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## MUNICIPAL SERVICES IMPROVEMENT PROJECT

MSIP

### LAND ACQUISITION PLAN

Kahramanmaraş Centrum Drinking Water, Sewage and Storm Water  
Project (KMARAS-W7)



JULY 2025





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Project	Details
<b>Name</b>	<b>Kahramanmaraş (Centrum) Water Supply, Sewerage and Stormwater Project-West Side (KMARAŞ-W7)</b>
<b>Reference</b>	19_1292_2-1.2
<b>Submitted to</b>	General Directorate of İLBANK
<b>Prepared by</b>	Eptisa Türkiye <a href="http://www.eptisa.com.tr">www.eptisa.com.tr</a>

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## LIST OF ABBREVIATIONS AND ACRONYMS

E&S	: Environmental and Social
ESF	: (World Bank) Environmental and Social Framework
ESSs	: (World Bank) Environmental and Social Standards
EU	: European Union
FRiT	: (European Commission's) Facility for Refugees in Türkiye
GRC	: Grievance Redressal Committee
LAP	: Land Acquisition Plan
ILBANK	: Ilbank Incorporation [İller Bankası Anonim Şirketi]
KASKI	: Kahramanmaraş Water and Sewerage Administration [Kahramanmaraş Su ve Kanalizasyon İdaresi]
KMARAŞ-W7	: Kahramanmaraş Centrum Drinking Water, Sewage and Stormwater Project
MSIP	: Municipality Services Improvement Project
NEET	: Not in Education, Employment, or Training
PIU	: Project Implementation Unit
PMU	: Project Management Unit
RF	: Resettlement Framework
RP	: Resettlement Plan
WB	: World Bank



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## GLOSSARY

**Affected Person:** Person experiencing either physical or economic displacement. See also *displaced person* and *project-affected person*.

**Area of Influence:** The area likely to be affected by the project activities and facilities.

**Compensation:** Payment in cash or in-kind for loss of an immovable asset or loss of access to resources and livelihoods that is acquired or affected by the project.

**Customary Right Holder:** Refers to those who do not have formal legal rights to land or assets but have customary or traditional rights recognized or recognizable under the laws of the host country.

**Disaggregated Data:** Data that have been broken down by subcategories, such as sex, gender, age, or level of education.

**Displaced Person:** Same as *affected person*.

**Displacement (economic):** Loss of assets (including land) or access to assets that leads to loss of income sources or means of livelihood as a result of project-related land acquisition or restriction of access to land and natural resources.

**Displacement (physical):** Loss of dwelling or shelter as a result of project-related land access, which requires the affected person(s) to move to another location.

**Footprint:** Land that is directly affected by the project component.

**Forager:** Gatherer of NTFPs, such as berries, mushrooms, wild fruit, herbs, and medicinal plants.

**Gender-Based Violence:** Any form of violence, including physical and verbal abuse, related to social and cultural expectations of gender roles and relationships, often for the purpose of sustaining power.

**Household:** One person or a group of persons who share a dwelling unit, and for a group, share at least one meal a day.

**Informal Settlers:** Person or group of persons with no recognizable legal right to the land they use or occupy; commonly referred to as squatters.

**Involuntary Resettlement:** Physical and/or economic displacement whereby affected persons or communities do not have the right to refuse land acquisition or restrictions on land use resulting in their relocation.

**Land Acquisition:** The outright purchase of property and acquisition of access rights, including easements or rights of way.

**Livelihood:** Livelihood is the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.

**Livelihood Restoration:** The process of restoring (or improving) affected persons' livelihoods to pre-project levels (or better).



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**Livelihood Restoration Plan:** A planning document that outlines the necessary activities and measures to be implemented to restore livelihoods.

**Opportunistic Settlers:** People who encroach in the area after the establishment of the cutoff and are therefore not eligible for compensation.

**Orphan Land:** Land that is not directly located within the project's direct footprint but becomes uneconomic as a result of land acquisition. Also referred to as *severed land*.

**Project-Affected Person:** Same as *affected person*.

**Replacement Cost:** The market value of the asset (with no depreciation) plus transaction costs.

**Transaction Costs:** All costs that may be incurred because of the transaction or transfer of assets, e.g., taxes, stamp duties, legal and notarization fees, registration fees, travel costs, etc.

**Transition Period:** Period between the occurrence of the displacement and the time when affected livelihoods are restored.

**Vulnerable Groups:** People who may experience vulnerable or at-risk status stemming from their race, color, sex, language, religion, political or other opinion, national or social origin, property, or birth.



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## EXECUTIVE SUMMARY

This Land Acquisition Plan (LAP) is prepared in the scope of Kahramanmaraş Centrum Drinking Water, Sewage and Stormwater Project (West Part) (KMARAŞ-W7) which is financed in the scope of European Union (EU) Facility for Refugees in Türkiye (FRiT) Municipal Services Improvement Project (MSIP)—co-financed by the EU and the World Bank (WB)—and is being implemented by the Kahramanmaraş Water and Wastewater Administration (KASKİ).

The objectives of Kahramanmaraş Centrum Drinking Water, Sewage and Storm Water Project are to minimize water losses, enhance the service quality of Kahramanmaraş Centrum infrastructure in order to prevent system interruptions and issues related to low-pressure, and improve the capacity of KASKİ in better responding to increased demand resulting from refugee influx. As of August 2024, the number of refugee population living in Kahramanmaraş is approximately 85,000.

This LAP is developed in the scope of west side of Kahramanmaraş (Centrum) Water Supply, Sewerage and Stormwater Project-KMARAŞ-W7. Objectives of this LAP are to ensure adequate and fair compensation and livelihood restoration measures to titled land users for all affected assets, and they are no worse off in real terms relative to pre-project levels.

The LAP is developed as per the national legislation and Resettlement Framework (RF) of the Project. This LAP describes the nature and extent of the Project's land acquisition impacts and the eligibility and entitlements of affected persons/neighborhoods with respect to compensation for potential livelihood losses.

The Project will construct the water reservoir on a non-registered area which is under the control and disposal of the state. The land is rented by ten households of the neighborhood for 49 years to set up an almond orchard as a good agricultural practice under the guidance of Provincial Agricultural and Forestry Directorate. Though almond orchard is set up by ten households, affected parcel is under the use of one household.

For the PAP, almond harvesting is the primary income resource. The household relies on the assistance of the relatives or sales of vegetable which is harvested by the ex-wife of the head of the household.

Based on the interviews with the project affected person, cash compensation is determined as per the valuation assessments conducted by the experts for the almond trees and decline of agricultural productivity due to construction-induced dust. The amount of compensation is calculated as per the market value of the assets. As per WB policies and the RF of the project, replacement cost covers the market value of the assets plus transaction costs. As KASKİ is exempted from transaction costs, replacement cost covers the market value of the assets. In addition to these, specific tailored projects/interventions are identified with KASKİ those will be implemented during the Project.

KASKİ set up this grievance mechanism in pursuant to the RP and SEP of the Project. Actions taken as per the defined GRM are summarized in the below table:



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Table 3-4. Actions taken as per the GRM

1 <sup>st</sup> Level						
GRM Components				Actions taken as per the GRM		Explanation
<b>Responsible Authority:</b> KASKI <i>Community Liaison Officer (CLO):</i> Ali Tarık BOZDAĞ (Mr.), Civil Engineer, Planning, and Investment Department  Phone: +90 537 556 72 74  e-Mail Address: a.bozdog@maraskaski.gov.tr	<b>Method:</b> In person, by phone, by writing, electronically - in all cases grievances will be recorded in a grievance logbook.	<b>Procedures:</b> Municipality will assign a Community Liaison Officer to lodge and manage grievance and feedback mechanism of the sub-project. Grievance will be assessed. If needed will be examined onsite. Response / redress of grievance will be communicated to petitioner.	<b>Response Time:</b> 2 weeks	<b>Responsible Authority:</b> KASKI  <b>Hotline:</b> 185  <b>White Table:</b> Resolution Table  <b>e-Mail:</b> a.bozdog@kaski.gov.tr  <b>Online Forms:</b> NA	<b>Procedures:</b> KASKI assigned a Community Liaison Officer (CLO) who is a civil engineer working at the Department of Planning and Investment  The CLO provided his personal phone number to the muhktars of affected neighborhoods. Main communication channels for expressing grievances are in person meetings and phone calls. Meetings are in the form of either personal visits or stakeholder	The Hotline 185 is not an independent line for the sub-Project. It is the hotline of the municipality. When a grievance was received through KASKI, it is recorded and conveyed to the Community Liaison Officer.  In the course of the sub-project, Mukhtars of the affected neighborhoods have been the main focal points those expressed grievances with regards to the problems faced during construction stage. Upon the receipt of grievances, the CLO has immediately informed relevant partners to act for the resolution of the grievances.  There have not been any grievances about land acquisition process. There have not been also any grievances subject to legal process.



