# Social Compliance Audit Report

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Thailand: Gulf Solar and Solar with Battery Energy Storage Systems Project

Breeze and Shine Solar Power Plant Project

Prepared by Consultants of Technology Company Limited for Gulf Energy Development Public Company Limited for the Asian Development Bank (ADB).

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## SOCIAL COMPLIANCE AUDIT REPORT FOR BREEZE AND SHINE SOLAR POWER PLANT PROJECT

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#### 1. INTRODUCTION

This document presents a Social Compliance Audit (SCA) of the Breeze and Shine Solar Plant Project in Suphanburi Province, Thailand. It has been prepared by COT consulting firm for the Asian Development Bank (ADB) as part of ADB Safeguard Requirement 4, to identify past or present concerns related to impacts associated with past and ongoing land acquisition and indigenous peoples, as well as other past and ongoing activities that may have created social impacts or concerns related to project activities. The SCA sets out the project details and examines relevant data to determine if ADB SR2 Involuntary Resettlement and SR3 Indigenous Peoples are triggered, and provides recommendations for corrective actions to address impacts, where needed.

#### 1.1 Project Overview

Breeze and Shine Power Company Limited has undertaken the development of the Breeze and Shine Solar Power Plant Project, hereinafter referred to as the "Project". The Project began execution from planning, construction, and operation including taking ownership of a 144.000 MW<sub>AC</sub> (199.456 MW<sub>P</sub>) facility in Suphanburi Province. The primary objective of this endeavor is to establish a solar power generation facility employing photovoltaic (PV) solar panel technology, in accordance with governmental policies supporting electricity production from renewable energy sources. This project will involve the installation of ground-mounted solar panels, which will be integrated with battery energy storage system (BESS) to facilitate the supply of electricity to the government. The Project also includes a high-voltage transmission line (TL) approximately 4.5 km long, which will be constructed and operated by Provincial Electricity Authority (PEA).

#### 1.1.1 Project Development Status

The Project is in the process of engineering detailed design and permits/licenses application. The Project has to apply for permits from several government agencies in Thailand, which are listed and described in **Table 1.1.1-1.** 

Table 1.1.1-1 List and Status of Licenses from Government Agencies

List of License/Permits	Government Agency	Status of License
Electricity Generation License	Office of Energy Regulatory Commission	In process
Power Generation Facility	Office of Energy Regulatory Commission	In process
Operation Licenses (Ror. Ngor. 4)	through the opinion of Department of	
	Industrial Works	
Regulated Energy Production	Office of the Energy Regulatory	In process
License (Por. Kor. 2)	Commission through the opinion of the	
	Department of Alternative Energy	
	Development and Efficiency	
Building Construction or	Office of Energy Regulatory Commission	In process
Modification License (Aor. 1)	through the opinion of local government	
	organization	

#### 1.1.2 Project Developer

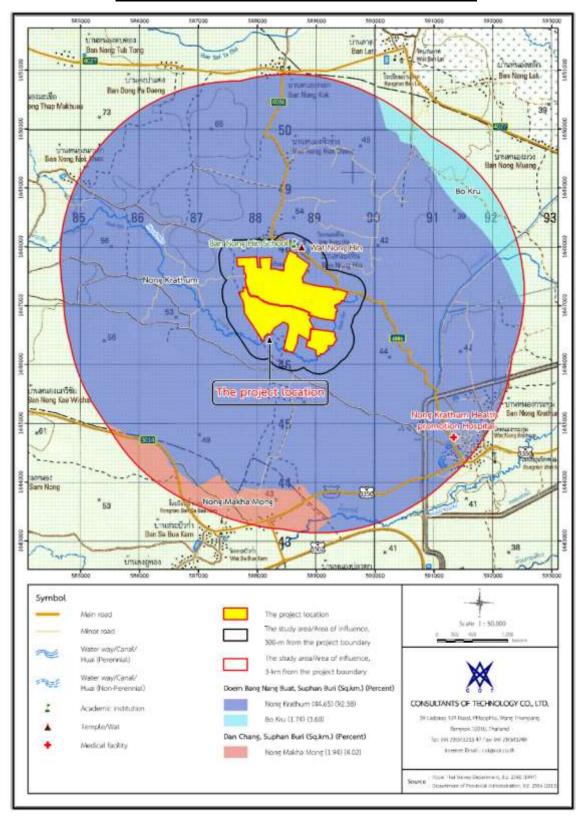
Gulf Energy Development Public Company Limited ("GULF"), as a holding company in the energy and infrastructure sector, including gas-fired and renewable energy, as well as digital ventures. The Company is dedicated to facilitating the shift towards for more sustainability and environmental-friendly energy sources.

Breeze and Shine Power Company Limited was established under GULF. Breeze and Shine Power Company Limited passed the Energy Regulatory Commission for the supply of electricity from renewable sources under the Feed-in Tariff (FiT) program for the period B.E. 2565-2573 (2022-2030).

#### 1.1.3 Project Location

The Project is located on the area of 1,683,133.60 square meters (168.31 has) or 1,051.96 rais at Moo. 8 (Ban Nong Hin), Nong Krathum Sub-district, Doem Bang Nang Buat District, Suphanburi Province (**Figure 1.1.3-1**). The installed capacity of 144.000 MW<sub>AC</sub> (199.456 MW<sub>P</sub>) which shall be generated from a total of 329,680 PV solar modules. The transmission line of electricity, a 115 kV high-voltage transmission line of approximately of 4.5 kilometers will be established, linking the Project to Doem Bang Nang Buat Provincial Electricity Authority (PEA) Station. The surrounding environment of the Project area mainly consists of agricultural land as shown in **Figure 1.1.3-2**.

Figure 1.1.3-1 Project's Location and the Study Area



#### Figure 1.1.3-2 Land Utilization Surrounding the Project



47P 587830 E, 1646898 N Agricultural area



2023 05 05



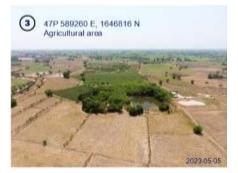












#### 1.1.4 Project Components

The **Table 1.1.4-1** presents a comprehensive summary of the project components, with a particular focus on land acquisition. All project components are located in the Project's area (**Figure 1.1.3-2**) except the transmission line which will be laid from the Project through the right-of-way of the public road to the cut and turn points of the existing 115-kV transmission lines, with a total distance of 4.5 kilometers.

Table 1.1.4-1 Overall Project's Description and Associated Facility

Detail	Project Components			
Owner	Breeze and Shine Power Company Limited			
Location	Moo 8, Nong Krathum Sub-district, Doem Bang Nang			
	Buat District, Suphanburi Province.			
Project Area	1,683,133.60 square meters (168.3 has or 1,051.96 rais)			
Components	1) Photovoltaic (PV) Modules			
	2) Mounting Structures			
	3) Inverters			
	4) Transformers			
	5) Switch Gears			
	6) Battery Energy Storage System (BESS)			
	7) Power Conversion System (PCS)			
	8) Electrical Substation			
	9) Cabling			
	10) Communication			
	11) Site Security and Fencing			
	12) Access Road			
	13) Transmission Line			
Previous/current land use	Agricultural farm (Cassava farm, Sugar cane Farm)			
characteristic				
Land acquisition needs	1,683,133.60 square meters (168.31 has or 1,051.96 rais)			
	with up to 84 title deeds and 50 previous land owners.			
	There was no residential housing located in the target area.			

#### 1.2 SCA Objectives

The objectives of the Social Compliance Audit (SCA) for Gulf and ADB are outlined as follows:

- (1) Identify the mode/method of previous land acquisition. Describe how the land ownership was transferred from previous owners to the projects and present proof of land ownership that the Project has legal tenure over the land; Provide information on the year land was acquired and by whom, type of land acquired and indicate number of households/land users whom the land was acquired. Determine if there are non-titled and informal land users affected by the land transaction and ascertain if they received any assistance from the landowners.
- (2) Determine if land acquired through negotiated acquisition (willing buyer / seller) was acquired in a manner consistent with the requirements of national legislation and as guided in ADB SR2 for Negotiated Land Acquisition. Attention to be paid to acquisition aspects such negotiation strategy, transparency of information shared, parity of negotiation and absence of coercion, compensation / payment calculations, assets included in sale, and paperwork utilized to formalize transfer of title / user rights.
- (3) Provide information on the amount of payment for the land and assets and whether the payment is complete, whether affected households are satisfied with the compensation, whether compensation amount is equivalent to replacement cost, whether replacement land was provided to affected households.
- (4) Identify if there were any impacts (permanent or residual) due to past land acquisition. Determine if there were poor and vulnerable affected people requiring assistance for livelihood restoration.
- (5) Review any ongoing project related activities including stakeholder engagement with local residents or community members still using the land, and how this is being managed.
- (6) If any, confirm presence or absence and review outstanding grievances, court cases, and claims in relation to the previous land acquisition.
- (7) If there are any compliance gaps against the applicable reference framework, develop a corrective action plan (CAP), defining necessary remedial actions, responsible parties, budget for such actions and time for the resolution of noncompliance(s).

#### 1.3 Audit Methodology

COT used a range of methods to fulfill the SCA objectives, as outlined below.

#### (1) Document Review:

- Gulf's land selection criteria,
- Gulf's land acquisition process,
- The property valuation price disclosure system of the Department of Land (https://landsmaps.dol.go.th/),
- Price evaluation report from the independent land valuation consultant,
- Announcement of the Energy Regulatory Commission regarding the procurement of electricity from renewable energy sources in the form of Feed-in Tariff (FiT) for the years B.E. 2565-2573, for the group without fuel costs, B.E. 2565 (2022),
- Land title deeds, as a database provided by Gulf and example of deed transfer documents,
- Past and ongoing CSR activities conducted by the Project in the area,
- Results from the environmental and social impact assessment process' pre-engagement and public meetings conducted by COT in May and June of B.E. 2566 (2023), and
- Online media sources were also reviewed to identify any issues related to land acquisition in the project area.
- (2) In-depth interviews: In-depth interviews were conducted with previous land owners and project personnel, as set out below. The Project developer assisted by providing a list of names and contact information for the previous landowners/non-title land users. Interviews were held with:
  - **8 previous landowners** interviewed by phone on October 18<sup>th</sup>, November 24<sup>th</sup>, and December 15<sup>th</sup>, B.E. 2566 (2023). To assess the land acquisition process undertaken, people who sold their land parcels to the Project were interviewed to confirm their willingness to sell at a satisfactory rate. These interviews were to provide insights into whether any land users / sellers would be worse off as a result of the land sale, and to confirm if there were land sellers/ users considered to be poor or vulnerable. (**Appendix 1** presents the list of questions guiding the interviews).

- One Project personnel, Assistant Vise President-Renewable Energy, involved in the process of land acquisition began in April B.E. 2564 (2021) when the Project's personnel started searching for suitable land for the Project's development, following the Gulf land acquisition procedure.
- <u>Village Headman</u> of Moo.8 Ban Nong Krathum was interviewed initially by telephone and also with a follow-up call to reaffirm the living condition of the land users on December 15<sup>th</sup>, B.E. 2566 (2923).

#### (3) Field Visit, Site Survey and Observations:

- May 2<sup>nd</sup> B.E. 2566 (2023), a drone survey of land use characteristics was conducted at the Project location and nearby area.
- Photo survey of the transmission line route and mapping with GPS data was completed for documentation in the SCA; no stakeholders in the RoW area were consulted.
- October 19<sup>th</sup> B.E. 2566 (2023), COT team re-visited to observe the land use characteristics at the Project location and nearby area.

#### 1.4 Limitations

Because the land acquisition process was completed before the compliance audit, the consultant could not physically observe the previous landowners' past land uses and livelihoods. Additionally, Gulf did not collect the socio-economic baseline or census data of the previously affected landowners or users. Project developer provided access to the list of land sellers however not all could be reached, so the sample of affected people was determined by their availability and willingness to be contacted. Due to lack of information on the replacement cost, the consultant is unable to verify whether the selling price cover the replacement cost or not.

#### 2. COMPLIANCE WITH LAWS AND REGULATIONS

The purpose of this part of the SCA is to review the relevant national regulatory framework and ADB's safeguard requirements in terms of land acquisition, involuntary resettlement, and indigenous peoples in order to assess Project compliance with those applicable laws, regulations, standards and the gaps.

#### 2.1 National Laws and Regulations

Among various laws in Kingdom of Thailand, the following lists are law the most relevant laws to land acquisition and indigenous peoples.

- Constitution of the Kingdom of Thailand B.E.2560 (2017).
- Department of Lands Regulations Concerning the Registration of Rights and Legal Transactions Related to Land Sales and Other Real Estate B.E.2543 (2000).
- [This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.]

#### 2.1.1 Laws and Regulations Relevant to Land Acquisition and Compensation

(1) Constitution of the Kingdom of Thailand B.E. 2560 (2017)

**Section 37** ensures that property and succession rights are protected by law. Expropriation of immovable property is restricted to public interest needs and requires fair compensation. Unused expropriated property must be returned if the original owner or their requests it, with provisions for compensation reclaim.

(2) Department of Lands regulations Concerning the Registration of Rights and Legal Transactions Related to Land Sales and Other Real Estate B.E. 2543 (2000) specifies the requirement for ownership transaction in Clause 5, 6, 7, 9, and 20 that detailed personal information is required for land registration to ensure legal ownership. Sellers must be verified as true owners, and buyers must acknowledge this in writing. Written contracts are mandatory for sales, with copies kept at the land office.

#### 2.1.2 Laws and Regulations Relevant to Indigenous Peoples

Relevant laws and regulations to the indigenous peoples process in Thailand are:

#### (1) Constitution of the Kingdom of Thailand B.E.2560 (2017)

Section 70: the State should promote and provide protection for different ethnic groups to have the right to live in the society according to the traditional culture, custom, and ways of life on a voluntary basis, peacefully and without interference, insofar as it is not contrary to public order or good morals or does not endanger the security of the State, health or sanitation.

Furthermore, ethnic or minority groups in Thailand are not discriminated against as they have the right to live in society on a voluntary basis according to traditional culture, customs, and ways of life, and are eligible to apply for Thai citizenship, naturalization as a Thai citizen, or reacquisition of Thai citizenship.

#### (2) Princess Maha Chakri Sirindhorn Anthropology Centre

Princess Maha Chakri Sirindhorn Anthropology Centre (Public Organization) is a knowledge hub in the fields of anthropology, archaeology, history, art history, culture, and local knowledge in Thailand and the Southeast Asian region. It serves as a repository for diverse forms of knowledge, supporting the creation of new knowledge and disseminating research findings to the general public. This Centre is a source of information to confirm the presence and situation faced by indigenous peoples in Thailand.

#### 2.2 International Standards

One of the purposes of the SCA is to discuss international standards or requirements regarding land acquisition. Relevant international requirements are:

#### 2.2.1 ADB's Safeguard Requirements 2 (SR2): Involuntary Resettlement

The following requirements of SR2 will be used to determine whether the Project's land acquisition is in accordance with SR2.

The involuntary resettlement requirements apply to full or partial, permanent or temporary physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) resulting from (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. Resettlement is considered involuntary when displaced individuals or communities do not have the right to refuse land acquisition that results in displacement. This occurs in cases where: (i) lands are acquired through

expropriation based on eminent domain; and (ii) lands are acquired through negotiated settlements, if expropriation process would have resulted upon the failure of negotiation.

- In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of: (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
- The borrower/client is encouraged to acquire land and other assets through a negotiated settlement wherever possible, based on meaningful consultation with affected persons, including those without legal title to assets. A negotiated settlement will offer adequate and fair price for land and/or other assets. The borrower/client will ensure that any negotiations with displaced persons openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions. For this purpose, the borrower/client will engage an independent external party to document the negotiation and settlement processes. The borrower/client will agree with ADB on consultation processes, policies, and laws that are applicable to such transactions; third-party validation; mechanisms for calculating the replacement costs of land and other assets affected; and record-keeping requirements.

#### 2.2.2 ADB's Safeguard Requirements 3 (SR3): Indigenous Peoples

SR3 has determined the term indigenous peoples used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture;
- A distinct language, often different from the official language of the country or region.

The Indigenous Peoples safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of Indigenous Peoples or affects the territories or natural or cultural resources that Indigenous Peoples own, use, occupy, or claim as their ancestral domain.

# 2.2.3 ADB's Safeguard Requirements 4 (SR4): Special Requirements for Different Financing Modalities

For projects involving facilities and/or business activities that already exist or are under construction, the borrower/client will undertake an environment and/or social compliance audit, including on-site assessment, to identify past or present concerns related to impacts on the environment, involuntary resettlement, and Indigenous Peoples. The objective of the compliance audit is to determine whether actions were in accordance with ADB's safeguard principles and requirements for borrowers/clients and to identify and plan appropriate measures to address outstanding compliance issues. Where noncompliance is identified, a corrective action plan agreed on by ADB and the borrower/client will be prepared. The plan will define necessary remedial actions, the budget for such actions, and the time frame for resolution of noncompliance. The audit report (including corrective action plan, if any) will be made available to the public in accordance with the information disclosure requirements of the Safeguard Requirements 1–3.

#### 2.3 Analysis of the Gaps

There are many points of alignment between the Kingdom of Thailand laws and regulations and ADB requirements related to both land acquisition, involuntary resettlement and indigenous peoples. The following are some significant differences between Thai laws and ADB safeguard requirements regarding land acquisition.

- 1. Negotiated Settlements: Thai law does not explicitly mandate the involvement of an impartial third party to document negotiations, as ADB does, and there is no specific provision in Thai law for dealing with information and negotiating power asymmetry.
- **2. Protection of Displaced Persons:** That legislation focuses on property rights and fair compensation, however it does not particularly address economic displacement or livelihood restoration, as specified by ADB.
- 3. Involuntary Resettlement: the ADB policy covers both temporary and permanent displacement, although Thai law makes no distinction between the two in terms of rights and compensation. A key gap or difference between the requirements, appears to be in relation to the identification and treatment of informal land-users who may not be recognized and or have a right to compensation or other assistance when impacted, according to Thai law. Under ADB SPS 2, however, informal settlers, illegal users or people who do not have documented ownership or formal rights to occupy or use an area, nevertheless are recognized as impacted parties, and should be documented, engaged and are entitled to assistance including compensation for losses if physically or economically displaced.

- **4. Audits:** The conduct of an audit of land acquisition processes is not a requirement under Thai law, whereas ADB process requires this for projects prior to appraising the project's compliance for financing purposes. An implication is that it may not be feasible to fully meet the ADB requirements as national stakeholders are not obligated by law, for example to provide information or participate in discussion. As such, the project sponsor or its consultant's endeavor to address the requirements using a variety of approaches and sources, with certain limitations needing to be acknowledged.
- **5. Consultation Processes:** ADB needs comprehensive consultation with affected parties, including individuals who do not have legal title to assets, which may be more extensive than Thai regulations now require.

#### 3. LAND ACQUISITION PROCESS

This section of the SCA describes the Project land acquisition process, including the process set out by the Government of Thailand as well as the process used by Gulf Energy for the project area, defined as project facility area.

