

**INTEGRATED SAFEGUARDS DATASHEET
APPRAISAL STAGE**

I. Basic Information

Date prepared/updated: 01/10/2007

Report No.: AC2608

1. Basic Project Data

Country: Kenya	Project ID: P095050	
Project Name: Kenya - Natural Resource Management Project		
Task Team Leader: Christine E. Cornelius		
Estimated Appraisal Date: January 11, 2007	Estimated Board Date: March 27, 2007	
Managing Unit: AFTS2	Lending Instrument: Specific Investment Loan	
Sector: Forestry (50%);Flood protection (30%);Irrigation and drainage (20%)		
Theme: Environmental policies and institutions (P);Water resource management (S);Participation and civic engagement (S);Other social protection and risk management (S)		
IBRD Amount (US\$m.):	0.00	
IDA Amount (US\$m.):	69.20	
GEF Amount (US\$m.):	0.00	
PCF Amount (US\$m.):	0.00	
Other financing amounts by source:		
BORROWER/RECIPIENT		6.80
LOCAL COMMUNITIES		2.10
		8.90
Environmental Category: B - Partial Assessment		
Simplified Processing	Simple <input type="checkbox"/>	Repeater <input type="checkbox"/>
Is this project processed under OP 8.50 (Emergency Recovery)	Yes <input type="checkbox"/>	No <input type="checkbox"/>

2. Project Objectives

The objectives of the project are to enhance the institutional capacity to manage water and forest resources; reduce the incidence and severity of water shocks in river catchments; and improve the livelihoods of communities participating in the co-management of water and forests. Achievements under the project will be measured by indicators tracking changes in organizations and their performance, in the health of the natural resource base, and in welfare of participating communities.

3. Project Description

Component One, Water Resource Management and Irrigation.

In Subcomponent 1.1 Water Resource Management, support will be provided to the Water Resource Management Authority (WRMA), its 7 Regional Offices and 25 sub-regional offices to ensure that the WRMA undertake essential river and groundwater monitoring which in turn will enable it to administer and control the use of water by users and begin to reverse the widespread degradation of catchments. Funds for consultation and institutional strengthening are also provided. Targeted support will be provided to

catchment area of the Upper Tana River basin, particularly the Aberdares, due to its great strategic importance to the national economy. Activities will include strengthening of the information base, improving decision making to include water users, training and sensitization of farmers to improve land-use and water conservation methods. The WRMA will target microcatchment hotspots in catchment area of the upper Tana River west of the hydroelectric dams and invest one million dollars per year in catchment protection activities such as erosion control and terracing, small to medium water storage infrastructure and the rehabilitation of existing structures as well as improvement of on-farm agronomic practices. At the local level implementation will be undertaken by the Water Resources Users Associations (WRUAs). The regional WRMA will work closely with the Kenya Forest Service (KFS) to ensure synergies with their work in the gazetted forest and with neighboring communities.

Subcomponent 1.2 Consolidation of Irrigation Reforms and Investments. This subcomponent will contribute to sustainable irrigation development through the consolidation of reforms of NIB and development of irrigation in the downstream part of Nzoia basin and in other existing NIB schemes. Achieving these objectives will involve further restructuring of the NIB along the lines that have been identified and in accordance with the Irrigation Policy, and strengthening the role of farmers in scheme management. Upon adoption of the Irrigation Policy, the project will also support preparation of an Irrigation Strategy and Business Plan, and an Irrigation Act. Once the reforms are agreed and approved, the project will support the necessary realignment of the key institutions in the sector, including transforming NIB into an irrigation services provider and financing targeted investments in the modernization of public irrigation schemes. Achievement of the agreed institutional reform agenda satisfactory to IDA would trigger investments in irrigation. Five schemes have been proposed for rehabilitation, including Mwea, the largest public irrigation scheme in Kenya, Ahero, Bunyala, West Kano and Perkerra. In addition, one new scheme (Bunyala/Budalangi, 3,500ha) will be developed.