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						consultation meetings.	
<b>2<sup>nd</sup> Level</b>							
<b>GRM Components</b>				<b>Actions taken as per the GRM</b>		<b>Explanation</b>	
<b>Responsible Authority:</b> ILBANK Emniyet Mah., Hipodrom Cad., No:9/21, Yenimahalle, Ankara  Phone: 0312 508 70 00	<b>Method:</b> By phone By writing Electronic ally	<b>Procedures:</b> Lodging of grievance will be confirmed.  Grievance will be assessed by the sub-borrower and IB will be informed.  Response / redress of grievance will be communicated to petitioner by the sub-borrower.  IB will monitor the sub-borrower to run the grievance mechanism smoothly.  If cannot be resolved, petitioner will be referred to Court of First Instance	<b>Response Time:</b> 4 weeks	<b>Responsible Authority:</b> ILBANK	<b>Procedures</b>	There has not been any grievances those were conveyed to the second level of Grievance Redress Mechanism	
<b>3<sup>rd</sup> Level</b>							



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GRM Components				Actions taken as per the GRM		Explanation
<b>Responsible Authority:</b> Responsible Court of First Instance	<b>Method:</b> By writing	<b>Procedures:</b> Pursuant to legal regime	<b>Response Time:</b> Pursuant to legal regime	<b>Responsible Authority:</b> Responsible Court of First Instance	<b>Procedures:</b> There has not been any grievances those were conveyed to the second level of Grievance Mechanism	

As a separate GRM, communities and individuals who believe that they are adversely affected by this World Bank (WB) supported project can submit complaints to the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, because of WB noncompliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. Information on how to submit complaints to the World Bank's corporate Grievance Redress Service can be gathered from GRS website: <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. Information on how to submit complaints to the World Bank Inspection Panel can be gathered from the Inspection Panel's website: [www.inspectionpanel.org](http://www.inspectionpanel.org).

A community-level GM was also set up by KASKI. In addition to the above methods, KASKI put Grievance Boxes located at the mukhtarates and at the project site office. By these grievance boxes, the mechanism set up for expressing grievances is more accessible to the residents those prefer to express their grievances anonymously.

All relevant stakeholders are consulted and informed on timely basis about the progress of the Project. As part of the stakeholder engagement activity the final LAP with entitlement, status of the LAP implementation and similar shall be communicated.

Upon the determination of the key principles to be followed in the land-acquisition process, KASKI scheduled stakeholder engagement meetings, broadcasted cut-off date, asset surveys and valuation of assets. In parallel to this, types of land-acquisition or land-use restrictions such as permanent versus temporary, purchase versus rent or lease, easement were determined. KASKI also developed livelihood restoration plan covering eligibility, types of assistance and options, process to negotiate an assistance agreement, time to consider, finalization and signing of an agreement, process, and schedule to implement. Stakeholder consultation meeting for the LAP will be arranged in early September 2025 due to the busy summer season. In the scope of the sub-project, there is only one affected household for whom livelihood restoration plan. KASKI is responsible for the overall execution of the LAP.



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Contact details of the grievance officer is provided below:

Name	Position	Phone	e-Mail
Ali Tarık BOZDAĐ	Civil Engineer, Department of Planning, and Investment of KASKI	+90 537 556 72 74	a.bozdag@maraskaski.gov.tr

In addition to the periodic reporting on monthly basis, an assessment report will be prepared to examine how LAP contributes to the livelihoods of the PAP.



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## 1. INTRODUCTION

This Land Acquisition Plan (LAP) is prepared in the scope of Kahramanmaraş Centrum Drinking Water, Sewage and Stormwater Project which is financed in the scope of the European Union (EU) Facility for Refugees in Türkiye (FRiT) Municipal Services Improvement Project (MSIP)—co-financed by the EU and the World Bank (WB)—and is being implemented by the Kahramanmaraş Water and Wastewater Administration (KASKİ).

This Project has been implemented through two work packages namely KMARAS-W4 (east-part) and KMARAS-W7 (west part). KMARAS-W7 consists of construction of 4,106 m drinking water transmission line, 3,917 m stormwater network, 32,170 m sewerage network and construction of 3 drinking water reservoirs (DY-44, DY-45 and DY-48). Objectives of the project are minimizing water losses, enhancing the service quality of Kahramanmaraş centrum infrastructure to prevent system interruptions and issues related to low-pressure, and improving the capacity of KASKİ to better respond to increased demand resulting from refugee influx.

The detail information about the project is provided in the ESMP prepared for the project.

### 1.1. Project Impacts

The land that DY-45 will be constructed is a non-registered area which is under the control and disposal of the state. It is in Karacasu Kırım neighborhood of Merkez district of Kahramanmaraş. On February 8, 2008, 10 households signed a 49-year contract with the Kahramanmaraş Provincial Directorate of Agriculture and Forestry (now known as the Provincial Directorate of Agriculture and Forestry) to grow almonds in a larger area, including the area where DY-45 will be built. Upon the request of one of the legal renters, the affected land was transferred to the affected household on 31<sup>st</sup> December 2014 by the approval of the Ministry of Forestry and Water Affairs no 36.<sup>1</sup> The Site Handover Approval and its translation is enclosed as Annex 1.

While the whole contract covers an area of 2,433,413 m<sup>2</sup>, the land that DY-45 will be built in an area of 94,600 m<sup>2</sup> which is allocated to F.Y. The DY-45 and the water distribution lines will require 1,909.86 m<sup>2</sup> of 94,600 m<sup>2</sup> area which is %2 of the area allocated to F.Y. See Figure 4-1 for the allocated area for F.Y. and the location of the DY-45 and the water distribution lines.

Impact of the Project on the livelihood will be as follows:

Affected Categories	Affected Neighborhood, #	Affected Households, #	Affected Individuals, #	Livelihood Impact
<b>Permanent loss of land with formal rights on land as tenants</b>	1 (Karacasu Kırım neighborhood)	1	6 individuals	Loss of a partial piece of rented land on permanent basis
<b>Loss or damage of economic assets such as trees</b>	1 (Karacasu Kırım neighborhood)	1	6 individuals	Loss of income due to the cut-off of 54 almond trees

<sup>1</sup>The Ministry of Forestry and Water Affairs was merged with the Ministry of Food, Agriculture and Animal Husbandry on 10<sup>th</sup> July 2018 and renamed as the Ministry of Agriculture and Forestry.



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<b>Decline of agricultural productivity due to construction-induced dust (Construction Phase that will last in four months)</b>	1 (Karacasu Kırım neighborhood)	1	6 individuals	Decline of agricultural productivity of 268 almond trees
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Census information of the affected HH is provided below.