#### 3.1 Description of Government Approach on Land Acquisition of Energy Project

The lands acquisition for the Project covers all project components situated solely within the Project boundary. [This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.] As per the Announcement of the Energy Regulatory Commission regarding the procurement of electricity from renewable energy sources in the form of Feed-in Tariff (FiT) for the years B.E. 2565-2573, it is the company responsible for negotiating land access in accordance with the applicable laws and regulations.

Department of Lands regulations Concerning the Registration of Rights and Legal Transactions Related to Land Sales and Other Real Estate B.E. 2543 (2000) specifies the requirement for ownership transaction in Clause 5, 6, 7, 9, and 20 that detailed personal information is required for land registration to ensure legal ownership. Sellers must be verified as true owners, and buyers must acknowledge this in writing. Written contracts are mandatory for sales, with copies kept at the land office.

COT reviewed the regulation and practices for land acquisition process, where land transactions were conducted in the presence of Provincial Land Office personnel. The land official investigated the information of landowners and the company's representative, such as personal information and the intentions of the land purchaser, the actual purchase price, payment, confirming that the buyer understands that the seller is the legal owner of the land, and so on. The official then drafted a land sale agreement for both parties to sign, with one copy kept at the land office and one given to the buyer.

#### 3.2 Description of Gulf's Land Acquisition Process

To verify Gulf's land acquisition process, COT interviewed the project developer (Assistant Vise President-Renewable Energy on December 13<sup>th</sup> B.E. 2566 (2023)) about the land purchase procedure. According to the interview and desk reviews, the land acquisition for the Project involved four (4) steps, as follows and elaborated below:

Land Selection Process by Gulf

- Appointment of a Land Committee by Gulf
- Appointment of an Independent Evaluation Consultant
- Implementation of the Land Acquisition Process

#### 3.2.1 Land Selection Process by Gulf

To identify effective and efficient use of land under relevant Regulations and land criteria (5 topics) e.g., environment, social, town planning, land price evaluation and land acquisition (**Table 3.2.1-1**).

**Table 3.2.1-1 Criteria for Land Selection** 

The overall project area is sufficient in size and topography.  The landscape should have low slopes and be devoid of dense trees and permanent structures for easy and quick development preparation.  The location should not be in flood-prone or floodway.  The land prices should be reasonable for project development.
and permanent structures for easy and quick development preparation.  The location should not be in flood-prone or floodway.
The location should not be in flood-prone or floodway.
The land prices should be reasonable for project development
The land prices should be ressenable for project development
The faile prices should be reasonable for project development.
Consider the indicative land price in the target area.
The site of the power plant shall not contradict Enhancement and
Conservation of National Environmental Quality Act.
The location should not be within or within a 1-kilometer radius of the
project areas: wildlife sanctuary, prohibited hunting area, reserved
forest area, national park, ancient sites, archaeological sites, and raw
water conservation areas for water supply, as approved by the Cabinet.
The project area should have sufficient resources for development
and project operation, with appropriate environmental management
systems such as water usage and waste management.
Attitudes and opinions of landowners and community leaders
towards project development.
Concerns of people in the area and community leaders.
The power plant location should comply with urban planning laws
and not contradict with existing laws and regulation.
Only land titles or Nor Sor 3 Kor papers, as well as legal possession
rights, shall be considered.

#### 3.2.2 Appointment of a Land Committee

To assure effective and efficient use of land under relevant Regulations and land criteria (5 topics), the company's internal procedure is to appoint a Land Committee (Announcement of Gulf No. 24/2564. Subject: Appointment of the Land Committee dated 6 October 2021). The Land Committee ensured that the selected land area was in accordance with the criteria for new project development. The Land Committee Appointment, in place for all of Gulf's project developments in Thailand, consisted of 4 members who possess necessary suitability such as professionalism, knowledge, and expertise to perform their duties for good governance of the Company.

#### The composition of the Land Committee

- Deputy CEO as a Committee Chairman
- Senior Executive Vice President (SEVP) as a Committee Member
- Senior Executive Vice President (SEVP) as a Committee Member
- Senior Vice President (SVP) as a secretary

This appointment is effective from October 6<sup>th</sup>, B.E. 2564 (2021), onwards.

#### The duties and functions of the Land Committee

- Review and made recommendations to the working team on matters relating to land acquisition;
- Ensure fair and appropriate land price in the development of project in compliance with the regulations and governance requirements;
- Approve each and every land acquisition transaction, or related transactions;
   and
- Perform any other actions relating to land acquisition.

#### 3.2.3 Appointment of an Independent Evaluation Consultant

Breeze and Shine Power Company Limited recruited the independent land valuation consultant to assess the price of land in the project's proposed location for information on appropriate land purchase and sale pricing. The following were the steps in the analysis.

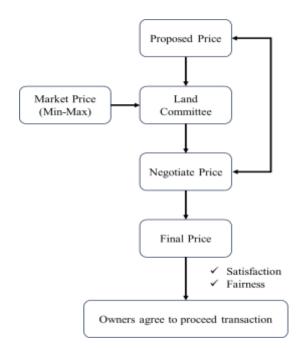
- Surveyed the land selling price in the subdistrict where the project is located from the current land for sale signs, asking a range of people in the region, such as villagers, subdistrict or village headman, individuals involved in land transactions, or the land for sale signs.
- Evaluated the previous survey's land prices and adjusted them in response to price-influencing events. Following that, land values were grouped to indicate land prices.
- Analyzed land values in accordance with the principles and processes for determining land appraisal prices established by the Department of Land.
- Appraised the land value to be used as a negotiating tool for the project's land acquisition price.
- The independent land valuation consultant reported to Gulf [This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.] (**Appendix 2** provides the cover page of the report submitted to Gulf and analyzed by COT for this SCA).

#### 3.2.4 Implementing the Land Acquisition Procedure

Implementation the land acquisition procedure including the steps listed below.

- (1) The company's business development team established the criteria for land selection as presented in **Table 3.2.1-1**.
- (2) Initially, the business development team had looked for viable areas based on predefined criteria from the geographic information system (GIS).
- (3) After locating potential land, the land acquisition team contacted landowners to inspect and investigate the lands, then prepared a report to the business development team for examination of the land's acceptability in accordance with the criteria.
- (4) After the company's development team certified the suitability of the land, the land acquisition team contacted the landowner to negotiate the selling price of the land previously proposed by landowner. The Company used the market price researched by the consultant for negotiation. The flow chart in Figure 3.2.4-1 illustrates the overall steps in regarding to the land prices.

Figure 3.2.4-1 Overall steps in regarding to the land prices



- (5) When both parties reached an acceptable price, the land acquisition team prepared a report outlining land pricing to the Land Committee for consideration and approval.
- (6) After the Land Committee approved the purchase of the land. The land acquisition team<sup>1</sup> met with the landowner at the Provincial Land Office to pay the full land fee and transfer the land.

All land transactions were conducted in the presence of Provincial Land Office personnel [This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.] The authorities investigated the landowner's and the company's representatives' information, such as personal information and the intentions of the land purchaser, the actual purchase price, payment, confirming that the buyer understands that the seller was the legal owner of the land. Authorized officials interview both parties to verify information and ensure that the land selling process for the project was transparent and followed to the willing buyer-seller basis. The official then drafted a land sale contract for both parties to sign, with one copy kept at the land office and one given to the buyer. The land acquisition flow chart is illustrated in Figure 3.2.4-2.

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<sup>&</sup>lt;sup>1</sup> The Land Acquisition team operates within the Land Acquisition Department, comprising four personnel members, including one executive-level individual and three officers.

## Figure 3.2.4-2 Land Acquisition Process Flow Chart

Land Acquisition Process	Responsible Team		
<ol> <li>Set land selection criteria (technology and engineering, economy, environment, social, and laws and regulations)</li> <li>Look for viable lands from GIS</li> </ol>	Business Development Team		
3. Contact landowners to inspect and investigate the lands and prepare inspection and investigation report	Land Acquisition Team		
4. Compare characteristics of the lands to ensure that they are meeting all land selection criteria.	Business Development Team		
Inquire with the landowner about purchasing the land	Land Acquisition Team		
Negotiate the price of land to be within the market price range	Land Acquisition Team & Landowner		
5. Both parties were willing to buy and sell	Land Acquisition Team & Landowner		
Present the final price to Land Committee	Business Development Team		
Approve land purchase	Land Committee		
6. Proceed land transaction at the Provincial Land Office	Land Acquisition Team & Landowner		

#### 4. Findings from the Land Acquisition Review

This section presents audit findings based on COT observation and review of each step of the land acquisition process for Breeze and Shine Power Company Limited. It covers the result of checks on:

- Description of land,
- Identification of the landowners,
- Identification of the land users,
- Result of the evaluation, and
- Land evaluation, negotiation and land sale agreement.

#### 4.1 Description of Land

Project location is in Moo 8, Nong Krathum Sub-district, Doem Bang Nang Buat District, Suphanburi Province. Total area for the land to be acquired is 1,683,133.60 square meters (1,051.96 rais) refer to the **Table 1.1.4-1**. Based on observation by COT, the Project land acquisition only affects land that was used for agricultural activities, particularly cassava cultivation, not residential areas; therefore, there was no physical displacement (as shown in **Figure 1.1.3-3**).

Wider area of influence was not affected by land acquisition. Nearby area in 300-m from the project boundary there are 27 houses, 1 school, and 1 temple. The description and impacts are described in the IEE report.

#### 4.2 Identification of the Landowners

The Project area spans 1,683,133.60 square meters (1,051.96 rais) with up to 84 title deeds and 50 previous land owners. All 84 land parcels located in Moo. 8 Ban Nong Krathum. Out of the 50 owners, COT can roughly identify that most of them live in Moo. 8, while some reside in Moo. 2 Nong Krathum Sub-district and 2 of them live in other area. Among the 50 owners, 19 are male deed owners, and 31 are female deed owners. There were no land parcels with unknown owners or with owners who lacked ownership documents. In the study area there are 11 affected villages, however, not all the landowners of the project are living in these villages or in the area of influence.

From the land title deeds, it is evident that most of the previous landowners are relatives, sharing the same surname (**Appendix 3** show a map of landowners). For illustration, the group of owners can be divided into 5 groups as illustrated in **Table 4.2-1**.

**Table 4.2-1 Characteristics of Land Ownership** 

LO Group/Individual LO	Respondent	Title deed no.	Interviewed Area Size (rai)
(1) Group 1: Title with single ownership	<b>Respondent 4</b> , sibling of the LO.		9.5
- 17 titles, 17 owners		This information has been removed as it falls	(4.99% of the group)
- 190.31 rai, 304,488 sq.m. (3.04 has)		within the exceptions to disclose specified in	
(2) Group 2: Title with single ownership and share	<b>Respondent 2</b> , sibling of the LO.	paragraph 17(2) of ADB's Access to Information Policy.	12.55
same surname	<b>Respondent 3</b> , nephew of the LO.	information roney.	9.4
- 18 titles, 18 owners	<b>Respondent 5</b> , sibling of the LO.		10.00
- 245.63 rai, 393,005.20 sq.m. (3.93 has)			(13.00% of the group)
(3) One (1) Landowner with 28 title deeds *:	<b>Respondent 7</b> , mother of the LO.		355.03
- 28 titles, 1 owner			(100% of the group)
- 355.03 rai, 568,044.00 sq.m. (56.80 has)			
(4) One (1) Landowner with 12 title deeds *:	Respondent 8, the LO.		122.39
- 12 titles, 1 owner			(100% of the group)
- 122.39 rai, 195,816.00 sq.m.			
(5) Group 3: Land with shared ownership (9 title	<b>Respondent 1</b> , niece of the LO.		64.15
deeds with 20 owners):	<b>Respondent 6</b> , one of the LOs.		24.50
- 9 titles, 20 owners			(64.94% of the group)
- 138.63 rai, 221,800 sq.m. (22.18 has)			
Total	8	51	607.52
Total	J T		(57.75% of total land area)

<sup>\*</sup> Note (3) and (4) are sibling

#### 4.3 Identification of the Land Users

The company did not collect any data about the land users prior to starting the land acquisition process. COT was tried retrospectively to understand the number and profile of land users in the area that was acquired, however the information is incomplete. Of the 84 parcels it is not known exactly how many were being cultivated by renters or tenant farmers, however, of the 8 people interviewed 7 of them explained that they cultivated the land themselves.

Based on the information given by several people, the village headman, some interviewees, and a landowner himself, parts of the land were leased to renters for a duration of one year. So, the renters had one year to cultivate their crops too. Even after selling the land, the sellers' family still possesses big parcels of land, enabling the seller to cultivate elsewhere or the previous renter /user to continue leasing other land from the same owner/extended family for their farming activities.

#### 4.4 Post Sale Land Uses

Gulf had an agreement with the landowners to vacate the land [*This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy*.] When COT observed the project site in May, B.E. 2566 (2023), it was confirmed that the site had been cleared, and there were no ongoing agricultural activities. This was also reaffirmed again during the pre-engagement which happened during May B.E. 2566 (2023) when a participant asked about cultivation of the remaining crops and the agreement to finalize crop / harvest activities was confirmed.

#### To sum up review findings from section 4.1 to section 4.4:

- 1. There are two big families who are the major owners of land sold to the company. The first family (Group 2 of Column 1, Table 4.2-1) own up to 245.63 rai, 393,005.20 sq.m. The second family (No. 3 of Column 1, same table)) held up to 28 titles (355.03 rai, 568,044.00 sq.m.) by one person and up to 12 titles (No. 4 of Column 1, same table) (122.39 rai, 195,816.00 sq.m.) by one person and they both are sibling.
- 2. Some landowners have more than 1 title and some deeds are shared between multiple landowners.
- 3. Gulf and COT contacted the village headman and previous landowners between October 18<sup>th</sup>, November 24<sup>th</sup>, and December 15<sup>th</sup>, B.E. 2566 (2023) for interviews

- with previous landowners or someone related to the people involved in the land acquisition of the Project and willing to give a discussion on land acquisition.
- 4. Eight (8) out of 9 were contactable and available to discuss. These 8 individuals included 5 female and 3 males. Two of the interviewees were the landowners, 1 of them is a mother of the landowners, and 5 of them were sibling/relatives.
- 5. As told by Respondent 1, in rural areas, people know each other well, and most of the elderly are not talkative. Before ending the call, she also mentioned that local people want to sell more land nearby as well because the land is dry, and does not yield much. This affirmed the statement of the village headman.
- 6. Some land was originally owned by individuals from Suphanburi province (The second family (No. 3 and No. 4 of Column, same table). Currently, they have moved elsewhere and rented the land to other non-family members for cultivation. Affected land users such as tenant farmers or sharecroppers are discussed in the following section.
- 7. Presale of the land utilization were agricultural farming (cassava and sugar cane), Postsale of the land, they still own other area to continue farming. As for the renters, they can still rent some other piece of land from the owners because he/she still has several pieces of land.
- 8. Out of 84 title deeds (1,051.97 rai), COT did the interview with owners/sibling/family members of 51 title deeds (607.52 rai) which accounted for 57.75% of total land area. It can be said that this group of 8 owners are related each other as extended family. People were not solely dependent on the acquired land.
- 9. Additionally, none of the acquired land was a residential area of the sellers. They still own/rent other agricultural land and said they were not worse off due to the Project's land acquisition (**Table 4.2-2** and **Appendix 4**). Because the company did not have the social economic baseline, then it is not possible to quantify the changes in landowners' circumstances or welfare before and after the land acquisition process.
- 10. The number of affected land users is not fully known. No compensation was paid to users (sharecroppers or tenant farmers) as they were all allowed to finish their harvest cycle and most are understood to have relocated to continue cultivating other land nearby (including other land owned by the landowners).

### **Table 4.2-2 Finding from Interview**

No.	Relationship of respondent to the LO	Title Deed No.	Information Provided by the Project	Satisfaction of Selling Land	Post Sale Living Condition
No.1 (Mrs. A)	a niece of the owners		A company planned to develop a power plant.	Yes	Still own the land parcels in Moo.8 which she continues farming.
No.2 (Mrs. B)	a sibling of the owner	This information has been removed as it falls within the	A company planned to develop a power plant.	Yes	Still owns 12 rai of land parcels located near the irrigation canal. The area is suitable for cultivating a paddy field.
No.3 (Mr. C)	a nephew of the owner	exceptions to disclose specified in paragraph 17(2) of ADB's Access	A company planned to develop a power plant.	Yes	Still does the farming on her other pieces of land nearby.
No.4 (Mr. D)	a sibling of the owner	to Information Policy.	A company planned to develop a renewable power plant.	Yes	Still does the farming and own a grocery store (a family business).
No.5 (Mrs. E)	a sibling of the owner.		A company planned to develop a power plant.	Yes	Still own the land parcels which she continues farming.
No.6 (Mrs. F)	a title owner		She did not interest why a company want to buy land.	Yes	Still own the land parcels which she continues farming.
No.7 (Mrs. G)	a mother of the owners		A company planned to develop a solar power plant.	Yes	She has her own house in Nonthaburi Province and also own the land parcels that lease for rent.
No. 8 (Mr. H)	a title owner		A company planned to develop a solar power plant.	Yes	Still own the land parcels that lease for rent.

#### 4.5 Findings on Compliance with National Laws and Regulations

According to the applicable legislation, purchasing and selling land for the project does not violate the landowner's freedom of rights under the Kingdom of Thailand's Constitution. Furthermore, the process of land transaction is strictly overseen by a Provincial Land Office, providing assurance of a willing seller-willing buyer agreement. The SCA concludes that the land acquisition process was conducted in compliance with Thai laws for a negotiated sale or land transfer process.

#### 4.6 Result of the Land Evaluation, Negotiation and Land Sale Agreement

Overall, COT reviewed following information:

- 1. Land Price from Department of Land [This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.]
- 2. Price evaluation report (by the independent land valuation consultant [This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.] (Appendix 2 the cover page of the report),
- 3. Market value (verified from land for sale signs of adjacent land, including entering the area to inquire about additional land prices, for consideration in the evaluation), and
  - 4. Record of negotiation and evidence of payment for 84 land parcels

#### The key findings are:

- 1. There were two rounds of negotiation that occurred between the project personnel and the landowners.
- 2. The negotiation price and the final price were higher than the estimate price of the Department of Land.
- 3. The negotiation price was within the range of evaluation price by the independent land valuation consultant [*This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.*]
- 4. The final price was satisfied by the owners and was in the range of market price evaluated by the consultant.

Land acquisition process: The land valuation is mentioned in section 3.1, was reviewed by COT in December B.E. 2566 (2023) (Appendix 2). The land team used the appraisal price that evaluated by the consultant to compare with the proposed price. If the proposed price was within the evaluation range, then the land team presented the proposed price to the land committee. The land committee offered the team with reasonable price to negotiate with the land owners. At this step the landowners own right to accept the negotiation price.

The initial land price was proposed by the seller / previous landowners. After obtaining approval from the land acquisition committee, negotiations took place regarding the price and agreement. Finally, at the Department of Lands where the transaction occurred, the official had the duty to ensure the willing buyer-selling agreement of both parties. There was also the third party responsible for market price evaluation and provided information to the Project but had no obligation to engage with the previous landowners.