Component Two: Management of Forest Resources. Activities planned under Subcomponent 2.1 Forest Sector Institutional Reforms will assist the GoK with the reforms necessary to transform the Forest Department (FD) to a semi-autonomous Kenya Forest Service (KFS) at national level. The assistance will support formulation and implementation of a strategic plan for KFS for enabling socially and environmentally sound implementation of the Act and improving revenue capture while increasing transparency, accountability and integrity with special emphasis on the improvement of the information base for improved development and management of forest plantations and better protection and management of indigenous forests. To address the lack of reliable data on forest resources, the project will conduct a phased Forest Resources Assessment of all forest resources, including a rapid assessment of forests and a more detailed inventory of plantations, indigenous forests and farm forests. Resources will also be used for necessary investments in training, equipment and other infrastructure at different levels with emphasis on the district level, and technical assistance and training for FD staff likely to be made redundant to offer options for private sector employment and entrepreneurship.

Under Subcomponent 2.2 Enabling Community Participation and Benefit Sharing, assistance will be provided to identify and prioritize an array of partnership models to implement the legislative framework and improve benefit sharing based on the subsidiary legislation of the Forests Act as a critical guidance for decision-making, management responsibilities and benefit-sharing. While not excluding upfront other areas, during project preparation it was agreed to initially focus on Kakamega, Mt. Elgon, the Aberdares and Upper Tana. Bank financing of this subcomponent will emphasize sustainable and participatory forest management. Encroachment of certain forest areas and the process for reclaiming these areas has aggravated the already tense relationship between encroachers and the GoK, and made enforcement challenging. To address this situation, financing will be provided to formulate and implement a coherent and transparent framework to mitigate current and future conflicts over land, customary rights and rights of indigenous people. Given the controversies over evictions from Kenya's forests, evictions will be stopped until a framework for handling forest land and forest rights conflicts can be agreed, and a policy is adopted, acceptable to the GOK and the World Bank, which provides as far as possible for the rights of customary and traditional rights-holders.

Subcomponent 2.3 Community and Private Sector Investment in Commercial Forestry will provide assistance to strengthen institutional support services for the creation of an enabling environment for community and private sector involvement in development and management of production forests with the aim to revitalize Kenya's forest industries and ensure closer integration between forest products manufacturing, harvesting and forest management objectives as well as to generate increased rural incomes. Bank financing will assist establishing and operationalizing a KFS Investment Center, ensuring transparent systems for concession allocation, valuation and tendering are in place, and developing capacity in KFS to motivate and manage private investment in sustainable forest management.

Component Three Livelihood-based Multisectoral Microcatchment Management Investments in the Upper Tana Catchment. Using a Community Driven Development (CDD) approach, proposals will be sought from communities in the catchment to invest in livelihood enhancing microprojects which support the natural resource base. For example, opportunities to establish afforestation schemes in the watersheds, development of private sector/community partnerships for timber, fuelwood and pulp production, production and sale of seedlings, introduction of productivity-enhancing techniques of agro-forestry or conservation farming, and other investments in on farm agriculture development will be considered. Once proposals are selected, targeted engagement with communities, employing capacity building techniques and technical training will be used to support the communities in implementation of their microprojects.

Component Four Management and Monitoring and Evaluation will provide the resources necessary for effective management and monitoring of the project. Management of the tasks undertaken by the two line ministries will be mainstreamed within the ministries. The ministries will, however, be strengthened in the financial

management and procurement functions in order to manage the requirements of IDA credit management. Funds will also be made available for the development and implementation of a communications strategy. In addition, an overarching framework for monitoring and evaluation will be necessary. To accomplish the management of monitoring and evaluation, each ministry will have a M&E expert assigned.

4. Project Location and salient physical characteristics relevant to the safeguard analysis

The key area targeted by the NRM project is the water catchment area of the upper Tana River in the South-east Aberdares, one of the 5 critical catchment ecosystems known also as Kenyas Water Towers, which provide most of the water for the major rivers in country. Specifically, the project activities will cover the area west of the major hydroelectric dams, including the districts of Kirinyaga, Muranga, Maragwa, Thika, and Nyeri.