#		Name	Relationship to HH Head	Age	Gender	Education	Primary Occupation	Handicap or Chronic Illness
1	HH Head	F.Y.	—	49	Male	High School	Contractor	—
2	HH Member	N.A.	Ex-wife	45	Female	Secondary School	Housewife	—
3	HH Member	A.Y.	Mother	80	Female	Illiterate	Housewife	Alzheimer
4	HH Member	Ms.Y.	Daughter	23	Female	University	Unemployed	—
5	HH Member	G.Y.	Daughter	21	Female	High School	University Student	—
6	HH Member	Mh.Y.	Son	15	Male	Secondary School	High School Student	—

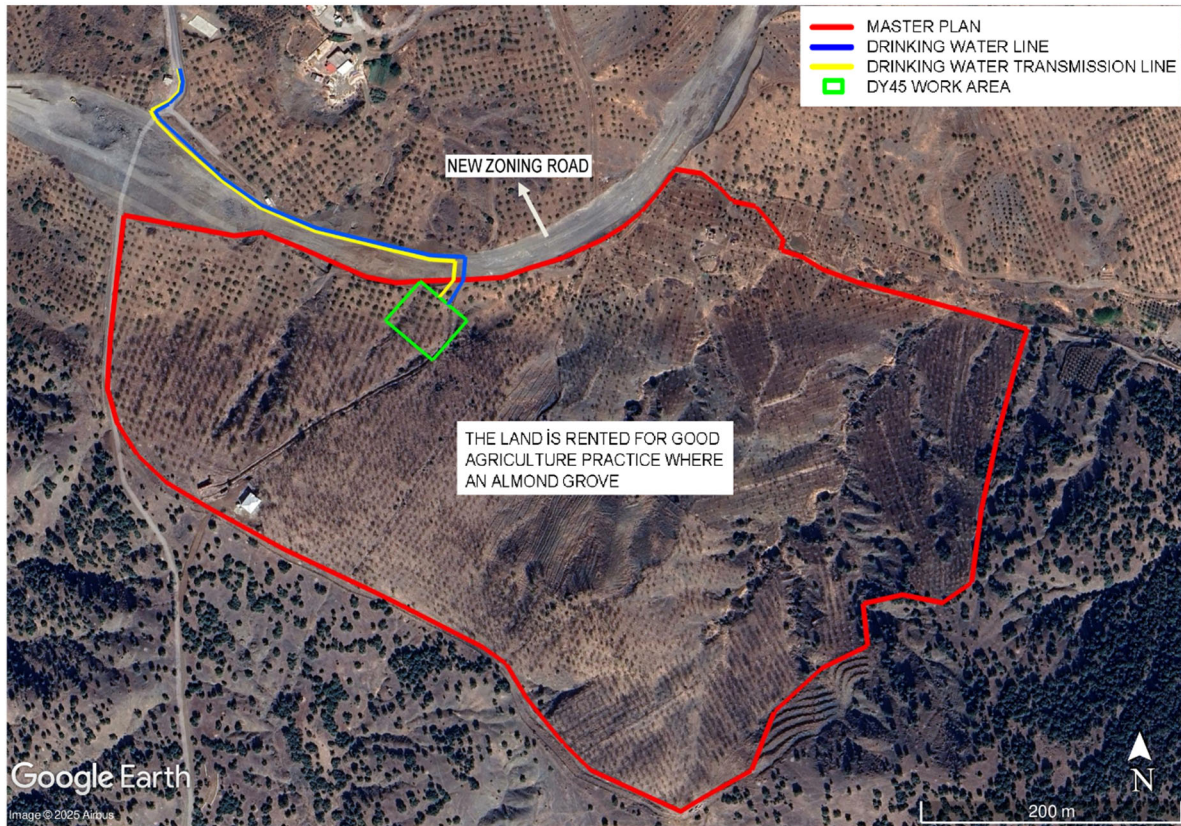
- Permanent loss of land with formal rights on land as tenants
- Loss or damage of economic assets such as trees
- Decline of agricultural productivity due to construction-induced dust (construction phase of the project will last approximately four months)

Details on the scope of impacts is provided in Section 3.



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Figure 1-1. Satellite Map of the Affected Parcel for Water Reservoir DY-45



## 1.2. Rational and Objective of the LAP

The World Bank Environmental and Social Framework’s Environmental and Social Standard (ESS5) on “Land Acquisition, Restrictions on Land Use and Involuntary Resettlement” and the Resettlement Framework (RF) of MSIP is triggered for KMARAŞ-W7 as it requires land acquisition for DY45, on which currently there are almond trees planted for livelihood.

This LAP describes the nature and extent of the Project’s land acquisition impacts and the eligibility and entitlements of affected person with respect to compensation for potential livelihood losses. The LAP identifies the specific procedures which will be used to determine compensation methods which are transparent, consistent, and equitable.

The objectives of this LAP are to:

- assess potential economic and social impacts of land acquisition/resettlement on affected persons.
- identify affected persons and their respective entitlements, categories of stakeholders, including vulnerable groups
- ensure the public is fully informed and the processes is handled transparently.
- conduct meaningful consultations with affected persons and to give opportunities to the affected persons to participate in planning and implementation of resettlement programs.



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- take all possible steps to minimize acquisition of productive, privately owned land and avoid acquisition of residential areas through careful selection of the needed sites.
- conduct valuation of land, businesses, and other assets for which compensation is given in the full replacement cost.
- include crops value and other land related livelihoods and assets while conducting valuation of agricultural land.
- ensure compensation to the people who are working on the affected land or businesses as tenants, users, or wage earners be in an amount or manner their living standards are not worse off than before the project.
- ensure compensation to the affected people whose livelihood depends on land and common resources, including common lands, is at the level to restore their livelihood to pre-displacement levels, regardless of the formality of ownership.
- ensure compensation to the affected people those are informal users of the public land covers the crops and any investment they have made on the land.
- where resettlement is unavoidable, to ensure compensation to the affected people covers full replacement cost, assistance for relocation and related expenses in line with the resettlement plans.
- ensure resettlement activities are designed and executed as sustainable development programs, providing sufficient investment resources to enable displaced persons to share in project benefits.
- provide and prepare plans for grievance redress and RP implementation monitoring in line with the WB procedures.
- monitor and report acquisition and resettlement activities on a regular basis to ensure timely and effective implementation of RPs.
- ensure all relevant stakeholders are informed and updated as deemed necessary on the land requirements, the implementation process, entitlements and grievance redress mechanisms of the subprojects
- ensure all required steps are taken to ensure compensation, registration and transfer issues are resolved with owners without seeking court intervention, unless unavoidable.
- ensure a fair and transparent land acquisition process compliant to international environmental and social safeguard standards is implemented.
- ensure all losses due to land acquisition; permanent and/or temporary, resulting in physical or economical displacement are compensated.

Throughout the development of this LAP, KASKI ensured gender consideration in all transactions related to project activities including consultation, management of impacts and project benefits.

### 1.2.1. Limitations/Constraints of LAP

The present LAP is developed to identify the potential social issues and conditions associated with the activities of the project.. The LAP is to be used to understand the overall social requirements of the project covered under this study rather than performance of overall entity. The outcome of this report can change in case this information is changed at any stage.



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## 2. LEGISLATIVE FRAMEWORK

The national legal framework and the requirements of ESS5 that this LAP rests are presented in the Resettlement Framework (RF) prepared for MSIP.<sup>2</sup> The summary of gap analysis including proposed mitigation strategies are presented in Table 1. In line with the Project's Loan Agreement, where there is any gap, the requirements of ESS5 prevails to address the gaps.

Table 1. Gaps Between WB Standards and National Legal Framework, Proposed Mitigation Strategies by the Project

Component	WB Standards	National Legal Framework	Measures to mitigate impacts due to gaps*
<b>Compensation/assistance to renters, and other informal users of lands, who do not own property</b>	Both official and unofficial users of the land are defined as PAPs. Persons who have spent money and constructed buildings or other structures on the lands of other persons are compensated at full replacement cost. They are also compensated for standing crops and economic trees they planted on the land they use unofficially, and assistance if needed to restore income/livelihood lost as a result of being displaced from the land in question.	Turkish legislation does not require payment of compensation to tenants and unofficial users of land/properties.  According to Turkish legislation, only people who lose legally owned land are considered as PAP. Thus, the possible losses of other PAPs such as the non-title holders and users of public lands, host population, nomadic/migrants (using the project area) or economically displaced people are not recognized and there are no provisions to mitigate the adverse effects of the projects on these people.	In addition to the definition of PAP as per Turkish legislation, the Project adopts the broader definition in full compliance with ESS5.
<b>Replacement Cost</b>	Loss of immovable such as land and other fixed assets should be compensated at full replacement cost before the construction starts. Considering the cash equivalent to replacement cost will be used as a compensation method, legal landowners will be	According to Turkish legislation, only the legal property owners can get monetary compensation and there is a clause in the law indicating that depreciation shall be deducted in the valuation process for the buildings (for expropriation), which	The difference between full replacement cost and compensation to be paid will be provided from social aid funds of the Municipalities and/or governorates.