One of the sellers interviewed by COT explained that he initiated discussions about selling land parcels and prices with other nearby landowners who had also been contacted. They collectively offered the same rate for selling land parcels, and the Project responded affirmatively to the proposed price. After negotiation, both parties agreed on the final price then proceed following the transaction process.

Based on verification of the price summary database of Breeze and Shine Power Plant Project, lists of prices per plot have illustrated each step through the process of land acquisition. It can be concluded from the prices database that all owners were satisfied with the sale price. Also, the negotiation was based on the appraisal price and the final price after negotiation was within the market price provided by the appraisal company so, the final price was fair. Based on the law, the seller is obligated to pat the stamp duty and personal income tax as per legal requirements.

However, COT did not receive information on the replacement cost therefore, it cannot be conformed whether the selling price covers the replacement cost. Nevertheless, from the interviews, respondents affirmed that the land is dry, does not yield much, include offered more land for sale to the company, inferring that the amount of money they received covers/higher than normal income from selling agricultural products. According to COT observations, no complaints were raised concerning the land acquisition.

**Transaction at the Department of Lands:** At the Department of Land, where both parties conduct the transaction, in addition to document verification, officials also rechecked whether the sellers are willing to sell their land at the agreed-upon price without being forced. The Project made payment to the landowner on the day of the land transaction. Payment was made through a check signed by the original landowner, and receipts serve as proof.

In the land sale agreement (template and example shown in **Appendix 5**), the following information and provisions were included:

- 1. The seller agrees to sell the land to the buyer agreed price
- 2. The buyer agrees to purchase the land as stated in clause 1 from the seller. The buyer shall make the payment, and the seller shall receive the full payment.
- 3. The land for sale is agricultural land with no buildings, no outstanding land tax, no attached to a lease contract, and is within the municipal area.
- 4. Information on how land was acquired (inheritance, acquired/purchased, etc.) on (dated).
- 5. The company is purchasing the land for its business activities, as stated in Article 15, which includes buying, selling, leasing, renting, consignment selling, exchanging, mortgaging, pledging, or obtaining property in any other lawful manner, for securing any debts, not as part of the company's regular commercial activities or real estate development. This is in accordance with the laws of Thailand.
- 6. The seller has received the full payment.

While previous land acquisition did not lead to economic or physical displacement, it is expected that there will be land access impacts from the construction/development of transmission line affecting informal users, thus the Project triggers ADB SR2.

In summary, COT has verified that the government process was followed by Gulf: COT has verified Gulf and ERC about documents on the completion of land acquisition for the project required by laws as part of ERC-FiT application process. As per the Announcement of the Energy Regulatory Commission regarding the procurement of electricity from renewable energy sources in the form of Feed-in Tariff (FiT) for the years B.E. 2565-2573, for the group without fuel costs, B.E. 2565 (2022) dated September 27<sup>th</sup>, B.E. 2565 (2022) stipulated that electricity producer applicants must have technical readiness.

COT concludes that the Project acquired all land parcels on a willing buyer-willing seller basis, as reviewed in SCA. The Project started the process of land selection [This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.] then approached and negotiated with the 50 previous landowners [This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.] and completely finished land acquisition process on [This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.]. For land acquisition at the project site, the process has been in compliance with the Thai government laws and regulations. COT has not consulted extensively with non-titled land users but has conducted search of online media, consulted with Gulf land and community relations representatives and reviewed public consultation results, finding no record or evidence of complaints from land owners or land users in the project area.

COT also observed that between July and August B.E. 2566 (2023), the landownership boards were installed at eight locations within the Project area (**Figure 4.5-1**). These boards provided information about Gulf, including contact details. The contact details served as a point of contact for individuals interested in the Project's development or those who have concerns and wish to communicate with the relevant personnel. In addition, the Project has set up the process for receiving complaints and suggestions by the project site manager (December B.E. 2566 (2023)); Local governing authorities (during construction phase), Community's office (during construction phase), and Project office (during construction and operation phases) where issues, concerns, or complaints regarding to the Project development can be raised.

From consultation with village headmen in the project area to inquire about the presence of indigenous peoples. The feedback received from all village headmen indicated that there are no indigenous peoples or ethnic minorities in the region, confirming information from the database. Consequently, COT concludes that ADB SP3 is not applicable to this project.

Figure 4.5-1 Picture Shows Landownership Board Around the Project Area

The Project location: Nong Krathum Sub-district,
Doem Bang Nang Buat District, Suphanburi Province



#### 5. INDIGENOUS PEOPLES

This section of the SCA is to clarify whether ADB Safeguard Requirement 3 is triggered for this project. Section 2 provided the policy reference. Below are the findings:

From the ethnic group database of the Princess Maha Chakri Sirindhorn Anthropology Centre (Public Organization), it was found that Suphanburi Province has a total of 26 indigenous communities. These consist of 10 communities of the Tai Dam ethnic group, 6 communities of the Pakakayo ethnic group, 4 communities of the Thai Phuan ethnic group, 3 communities of the Gong ethnic group, 1 community of the Kuay ethnic group, 1 community of the Pwo ethnic group, and 1 community of the Lao Wiang ethnic group. However, it was not reported that any indigenous ethnic group communities were established in the area of Doem Bang Nang Buat District. (Source: https://ethnicity.sac.or.th/database-ethnic).

COT also asked the village headman in the Project area regarding to the indigenous peoples who may live in Nong Krathum Sub-district and other sub-districts in the study area. All of the village headmen explained that there are no indigenous peoples or other ethnic minority in the area, thus confirming the desk review information attained from the Princess Maha Chakri Sirindhorn Anthropology Centre. As such, COT considers that ADB SP3 is not applicable for this project.

## 6. STAKEHOLDER ENGAGEMENT

COT is also responsible for the preparation of an environmental assessment permitting report call the CoP report for Thai government and IEE/SCA reports for the lenders. As part of these activities, COT has organized the public consultation processes. Furthermore, Gulf's policy also requires pre-engagement activity at the early stage of the project to provide information to stakeholders. This section of the SCA presents an overview of the stakeholder engagement activities as follows:

- Stakeholder analysis and information disclosure
- Stakeholder engagement process
- Stakeholder engagement activities
- Grievance redress mechanism

## 6.1 Stakeholder Analysis and Information Disclosure

## (1) Stakeholder Analysis

In accordance with the guidelines provided by IFC and ERC, the Project identified specific stakeholder groups aimed at gaining information from both the general public and project- stakeholders. The target groups for receiving feedback and understanding are divided into the following groups;

- 1) Affected Parties (Residents and community leaders within a 3-kilometer radius from the Project boundary, Previous landowners)
  - 2) Authorizing Agencies
- 3) Relevant government agencies (Regional agencies, Provincial agencies, District agencies, and Local agencies)
- 4) Private Sector Organizations in Environmental Conservation, Development Organizations, Educational Institutions, Religious Institutions including Women Club, Village Health Volunteers, Occupation Group and Vulnerable Group.
  - 5) Mass Media
  - 6) General Interest Parties

#### (2) Information Disclosure

The Project has several techniques used to build relationships with stakeholders, gather information from stakeholders, consult with stakeholders, and disseminate project information to stakeholders consists of;

#### 1) One-way Communication

- Project brochure: Disclosure of the Project information to disseminate to stakeholders.
- Offline and Online Publishing: Disclosure of the Project information through various channels such as Visiting to send an invitation to attend a meeting, Announcements to display information in public places, Website and Facebook page of the consultant company and Google Drive documents at the first step of consultation.
- In relation to land acquisition plan and process, Gulf's personnel carried out direct consultation with individual of landowners [This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.]

## 2) Two-way Communication

- Publicize the project: Meeting with stakeholder to publicize the Project information through the community relations officers of the project.
- Pre-engagement: Disclosure of the Project information to a group of stakeholders, allow stakeholders to provide their views on targeted baseline information, build a relationship with communities, and record responses.
- Public meeting: Disclosure of the Project information to a large group of stakeholders, especially the communities including the vulnerable group, the occupation group, the village health volunteers, the women club, etc., and allow the group to provide their views and opinions, build a relationship with the communities, especially those affected, distribute non-technical information, and facilitate meetings with PowerPoint presentations and related documents.

Project information was disclosed in the stakeholder engagement activities in Thai language. Information disclosed includes;

- 1) Project Description
- 2) Reason and Necessity of the Project
- 3) Timing and Duration of Project construction and operation/ Operating budget
- 4) Benefit of the Project
- 5) Summary of Description (Installed Capacity, Type of Power Plant, Component and Technology, Source of Water Use, Electricity Generation Process, Pollution and Management)
- 6) The potential impacts that may occur to communities or residents living or working in areas near the Project site, as well as general public areas, along with the preventive, or mitigative measures.

The information was disclosed via activities and media shown in **Table 5.1-1**.

Table 5.1-1 Activities and Media in Disclosure of Project Information by Gulf and COT

Activities	Methods	Date of Activities
Pre-engagement	- Brochures ( <b>Appendix 6</b> )	Held on May 23 <sup>rd</sup> , B.E.
	- Brief detail of project description	2566 (2023)
	(Appendix 7)	
Disseminate information,	- Sending invitation letters to	Delivered documents on
delivery invitation letters,	participate in the information session	June 2-3 <sup>rd</sup> , B.E. 2566
and advance-registration	along with enclosed response forms	(2023)
	indicating the intention to participate.	
	This can include an option for pre-	
	registration through an online Google	
	Form.	
	Dissemination of Project information	
	materials can include:	
	- Preliminary CoP report.	
	- Summarized Project information	
	document.	
	- Project brochure.	
Public meeting	- Brochures ( <b>Appendix 8</b> )	Held on June 21 <sup>st</sup> , B.E.
	- Power point of project presentation	2566 (2023)
	( <b>Appendix 9</b> ) by Gulf and COT.	
	- Question and answer session.	
Disseminate report of the	Summary report	Delivered documents on
public participation		July 11-13 <sup>rd</sup> , B.E. 2566
		(2023) to those who
		were listed as the
		stakeholders, which
		were the same as those
		who received the
		invitation letters

## **6.2** Stakeholder Engagement Process

Stakeholders Consultation activities have been arranged based on the guideline developed by the Energy Regulatory Commission (ERC), regards listening to opinions and creating understanding with the public and stakeholders, particularly when considering the issuance of a license to operate electricity generation (B.E. 2565 (2022)). The objective of consultation activities is to share project information and impacts, listen and understand the opinions of the communities and stakeholders affected within the 3-kilometer radius from the Project area boundary is a process undertaken with the following steps as illustrated in **Figure 6.2-1**.

## **Figure 6.2-1 Stakeholder Consultation Process**

Implementation Procedure	Implementation Activity
Provide detailed Project information, study results, environmental impact prevention and mitigation measures, and monitoring measures.	Channels for providing information to the public:  1) Directly engage in meetings/forums to promote the Project, solicit opinions, and receive suggestions from community leaders and relevant organizations.  2) Display Project information and an invitation to the public consultation forum on notice boards of government agencies and community centers.
Disseminate Project details to create understanding about the Project, within no less than 15 days.	3) Disseminate a preliminary CoP report at key locations, including:  - Project's construction site  - Energy Regulatory Commission Office: Regional Office  - Provincial Industry Office  - District offices and local administrative organization offices within a radius of at least 3-kilometer from the Project boundary  - Sub-district administrative offices, community head's offices, and community halls within a radius of at least 3-kilometer from the Project boundary  - Schools, religious institutions, community parks, and markets within a radius of at least 3-kilometer from the Project boundary  4) Send letters with documents and invitations to relevant organizations and community leaders.  5) Open pre-registration for interested participants of the public consultation forum.
Organize one opinion-gathering forum to explain Project details and gather opinions from the public and stakeholders who are affected.	Organize a public consultation forum to explain Project details and gather public opinions, and provide channels for receiving opinions, including:  1) During the forum proceedings 2) Comment forms (in case of inability to express opinions directly) 3) Post-meeting evaluation forms
Continuously receive additional comments for no less than 15 days after the opinion-gathering forum is concluded.	Social media, electronic media, internet, postal services, telephone, fax, electronic mail, local newspaper, community radio, and the information system network of the Office of Energy Regulatory Commission (OERC).
Compile and finalize the summary of opinion-gathering results within 30 days from the opinion-gathering forum.	Summary the details as follows: 1) Information about the participants providing opinions 2) Records of opinions from participants 3) Environmental impact prevention and mitigation measures of the Project
Continuously disseminate reports of summarizing opinion-gathering results for a period of no less than 15 days.	Announcement locations include:  1) Project's construction site  2) Energy Regulatory Commission Office, Regional Office 9 (Kanchanabur)  3) Provincial Industry Office  4) District offices and local administrative organization offices within a radius of at least 3-kilometer from the Project boundary  5) Sub-district administrative offices, community head's offices, and community halls within a radius of at least 3-kilometer from the Project boundary  6) Schools, religious institutions, community parks, and markets within a radius of at least 3-kilometer from the Project boundary
Provide an opportunity for affected parties to express their comments or objections regarding the summary of opinion-gathering results within 30 days from the date of report dissemination.	Social media, electronic media, internet, postal services, telephone, fax, electronic mail, local newspaper, community radio, and the information system network of the Office of Energy Regulatory Commission (OERC).
Office of Energy Regulatory Commission (ERC)	Approach to the consideration process.

## **6.3** Stakeholder Engagement Activities

COT engagement activities for CoP/IEE also informed the SCA as mentioned earlier.

#### (1) Pre-engagement

Pre-engagement meeting was conducted on May, B.E. 2566 (2023) by COT to gather the information from the public and stakeholders regarding the preparation of an environmental report. A preliminary consultation was initiated at the early stage of Project development with the aim of presenting preliminary Project details to gather feedback, concerns, and suggestions from stakeholders regarding the Project. From the preengagement activity, no concerns or complaints were raised regarding the land acquisition for the Project.

#### (2) Public meeting

The public meeting was conducted on June, B.E. 2566 (2023) by COT to collect feedback on the draft result of environmental impact assessment and propose preventing, mitigating, and monitoring measures. The aim is to instill confidence in the public and stakeholders regarding the report and its measures. The grievance redress mechanism of the Project was also provided to the stakeholder in this meeting.

At both the pre-engagement and the public meeting, COT provided data regarding the Project's land location, size, area, technology, impacts, and mitigation measures in the documents and presentation. There was a question which was raised during the pre-engagement regarding to cultivation of remaining crops. The project personnel gave confirmation that community including sellers and the users such as sharecroppers or tenant farmers are allowed to utilize land until the end of B.E. 2565 (2022).

During both meetings, no participants raised concerns about the land acquisition. Based on the registration form for the public meeting, it is evident that family members who previously owned the land attended the meeting. No concerns or complaints were raised regarding the land acquisition for the Project from them, indicating agreement among all family members regarding the sale of the land. Results of both the preengagement and the public meeting is as provided in **Appendix 10** and **Appendix 11**.

#### **6.4** Grievance Redress Mechanism

This section of the SCA presents information about the grievance handling processes that are in place relative to the project.

<u>Gulf's policy</u> enables inquiries, suggestions, and complaints related to the Environmental and Social Management Policy may be directed to the Company at <u>sustainability@gulf.co.th</u>. Violations of the Environmental and Social Management Policy may be reported to the Internal Audit Department at ia@gulf.co.th. The Company's whistleblowing policy shall apply in all cases of reporting.

Government also has standard approaches to handling public grievances. In general, when local people have problem, concern, nervousness they will communicate with their village headman at the first step because the village headman is someone who local people respect and can mediate confliction. If the problem cannot be resolved by mediation among small group, they can raise complaints to Damrongtham District Justice Provision Center<sup>2</sup>, Ministry of Interior.

Overall COT's finding is that the Grievance Redress Mechanism (GRM) of the Breeze and Shine Power Plant Project is in place for the Project but is not specific to land acquisition and involuntary resettlement, as required by ADB SPS SR2. A general GRM has been established to address overall complaints, but there is a step needed whereby the responsible personnel to categorize complaints based on the issue they pertain to. The GRM was outlined in the Initial Environmental Examination (IEE) report and has been communicated and published to the public. (**Appendix 12** GRM).

information on various topics requested by the public., 5. Offering accessible, convenient, and prompt consultation services., 6. Resolving specific grievances., and 7. Implementing key policies of the government.

-

<sup>&</sup>lt;sup>2</sup> The Justice Centers under the Ministry of Interior are established in the central court of each province. Provincial governors are responsible for coordinating all government agencies to solve problems and ensure equal and just services for the public. Additionally, there are district-level Justice Centers across the country, including local government offices, departmental offices, and state enterprise offices under the Ministry of Justice, to facilitate public access. The service missions of the Justice Centers include: 1. Receiving complaints, grievances, and reports of injustice., 2. Providing expedited services within the same unit upon request, such as personal registration services., 3. Handling and forwarding complex legal issues to the responsible agencies for further action., 4. Providing

## 7. RESULTS AND CONCLUSION

The findings from the previous section will be evaluated for conformity with ADB's safeguard requirements 2 and 3. The evaluation results are presented in **Table 7-1**.

**Table 7-1 Results and Conclusion** 

SPS Requirements / National Requirements	Findings	Verified Source of Information	Applicability/ Compliance	Recommended Action
SPS SR2 para 5 The involuntary	Previous land procurement process	Review of the record of	SR 2 does not apply	None
resettlement requirements apply to full or	was undertaken through a negotiated	negotiation and evidence	for negotiated	
partial, permanent or temporary physical	settlement.	of payment and	settlement	
displacement (relocation, loss of residential		landowner interview as		
land, or loss of shelter) and economic		specified in Section 4.5		
displacement (loss of land, assets, access to		of the Social Compliance		
assets, income sources, or means of		Audit Report (SCAR)		
livelihoods) resulting from (i) involuntary		_		
acquisition of land, or (ii) involuntary				
restrictions on land use or on access to				
legally designated parks and protected				
areas.				
SR2 not applicable when land is acquired				
prior to anticipation of ADB financing.				
prior to univerpution of 1222 intuitions.				

**Table 7-1 Results and Conclusion** 

SPS SR2 fn1 - Displaced persons. In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.  SR2 not applicable when land is acquired prior to anticipation of ADB financing.  Land purchase resulted inland transfer of ownership of 84 parcels of land belonging to 50 landowners.  Most of the landowners stated that previous land use is agriculture and in the land sale agreement specified that the lands sale agreement review and interview as summarized in Table 4.2-2 and Section 4.5 of the SCAR  SCAR  SCAR  Not Applicable  None  None  None  None
SR2 not applicable because no involuntary displacement occurred.

