land Acquisition<br>& Assets | 1 soursop tree and 12 dasheen plants to be removed. [Property registered to Ministry of Housing]  | Members affected by the loss of<br>non-food trees will be<br>compensated for livelihood<br>impacts related to craft<br>production. They are not required              | Money removed for<br>Confidentiality | PAID  |
|  |                              | guango trees to be removed. [Property registered to Ministry of   | to be relocated during the works,<br>however, the site will be closely<br>monitored to ensure no other<br>assets than what is agreed is<br>impacted during the works. | Money removed for<br>Confidentiality | Held has a manager's cheque/ escrow account  PAPs have relocated and JSIF is in the process of locating them. |
|  |                              | A total of 3 ackee trees, 2 calabash and 8 banana trees were removed from the Ministry of Housing property to facilitate additional workspace. This section of the property served as the bank of the gully and did not cause any other inconvenience to the occupants. | Restore property and compensate for the loss of the ackee and banana trees and replanting of the calabash trees.  | Money removed for<br>Confidentiality | PAID  |
| Name Removed for<br>Confidentiality          | Assets                       | Removal of 1 coconut<br>and 4 banana trees to be<br>removed. [Property<br>registered to Ministry of<br>Housing]   | Compensate residents for bearing fruit trees. There are no livelihood impacts.  | Money removed for<br>Confidentiality | PAID  |
| Name Removed for<br>Confidentiality          | Land Acquisition             | Loss of 1,340 square meters of land to facilitate the works.  | Compensation will be paid to the to the title holder via an escrow account for section of land and trees lost.  | Money removed for<br>Confidentiality | Held has a manager's cheque/ escrow account   |

| PAP(s) | Types of Impact | Impacts & Required Works   | Mitigation Measures | Cost JMD                             | Comments                                    |
|--------|-----------------|--|---------------------|--------------------------------------|---|
|        |                 | [Property registered to<br>Name Removed for<br>Confidentiality.] |                     |                                      |   |
|        | Assets          | Loss of three (3) guango trees                                   |                     | Money removed for<br>Confidentiality | Held has a manager's cheque/ escrow account |