<sup>2</sup> [www.ilbank.gov.tr/storage/uploads/uidb/ufrit\\_municipal\\_25\\_feb\\_2020\\_tr\\_1685733540.pdf](http://www.ilbank.gov.tr/storage/uploads/uidb/ufrit_municipal_25_feb_2020_tr_1685733540.pdf)



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Component	WB Standards	National Legal Framework	Measures to mitigate impacts due to gaps*
	compensated for loss of land, and tenants, public land users and squatters would be entitled to the replacement cost of what they have invested in the land.	may cause the expropriation value to be less than the full replacement cost as defined in ESS5 (which does not allow for applying depreciation).  The compensation for the loss of income, access to common properties or social losses (such as opportunity costs) is not clearly stated in the Turkish legislation.	
<b>Request for the expropriation of unviable land due to partial expropriation</b>	ESS5 does not define a time limit for land owners subject to partial expropriation those have a right to request the expropriation of the remaining land	According to law, land owners subject to partial expropriation have a right to request the expropriation of the remaining land within 30 days	If there is a partial expropriation request for the remaining part of the land, sub-borrower will ensure to receive this request within 30 days
<b>Scope of Project Affected People (PAP)</b>	ESS5 has a broader definition of PAPs including those of customary and informal users.  Project affected persons may be classified as persons: (a) who have formal legal rights to land or assets; (b) who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or (c) who have no recognizable legal right or claim to the land or assets they occupy or use.	According to Turkish legislation, only people who lose legally owned land are considered as project affected people (PAP). Thus, the possible losses of other project affected persons such as the non-title holders and users of public lands, host population, nomadic/migrants (using the project area) or economically displaced people are not recognized and there are no provisions to mitigate the adverse effects of the projects on these people. In Turkish legislations, most of these groups	For such people who are affected and fall under the definition of ESS5, mitigation measures such as occupational education or some job opportunities and similar will be provided.



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Component	WB Standards	National Legal Framework	Measures to mitigate impacts due to gaps*
		are not considered as PAP.	
<b>Resettlement Action Planning</b>	As per ESS5, in case of an economic and/or physical displacement, the Borrower should prepare an RP.	There is no statutory arrangement for preparation of an RP covering all displaced persons and host families.	LAP is prepared for the sub-project
<b>Public Information Disclosure, Consultation and Participation</b>	ESS5 requires full public disclosure of RF and RPs.	There are no provisions regarding information disclosure to public, public consultation and participation in the Turkish legislation regarding land acquisition. In the scope of normal expropriation procedures, an invitation letter is sent to property owners for the aim of informing and inviting rightful owner to negotiations within 15 days. Therefore, rightful owner becomes aware of land acquisition and has the opportunity to negotiate and/or challenge the proposed compensation amount.	KASKI is responsible for arranging stakeholder consultation meetings before land acquisition procedures begin with affected persons to inform about the land requirements, draft LAP that include entitlements and draft CHMP. In addition, the LAP and CHMP will be disclosed at the local level and on ILBANK's website.  KASKI will also notify the other affected groups and stakeholders in addition to the people who have legal rights, including those who have made investment in public land or are occupying the land without formal rights, and tenants, through an official registration mail as they notify the land and property owners. In the letter, information about the sub-project and impacts will be provided.
<b>Grievance Redress Mechanism (GRM)</b>	As per the ESS5, GM should be set up that enables the PAPs to express their	There are channels for lodging grievances	KASKI has developed grievance redress mechanism by the



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Component	WB Standards	National Legal Framework	Measures to mitigate impacts due to gaps*
	concerns, discontent, and expectations.	under different laws of Turkey (2942 Expropriation Law, 3071 Grievances Law, and 4982 Access to Information Law), but these are through more formal and legalistic mechanisms.	<p>acknowledgement and disclosure that grievance redress mechanisms are supplementary and do not substitute for the formal legal mechanisms, which remain available to PAPs who choose to pursue them.</p> <p>KASKI has been organizing stakeholder consultation meetings before and during the construction phase of the Project to inform about the impact of the Project including land requirements, disclosure of draft LAP and CHMP. KASKI has also notified all affected groups and stakeholders in addition to the people who have legal rights, including those who have made investment in public land or are occupying the land without formal rights, and tenants, through an official registration mail.</p>

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### 3. CENSUS AND ASSET INVENTORY, VALUATION, ELIGIBILITY AND ENTITLEMENTS

For the construction of DY-45 and the water distribution lines, 54 almond trees will be cut that was planted and used by one household who is the legal renter of the affected parcel. In addition to these 54 almond trees, there are 268 almond trees whose agricultural productivity will decline due to construction-induced dust. The construction phase is expected to last for four months.

A one-to-one meeting was held with N.A. in January 2025 (Photograph 3-1).

Photograph 3-1. Interview with the PAP



Although N.A. is ex-wife of F.Y., she lives in the house of the F.Y. to take care of F.Y.'s mother who suffers from Alzheimer and their children since F.Y. is in prison due to bankruptcy and his failure to construct the flats that he promised. The composition of household is presented in Table 3-1.

Table 3-1. Composition of Household<sup>3</sup>

#		Name	Relationship to HH Head	Age	Gender	Education	Primary Occupation	Handicap or Chronic Illness
1	HH Head	F.Y.	—	49	Male	High School	Contractor	—
2	HH Member	N.A.	Ex-wife	45	Female	Secondary School	Housewife	—
3	HH Member	A.Y.	Mother	80	Female	Illiterate	Housewife	Alzheimer
4	HH Member	Ms.Y.	Daughter	23	Female	University	Unemployed	—

<sup>3</sup> Includes aa who live in the family; but not who do not physically live in the household.



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5	HH Member	G.Y.	Daughter	21	Female	High School	University Student	—
6	HH Member	Mh.Y.	Son	15	Male	Secondary School	High School Student	—

Due to the imprisonment of F.Y., the almond orchard became the only livelihood source of the household. The average seasonal income generated from almond harvesting from the total land rented by the project affected population is 1.766.182 TL. As the project affected land is approximately 1910 m<sup>2</sup>, the seasonal income from almond harvesting of the affected land is 35.659,7 TL. Proportion of the loss of income due to Project is 2.66% for the project affected land.

Though the household applied for social assistance scheme, there has not been any positive development about this application. Both daughters of the F.Y. are actively seeking employment. In addition to the income generated from almond harvesting, household relies on the cash support their relatives or sales of vegetable which is harvested by the ex-wife of the head of the household at the garden of the house they are currently living. Size of the harvested area is approximately 350 m<sup>2</sup>. The ex-wife of the head of the household could not express the income generated from vegetable harvesting since the vegetable is used by the family as well.

The house that they are living at present belongs to the family of the F.Y. The house was not affected from the earthquake but there are small cracks on the wall which does not affect the structural integrity of the house.

The affected household is vulnerable that lives under poverty line without any regular income, not a beneficiary of any social assistance scheme, has an elderly member who needs constant care due to Alzheimer, has a teenage who is Not in Education, Employment, or Training (NEET), and single woman headed household though on temporary basis due to imprisonment of the head of the household.

### 3.1. Eligibility and Entitlements

Only one project-affected person (F.Y.) is eligible for the compensation. The entitlement matrix which is described in the RF and the entitlements of F.Y. is presented in Table 3-2. In summary, F.Y. is entitled for the compensation of:

- Crops, trees, and other land-based products loss of 54 almond trees,
- Impacts of dust on the adjacent 268 almond trees during the construction.
- Payment of the rent for the affected land

Table 3-2. Entitlement Matrix for the PAPs

Affected Categories	Entitlement (RF)	Entitlement (KMARAS-W7)



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Affected Categories	Entitlement (RF)	Entitlement (KMARAS-W7)
<b>Crops, trees, and other land-based products</b>	The crop value (market price) and investment amount made for the crop (input, labor, age of trees). Each crop and/or tree will be considered according to its characteristics (annual or perennial, maturity, average yield on a minimum of 3 years etc.)	Cash compensation of fifty-four almond trees equivalent to the yield/market value as determined by an agricultural engineer as per the characteristics of each almond tree  Cash compensation for the decline of agricultural productivity 268 almond trees due to construction-induced dust by an authorized academician.
<b>Legal Renters</b>	Assistance with finding a new place and moving and transition allowance. If lease is terminated early, compensation to ensure that renters do not suffer losses.	The affected household is one of the legal renters of the treasury land.  Due to the unavailability of an alternative treasury land to be allocated for the affected household, KASKI initiated a process with Kahramanmaraş Provincial Directorate of Agriculture and Forestry to clear out the rent for the affected parcel.
<b>Vulnerable groups who demonstrate they have suffered negative livelihood impact</b>	Assist PAPs to ensure that livelihoods are restored. Depending on case, livelihood restoration package such as Equivalent of 6 months of minimum wage or depending on case, a job opportunity or other social support mechanisms facilitated by municipality and/or other institutions.	The affected household is vulnerable that lives under poverty line without any regular income, not a beneficiary of any social assistance scheme, has an elderly member who needs constant care due to Alzheimer, has a NEET who is active job seeker, and single woman headed household though on temporary basis due to imprisonment of the head of the household.  In addition to cash compensation, in-kind support, i.e., building greenhouse, provide 80 olive sapling, repair of cracked