**Table 7-1 Results and Conclusion** 

SPS Requirements / National Requirements	Findings	Verified Source of Information	Applicability/ Compliance	Recommended Action
SPS Appendix 2 para 25 The borrower/	The fair price was established during the	Landowner and Project	Applicable due to	GRM to be developed to
client is encouraged to acquire land and	price negotiation process during land	staff interview; and	limited to absence of	capture any legacy issues
other assets through a negotiated settlement	purchase since it was greater than the land	review of the record of	information on non-	associated with
wherever possible, based on meaningful	price evaluation by the Department of	negotiation and evidence	titled land users	compensation or land
consultation with affected persons,	Land and within the range of market price.	of payment as mentioned		acquisition process.
including those without legal title to assets.	Furthermore, a land sale agreement signed			
	in the presence of Suphanburi Provincial	the SCAR.		
SPS SR2 para 25 "The borrower/ client	Land Office officials stated that the seller			
will ensure that any negotiations with	agreed to sell the land at the purchase			
displaced persons openly address the risks	price. There are no grievances regarding			
of asymmetry of information and bargaining	the payment made to the landowners.			
power of the parties involved in such				
transactions."				
SR2 not applicable when land is acquired				
prior to anticipation of ADB financing.				
prior to uniterputon of TIBB intuiting.				

## **Table 7-1 Results and Conclusion**

SPS Requirements / National Requirements	Findings	Verified Source of Information	Applicability/ Compliance	Recommended Action
SPS SR2 para 25 "A negotiated settlement	Landowners were involved in the land	Consultant engagement	Gap identified but not	Land acquisition
will offer adequate and fair price for land	acquisition process from the start since		compliance related	procedure to be enhanced
and/or other assets."	they were informed of the objective of the		because land was	for land bought through
	acquisition. They also have the option of		acquired prior to ADB	negotiated land
SR2 not applicable when land is acquired prior to anticipation of ADB financing.	accept or reject the offer.		involvement.	acquisition process
	The transaction costs were included in the			
	purchase price, and the landowners agreed			
	to this. There is no law dictating who			
	would pay the land transaction fees, rather			
	it depends on the agreement between the			
	seller and the buyer. Individuals paid for			
	their own travel expenses to the land			
	office.			
	There were land users after the lands were			
	acquired. They were notified of the			
	Project's construction schedule so that he			
	could harvest his crop before the Project			
	begin construction.			

**Table 7-1 Results and Conclusion** 

		¥7	A12 1. 2124/	
SPS Requirements / National Requirements	Findings	Verified Source of	Applicability/	Recommended Action
	g	Information	Compliance	
SPS SR2 For this purpose, the	The Project's staff handled all interactions	Project staff Interview as	Gap identified but not	Land acquisition
borrower/client will engage an independent	with prior landowners. The third party was	summarized in Section	compliance related	procedure to be enhanced
external party to document the negotiation	in charge of evaluating market prices and	3.2.3 of the SCAR.	because land was	for land bought through
and settlement processes. The	providing information to the Project, but		acquired prior to ADB	negotiated land
borrower/client will agree with ADB on	was under no duty to communicate with		involvement.	acquisition process
consultation processes, policies, and laws	the former landowners.			
that are applicable to such transactions;				
third-party validation; mechanisms for	For the previous land acquisition, a Social			
calculating the replacement costs of land	Compliance Audit was undertaken to			
and other assets affected; and record-	review the process.			
keeping requirements.				
	National requirements apply only. Land			
SR2 not applicable when land is acquired	acquired prior to anticipation of ADB			
prior to anticipation of ADB financing.	financing and no legacy issues related to			
	delayed compensation or unidentified land			
	users / occupants. SR2 not applicable.			
	Land acquisition procedures to be			
	enhanced for any future negotiated land			
	acquisition to meet ADB requirements			
	under SPS.			
Livelihood Restoration Plan (LRP)	According to the landowner interviews,	Landowner interview as	Not applicable.	None
` ,	the land acquisition had no impact on the	attached in Appendix 4	11	
SR2 not applicable when land is acquired	landowners' well-being and even	11		
prior to anticipation of ADB financing and	improved their livelihood. All landowners			
there are no persons deemed worse off as a	indicated that since selling their land, they			
result of negotiated acquisition.	have a better living.			
	e e e e e e e e e e e e e e e e e e e			

**Table 7-1 Results and Conclusion** 

SPS Requirements / National Requirements	Findings	Verified Source of Information	Applicability/ Compliance	Recommended Action
Stakeholder Consultations	Landowners were involved in the land	Landowner and Project	Gap identified but not	Land acquisition
	acquisition process from the start since	staff interview; and	compliance related	procedure to be enhanced
SR2 not applicable when land is acquired	they were informed of the objective of the	review of the record of	because land was	for land bought through
prior to anticipation of ADB financing and	acquisition. They also had the option of		acquired prior to ADB	negotiated land
there are no persons deemed worse off as a	negotiating the price twice. There were	_ ·	involvement.	acquisition process
result of negotiated acquisition.	land users after the lands were acquired.	in Section 4.4 and 4.5.		
	They were notified of the Project's			
	construction schedule so that they could			
	harvest his crop before the Project begin			
	construction. Wider stakeholder			
	consultations have also taken place in the			
	context of the impact assessment or CoP and early engagement requirements by			
	Gulf, primarily during 2023.			
	Guir, primarily during 2023.			
	No information if the activities covered			
	affected individuals who have no legal			
	title to land.			
	tive to fund.			

BREEZE AND SHINE SOLAR POWER PLANT PROJECT

## **Table 7-1 Results and Conclusion**

SPS Requirements / National Requirements	Findings	Verified Source of Information	Applicability/ Compliance	Recommended Action
Information disclosure  SR2 not applicable when land is acquired prior to anticipation of ADB financing and there are no persons deemed worse off as a result of negotiated acquisition.	The land was acquired directly from individuals and the purpose of land acquisition, negotiation price, purchase price was directly disclosed to the landowners.  No information if the activities covered affected individuals who has no legal title	staff interview; and review of the record of	Gap identified but not compliance related because land was acquired prior to ADB involvement.	Land acquisition procedure to be enhanced for land bought through negotiated land acquisition process
	to land.			
Grievance Redress Mechanism (GRM)  SR2 not applicable when land is acquired prior to anticipation of ADB financing and there are no persons deemed worse off as a result of negotiated acquisition.	Although the GRM of the Project has been provided for all issues related to project development, including those related to land and was presented to the stakeholders during the public meeting held in June 2023, it is not being explained to project affected people as accessible for land acquisition related matters.		Partially Complied	Breeze and Shine Power should ensure existing community GRM is enhanced and made accessible to all external stakeholders.
Monitoring and Reporting  SR2 not applicable when land is acquired prior to anticipation of ADB financing and there are no persons deemed worse off as a result of negotiated acquisition.	No findings suggest that former land users or owners have any ongoing concerns or impacts to be monitored.  No specific monitoring required if there are no issues. If legacy land related issues emerge, they will be addressed through GRM and tracked with appropriate reporting from subproject to corporate level.	negotiation and evidence of payment and landowner interview as	Not applicable	None except if there are emerging legacy land related issues. This should be reflected in the monitoring report in terms of how this was addressed through GRM and tracked with appropriate reporting from subproject to corporate level.

## **Table 7-1 Results and Conclusion**

SPS Requirements / National Requirements	Findings	Verified Source of Information	Applicability/ Compliance	Recommended Action
Special consideration for poor and	The findings indicated that all landowners	Land title deeds as	Not applicable	None
vulnerable and Indigenous Peoples	get the purchase price in range of market	summarized in Table 4.2-		
	price. As previously stated, the land	1 and landowner		
SR2 not applicable when land is acquired	acquisition had no effect on the	interview in Appendix 4.		
prior to anticipation of ADB financing and	landowners' level of living or made them	National IP information		
there are no persons deemed worse off as a	more vulnerable because they could	sources and local		
result of negotiated acquisition.	continue farming on their other pieces of	interviews		
	land; and some of them have income from			
SR3 not triggered and not applicable.	their business, such as grocery store.			
	However, due to a lack of information, the			
	conclusion of vulnerability could not be			
	made for the land user following the land			
	transaction. There are no people that fulfill			
	the descriptive criteria of IP nor who self-			
	identify as such, therefore it is considered			
	that there are no IP in the project area.			

#### 8. CORRECTIVE ACTION PLAN

From the audit of documents and the processes carried out by Gulf and the project company, no urgent corrective action plan is required. However, there are also opportunities for improvement compliances for future attention:

- Ensure that the GRM incorporates established procedures and processes to address concerns related to land acquisition.
- Develop a Procedure related to land acquisition procedure to be developed by Gulf to address the points in Table 7-1, and to include a site maintenance plan, to ensure clear process for preventing, and handling, any encroachment to the site after its acquisition.

All corrective actions shall be combined in the ESMS corrective action plan.

\*\*\*\*\*\*\*\*\*

# Appendix 1

List of questions

## Appendix 2

Appraisal price evaluation report submitted to Gulf and analyzed by COT for this SCA

Appendix 3

Map of landowners

Appendix 4

Information obtained from the interview by COT

Appendix 5

Example of land sale agreement

Appendix 6

Brochure (pre-engagement)

**Appendix 7**Power Point Presentation (pre-engagement)

Appendix 8

Brochure (public meeting)

Appendix 9

Power Point Presentation (public meeting)

Appendix 10

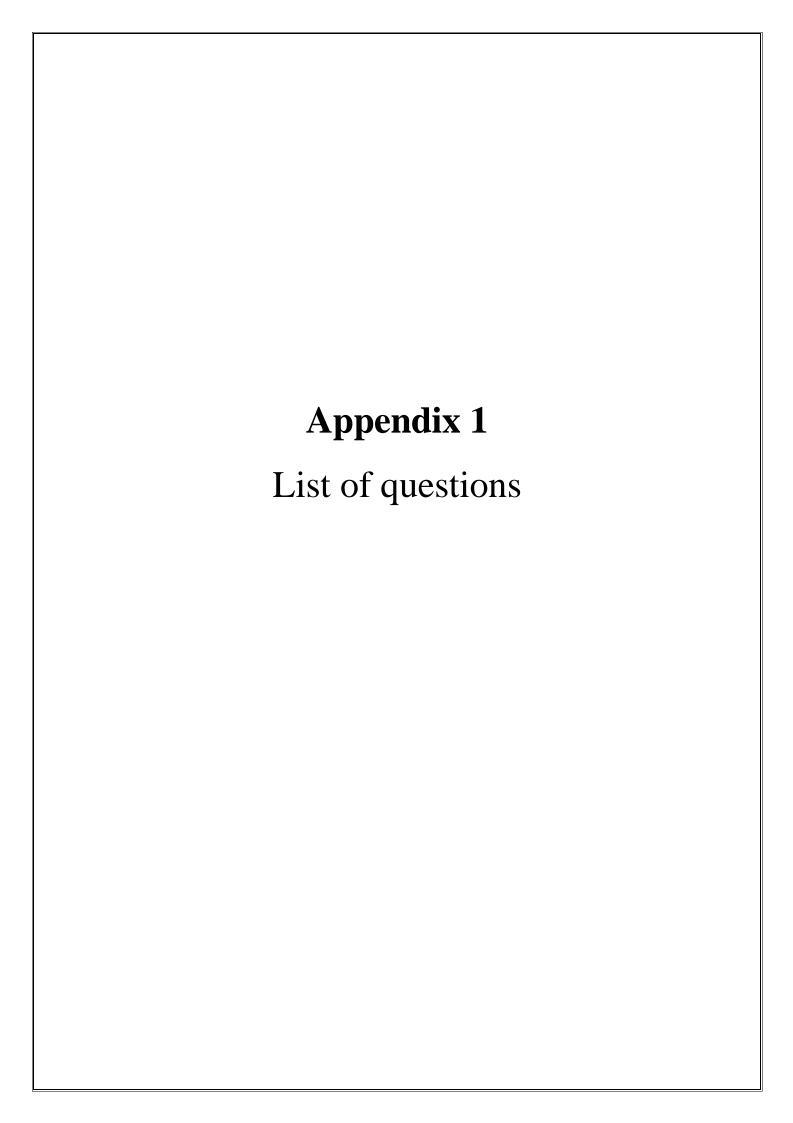
Questions raised during the pre-engagement

Appendix 11

Questions raised during the public meeting

Appendix 12

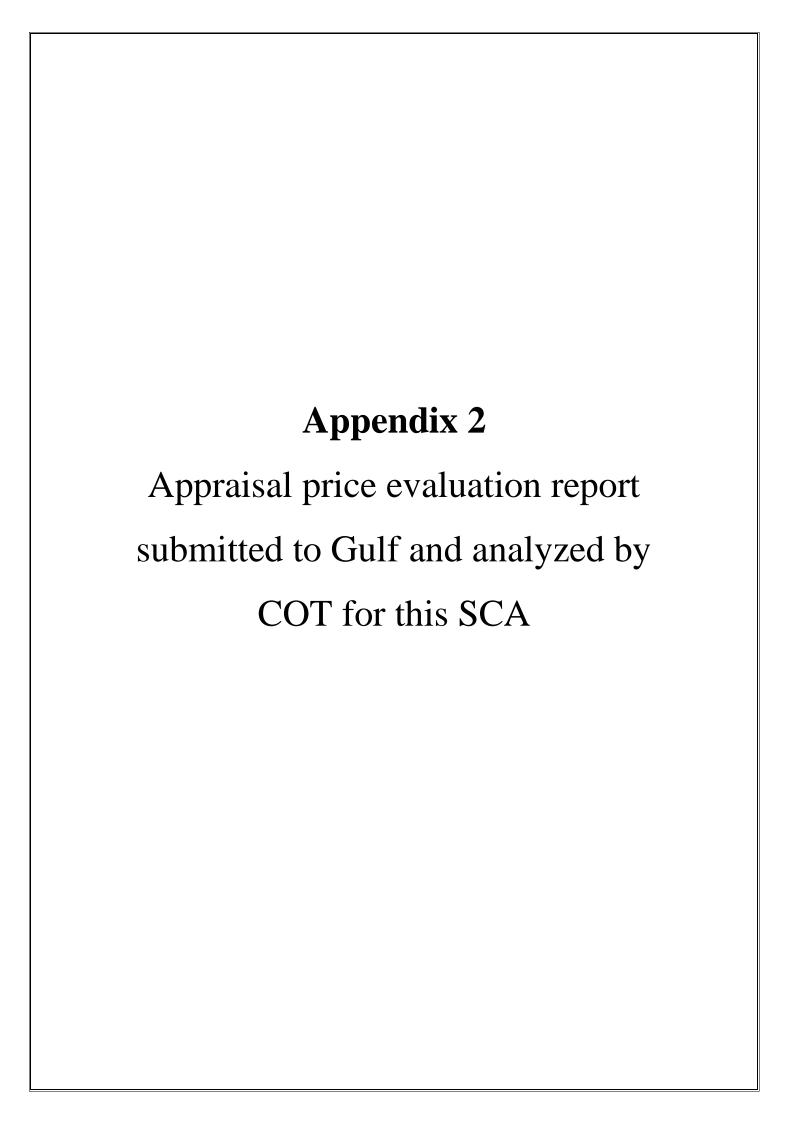
Grievance Redress Mechanism



## List of questions

- (i) Intro information: Name, age, address, employment, plot location.
- (ii) How did you first come to hear about Gulf wanting to buy land in the area? Do you know why they want to acquire the land?
- (iii) Was it Gulf employee or third party (agent) that approached you? Was the while negotiation by Gulf rep or third party?
- (iv) What did you use the land for prior to selling to the company?
- (v) Did it have any other land users? If so, were they part of the land negotiations? Did you provide any information to the land users about the land sale? What was their reaction? Did they also receive some financial support / compensation when the land was sold?
- (vi) Please tell us the process that was undertaken to sell the land step by step
- (vii) Was the rate offered fair / at market rate for crops and land? How do you know what is a fair price?
- (viii) Did you willingly sell land to the company?
- (ix) Are you aware of any people with land in the local area that refused to sell?
- (x) Did you at any point refuse to sell the land? Wat was Gulf response? How come you eventually sold?
- (xi) Were you in full understanding of the purchase terms and conditions?
- (xii) Were there any witnesses to the negotiation / transaction?
- (xiii) Were you provided with any records of meetings, notes, letters or any other paperwork regarding the transaction. Is the paper work true, and correct?
- (xiv) Were you in full agreement of the purchase price? After you sold the land where are you living? What is your source of alternative income (in replacement of rent received from the land?)

\*\*\*\*\*\*\*



This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.

## (พื้นที่ 11)

ที่ดิน : ตำบลหนองกระทุ่ม อำเภอเดิมบางนางบวช จังหวัดสุพรรณบุรี This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.