Geographically the Tana Catchment Area extends from the crests of Mt. Kenya, the Aberdares Ranges and the Nyambene Hills in the north extending southwards to the Indian Ocean. It is bounded by the Yatta Plateau to the west and the Kenya - Somali border to the east. The Catchment Area covers an area of 126,000 km², with an estimated population of five and half million people who include agriculturalist living on the upper parts of the region and the pastoralists living on the lower parts of the region. Tana River, Kenyas largest river, supplies water to the hydroelectric dams, and its catchment is the main source of Nairobis main water and electricity supply. The Tana catchment is of great strategic importance to the economy of Kenya, it provides Nairobis water which is the heart of the countrys economy and it provides hydro-power for KenGen without which the economy could not be sustained. This target area provides 90% of Nairobi water supply and 65% of all water which flows into the Tana River. Tana Catchment Area also boasts several protected and gazetted areas which include four National Parks and eight Game Reserves. The major ones being the Aberdares Forest, Mt. Kenya Forest, Meru National Park, and Tsavo East National Park.

The catchment area the Upper Tana River basin, particularly the Aberdares, have undergone intensive environmental degradation resulting in the siltation of rivers, reservoirs and irrigation canals, which in turn exacerbates flooding in the lower parts of the basin. Degradation has been caused by encroachment into forests, cultivation on steep hillsides and river banks and the use of poor farming methods as people look for arable land for food production to feed the increasing population. Thus, proper management and conservation of the catchment areas is a key strategic requirement for Kenyas economic growth. Because of the widespread nature of the problem it is necessary to target initial strategic catchments both to reduce the consequences of degradation and to use these activities as pilots to determine the most effective methodologies for achieving integrated sustainable catchment management.

In addition, the NRM project will support the Western Kenya Community Driven Development and Flood Mitigation (WKCCDD/FM) project activities in Western Province, particularly where they relate to water resources and forestry management,

including Mt. Elgon, Kakamega and the lower catchment area of Nzoia River in Busia and Siaya Districts.

5. Environmental and Social Safeguards Specialists

Mr Paul A. Francis (AFTS2)

Mr Serigne Omar Fye (AFTS1)

6. Safeguard Policies Triggered	Yes	No
Environmental Assessment (OP/BP 4.01)	X	
Natural Habitats (OP/BP 4.04)	X	
Forests (OP/BP 4.36)	X	
Pest Management (OP 4.09)		X
Physical Cultural Resources (OP/BP 4.11)	X	
Indigenous Peoples (OP/BP 4.10)	X	
Involuntary Resettlement (OP/BP 4.12)	X	
Safety of Dams (OP/BP 4.37)		X
Projects on International Waterways (OP/BP 7.50)	X	
Projects in Disputed Areas (OP/BP 7.60)		X

II. Key Safeguard Policy Issues and Their Management

A. Summary of Key Safeguard Issues

1. Describe any safeguard issues and impacts associated with the proposed project. Identify and describe any potential large scale, significant and/or irreversible impacts: Environmental Assessment (OP 4.01) The project triggers the Environmental Assessment safeguard, and is classified as a Category B project. To satisfy the environmental safeguards, an ESMF was prepared and was disclosed on January 10, 2007. The project is Category B as the investments to be financed will be of a small or medium-sized nature. The EA process takes into account the natural environment (air, water, and land); human health and safety; social aspects (involuntary resettlement, indigenous peoples, and cultural property) and transboundary and global environmental aspects.

Natural Habitats (OP 4.04)The project triggers OP 4.04 (Natural Habitats). The NRM project activities directly concern natural habitats, and may include sub-projects that carry direct risks of the conversion or degradation of natural habitats (e.g. irrigation).