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Affected Categories	Entitlement (RF)	Entitlement (KMARAS-W7)
		walls, provision of Municipality's social assistance schemes and supporting trainings

In addition to these specific entitlements, alternative income schemes are determined in consultation with the PAP who is in seek of sustainable and resilient income resources. Components of the livelihoods restoration plan (LRP) with explanations are provided below:

Table 3-3. LRP Components in Response to Current Station of the PAP

Current Situation of the PAP	Component of the LRP	Type of Support to be Provided
The affected HH lacks regular income resource due to imprisonment of the head of the HH who is the main bread winner, single woman as unqualified labor acting head of HH in the absence of her ex-husband, a young member who is neither in employment nor education seeking job actively, an elderly family member who needs constant care due to Alzheimer and as a poor HH which cannot access social assistance.	Building a greenhouse in the garden of the residence where the HH is living as a source of sustainable and resilient income resource and reliable source for food consumption of the family.	Provision of basic structural components of a greenhouse, namely rafter, end wall, side post, side wall and purlins  Provision of vegetable and fruit seedlings  Provision of technical practical trainings
Olive harvesting is expressed as sustainable alternative income resource by the affected HH	Alternative Income Resource: Olive Harvesting	Planting of 80 olive saplings on the land rented by the HH  Training on the basics of olive harvesting to the HH members
Residence of the PAP at the center of Kahramanmaraş was fully demolished during February 2023 earthquakes  The family moved to the family house locates in Karacasu Kırım neighborhood. This house was not affected from the earthquake but there are cracks on the walls which does not affect the structural integrity of the house	Improvement of the house	Repair cracked walls of the house  Paint repaired walls
The PAP is not receiving social assistance scheme	Municipality social assistance schemes	Assessment of the eligibility of the affected Household as per the criteria of social assistance scheme provided by Kahramanmaraş Metropolitan Municipality

## 4. CONSULTATIONS



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## 5. GRIEVANCE MECHANISM

In line with the requirements of ESS5, a grievance mechanism (GM) has been established by KASKI to receive, resolve and follow the concerns and complaints of the PAP.

KASKI set up this grievance redressal mechanism in pursuant to the RP and SEP of the Project. A Grievance Redressal Committee (GRC) that is set up within the PIU composed of three authorized staff of KASKI will manage the grievances. One member of the GRC is designated as grievance officer whose contact details are provided to the mukhtar of the affected neighborhood of Karacasu Kırım and project affected people.

Contact details of the grievance officer is provided below:

Name	Position	Phone	e-Mail
Ali Tarık BOZDAĞ	Civil Engineer, Department of Planning, and Investment of KASKI	+90 537 556 72 74	a.bozdag@maraskaski.gov.tr

Actions taken as per the defined GRM are summarized in the below table:



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Table 3-4. Actions taken as per the GRM

1 <sup>st</sup> Level						
GRM Components				Actions taken as per the GRM		Explanation
<b>Responsible Authority:</b> KASKI <i>Community Liaison Officer (CLO):</i> Ali Tarık BOZDAĞ (Mr.), Civil Engineer, Planning, and Investment Department  Phone: +90 537 556 72 74  e-Mail Address: a.bozdag@maraskaski.gov.tr	<b>Method:</b> In person, by phone, by writing, electronic ally - in all cases grievances will be recorded in a grievance logbook.	<b>Procedures:</b> Municipality will assign a Community Liaison Officer to lodge and manage grievance and feedback mechanism of the sub-project. Grievance will be assessed. If needed will be examined onsite Response / redress of grievance will be communi- cated to petitioner.	<b>Response Time:</b> 2 weeks	<b>Responsible Authority:</b> KASKI  <b>Hotline:</b> 185  <b>White Table:</b> Resolution Table  <b>e-Mail:</b> a.bozdag@kaski.gov.tr  <b>Online Forms:</b> NA	<b>Procedures:</b> KASKI assigned a Community Liaison Officer (CLO) who is a civil engineer working at the Department of Planning and Investment  The CLO provided his personal phone number to the mukhtars of affected neighborhoo- ds.  Main communicat- ion channels for expressing grievances are in person meetings and phone calls. Meetings are in the form of either personal visits or stakeholder consultation meetings.	The Hotline 185 is not an independen- t line for the sub-Project. It is the hotline of the municipality . When a grievance was received through KASKI, it is recorded and conveyed to the Community Liaison Officer.  In the course of the sub- project, Mukhtars of the affected neighborho- ods have been the main focal points those expressed grievances with regards to the problems faced during constructio- n stage. Upon the receipt of grievances, the CLO has



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						<p>immediately informed relevant partners to act for the resolution of the grievances.</p> <p>There have not been any grievances about land acquisition process. There have not been also any grievances subject to legal process.</p>
<b>2<sup>nd</sup> Level</b>						
<b>GRM Components</b>				<b>Actions taken as per the GRM</b>		<b>Explanation</b>
<b>Responsible Authority:</b> ILBANK Emniyet Mah., Hipodrom Cad., No:9/21, Yenimahalle, Ankara  Phone: 0312 508 70 00	<b>Method:</b> By phone By writing Electronically	<b>Procedures:</b> Lodging of grievance will be confirmed.  Grievance will be assessed by the sub-borrower and IB will be informed.  Response / redress of grievance will be communicated to petitioner by the sub-borrower.	<b>Response Time:</b> 4 weeks	<b>Responsible Authority:</b> ILBANK	<b>Procedures:</b> There has not been any grievances those were conveyed to the second level of Grievance Mechanism	



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		<p>IB will monitor the sub-borrower to run the grievance mechanism smoothly.</p> <p>If cannot be resolved, petitioner will be referred to Court of First Instance</p>				
<b>3<sup>rd</sup> Level</b>						
<b>GRM Components</b>				<b>Actions taken as per the GRM</b>		<b>Explanation</b>
<b>Responsible Authority:</b> Responsible Court of First Instance	<b>Method:</b> By writing	<b>Procedures:</b> Pursuant to legal regime	<b>Response Time:</b> Pursuant to legal regime	<b>Responsible Authority:</b> Responsible Court of First Instance	<b>Procedures:</b> There has not been any grievances those were conveyed to the second level of Grievance Mechanism	

As a separate GRM, communities and individuals who believe that they are adversely affected by this World Bank (WB) supported project can submit complaints to the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, because of WB noncompliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. Information on how to submit complaints to the World Bank's corporate Grievance Redress Service can be gathered from GRS website: <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. Information on how to submit complaints to the World Bank Inspection Panel can be gathered from the Inspection Panel's website: [www.inspectionpanel.org](http://www.inspectionpanel.org).



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## 5.1. Steps for Community-level Grievance Redressal

**Step 1: Filing of grievance**– Grievances, including those filed anonymously can be submitted to the Project through the following channels:

- Grievance boxes located at the mukhtar office and at the project site office,
- Telephone calls or WhatsApp messages directly addressed to the grievance officer whose name and contact details is shared with the project affected neighborhoods and project affected people
- Meetings with the community liaison officer
- E-mail to the community liaison officer

**Step 2: Recording of grievances**- All grievances, including those received at the neighborhood level, phone calls and WhatsApp, will be recorded immediately in the project grievance register. Grievance boxes will be checked weekly by KASKI Community Liaison Officer who will also hold weekly coordination meetings with the mukhtars.

**Step 3: Acknowledgement of the grievance** – Within three working days upon receipt of the grievance, the community liaison officer will contact the grievance sender to acknowledge receipt of the grievance and provide information on the proposed steps to resolve the grievance, including timelines.