## 1. ข้อมูลพื้นฐาน (ต่อ)

#### สภาพพื้นที่ และการปกครองส่วนท้องถิ่น

พื้นที่ 11 : ตำบลหนองกระทุ่ม อำเภอเดิมบางนางบวช จังหวัดสุพรรณบุรี

วันสำรวจ : This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's

พื้นที่ : 72.89 ตารางกิโลเมตร

ถนนสายหลัก : ถนนทางหลวงหมายเลข 3306 (หนองปรือ-สระกระโจม)

ผิวจราจร ลาดขาง 6 เมตร (2 ช่องจราจร)

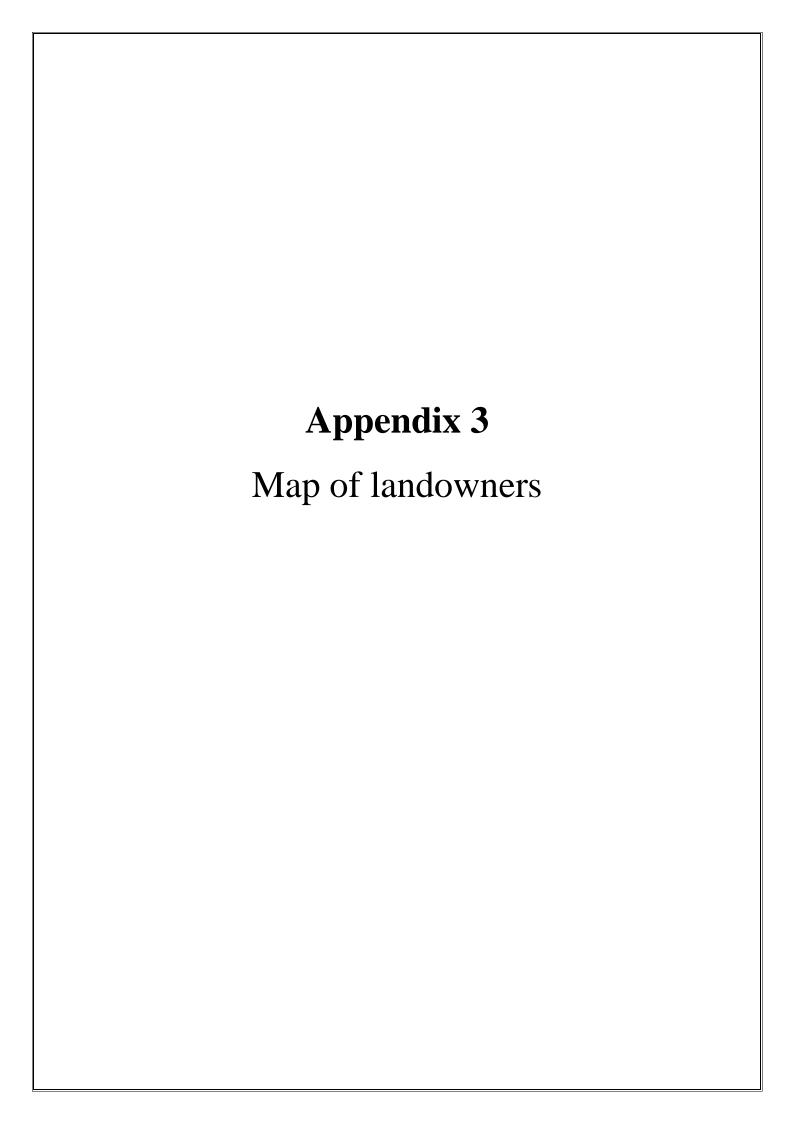
ถนนสายรอง : ถนนทางหลวงหมายเลข 3502 (สายดอนใร่-อ่างเก็บน้ำกระเสียว)

ผิวจราจร ลาดยาง 8 เมตร (2 ช่องจราจร)

การปกครอง : อบต.ทนองกระทุ่ม โทร. 035-470343

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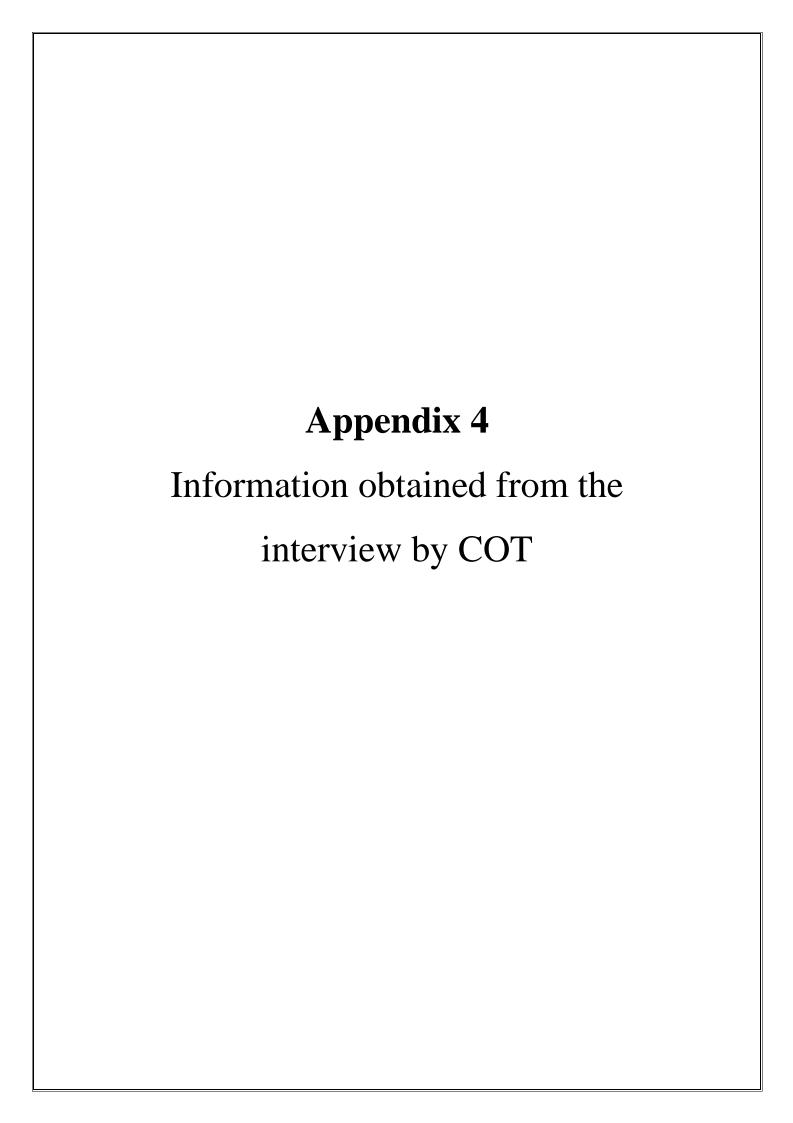


LO Group/Individual LO	No.	Deed No.	To	tal Size	Number of	Perpendent	Status of
to Group/Individual to	INO.	Deed No.	(rai)	(sq.m.)	owners	Respondent	Interviewee
Group 1: Title with single ownership	1		10.00	16,000.00	1		
	2	ess	4.10	6,560.00	1		
	3	on has been removed as it falls within the exceptions to disclose specified in paragraph $17(2)$ of ADB's Access Policy.	10.15	16,244.00	1		
	4	S	5.58	8,924.00	1		
	5	DB	10.43	16,680.00	1		
	6	fA	10.13	16,204.00	1		
	7	0 (	7.65	12,236.00	1		
	8	7(2	5.00	8,000.00	1		
	9	11,	11.01	17,620.00	1		
	10	apk	9.50	15,200.00	1	Respondent No. 4	sibling
	11	grö	20.78	33,240.00	1		
	12	ıra	9.35	14,960.00	1		
	13	ı be	5.66	9,060.00	1		
	14	Ji i	8.28	13,240.00	1		
	15	ijе	42.70	68,320.00	1		
	16	eci	10.00	16,000.00	1		
	17	sbe	10.00	16,000.00	1		
roup 2: Title with single ownership and share same	18	se	8.68	13,880.00	1		
surname	19	clo	12.55	20,080.00	1	Respondent No. 2	sibling
	20	dis	9.92	15,865.20	1		
	21	9	8.50	13,600.00	1		
	22	nsı	16.35	26,160.00	1		
	23	tio]	10.00	16,000.00	1		
	24	eb	21.80	34,880.00	1		
	25	OX:	20.20	32,320.00	1		
	26	)e (	15.00	24,000.00	1		
	27	ıt	5.59	8,940.00	1		
	28	iţi	19.75	31,600.00	1		
	29	wit	25.78	41,240.00	1		
	30	lls ,	28.28	45,240.00	1		
	31	[a]	6.45	10,320.00	1	Respondent No. 3	nephew
	32	sit	2.95	4,720.00	1	Respondent No. 3	nephew
	33	dа	6.60	10,560.00	1		
	34	ve	21.23	33,960.00	1		
	35	OH I	6.03	9,640.00	1	Respondent No. 5	sibling
No. 3: One Landowner with 28 title deeds	36	re	10.50	16,800.00	1	Respondent No. 7	mother
note No.3 and No.4 are siblings	37	en	9.90	15,840.00			
	38	y.	16.75	26,800.00			
	39	on has b Policy.	9.73	15,560.00			
	40	n Po	6.93	11,080.00			
	41	tic on	7.38	11,800.00			
	42	m <i>a</i> ati	6.23	9,960.00			
	43	This informatic to Information	20.25	32,400.00			
	44	in! Ifoı	6.05	9,680.00			
	45	his In	12.43	19,880.00			
	46	다	7.78	12,440.00			
	47		10.80	17,280.00			
	48		4.88	7,800.00			
	49		26.30	42,080.00			
	50		38.70	61,920.00			

Appendix 3 Map of landowners

LO Group/Individual LO	No.	Deed No.	To	tal Size	Number of	Respondent	Status of
LO Group/marviadar LO	140.	Deed 140.	(rai)	(sq.m.)	owners	Respondent	Interviewee
	51		28.78	46,040.00			
	52	se	5.00	8,000.00			
	53	<b>1</b> 5	11.15	17,840.00			
	54	dis di	22.88	36,600.00			
	55	<b>1</b> 2	15.05	24,080.00			
	56	ns cy.	9.43	15,080.00			
	57	li ti	5.78	9,240.00			
	58	n P	6.80	10,880.00			
	59	X io	15.00	24,000.00			
	60	nat	6.50	10,400.00			
	61	n th	9.50	15,200.00			
	62	lig gji	19.60	31,364.00			
	63	<u> </u>	5.00	8,000.00			
No. 4 One Landowner with 12 title deeds	64	it falls within the exceptions Access to Information Policy.	10.86	17,376.00	1	Respondent No. 8	owner
note No.3 and No.4 are siblings	65	fa Sce	9.23	14,760.00			
	66	A A	6.48	10,360.00			
	67	da: B's	6.50	10,400.00			
	68	AD Ve	9.34	14,936.00			
	69	l a y	10.00	16,000.00			
	70	2 rei	11.78	18,840.00			
	71	en 🔀	11.85	18,960.00			
	72	pe h	10.28	16,440.00			
	73	as	10.84	17,344.00			
	74	n h	12.30	19,680.00			
	75	ation has been removed as paragraph 17(2) of ADB's	12.95	20,720.00			
Group 5: Land with shared ownership	76	na n p	8.38	13,400.00	2	Respondent No. 1	neice
9 title deeds with 20 owners	77	This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.	9.74	15,580.00	2	Respondent No. 1	neice
	78	inf	10.00	16,000.00	2	Respondent No. 1	neice
	79	nis eci	11.88	19,000.00	4		
	80	¶ i ds	22.45	35,920.00	2	Respondent No. 1	neice
	81	1	36.03	57,640.00	2	Respondent No. 1	neice
	82	1	5.66	9,060.40	2		
	83	1	24.50	39,200.00	2	Respondent No. 6	owner
	84	1	10.00	16,000.00	2		
			1,051.97	1,683,153.60			

\*\*\*\*\*\*\*



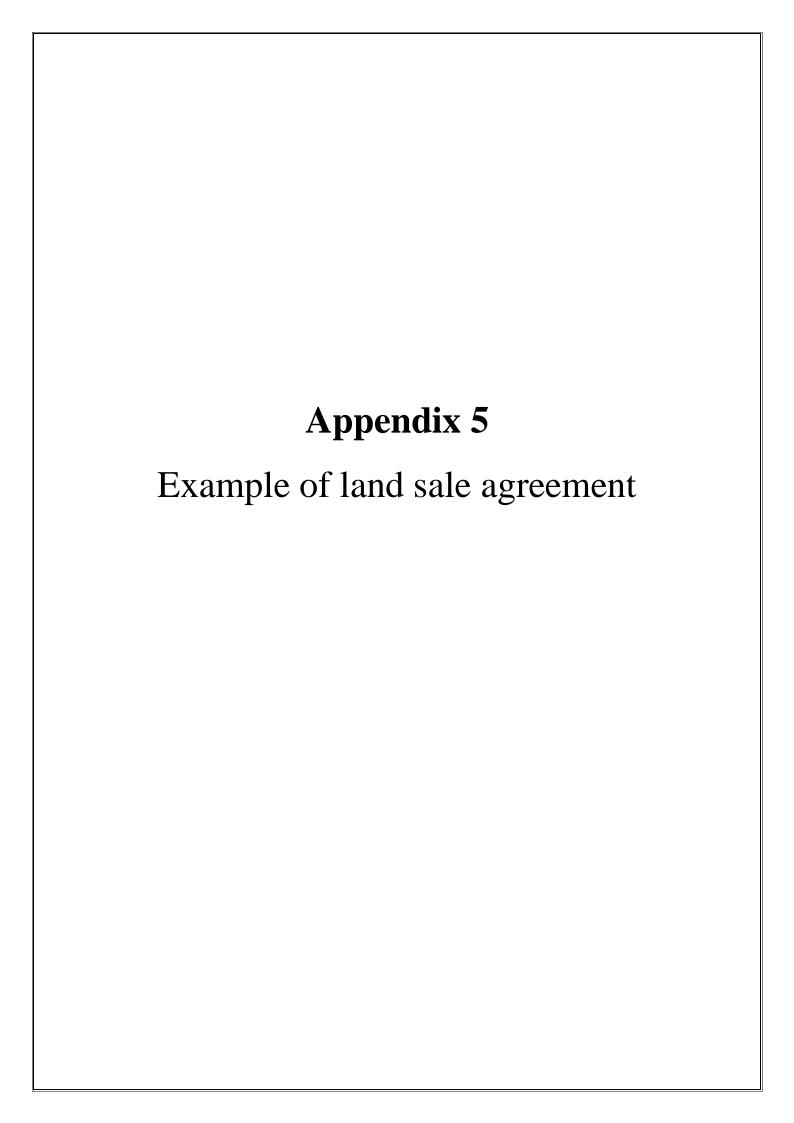
## Appendix 4 Information Obtained from the Interview by COT

No.	Description of interview	Remark
No. 1	Mrs. A, who lives in Moo. 2, a niece of the owner of approximately 60 rai land parcels, which was sold to the Project. Previously, the owner engaged in agricultural farming (cassava) on these parcels and sold crops to her relatives. The owner was contacted Notel Notel the Project's personnel, who informed her about the company's plan to develop the area into a power plant.  Following discussions with the Project's personnel, the owner satisfied with the selling price so decided to proceed with the sale. The transaction took place at the Department of Lands. Subsequently, after the completion of the transaction, the owner was granted permission to harvest the remaining crops. Presently, the owner continues to work as a farmer, engaging in agricultural activities on other land parcels that she also owns.	First interviewed by COT on October 18 <sup>th</sup> , B.E. 2566 (2023).  Interview to reaffirm some information on December 15 <sup>th</sup> , B.E. 2566 (2023):  She is a niece of the owners because her aunts and uncles are not comfortable talking to strangers. Therefore, Mrs. A is allowed to answer the questions instead. She mentioned that in rural areas, people know each other well, and most of the elderly are not talkative. Before ending the call, she also mentioned that local people want to sell more land nearby as well because the land is dried, and it does not yield much cultivation.  This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.
No.2	Mrs. B, who is 49 years old this year lives in Moo. 2, a sibling of the owner. The owner was contacted by the Project's personnel Note1 Note1 , who informed her about the company's plan to develop the area into a power plant. The owner owned 12 rai of land parcels in Moo. 8, which were subsequently sold to the Project. Initially, these land parcels were utilized for agricultural farming (cassava).  Mrs. B expressed that the owner was satisfied with the price, acknowledging that it is customary for the previous owner to relocate after the sale. The transaction was conducted at the Department of Lands, and upon its completion, the owner received a cheque payment directly in her own name. Currently, still owns 12 rai of land parcels located near the irrigation cannot. The area is quitable for sultivisting a paddy field.	First interviewed by COT on October 18 <sup>th</sup> , B.E. 2566 (2023).  Interview to reaffirm some information on December 15 <sup>th</sup> , B.E. 2566 (2023):  - She is a sibling of the owner.  This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.
No. 3	canal. The area is suitable for cultivating a paddy field.  Mr. C, who prefers not to disclose his age lives in Moo. 2, occasionally staying overnight at his mother's house at Moo. 1. He is a nephew with the owner. He provided similar information to the previous two interviewees. He mentioned that the Project's personnel directly contacted the owner Notel , informing about the future development of the land into a power plant. The owner had engaged in cassava farming on that area. Following the contact, he had chance to join discussions about selling land parcels and prices with other nearby landowners who had also been contacted. They collectively offered the same rate for selling land parcels, and the Project responded affirmatively to the proposed price.  Upon completion of the transaction, the owner was granted permission to harvest the remaining crops, exceeding his expectations. Presently, he still owns some land parcels and cultivates a paddy field for his livelihood. For the owner, she still does the farming on her other pieces of land nearby.	First interviewed by COT on October 18 <sup>th</sup> , B.E. 2566 (2023).  Interview to reaffirm some information on December 15 <sup>th</sup> , B.E. 2566 (2023):  - He is a nephew of the title deed owner.  This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.

Note1: This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.

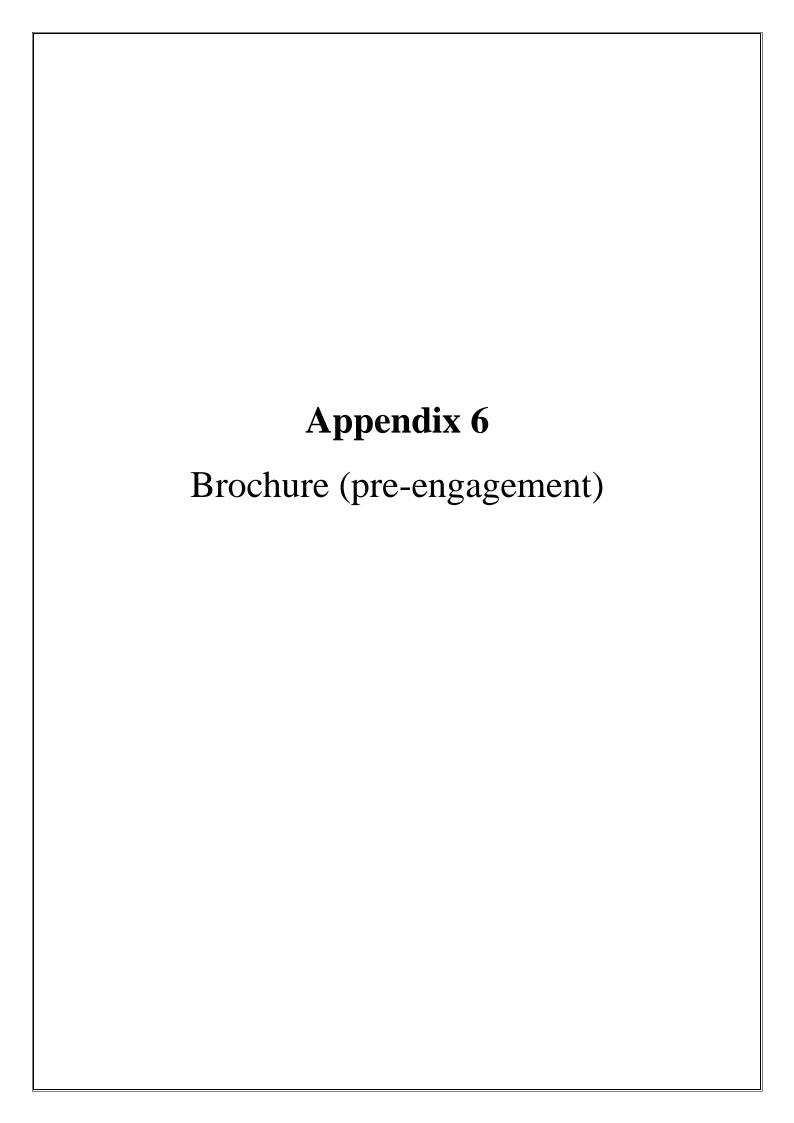
No.4	Mr. D, who is 45 years old, who does a private business in other area somewhere nearby the Project's location. He holds central house registration in Moo.2. He is a sibling of the owner who possesses approximately 10 rai of land parcels in Moo.8. He said that the Project's personnel informed the owner about the land's future development into a renewable energy power plant. The owner was fully willing to sell the land because the sell price was far higher than fluctuating prices of agricultural products each season so that the owner willingly chose to sell the land. Additionally, neighboring landowners expressed the desire to sell their land parcels, leading to discussions on the selling price among them. They offered the Project the desired price, which was accepted. Following the completion of the transaction, the owner was granted permission to harvest his remaining products.	First interviewed by COT on October 18 <sup>th</sup> , B.E. 2566 (2023).  Interview to reaffirm some information on December 15 <sup>th</sup> , B.E. 2566 (2023):  - He owns a grocery store  This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.
N. C	Mr. D also think that the land acquisition process of the company is transparent and trustworthy, highlighting that it stood out compared to experiences with other companies attempting to purchase his land. The Project's personnel demonstrated a willingness to provide the information he sought. Because his family owns private business and other land parcels so, selling the land was not oppressive. Furthermore, the Project's offer to allow the owner to harvest the remaining crops was viewed as a highly favorable aspect of the agreement.	
No. 5	Mrs. E, 60 years old resident of Moo. 2, mentioned that her sibling owned approximately 10 rai of land dedicated to cassava farming before selling it to the Project. Her sibling had initially intended to sell the land, so it was not difficult to proceed with the sale after being contacted. Mrs. E's sibling offered her desired price and received a rate that left her satisfied. Presently, she continues to engage in agricultural farming in another area on her own land.	First interviewed by COT on October 18th, B.E. 2566 (2023).  Interview to reaffirm some information on December 15th, B.E. 2566 (2023):  - Mrs. E is a sibling of the owner.  Note1
No. 6	Mrs. F, 54 years old resident of Moo. 3, sold approximately of 20 rais of land parcels and still owns 16 rais of land for agricultural farming (sugarcane) while also running a private business. She informed that after being contacted by the Project's personnel, she decided to sell immediately without hesitating. She was not interesting the reason why the Project wanted to buy the land. She is satisfied with the price and thinks that the Project was kind and fair enough to allow her to cultivate the remaining crops. The transaction took place around B.E 2565 (2022).	First interviewed by COT on November 24 <sup>th</sup> , B.E. 2566 (2023).  Interview to reaffirm some information on December 15th, B.E. 2566 (2023):  - She is a title owner.  This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.
No. 7	Mrs. G, who is 73 years old, is currently retired and lives in Nonthaburi Province with her husband and two adult children, each earning more than 200,000 baht per month. She answered as a representative of her daughter and son who own the title deed.  Note1  her daughter and son sold approximately 500 rais and was satisfied with the price. Mrs G's family still has 400 rais designated for agricultural farming. The renters can still rent her family's other pieces of land for farming. Mrs. G was contacted by the Project's personnel and informed about a plan to develop the land into a solar power plant in the future.	First interviewed by COT on November 24 <sup>th</sup> , B.E. 2566 (2023).  Interview to reaffirm some information on December 15 <sup>th</sup> , B.E. 2566 (2023):  - Mrs. G is a mother of the owners.  This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.