**Step 4: Consultation and investigation**- The GRC shall conduct consultation and investigation activities to determine the merits and extent of the grievance. This investigation shall be completed maximum within 30 days upon receipt of the grievance. However, depending on the urgency and/or sensitivity of the grievance, immediate action shall be taken in one (1) working week. Grievance sender and relevant stakeholders shall be interviewed. If required, coordination with mukhtar shall be done to facilitate resolution of the grievance. Available documents necessary for the investigation will also be reviewed. All information gathered will be properly documented.

**Step 5: Resolution and feedback**- All efforts shall be made to provide redress on the complaints within 45 days from receipt of the grievance. The GRC will work closely with the grievance sender on a mutually acceptable solution. Resolution shall be provided in writing to the grievance sender within the prescribed duration. For anonymous grievances, responses will be posted at the project site and at the office of the mukhtar.

**Step 6: Appeal of Grievance** - In case applicant/complainant is not satisfied with the decision, s/he can make an appeal to project level GRC.

**Step 7: Follow-up activities** –Upon the reaching agreement, the process will be monitored to ensure that all committed actions are carried out without leaving space to unsettled issues. Grievance senders and in the case of anonymous grievances mukhtars will be asked for their feedback on the resolution upon completion of agreed actions.

**Step 8: Documentation and reporting**–The process will be documented in the grievance register and the case is closed.



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## 6. BUDGETARY ALLOCATION

Based on the consultations, census and asset survey with the PAP, the following budget is prepared for the LAP. Cash compensation is determined as per the valuation assessments conducted by the experts. Valuation assessment for almond trees as affected economic assets is presented in Annex-2 and compensation calculation for the decline of agricultural productivity due to construction-induced dust is presented as Annex-3. Cash compensations will be paid upon the completion of the signature of the protocol by the PAP and KASKI and before the commencement of the construction of DY-45. The envisaged date for signature of protocol is by the end of July 2025.

In addition to these in-cash compensations, relying on the findings of the socio-economic survey and observations during site visit specific tailored projects/interventions are identified with KASKI which will be implemented during the Project. Components of LAP were discussed and agreed with the PAP.

Budget and timeline for the full-fledged implementation of the LAP is provided in Table 6-1.

Table 6-1. Budget and Timeline of the LAP

Affected Categories	Entitlement (RF)	Component of LAP	Cost, TL	Unit	Timeline for the Delivery of LAP
<b>Crops, trees, and other land-based products</b>	The crop value (market price) and investment amount made for the crop (input, labor, age of trees). Each crop and/or tree will be considered according to its characteristics (annual or perennial, maturity, average yield on a minimum of 3 years etc.)	Cash compensation of 54 almond trees within the affected parcel	67,194.08	54	September 2025
		Cash compensation for decline of agricultural productivity due to construction-induced dust (268 trees)	57,605.10	268	September 2025
<b>Legal Renters</b>	Assistance with finding a new place and moving and transition allowance. If lease is terminated early, compensation to ensure that renters do not suffer losses.	Cash compensation for the rent of affected parcel			September 2025
<b>Vulnerable groups who demonstrate they have suffered negative livelihood impact</b>	Assist PAPs to ensure that livelihoods are restored. Depending on case, livelihood restoration package such as Equivalent of 6 months of minimum wage or depending on case, a job opportunity or other social support mechanisms facilitated by municipality and/or other institutions.	Construction of greenhouse	60,000	1	September 2025
		Three-years old olive saplings those will be planted among the almonds	20,000	80	September 2025
		Repair of the cracked walls due to earthquake	15,000	4	September 2025
		Municipality's social assistance schemes		1	September 2025
<b>TOTAL</b>			<b>XXXX</b>		



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## **7. INSTITUTIONAL ARRANGEMENT FOR IMPLEMENTATION OF INTERVENTIONS**

KASKI will be responsible for the overall execution of the LAP. The designated officer of KASKI shall be responsible for ensuring full-fledged implementation of the LAP including coordination with project affected people and making available required resources.



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## 8. MONITORING AND REPORTING

In pursuant to the RF of MSIP, the purpose of monitoring will be to verify that

- actions and commitments described are implemented fully and on time,
- eligible affected people receive their full compensation entitlements within agreed timeframes and
- complaints and grievances lodged by project affected people are followed up and that where necessary, appropriate corrective actions are implemented.

Primary monitoring responsibility will rest with KASKI. For monitoring, KASKI will insert above-mentioned bullets into their reporting format, and they will send these Reports to ILBANK to be submitted to the World Bank.

Supervision consultant will assist KASKI to ensure that project implementation is fully consistent with the RF and also to provide for adequate monitoring and reporting of the activities set out in this RP.




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Annex-1:

Site

Handover

Approval



T.C.  
ORMAN VE SU İŞLERİ BAKANLIđI  
Orman Genel Müdürlüđü Kahramanmaraş Orman Bölge Müdürlüđü

Sayı : 50983953.408.160-06/  
Olur No: 36  
Konu: Saha Devir Oluru

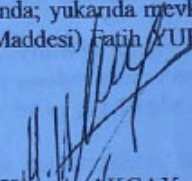
BAKANLIK MAKAMINA

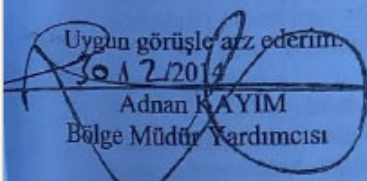
Talep Sahib : Fatih YURDAGÜL  
İzin Konusu : Özel Ağaçlandırma  
Rapor Tarihi : 28.01.2008  
Alanı (m<sup>2</sup>) : 94600,00 m<sup>2</sup>  
İli : Kahramanmaraş  
İlçesi : Merkez  
Köyü /Beldesi : Karacasu  
Mevkii : Kahramanmaraş ili Merkez ilçesi Kahramanmaraş Orman İşletme Müdürlüđü,  
Elmalar Orman İşletme Şefliđi, (Elmalar Serisi 723,724 ve 725 nolu bölme) içerisinde Hanifi  
ARSLAN adına 94600.00 m<sup>2</sup> lik ormanlık alanda özel ağaçlandırma izni için makamın  
08.02.2008 tarih ve 53 sayılı olurlarıyla 49 yıl süreli muvafakat verilmişti.

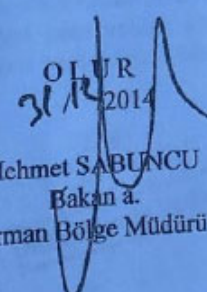
Kahramanmaraş Orman İşletme Müdürlüđünün 31.03.2014 tarih ve 596363 Sayılı yazısında; Hanifi ARSLAN'nın Özel ağaçlandırma sahasını devir etmek istediđi devir almak isteyen Fatih YURDAGÜL ile birlikte müşterek vermiş oldukları bila tarihli dilekçelerine istinaden Kahramanmaraş Orman İşletme Müdürlüđünce bahse konu saha mahallinde incelettirilmiş, neticede düzenlenen 28.03.2014 tarihli gerekçe raporu ve ekleri ilişikte sunulmuştur.

Konu yerinde incelettirilmiş olup, ilgili Orman İşletme Müdürlüđü tarafından olumlu görüşle gönderilen rapor ve diđer eklerinin incelemesi sonucunda; yukarıda mevki, alan ve konusu belirtilen sahanın (Özel ağaçlandırma tamiminin 21. Maddesi) Fatih YURDAGÜL'e devrinin uygun olacađı kanaatiyle;

Bilgilerinize ve geređini arz ederim.

  
M.Hüseyin AKÇAY  
Ağaçlandırma ve Silvikültür Şube Müdürü V.

  
Uygun görüşle arz ederim.  
30.12/2014  
Adnan KAYIM  
Bölge Müdür Yardımcısı

  
OLUR  
31/12/2014  
Mehmet SABUNCU  
Bakan a.  
Orman Bölge Müdürü



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## REPUBLIC OF TÜRKİYE

### MINISTRY OF FORESTRY AND WATER AFFAIRS

#### General Directorate of Forestry

#### Kahramanmaraş Regional Directorate of Forestry

Ref No: 50983953.408.160-06/

Approval No: 36

Subject: Site Handover Approval

#### TO THE MINISTRY

**Applicant:** Fatih YURDAGÜL

**Subject of Authorization:** Private Afforestation

**Report Date:** 28.01.2008

**Area (m<sup>2</sup>):** 94,600.00

**Province:** Kahramanmaraş

**District:** Merkez

**Village / Town:** Karacasu

**Location:**

Within the boundaries of Kahramanmaraş Forest Management Directorate, under the jurisdiction of the Elmalar Forest Sub-District Directorate (Elmalar Series, Compartments 723, 724, and 725), a private afforestation permit was granted for a forested area of 94,600.00 m<sup>2</sup> in favour of Hanifi ARSLAN, with the Ministry's approval dated 08.02.2008 and numbered 53, for a period of 49 years.

According to the letter dated 31.03.2014 and numbered 596363 from the Kahramanmaraş Forest Management Directorate, Hanifi ARSLAN requested the transfer of the private afforestation site, and Fatih YURDAGÜL jointly submitted an undated petition expressing his intention to take over the site. Upon this request, the designated site was inspected by the Kahramanmaraş Forest Management Directorate, and the justification report dated 28.03.2014 along with its annexes is hereby attached.

Following the on-site inspection and the review of the report and its annexes, which were submitted with a favourable opinion by the relevant Forest Management Directorate, it has been concluded that the transfer of the site — in terms of its location, area, and subject — to Fatih YURDAGÜL would be appropriate in accordance with Article 21 of the Regulation on Private Afforestation.

Submitted for your information and necessary action.



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## **PRIVATE AFFORESTATION REVISION PROJECT BELONGING TO FATİH YURDAGÜL**

### **JUSTIFICATION FOR REVISION:**

A 9.46-hectare area located within the boundaries of the Elmalar Forest Sub-District Directorate, under the Kahramanmaraş Forest Management Directorate of the Kahramanmaraş Regional Directorate of Forestry, was allocated to Hanifi Arslan for afforestation purposes for a period of 49 years, pursuant to Ministerial Approval No. 53 dated 08.02.2008.

In 2008, establishment and planting works were carried out, followed by a 3-year maintenance period on the 9.46-hectare plot allocated under Hanifi Arslan's private afforestation project. However, subsequent measurements revealed that afforestation activities could not be technically carried out on 0.83 hectares of the site. Therefore, a revision was made in 2010.

According to the official letter dated 31.03.2014 and numbered 596363 from the Kahramanmaraş Forest Management Directorate, Hanifi Arslan requested the transfer of the private afforestation site. Fatih Yurdagül, who intended to take over the site, jointly submitted an undated petition with Arslan. Based on this petition, an on-site inspection was carried out by the Kahramanmaraş Forest Management Directorate, and a technical report dated 28.03.2014 was issued. The transfer was deemed appropriate and was officially approved with Ministerial Approval No. 36 dated 31.12.2014, transferring the site to Fatih Yurdagül.

Accordingly, it has been determined that the site requires a revision.

### **1 – PROJECT SITE LOCATION:**

<b>INSTITUTION</b>	<b>CODE</b>	<b>NAME</b>
Regional Directorate of Forestry		Kahramanmaraş
Forest Management Directorate		Kahramanmaraş
Forest Sub-District Directorate		Elmalar
Forest Management Plan (Series)		Elmalar
Province	46	Kahramanmaraş
District		Merkez
Village / Neighbourhood		Elmalar / Karacasu - Kırım
Project Number		Kahramanmaraş

### **2 – INFORMATION ON THE AFFORESTATION APPLICANT:**



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**Full Name:** Fatih Yurdagül  
**Address for Notification:** Kırım Mahallesi, Karacasu Beldesi / KAHRAMANMARAŞ  
**Phone Number:** 05335414363

### 3 – AREA TO BE AFFORESTED:

#### 3.1 – Total Area:

**Table-1**

<b>Compartment No</b>	<b>Area (ha/hectares)</b>
723	7,52
724	0,11
725	1,83
<b>TOTAL</b>	<b>9,46</b>



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## Annex-2: Valuation Assessment of Almond Trees as Affected Economic Assets

### MÜTEM-İM CÜZ ( AĞAÇLARIN ) DEĞERİ

27.11.2024

Kahramanmaraş İli Dukadirođlu İlçesi Karacasu Ferhuş Mahallesi Maliye Hazinesine ait tapulama harici taşınmazda projesinde içme suyu deposu alanına isabet eden ağaçların Cins,yaş,sayısı ve bedeli aşağıda tablo halinde verilmiştir.

Kahramanmaraş Gıda Tarım ve Hayvancılık Müdürlüğü'nün 2019 yılı Ağaçların yerinde yeniden incelenerek tahmini değer tablosundan ortalama değerler alınarak ağaç bedelleri aşağıda hesaplanmıştır.

CİNSİ	YAŞI	SAYI (AD)	DEĞERİ TL/AD	ENKAZ DEĞERİ (TL /AD)	NET DEĞERİ ( TL / AD )	TOPLAM DEĞERİ (TL)
Badem	11-15	54	223.00 TL	8.00 TL	215.00 TL	11,610.00

TOPLAM	11,610.00 TL
--------	--------------

İsmail YURDAGÜL'e ait özel ağaçlandırma sahası içerisinde Dukadirođlu İlçesi Karacasu Ferhuş Mahallesi Maliye Hazinesine ait tapulama harici taşınmazda İçmesuyu Deposuna İsbet ağaçların 2019 yılı için Cins, yaş, sayı ve bedeli Ek'li tabloda verilmiştir.

Maliye Bakanlığının Bakanlığının yıllara göre yeniden değerlendirme oranlarıyla hesaplanan Kahramanmaraş Gıda Tarım ve Hayvancılık Müdürlüğü'nün 2024 yılı için Ağaçların tahmini değerleri aşağıda hesaplanmıştır.

2019 için hesaplanan toplam değer  
2020 yılı değerlendirme oranı (9,11%)  
2021 yılı değerlendirme oranı ( %36,20 )  
2022 yılı değerlendirme oranı ( %122,93 )  
2023 yılı değerlendirme oranı ( %36,20 )  
2024 yılı değerlendirme oranı ( %58,46 )

Toplam	
11,610.00 TL	
1,057.67 TL	12,667.67 TL
4,585.70 TL	17,253.37 TL
21,209.57 TL	38,462.93 TL
6,245.72 TL	44,708.65 TL
22,485.43 TL	67,194.08 TL

2024 yılı için bulunan toplam değerdir

67,194.08 TL

Murat AYTUĞ  
Ziraat Mühendisi



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## Translation:

### VALUE OF INTEGRAL PARTS (TREES)

27 November 2024

The species, age, quantity, and value of the trees located within the area designated for the drinking water reservoir project on the immovable property belonging to the Treasury of Finance, situated in Karacasu Kırım Neighborhood, Dulkadirođlu District, Kahramanmaraş Province, outside cadastral registration, are presented in the table below.

The values of the trees were calculated as follows, based on the average estimated values from the valuation table prepared after an on-site reinspection of the trees in 2019 by the Kahramanmaraş Provincial Directorate of Food, Agriculture and Livestock.

SPECIES	AGE	QUANTITY (PCS)	VALUE (TL/PC)	SALVAGE VALUE (TL/PC)	NET VALUE (TL/PC)	TOTAL VALUE (TL)
Almond	11–15	54	223.00 TL	8.00 TL	215.00 TL	11,610.00
					<b>TOTAL</b>	<b>11,610.00 TL</b>

The species, age, quantity, and value of the trees within the privately afforested area belonging to İsmail YURDAGÜL, which are located on the immovable property belonging to the Treasury of Finance, situated in Karacasu Kırım Neighborhood, Dulkadirođlu District, outside cadastral registration, and affected by the Drinking Water Reservoir, are provided in the attached table for the year 2019.

The estimated values of the trees for the year 2024 were calculated below by applying the annual revaluation rates determined by the Ministry of Finance, based on the valuations of the Kahramanmaraş Provincial Directorate of Food, Agriculture and Livestock.