Note1: This information has been removed as it falls within the exceptions to disclose specified in paragraph 17(2) of ADB's Access to Information Policy.

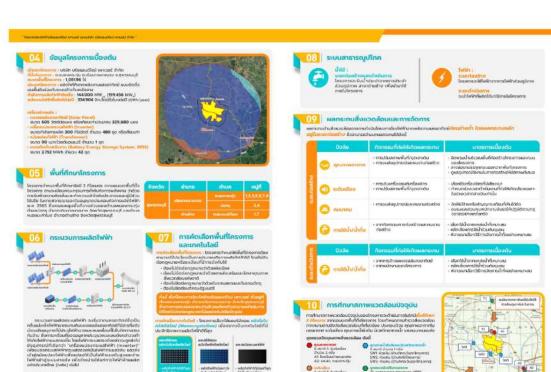


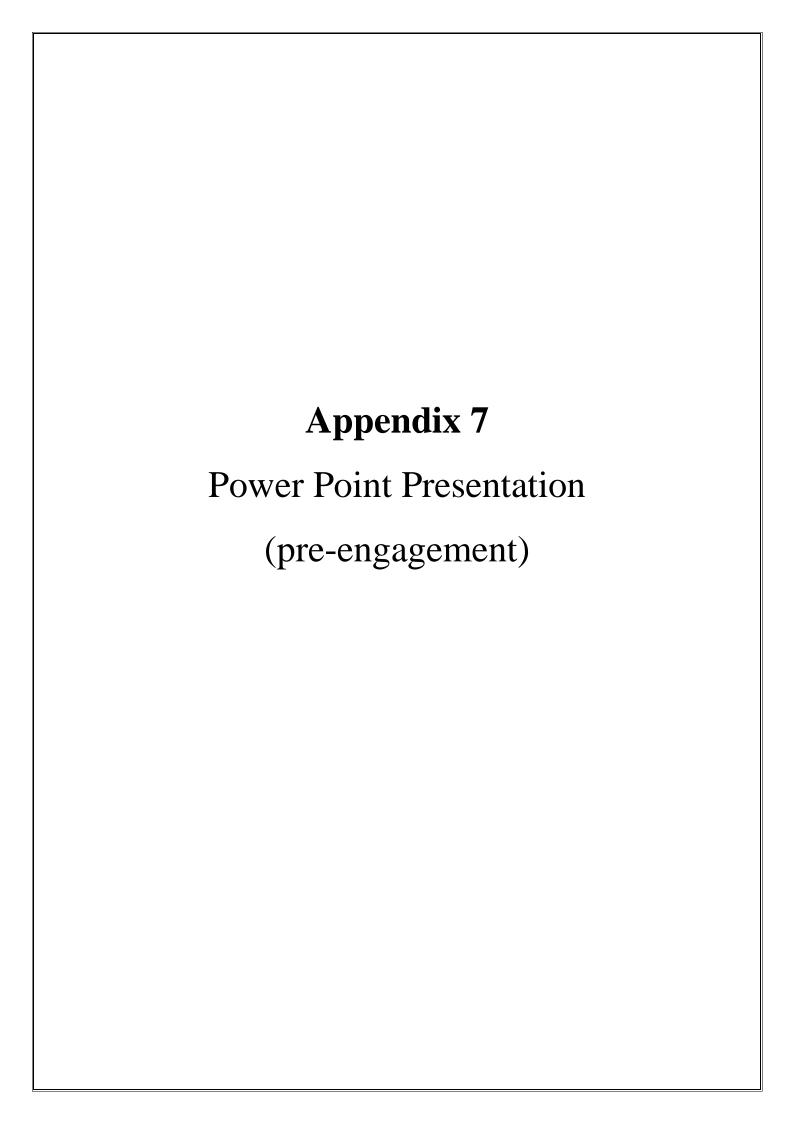
## Land Sale Agreement

Title Deed No.:	Parcel No.:	Sub-District No.:		
Sub-District:	District:	_Province:		
This agreement was made on:	***************************************	At:		
Between: (the seller's name)	ID card no.: Age:			
Address:				
With: (the buyer's name)		Age:		
Address:		5017.5304642		
Both have agreed to enter into	an agreement as follows:			
The seller agrees to sell the land.	and described above, both the en	tire plot, to the buyer at xxx Baht.		
2. The buyer agrees to purchase the land as stated in clause 1 from the seller. The buyer shall mai				
payment, and the seller sha	ll receive the full payment.			
3. The land for sale is agricult	ural land with no structures, no	outstanding land tax, no attached to a lease		
contract, and is within the r	nunicipal area.			
4. Information on how land w	as acquired (inheritance, acquir	red/purchased, etc.)(dated)		
<ol><li>The company is purchasing</li></ol>	the land for its business activ	ities, as stated in Article 15, which includes		
buying, selling, leasing, rer	iting, consignment selling, excl	hanging, mortgaging, pledging, or obtaining		
property in any other laws	ful manner, for securing any o	lebts, not as part of the company's regular		
commercial activities or re-	il estate development. This is in	accordance with the laws of Thailand.		
6. The seller has received the	full payment.			
This contract has been made in	two copies, containing identic	al terms. One copy is held by the Land		
Office, and the buyer retains th	e other.			
Both parties have examined the	e sales contract and thoroughly	understood its contents. They have then		
affixed their signatures or fing	erprints as significant evidence	before witnesses and land office officials.		
		Seller's signature		
	1	Buyer's signature		
	73	Witness's signature		





























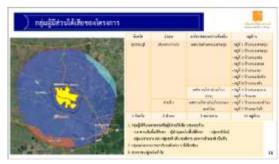
































### มาตรการฯ ที่สำคัญ (ด้านคมนาคมขนส่ง)

- คำหน้าที่เข้าหน้าที่ตำนวยความขอดวามขอดวามของและการเข้า-ขอก หายหลุกของการให้บริหันการ
- แล้วเป็นเพิ่มปัญญาแล้อนที่เก็บให้รัพงาน ก็แกรการในการการในการการในกับการการการการการการการการการกา
- «Kodipurmosi diseggionalite di alterio di La stativa escuen troccotico», use anni sotto tico a diale
- ข่าที่ครารแร้วรถให้เป็นโปสายที่กฎหมายทำหนด และร่วยเพิ่งให้การกระบุคการสำนานการเล้นแร้งและใน ท่ายกับใช้ที่กระเล้าให้เกิด () กระการ



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## มาตรการฯ ที่สำคัญ (ด้านกากของเสียและขยะมูลฝอย)

- ข้องเป็นเป็นสุดภาคใหล่ในสองกับที่ประชาการทำใหญ่เกิดเหลือที่ผู้ที่สายของกับเล่าที่การทำให้เหลืองของ หรือการทำแห้นอากที่เหมือนใหม่เหมือนการที่สำหรับ
- แล้วโดการการ์เครื่าวในจะสิทธิ์แกรสโต้กระแรงคุณสาร์การสำราจสำราชการการสุดภาษาและสิทธิ์และสาร์การสารคราชการและสิทธิ์แล้วโดการ์การสาร์การ์การสาร์การ์การสาร์การ
- ระบบได้กระการให้เราในการาหิกเพื่อสุดสุดสนในสารกราหนึ่ง ท่อน้ำขึ้นสามาศาสนให้เราในเปลี่ยนี้เราในกับกับกับ







## มาตรการฯ ที่สำคัญ (ด้านคุณภาพน้ำและระบายน้ำ)

- สินในของสำนักสินในสินในสูงของตัวอย่างใจเลือดสิน เพื่อประกับในสินให้สายการหลุงเปลี่ย์สินของสามารถสอบสามารถสาม สามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถส
- พันธ์สนาสโดยฟลุพาการเครื่องไปก่อว เป๋า ปลาฟเป๋ากราบปลาศัยษ
- ข้อสำราจประกอบให้เรื่องการและประกิจและเลยได้แก้านสำเร็จงาน 1 เดือนแกกของการต่อเป็น เด็จงานจะการแบบการ เป็นการการต่อสำเน็นได้เกิดและการและให้เกิดและเล็นได้สังการครามของระบังให้เกาจากระบาทให้การหนใน ประชาการการทำที่สุดเกิดเหนือให้คองและได้จะถือแก้ได้เกิดและได้เกิดได้แก้)









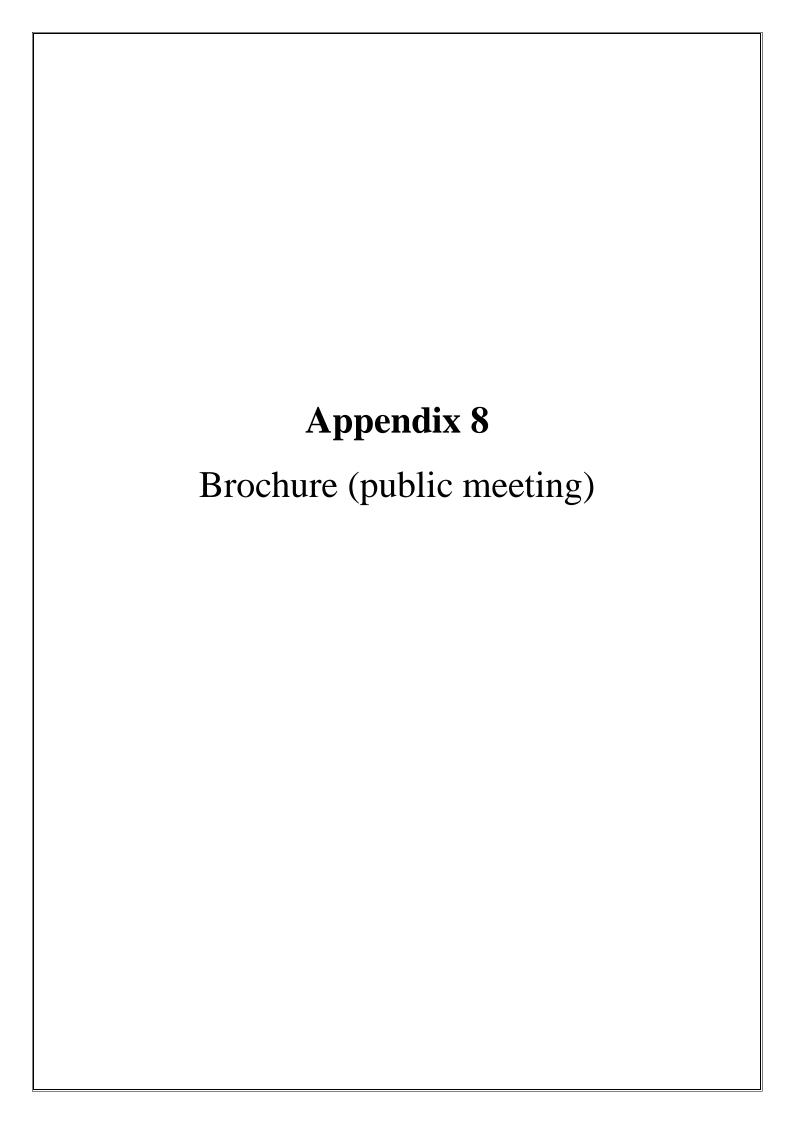
















เข้าและโกคตาร : บริติก เพียงอนที่ใช่นี้ เขาเวอร์ จำกัก ได้เป็นของกร : ตะและการที่จะ แปลเกลากายบอ จะสุบรรณนุธ์ เขาเท้าแก้ไรและ : (05186 โร เป็นสุนที่เกิดของกร : ผลิตให้ทำกายพ่องกรและจะกายด์ แบบดดัง โรงโดยกายเก็บแก้บแก้บเก็บแก้จะกาย เกิดของเก็บเก็บไรและ : 144.000 Mg. (199.456 MW.) เพื่องกระห์เก็บไรและ : 144.000 Mg. (199.456 MW.)

ขมาดทำกลการผล 300 กล้องคลี อ้านวน 480 ชุด หลังเกียนเกิ

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โกรงการทำหนดพื้นที่สัดหวิจาที 3 เพื่อเบตร จากขุดนอบเพิ่มที่ตั้น โกรงการ ตามสมมัยบายมาระบาจหน้าสมภัยธารหล่างสามา จำตัวข การรับพิกอร์เหติดเป็นเลยที่ความสินที่ใช้กรับระวิจายเลยคลิโด้ชีว ได้เสีย ในการพิจารณาของที่อยู่ขุดสามโรกของสามาระหลิไปพิจา พ.ศ. 2565 ซึ่งตอบเทคู่เพื่อที่สามาระหลายเลขาสามุน ตำหลับสินทู ซึกการตับสามาระหลายสินที่สินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สินที่สามาระหลายสินที่สินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่สามาระหลายสินที่







## การคัดเลือกพื้นที่ใครงการ และเทคโนไลยี

ulati : โครงการเลือกใช้เผงซิลิคอน งผิดในใน proceystelline) เมืองจากเป็นเทคโนโลยีที่มี งจิตโฟฟ้าตีที่สุด











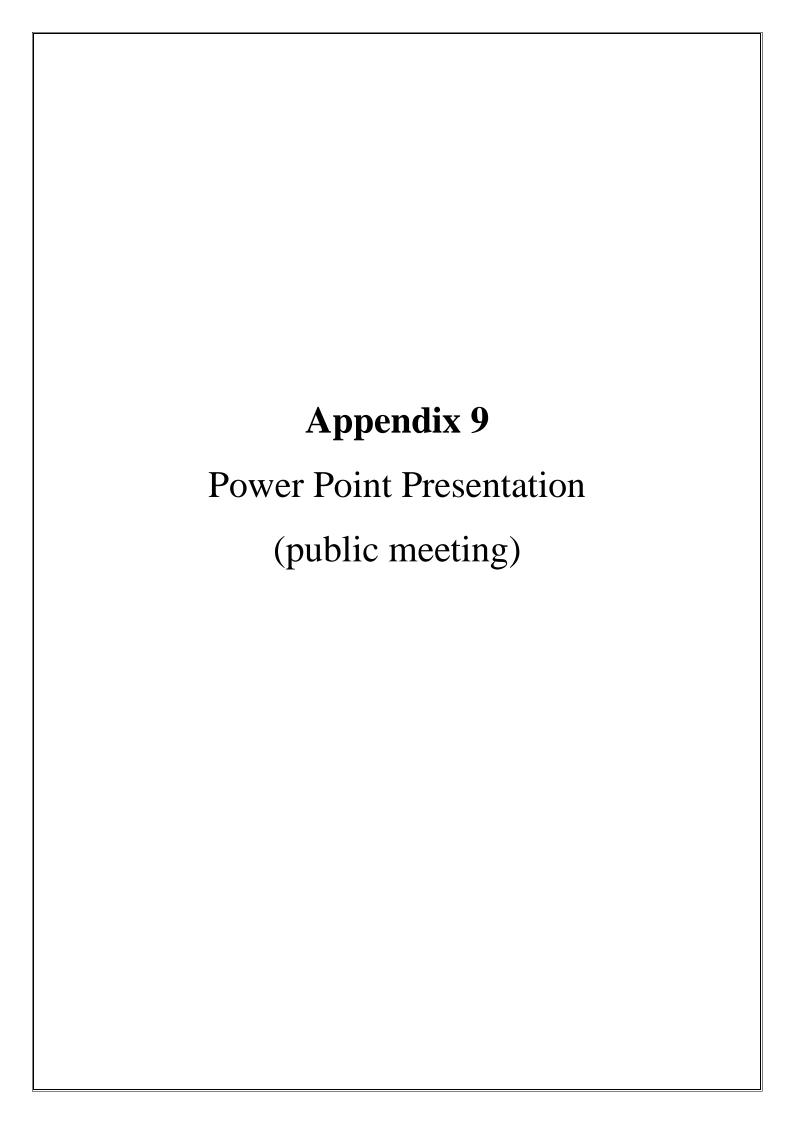






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# วัตถุประสงค์ของการประชุม 1. น่าเสนอรายละเอียดโครงการ 2. น่าเสนอรายงานประมวลหลักการปฏิบัติ (Code of Practice: CoP) 3. น่าเสนอบาตรการป้องกับแก้โอเผลกระทบ ล้อแวดล้อม และบาตรการดิดตามตรวจสอบ ผลกระทบสั่งแวดล้อม 4. รับสังกวามเห็นและทำความเต็วไดกับประชาชม







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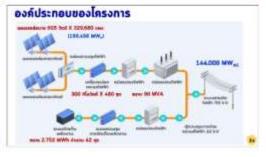