			Total
Total value calculated for 2019		11,610.00 TL	
2020 revaluation rate (9.11%)		1,057.67 TL	12,667.67 TL
2021 revaluation rate (36.20%)		4,585.70 TL	17,253.37 TL
2022 revaluation rate (122.93%)		21,209.57 TL	38,462.93 TL
2023 revaluation rate (36.20%)		6,245.72 TL	44,708.65 TL
2024 revaluation rate (58.46%)		22,485.43 TL	67,194.08 TL
<b>This is the total value determined for the year 2024:</b>			<b>67,194.08 TL</b>

Murat AYTUĐ  
Agricultural Engineer  
(signature)



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## Annex-3: Compensation Calculation

### UZMAN TEKNİK BİLİRKİŞİ RAPORU

**Konu** : İnşaat tozunun meyve ağaçlarının verim ve kalitesine etkisi

İşbu uzman teknik bilirkişi raporu Kahramanmaraş Su ve Kanalizasyon İdaresi Genel Müdürlüğü'nün talebi üzerine HMK. 293. Maddesi gereğince hazırlanmıştır.

Kahramanmaraş İli Dulkadirođlu İlçesi Karacasu Ferhuş Mahallesi Maliye Hazinesine ait tapulama harici taşınmaz projesi üzerinde içme suyu deposu inşaatı sürecinde inşaat tozundan olumsuz etkilenebilecek ağaçların cinsi sayısı ve verim ve kaliteye olumsuz etkisi aşağıda belirtilmiştir.

İnşaat süresince, inşaat alanının sınırlarından 50 metre yarıçapı mesafedeki ağaçların toz nedeniyle fotosentez etkinliğinin düşeceği tespit edilmiştir.



İnşaat zamanının bitkide meyve oluşumunun hangi dönemine geldiđi de tozun verime olumsuz etkisinde oldukça önemlidir. İnşaatın 2025 yılı bahar ayları ile birlikte başladığında badem ağacının meyve oluşum dönemine rastlayacak ve meyve verimi ile birlikte kalitesine de olumsuz etki yapabilecektir. Bu nedenle meyve verimi ve kalitesinde % 20 azalma olacağı



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deđerlendirilmiřtir. Buna gore, 15.43 da alanda 268 adet 16-20 yařlarında Badem ađacı olduđu tespit edilmiřtir ve hesaplamalar buna gore yapılmıřtır.

Tařınmaz zerinde dikili bulunan meyve ađalarının verim maliyet deđerleri Kahramanmarař Dulkadirođlu İle Tarım ve Orman Mdrlđnn 2024 yılı meyve ađaları ve fidanları iin belirlemiř olduđu deđerler esas alınarak elde edilmiřtir. retim maliyetleri ierisinde yer alan tarla kirası, dner sermaye faizi ve genel idare giderleri ıkarılarak hesaplama yapılacaktır.

retim masrafları ve brt gelir hakkında bir kısım Yargıtay Kararları bulunmaktadır.

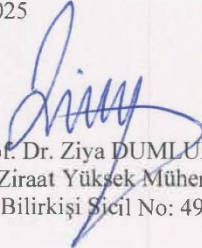
- ✓ retim Masrafları Brt Gelirin 1/3'den fazla olamaz ynnde ki karar; Yargıtay 5. Hukuk Dairesinin 22/03/2017 tarih ve 2017/1294 E., 2017/8886 K., Yargıtay 5. Hukuk Dairesinin 19/04/2017 tarih ve 2017/4283 E., 2017/11230 K.
- ✓ retim Masrafları Brt Gelirin 1/3 Oranında Alınması ynnde ki karar; Yargıtay 5. Hukuk Dairesinin 13.04.2015 tarih ve 2015/1728 E., 2015/7867 K.
- ✓ retim Masrafları Brt Gelirin 1/3'den az olamaz ynnde ki karar; Yargıtay 5. Hukuk Dairesinin 20/03/2019 tarih ve 2018/4853 E., 2019/5047 K.

Resmi veri cetvellerinde rn bazında 1/3 oranından uzaklařıldıđı grlmektedir, bu nedenle yukarıda belirtilen Yargıtay itihatları dikkate alınarak retim masrafları brt gelirin 1/3' oranında hesaplamalara dhil edilmiřtir.

Cinsi	Alanı (da)	Verim (kg/da)	Fiyatı (kg/TL)	Toplam retim Deđerleri (TL)	Toplam retim Masrafları (TL)	Net Gelir (Arazi S.Faizi Hari) (TL/da)	Toplam Gelir (TL)	Tozdan Kaynaklı Toplam Zarar (- %20, TL)
Badem	15.43	350	80	28,000.00	9,333.00	18,666.00	288,026.70	57,605.10

Buna gore,

Fatih YURDAGL'e ait zel ađalandırma sahası ierisinde Dulkadirođlu İlesi Karacasu Ferhuř Mahallesi Maliye Hazinesine ait tapulama harici tařınmaz projesi zerinde ime suyu deposu inřaatı srecinde inřaat tozunun Badem verim ve kalitesine muhtemel zararı **57,605.10 TL** olarak hesaplanmıřtır. 20.01.2025

  
Prof. Dr. Ziya DUMLUPINAR  
Ziraat Yksek Mhendisi  
Bilirkiři Sicil No: 49473



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## Translation:

### TECHNICAL EXPERT REPORT

**Subject:** The impact of construction dust on the yield and quality of fruit trees

This technical expert report has been prepared upon the request of the General Directorate of Kahramanmaraş Water and Sewerage Administration, pursuant to Article 293 of the Code of Civil Procedure.

The species, quantity, and the potential negative impact on the yield and quality of the trees that may be adversely affected by construction dust during the construction of the drinking water reservoir project—located on the immovable property belonging to the Treasury of Finance in Karacasu Kırım Neighborhood, Dulkadirođlu District, Kahramanmaraş Province, outside cadastral registration—are specified below.

During construction, it has been determined that the photosynthetic activity of the trees within a 50-meter radius from the boundaries of the construction area will decrease due to dust.

The timing of the construction, coinciding with the fruit formation period of the plants, is also a critical factor regarding the adverse effect of dust on productivity. When construction begins in the spring months of 2025, it will coincide with the almond trees' fruit formation period and is expected to have a negative impact not only on yield but also on quality. Therefore, it has been estimated that there will be a 20% reduction in fruit yield and quality.

As a result, it has been identified that within an area of 15.43 decares, there are 268 almond trees aged between 16 and 20 years, and calculations have been made based on this assessment.

The yield cost values of the fruit trees standing on the property were determined based on the values set by the Dulkadirođlu District Directorate of Agriculture and Forestry of Kahramanmaraş for fruit trees and saplings for the year 2024. Production costs, excluding field rent, revolving capital interest, and general administrative expenses, will be deducted in the calculation.

There are several Supreme Court decisions regarding production costs and gross income:

- ✓ A decision stating that production costs cannot exceed one-third of gross income: Supreme Court, 5th Civil Chamber, dated 22/03/2017, File No. 2017/1294, Decision No. 2017/8886, and dated 19/04/2017, File No. 2017/4283, Decision No. 2017/11230.
- ✓ A decision stating that production costs shall be considered as one-third of gross income: Supreme Court, 5th Civil Chamber, dated 13/04/2015, File No. 2015/1728, Decision No. 2015/7867.
- ✓ A decision stating that production costs cannot be less than one-third of gross income: Supreme Court, 5th Civil Chamber, dated 20/03/2019, File No. 2018/4853, Decision No. 2019/5047.

It has been observed that the official data tables deviate from the one-third ratio per product. Therefore, considering the aforementioned Supreme Court precedents, production costs have been included in the calculations at the rate of one-third of gross income.



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Species	Area (decare)	Yield (kg/decare)	Price (TL/kg)	Total Production Value (TL)	Total Production Costs (TL)	Net Income (Excluding Land Interest) (TL/decare)	Total Income (TL)	Total Damage Due to Dust (20%, TL)
Almond	15.43	350	80	28,000.00	9,333.00	18,666.00	288,026.70	57,605.10

Accordingly,

The estimated potential damage to the yield and quality of almonds due to construction dust during the construction of the drinking water reservoir project, located on the immovable property belonging to the Treasury of Finance within the private afforestation area owned by Fatih YURDAGÜL in Karacasu Kırım Neighborhood, Dulkadirođlu District, has been calculated as 57,605.10 TL. 20.01.2025

(signature)

Prof. Dr. Ziya DUMLUPINAR  
Senior Agricultural Engineer  
Expert Registry No: 49473