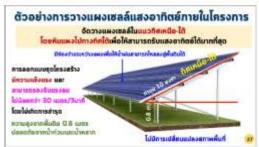






































ค้าแก็งสะเหรือเศษวัสดวากการก่องร้างองในก่อระบายน้ำ หรือแหล่งน้ำสาธานานโดยเด็ดขาด





















### มาตรการป้องกับและแก้ไซผลกระทบสิ่งแวดล้อม

- จัดให้มีป่ายหรือสัญญาณเดือนที่เห็นใต้ชื่อเอน หือเวลาหลางวันและหลางหินท่อนซึ่งผื้นที่ riantissensden 100 wes
- อบรมและควบภูมคนิกงานอันรถที่เกี่ยวข้องกับการก่อคร้างทุกสนัดให้ปฏิบัติตามกฏตราตร สตำอเกริงหรือ
- คากรับกรรมการก่อยร้าง ทำให้ป่าย สัญญากเปล่ หรือตัวขนมสำรุกต้องรับตำเนินการ uchelneringumuals 4.0





โดยการมีการจัดรายแหกสมให้สมสาหารของสารายส Abrulteralulesconseitals





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- างที่ และกลางกลับประเทศสอบในแบบการบรรม การเรียกกระเทศเทศซึ่งโดย และใช้เกี่ยวการเกี่ยวการบรรมหาย เกี่ยวการที่สามารถสามารถสามารถสามารถสามารถสามารถสามาร เกี่ยวการเกี่ยวการเกี่ยวการเกี่ยวการและเกี่ยวการเกี่ยวการเกี่ยวการเกี่ยวการเกี่ยวการเก็นสามารถให้เกี่ยวการเก็น เกี่ยวการเกาะเก็นสามารถให้เกี่ยวการและเก็นสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสามารถสา เมื่อเกาะเกาะเก็นสามารถส



ทางโครงการใช้ทำหนดให้ดำเนินการตามประกาศกระกรวงสุข อุตที่ไม่ใช้แล้ว พ.ศ. 2548 หรือกฎหมายที่มีพลบังลับใช้ตบับล่าสุข

สำหรับการจัดการของเสลิสสายที่เกิดขึ้นงาประเทศไทยในปัจจุบัน การสำนักงาน คกษ. ได้ทำขอน้ำ การผู้ประกอบการจัดงจัดให้ประเมทางดูและและเกิดให้ดงบองกรุหจายผู้ให้วาย คือที่ การและเกิดให้ดาการ สำหุดหรือเลื่อนสภาพจายให้สามารถใช้การได้ ส่วนประเภอบด้างๆ ภายในและเกิดส์ เพื่อ โดยจอยู่บันริยม สายให้ การจากนี้แสกมารถให้น้ำ Recycle ใช้ที่ลายอก เวียนสื่อเกิดส์สัมแสมเก็บใหญ่จัดแล้วสำหระบานการ ทำจัดส่ยใน

ด้วยเหตุนี้ mans:กระจงสุขสาหกรรมจังใช้มีแบวทางในการสนับสมุขโรงงา ชุรกิจรับรับมหายรลล์ เพื่อสดชัญหาจากมหายรลล์ชำรุง/เสื่อนสภาพ ซึ่งเป็น

- การรับคืนแผงเซลล์ที่คมดอายุ
   การเมิดโรงงานซ่อนแฮมแผงเซลล์เพื่อน่ากลับมาใช้ใหม่
- 3) การรับซากแผงเซลล์กลับมาผ่านกระบวนการรีโซเกิล











Biduridautomás



ด้านแสงสะท้อนและความร้อน





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## ช่องทางการติดต่อสอบถามข้อมูลเพิ่มเติม

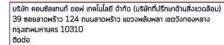




บริษัท บริษแอนด์ไซน์ เพาเวอร์ จำกัด (เจ้าของโครงการ) 87 อาคารเอ็บไทย ทาวเวอร์ ออลซีซั่น เพลส ชิ้น 26 ถนบวิทยุ แขวงลุมพินี เขตปกุมวัน กรุงเทพมหานคร 10330

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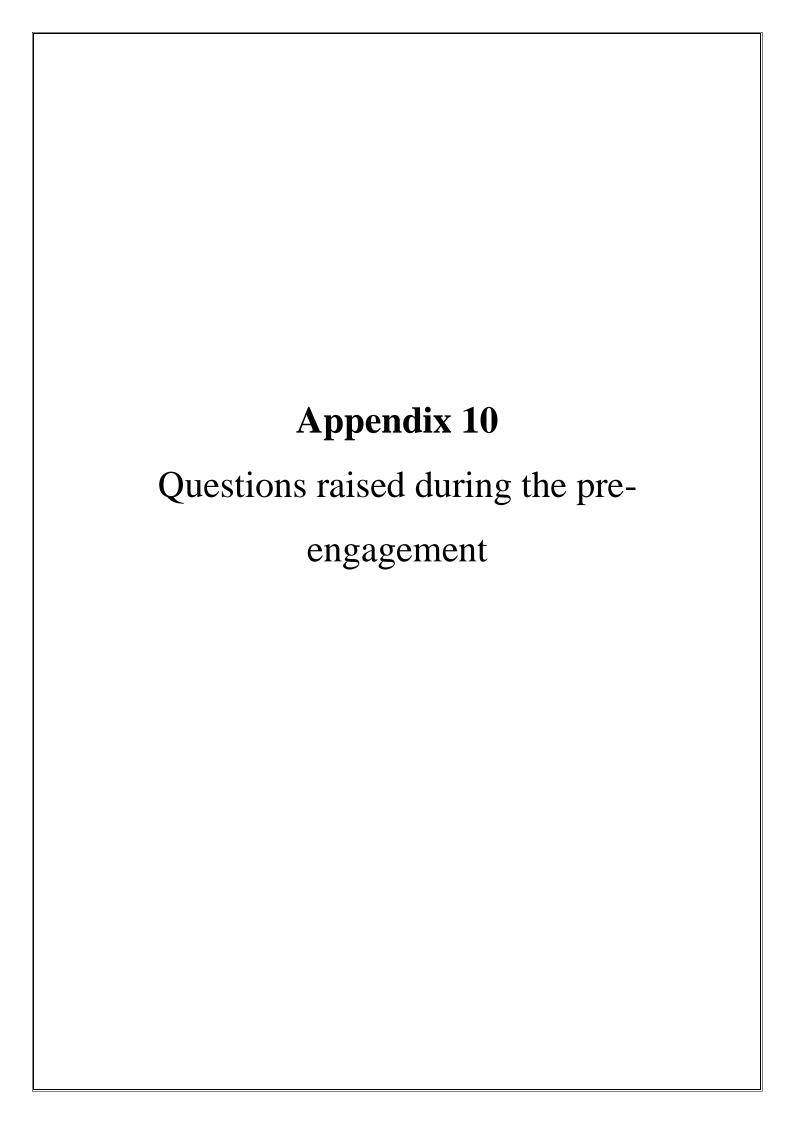
ดนของ คุณสุวัฒน์ ขุมอินทร์ (ผู้ประสานงานโครงการ) โกรศัพท์ : 093-2839898 คุณกิตติศักดิ์ ต้นประดับสิงห์ (ผู้ประสานงานโครงการ) โกรศัพท์ : 083-0044550



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## **Table 6.3.1.2-2**

## Summary of Questions/Suggestions and Clarifications from Pre-engagement Meeting on Tuesday, May 23, B.E. 2566 (2023), from 9 a.m. to 12 p.m., at the Meeting Room of Nong Krathum Sub-District Municipality

	uestion/Suggestion	Clarification
	<b>Implementation</b>	Ciarmeation
1. The Projects these acquishould	ect has acquired certain land nat are not within the presented area. Can the community use juired lands for cultivation, and there be clear notification? s village headman)	- Community is allowed to utilize land until the end of B.E. 2565 (2022). Because if the project starts to develop the area in the future There may be an impact on agricultural products that have not yet been harvested. However, the project will continue to install signs to clearly show the boundaries of the project area.
previous could fu How can flooding area afte (Suphant	bject's construction site was ly agricultural land, which nction for rainwater storage. the community be assured that won't become an issue in the r the Project's establishment? buri Provincial Office of Resources and Environment)	- The project has minimal changes to the original land conditions, mainly involving mounting structures with limited alterations to the landscape. Therefore, the project won't significantly affect water drainage in the vicinity.
deteriora	does the project manage ting solar panels or batteries? of Nong Krathum Sub-district)	- If solar panels or batteries deteriorate or malfunction, the project will follow procedure indicated in the Ministry of Industry's announcement on the disposal of hazardous or non-operational materials, B.E. 2548 (2002). Authorized agencies will handle proper disposal.
project, o	are public areas exist in the can the community continue to public areas? (People of Nong Sub-district)	- If there is public areas present in the project area, the community can still utilize area as usual.
water sto	project consider constructing orage pond to prevent flooding boring areas? (Deputy Mayor Krathum Sub-district)	- The Project doesn't alter water drainage within the area. However, the Project will present data and study results in future meetings.
water sto assist in solar pa	Project include the design of brage pond within its area to reducing heat and maintaining anel efficiency? (Suphanburial Energy Office)	- The Project acknowledges this issue and will consider it for future actions.
discovere notify th Doem B awarenes	and surveys, if public areas are ed, can community leaders are local administrative office, ang Nang Buat District, for as? (Deputy District Chief of ang Nang Buat District)	- The Project acknowledges this concern.

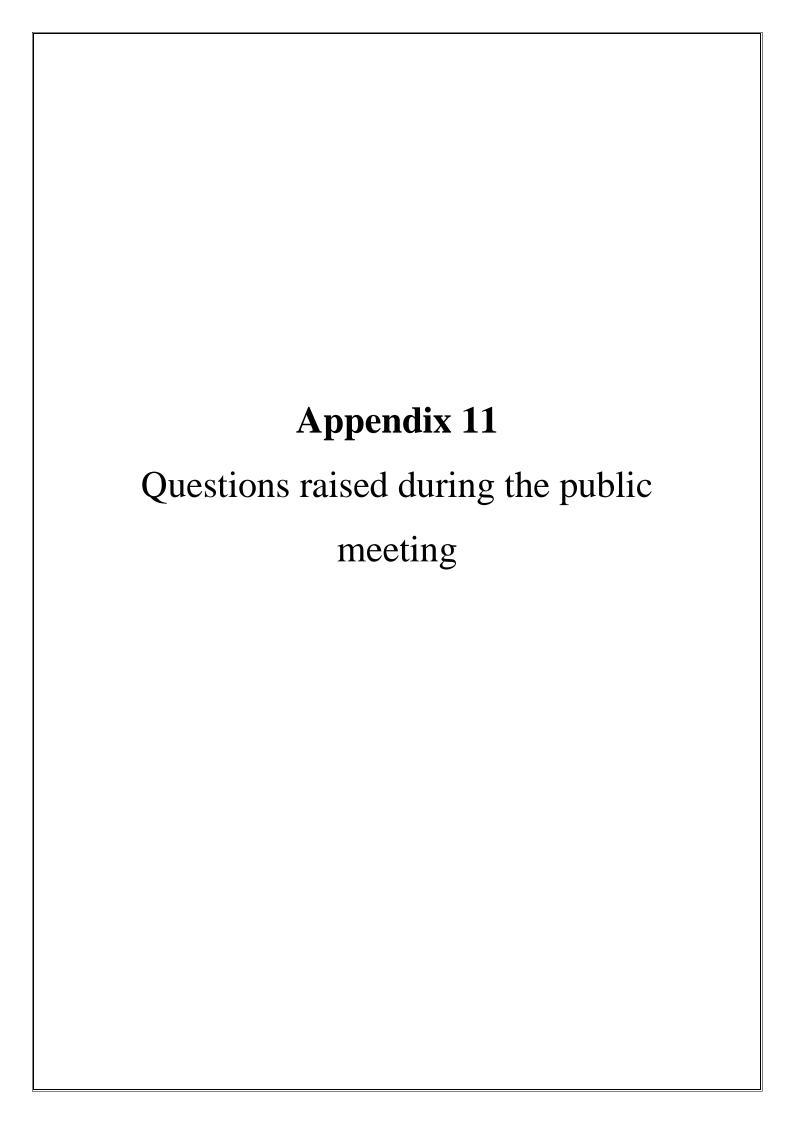
	Overtion/Suggestion	Clarification
0	Question/Suggestion	Clarification
8.	There are community areas adjacent to the Project that haven't been purchased. This could pose issues to the project in the future? (Deputy Mayor of Nong	- The Project acknowledges this concern and will consider it for future actions.
_	Krathum Sub-district)	
	If public areas exist in the project area, the project should provide a 6-meter buffer zone from public roads for community benefits? (Deputy Mayor of Nong Krathum Sub-district)	- The Project acknowledges this concern and will consider it for future actions.
	Environmental and Health Impact	
	During the process of cleaning solar panels, how can the community be assured that no chemicals or cleaning agents are used? If there is an impact on the environment impacts, what measures does the project have? (Deputy District Chief of Doem Bang Nang Buat District)	- Cleaning solar panels involve removing dust and particles to ensure their optimal performance. This process is often facilitated by rainfall during the rainy season. Cleaning activities occur approximately twice a year or as per environmental conditions. Only tap water is used for cleaning, without any chemical substances.
2.	Because the project size is large, community members might feel concerned about potential impacts, such as increased heat or altered weather patterns. Can the project provide scientifically referenced information to alleviate these concerns? (Suphanburi Provincial Office of Natural Resources and Environment)	- The consulting company will conduct further research and present it at the next meeting.
3.	Concerns arise about the effects of reflected light and heat on the south-facing community due to the Project's solar panel placement. Can the Project consider designing the panel layout to minimize potential impacts on the community? (Suphanburi Provincial Energy Office)	- The southern side of the project area is agricultural and doesn't have community areas or residences. Additionally, there will be a distance between the project boundary and the area of solar panel installation. Also, consideration will be given to planting trees alongside the community areas which help addressing potential visual impacts as well.
	Concerns are raised about impacts during the 21-months construction phase, especially regarding traffic and noise. Can the Project communicate with the community about the potential impacts during this period? (Suphanburi Provincial Energy Office)  Even though the Project will not alter	<ul> <li>The 21-month timeline starts from the design phase to grid connection. There are about 6 months of equipment transportation and construction-related activities that might generate noise. Nonetheless, the project has a comprehensive environmental measure to address all potential impacts.</li> <li>The Project has minimal alteration to the</li> </ul>
<i>J</i> .	the ground beneath the solar panels, could rainwater impact the surrounding area due to water runoff from the panels? (People of Nong Krathum Subdistrict)	ground condition. Rainwater from cleaning the solar panels may flow into the ground, but this occurs only in the limited area where the solar panels are located.

T	7
Question/Suggestion	Clarification
6. Requesting adjustments to the landscape around the Project for aesthetic enhancement and the addition of green spaces to mitigate temperatures within the Project area.  (Nong Krathum Sub-district Headman)  7. The transportation of construction	<ul> <li>The Project will consider adjusting the landscape in areas that won't affect the solar panel performance.</li> <li>The Project will study this concern and</li> </ul>
materials might impact the roadways near the community. (Dan Chang Provincial Waterworks Authority)	incorporate it into future Project measures.
8. Concerns about dust and particulate matter, particularly PM-2.5. (Deputy District Chief of Doem Bang Nang Buat District)	- Dust and particulate matter generated from construction activities are coarse particle which is easily settle to the ground. As for PM-2.5, the project has conducted preliminary studies on local data to assess environmental impacts in the future.
(3) Socio-economic and Public Participation	
<ol> <li>Request the project gathers opinions from each community in the study area, not limited to community leaders, to ensure a comprehensive reflection of the community's viewpoints toward the Project. (Deputy District Chief of Doem Bang Nang Buat District)</li> <li>Besides contributing to the Power Development Fund <sup>3</sup>, how will the project support the community? Concerns arise that once operational, it might be challenging to contact project personnel. (Deputy Mayor of Nong Krathum Sub-district)</li> <li>How much budget will be allocated for community development from the Power Development Fund, and will</li> </ol>	<ul> <li>The project's current meeting is aimed at project awareness and initial feedback. In subsequent stages, the project will provide more opportunities for direct community input through various groups. Community representatives will be invited to participate as well.</li> <li>The project has community liaison officers in the area. Direct coordination with the community is possible. Additionally, an Environmental Audit Committee will be formed in collaboration with the community, and future community activities will be budgeted accordingly.</li> <li>The Project will contribute to the fund during construction at a rate of 50,000 Baht/MW/year, and during operation at</li> </ul>
Power Development Fund, and will there be a continuous contribution over time? (People of Nong Krathum Subdistrict)	Baht/MW/year, and during operation at a rate of 1 Satang/unit of production/month. The fund will be allocated for the ongoing development of the community around the Project area, following the regulations of Energy Regulatory Commission.

<sup>&</sup>lt;sup>3</sup> The "Power Development Fund (the Fund)" has been set up under the Office of the Energy Regulatory Commission (ERC) pursuant to the Energy Industry Act, B.E. 2550 (2007). The fund is categorized into three categories based on the amount of money contributed: Large Fund with an annual contribution exceeding 50 million Baht., Medium Fund with an annual contribution ranging from 3 to 50 million Baht., and Small Fund with an annual contribution not exceeding 3 million Baht. Local residents in areas surrounding a power plant can take part in the Fund operation by various means, i.e. (1) apply to be a member of the Community Development Committee (CDC), (2) propose community projects via a public forum at village or sub-distribution; (3) participate in the operation of a community project with a budget not exceeding 300,000 Baht, and (4) follow-up community project implementation and receive benefits from such projects in their localities. In addition, they can give their opinions on the improvement of rules and regulations pertaining to the Fund operations, issued by the ERC and the OERC. (Source: ERC Annual Report, 2019)

	Question/Suggestion	Clarification
4.	Request the project to establish a	- The project has already set up a
	process to address community	procedure to address complaints.
	complaints during the construction	
	phase. ()Suphanburi Provincial Energy	
	Office)	
5.	Concerns that the community's way of	- The Project acknowledges this concern
	life might change due to the Project, as	and will consider it in the further
	agricultural areas are transformed into	planning process.
	solar panel installations. (Nong	
	Krathum Sub-district Headman)	
6.	It's suggested that the Project provides	- The Project will continue its efforts in
	complete information to neighboring	this direction.
	communities and increases its outreach	
	beyond a 3-kilometer radius. (Deputy	
	District Chief of Doem Bang Nang	
	Buat District)	

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<u>Table 6.3.2.3-2</u> <u>Summary of Questions/Suggestions, and Clarifications from the Public Hearing on June 21, B.E. 2566 (2023)</u>

Channels	Questions/Suggestions	Clarifications	Mitigation Measures
	Implementation	0.002.22.000.20.20	112119011111
Verbally	1. Has the green space in the Project been designed already? (Nong Krathum Sub-district Headman)	- The Project is currently in the design phase, considering the incorporation of green spaces around control buildings or areas that won't impact the production equipment and electricity generation efficiency of the Project.	
Verbally	2. Regarding measures with specified construction timelines, how will the Project ensure proper implementation and monitoring? (Suphanburi Provincial Office of Natural Resources and Environment)	- The Project must ensure the adherence to all specified measures, both within the Project itself and by the contracted companies. This includes the establishment of oversight committees that involve the community in monitoring and verifying Project progress.	General Measures

Channels	Questions/Suggestions	Clarifications	Mitigation Measures
			The committee's activities should be integrated into the Project management, with the committee having powers and duties including receiving complaints, and considering the implementation of Project measures. In this regard, the committee can continue to perform duties during the operational period as well.
Feedback form	3. Could we receive information about the solar power plant projects that are currently operational? (Doem Bang Nang Bual Agricultural Extension Office)	- Breeze & Shine Power Co., Ltd. is the company developing the solar power plant project in this area. However, the consortium has prior experience in project development, and environmental impact assessments have been conducted based on data and lessons from previously operational solar power projects, both domestically and internationally.	-
(2) Environ	mental and Social Impact Study		
Verbally	1. Does the Project monitor and inspect air quality and noise during the construction phase? (Suphanburi Provincial Office of Natural Resources and Environment)	- During the construction phase, there will be monitoring and measurement of air quality and noise at two stations: Ban Nong Hin School and Nong Kratum Sub-district Health Promoting Hospital. These measurements will occur twice a year throughout the construction phase. Additionally, continuous measurements will take place for a minimum of 5 consecutive days, covering both working days and weekends. The measurement results will be submitted to the Energy Regulatory Commission.	Monitoring Measures (Construction Period) Air Quality: Conduct air quality monitoring in vicinity areas that might be affected by the construction activities, with a minimum of 2 monitoring points (Ban Nong Hin School, and Nong Krathum Sub-district Health Promoting Hospital). Perform monitoring twice a year throughout the construction phase covers two prevailing wind direction of the area. Parameters to be measured include:  1) TSP (Total Suspended Particulate) 2) PM-10 3) PM-2.5 4) Wind direction and wind speed Noise: Conduct noise monitoring at 2 monitoring points (Ban Nong Hin School, and

Channels Questions/Suggestions Clarifications Mitigation Measure Nong Krathum Sub-district Heat Hospital). Perform monitoring throughout the construction phase be measured include:  1) Leq 24-hr 2) L90 3) Ldn 4) Lmax  Verbally 2. Due to the absence of water in nearby water sources during the dry season, is the ongoing surface water quality monitoring considered sufficient? If not, how will the Project prior to project initiation. This monitoring is	lth Promoting twice a year
throughout the construction phase be measured include:  1) Leq 24-hr 2) L90 3) Ldn 4) Lmax  Verbally  2. Due to the absence of water in nearby water sources during the dry season, is the ongoing surface water quality monitoring is an additional activity beyond the requirements set by the CoP reporting quality monitoring considered guidelines, aimed at providing baseline data	
be measured include:  1) Leq 24-hr 2) L90 3) Ldn 4) Lmax  Verbally  2. Due to the absence of water in nearby water sources during the dry season, is the ongoing surface water quality monitoring is an additional activity beyond the requirements set by the CoP reporting guidelines, aimed at providing baseline data	. Parameters to
Verbally  2. Due to the absence of water in nearby water sources during the dry season, is the ongoing surface water quality monitoring considered quality monitoring considered  1) Leq 24-hr 2) L90 3) Ldn 4) Lmax	
Verbally  2. Due to the absence of water in nearby water sources during the dry season, is the ongoing surface water quality monitoring is an additional activity beyond the requirements set by the CoP reporting quality monitoring considered guidelines, aimed at providing baseline data	
Verbally  2. Due to the absence of water in nearby water sources during the dry season, is the ongoing surface water quality monitoring is an additional activity beyond the requirements set by the CoP reporting quality monitoring considered guidelines, aimed at providing baseline data	
Verbally  2. Due to the absence of water in nearby water sources during the dry season, is the ongoing surface water quality monitoring is an additional activity beyond the requirements set by the CoP reporting quality monitoring considered guidelines, aimed at providing baseline data	
Verbally  2. Due to the absence of water in nearby water sources during the dry season, is the ongoing surface water quality monitoring considered guidelines, aimed at providing baseline data  - The ongoing surface water quality monitoring is an additional activity beyond the requirements set by the CoP reporting guidelines, aimed at providing baseline data	
nearby water sources during the dry season, is the ongoing surface water quality monitoring considered guidelines, aimed at providing baseline data	
season, is the ongoing surface water quality monitoring considered guidelines, aimed at providing baseline data	
quality monitoring considered guidelines, aimed at providing baseline data	
cufficient?) If not how will the Project   prior to project initiation. This monitoring is	
ensure adequacy? Also, how will the expected to be conducted primarily during	
Project communicate this information? the rainy season when there is sufficient	
(Suphanburi Provincial Office of surface water for sampling.	
Natural Resources and Environment)	
(3) Wastewater Quality and Water Drainage	
Verbally 1. Concerns about the potential - The majority of the project area is	
impact on agriculture from water designated for solar panel installation,	
runoff. (Doem Bang Nang Buat Deputy involving mounting structures without	
District Chief) concrete paving. Rainwater falling on the solar panels will naturally be allowed to	
permeate into the soil. The project is not	
situated in flood-prone areas and does not	
modify the existing terrain, resulting	
indifferent in water permeability rates and	
flow directions. However, some areas that	
have undergone modifications due to the	
construction of structures and concrete	
paving, account for a total area of 7,023	
square meters, might cause minor changes in	
water runoff compared to the pre-	

Channels	Questions/Suggestions	Clarifications	Mitigation Measures
Verbally	2. Doem Bang Nang Buat District is not flood-prone area but it is intermittent water accumulation, which lasts for about 1-2 days after rainfall. However, there are still concerns about water runoff in the event of rain. (Doem Bang Nang Buat Deputy District Chief) 3. How is the drainage system within the Project area designed? (Moo. 2 Assisstant Village Headman)	development conditions. Consequently, the project has implemented a drainage system that collects and channels rainwater to a retention pond with a capacity of 600 cubic meters. This pond is situated near the project's buildings to manage excess rainwater resulting from the modifications.  - Currently, the project area is primarily agricultural land with natural water drainage. The installation of solar panels does not alter the area's topography. Consequently, the water drainage direction remains unchanged. For areas with altered conditions due to concrete paving, the project shall provide drainage systems. These systems include the provision of retention ponds capable of handling excess rainwater for at least 3 hours, ensuring that the drainage patterns remain consistent with the	General Measures  - Design a drainage system within and around the Project area to prevent issues of water obstruction and flooding in nearby areas.
Verbally	4. Is there any water storage during the cleaning of solar panels? (Suphanburi Provincial Office of Natural Resources and Environment)	original conditions.  - The project has a plan to clean the solar panels twice a year, depending on environmental conditions. Approximately 1.5 liters of tap water per panel are used. This tap water does not contain harmful cleaning agents or chemicals. The water used for cleaning the solar panels naturally permeates into the ground as it flows down from the panels. As the cleaning occurs during the dry season, there is no excess water runoff beyond the natural absorption capacity of the soil.	
Verbally	5. According to the Factory Act, the project falls under Factory Type 3. If	- The Project does not release wastewater from the power generation process.	

Channels	Questions/Suggestions	Clarifications	Mitigation Measures
	the factory releases wastewater outside the project area, it would be categorized as wastewater. In such cases, reporting in accordance with Form Tor. Sor. 1 and Form Tor. Sor. 2 are required to the local administrative of Nong Krathum Sub-district, as per the subsequent steps. (Suphanburi Provincial Office of Natural Resources and Environment)	Additionally, water used for solar panel cleaning does not discharge outside the Project area. Therefore, the Project aligns with the regulations stated in the Ministry of Natural Resources and Environment's announcement regarding standards for controlling wastewater discharge from power generation plants, effective from B.E. 2565 (2022). Consequently, there is no requirement to report activities related to wastewater discharge.	
(4) Reflection	n and Heat	wasiewater discharge.	
Verbally	1. Impact on visual perception when solar panels are installed within the Project area. (Former Moo. 8 Village Headman)	- Solar panels have a reflection coefficient of less than 0.05, which is lower than the typical reflection coefficient of concrete roads. As a result, the light reflection from the solar panels does not significantly affect visual perception. The Project's solar panel installation surrounds with agricultural land, and the panels face south. This orientation ensures maximum sunlight absorption, with the panels tilted at an angle of approximately 10 degrees to maximize sunlight exposure. The panels are oriented to capture sunlight from the southern direction, where there is no residential area. The Project has maintained a sufficient buffer zone around the installation area to prevent impacts on adjacent areas.	
Feedback form	2. Concern about the impact from thermal radiation on nearby communities. (Dan Chang Provincial Waterworks Authority)	- Solar panel electricity generation does not rely on temperature or heat for operation but utilizes sunlight intensity. Therefore, installing solar panels does not directly influence	Aesthetics Measures (Operation Period) - Implement environmental impact prevention and mitigation measures, including maintenance, care, and replanting in case of tree

Channels	Questions/Suggestions	Clarifications	Mitigation Measures
Verbally	3. Concerns about the impact of heat on agricultural yields. (Doem Bang Nang Buat Deputy District Chief)	temperature changes in the surrounding environment. The Project positions the panels in a north-south direction, tilting them at an angle of about 10 degrees from the ground to maximize sunlight absorption. The panels are oriented to capture sunlight from the southern direction, which has no community area. The project shall ensure a suitable distance between the solar panel area and its surroundings to mitigate potential impacts.  - There was a study to assess and compare temperature changes around a solar farm located in rice fields in Lopburi province. The study found that the average air temperature within the solar farm area was higher than the surrounding area by approximately 0.5 degrees Celsius (Source: "Variation of Air Microclimate Around a Solar Farm," Manika Yaemsuk, Wipawee Juikaewphanao, Nongpat Chaichana, and Tiwa Phakokthom, B.E. 2561 (2018)). However, an increase of 0.5 degrees Celsius in average temperature within the solar farm area does not have a perceptible impact on human sensations or agriculture. Therefore, the slightly higher average temperature within the solar farm area does not affect human perception or agricultural yields.	loss to ensure sustainability of the green space. In doing so, prioritize the planting of perennial trees within the Project's green areas based on suitability and appropriateness.
(5) Socio-eco	onomic and Public Participation		
Verbally	1. Concerns about the impact on security in the Project area due to its large size and adequacy of security	- There will be about two individuals of security personnel guarded in the project area. These personnels will investigate security and conduct regular area checks.	

Channels	Questions/Suggestions	Clarifications	Mitigation Measures
	personnel. (Doem Bang Nang Buat Police Station)	Additionally, CCTV cameras will be installed around the Project area and tight security fences will encircle the Project.	
Verbally/ Feedback form /Post meeting evaluation form	2. Security personnel prefer individuals from the local community to manage incidents within the community. (Nong Krathum Subdistrict Headman) 3. Request for employment of individuals from the local community. (Anonymous) 4. Request for employment of individuals from the local community or coordination through community leaders to prevent various incidents and provide employment opportunities for	- The project shall take this suggestion into consideration. Currently, it can be assured the project's policy prioritizes hiring individuals from the local community as a primary option if there are suitable positions available and the required qualifications match the positions.	
Feedback	5. Interested in understanding the long-term benefits and effects of the Project. (Doem Bang Nang Buat Agricultutal Extension Office) 6. How will the community benefit from the power plant construction? (People of Nong Makhamong Subdistrict)	- Power Development Fund will be allocated as per the regulations of the Energy Regulatory Commission. During the construction period, a rate of 50,000 Baht/megawatt/year and during operation at a rate of 1 Satang/unit of production/month. This budget will be added to the existing funds in the area, including community support funds as appropriate through community engagement activities.  - Long-term impacts of the Project: The Project's power plant has a lifespan of 25 years. During its operational phase, solar power generation does not emit pollutants into the air or noise. There is only wastewater generated from panel cleaning	Socio-economic and Public Participation Measures (Operation Period)  - Assign a community relations representative to participate in various community engagement activities, follow up on complaints, and monitor any concerns related to the Project.  - Disseminate Project information, updates, and report the monitoring results to the community and the environmental audit committee. Give opportunities for community involvement in monitoring and evaluating the Project throughout the Project life cycle.  - Promote community engagement activities and initiatives to foster positive relationships with the local community.

Channels	Questions/Suggestions	Clarifications	Mitigation Measures
Verbally/ Post meeting evaluation form	7. How does the Project plan for community engagement, particularly in terms of activities with the surrounding community? (Moo. 2 Assistant Village Headman) 8. In addition to the Project's electricity fund, what long-term measures/ assistance/ solutions will be implemented to address issues arising from the Project? (Anonymous)	twice a year, with no discharge outside the Project area. The disposal of damaged solar panels is regulated by laws. Consequently, the Project has low environmental impacts throughout its lifespan. Adequate measures have been put in place to mitigate the impacts during partial or complete decommissioning phases, including the end of the power plant's lifespan.  The company is committed to developing its business alongside the community's growth. This includes further enhancing clean energy production to minimize environmental impacts and consistently supporting community activities in the area. The Project is enthusiastic about participating sustainably within the community.	Socio-economic and Public Participation Measures (Construction Period)  - Provide a coordination center or coordination channels to receive suggestions and complaints concerning any disturbances arising from the construction activities.  - In cases where complaints from the public
			responsibilities, term duration, meeting format, and frequency should be clearly defined. The

Channels	Questions/Suggestions	Clarifications	Mitigation Measures
			committee's activities should be integrated into
			the Project management, with the committee
			having powers and duties including receiving
			complaints, and considering the implementation
			of Project measures. In this regard, the
			committee can continue to perform duties during
			the operational period as well.
			Socio-economic and Public Participation
			Measures (Operation Period)
			- Establish a complaint receiving plan that
			outlines the channels for receiving complaints,
			the steps and timelines for addressing and
			resolving complaints, responsible parties, and a
			clear organizational chart. In cases where the
			resolution is not completed, provide progress
F - 41 1-	O If there are imported from the	The Day 1 of her content of a content of a	updates to the complainant every 7 days.
Feedback	9. If there are impacts from the	- The Project has a plan and procedures for	Socio-economic and Public Participation
form /Post	Project, where can the community raise	managing complaints. The community can	Measures (Construction Period) - Provide coordination center or coordination
meeting evaluation	complaints, and how will these complaints be addressed? (Doem Bang	directly raise complaints to the Project office during both the construction and operation	channels to receive suggestions and complaints
form	Nang Buat Agricultural Extension	phases, or communicate concerns through	concerning any disturbances arising from the
101111	Office)	the Project's community relations team as	construction activities.
	10. In case of concerns or complaints	indicated in the provided meeting	- In cases where complaints from the public
	from residents in the area, the Project's	documents. Complaints can also be raised	regarding impacts from the construction
	responsible personnel must actively	through community leaders to the Project as	activities arise, the Project must promptly
	understand and resolve issues on-site.	an additional channel for addressing	investigate and rectify the situation.
	There should be staff available for	concerns.	- Establish an environmental audit committee
	continuous communication. (People of		involving the community to foster their
	Nong Krathum Sub-district)		participation in Project implementation, and
	5		community and environmental development.
			The committee should consist of representatives
			from local community organizations,
			educational institutions or academics in the area,

Channels	Questions/Suggestions	Clarifications	Mitigation Measures
			and the Project owner company. The committee should have a significant proportion of members from the public sector, totaling at least half of the overall committee members. The structure, composition, number of members, responsibilities, term duration, meeting format, and frequency should be clearly defined. The committee's activities should be integrated into the Project management, with the committee having powers and duties including receiving complaints, and considering the implementation of Project measures. In this regard, the committee can continue to perform duties during the operational period as well.  Socio-economic and Public Participation Measures (Operation Period)  - Establish a complaint receiving plan that outlines the channels for receiving complaints, the steps and timelines for addressing and resolving complaints, responsible parties, and a clear organizational chart. In cases where the resolution is not completed, provide progress updates to the complainant every 7 days.
Feedback form	11. Is the community involved in monitoring and verifying the Project's progress? (Doem Bang Nang Buat Agricultural Extension Office)	- The community can actively participate in monitoring and verifying the Project's activities. This can be achieved by having representatives from the public sector engage in the Environmental Audit committee. This committee should be established and operational at least one month prior to the Project's commencement. The committee acts as a central point for	<u>*</u>

Channels	Questions/Suggestions	Clarifications	Mitigation Measures
		communication, monitoring, verification,	and the Project's owner company. The
		control, and any necessary actions to	committee should have a significant proportion
		alleviate concerns and ensure accurate	of members from the public sector, totaling at
		understanding.	least half of the overall committee members. The
			structure, composition, number of members,
			responsibilities, term duration, meeting format,
			and frequency should be clearly defined. The
			committee's activities should be integrated into
			the Project management, with the committee
			having powers and duties including receiving
			complaints, and considering the implementation
			of Project measures. In this regard, the
			committee can continue to perform duties during
			the operational period as well.
			Socio-economic and Public Participation  Macauras (Operation Period)
			Measures (Operation Period) - Disseminate Project information, updates,
			and report the monitoring results to the
			community and the environmental audit
			committee. Give opportunities for community
			involvement in monitoring and evaluating the
			Project throughout the Project life cycle.
			- Establish an environmental audit committee
			involving the community to foster their
			participation in Project implementation,
			community and environmental development.
			The committee should consist of representatives
			from the local community organizations,
			educational institutions or academics in the area,
			and the Project's owner company. The
			committee should have a significant proportion
			of members from the public sector, totaling at
			least half of the overall committee members. The

Channels	Questions/Suggestions	Clarifications	Mitigation Measures
Feedback form /Post meeting evaluation form	12. Representatives from the community and community leaders should be taken to visit other solar energy Projects to understand their impacts on the surrounding areas. (Anonymous) 13. It is essential to provide information to the community residing near the proposed solar power plant site about the potential impacts on the community and nearby crops due to the construction of the power plant. (People of Nong Makhamong Sub-	- The Project requests consideration to proceed.	structure, composition, number of members, responsibilities, term duration, meeting format, and frequency should be clearly defined. The committee's activities should be integrated into the Project management, with the committee having powers and duties including receiving complaints, and considering the implementation of Project measures. In this regard, at the beginning of the operation phase, the committee can be the same as the construction phase.
	(People of Nong Makhamong Sub- district) 14. Regular quarterly public relations efforts should be conducted to ensure		
	continuous and comprehensive understanding among the community		
	members. This will facilitate ongoing communication and mutual comprehension. (People of Nong		
	Makhamong Sub-district)		

Channels	Questions/Suggestions	Clarifications	Mitigation Measures
Verbally	15. Is the budget to be allocated to the	- The budget allocated to the Power	
	Power Development Fund during the	Development Fund will be at a rate of	
	operational period approximately 3	50,000 Baht/megawatt/year and during	
	million baht per year? Will this budget	operation at a rate of 1 Satang/unit of	
	be combined with the existing fund?	production/month. This budget will be	
	(Moo.2 Assistant Village Headman)	combined with the existing fund in the area,	
		which is the Electricity Development Fund	
		of Suphan Buri Province 3.	
(6) Others			
Verbally	1. While having a Project can lead to	- Measures as outlined will be specified in	
	impacts, it is requested that the impact	the Project's permit application, which will	
	on the community be minimized to the	serve as stringent operational conditions.	
	greatest extent. (Doem Bang Nang	This includes adhering to strict reporting	
	Buat Deputy District Chief)	requirements to the permitting authority	
		twice annually.	

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