Forests (OP 4.36) The project is consistent with OP 4.36, since it assists the GOK to harness the potential of forests to reduce poverty in a sustainable manner, integrate forests effectively into sustainable economic development, and protect the vital local and global environmental services and values of forests, by supporting community based approaches to forest and watershed management. This will be done by bringing about changes in the management, protection and utilization of natural forests and plantations, and directly concerns forest policy and legislation. Potential forestry-related environmental impacts such as introduction of invasive species, reforestation of critical non-forest habitats and alterations to hydrological regimes will be addressed through

implementation of the ESMF. A sector wide analysis of policy and institutional issues and constraints has been carried out. A institution-centered strategic environmental assessment [Title: Strategic Environmental Assessment of the Kenya Forest Act, 2005] was conducted over a period of nine months. This included situational assessments of the policy and institutional context of the forest sector, and the overall SEA identified key institutional and policy issues that needed to be addressed and potential steps for addressing these.

Physical Cultural Resources (OP 4.11) In the area covered by the NRM project, there are a number of identified religiously important sites that are considered to be culturally significant (e.g. forests), and which could be affected through the variety of expected micro-initiatives. Furthermore, small or medium large scale infrastructure projects (e.g. small dams) could disturb culturally significant sites. Therefore consistent with OP 4.11, the Physical Cultural Resources is triggered and consequently steps to safeguard this issue are integrated into the ESMF.

Indigenous Peoples (OP 4.10) During preparation, it became clear that the projects might impact on indigenous peoples rights, lands, livelihoods, and culture. To comply with international standards, including the World Banks Operational Policy on Indigenous Peoples (OP 4.10), the GOK has commissioned the elaboration of an Indigenous Peoples Planning Framework (IPPF). Under OP 4.10, an IPPF is for community-driven development projects, social funds, sector investments, financial intermediary loans and other projects which involve the preparation and implementation of annual investment programs. The purpose of this project IPPF is to ensure that the development process fully respects the dignity, human rights, economies, and culture of indigenous peoples, and that the projects are able to gain the broad community support of affected indigenous populations through free, prior, and informed consultations. To that end, the IPPF presents guidelines which will enable the project to avert any potentially adverse effects on the indigenous peoples' communities; or if avoidance proves not to be feasible, to minimize, mitigate, or compensate for such negative impacts. An additional goal of the IPPF is to ensure that the indigenous peoples receive social and economic benefits that are culturally appropriate, and inclusive in both gender and intergeneration terms. The report, which was disclosed on January 10, 2007, proposes a specific framework to address the needs and rights of indigenous peoples in the WKCDD/FM and NRM Projects. This is shown to be necessary to mitigate the risks that the challenges facing indigenous peoples are not exacerbated. The two projects will work in 24 districts in Western and Central Kenya: As regards the groups which the IPPF is required to address, the report documents that members of the Sengwer ethnic group are found in a structurally subordinate position in four of the project districts, and Ogiek in a further four. In some districts, it is not clear whether any populations fall within this category. To address this lack of information, the projects provide for comprehensive screening mechanisms to identify, inform, and consult the Sengwer, Ogiek, and other indigenous peoples in all operational areas of the two projects well in advance of any investment or subproject implementation, and to enable them to participate fully in conceiving, applying for and managing appropriate CDD projects.

Involuntary Resettlement (OP 4.12) Some of the anticipated activities under the project, including conservation measures and small-scale infrastructure development and improvement for catchment management, development of new irrigation schemes in the Nzoia basin and rehabilitation of existing schemes, and implementation of a strategy under the forest management component to mitigate current and future conflict over land in Kakamega, Mt. Elgon, the Aberdares and Upper Tana, may require land acquisition that will lead to the involuntary displacement of people and/or their land assets present in the project area. In addition, the project will assist the government through its land policy to develop national guidelines for resettlement.

A resettlement policy framework (RPF) was prepared and disclosed on January 10, 2007 in anticipation of the possibility that the two projects' activities will require additional takings of land or the restriction of resource uses which would impinge on people's incomes. The RPF therefore, provides safeguards against adverse impacts of development activities of both the NRM and WKCDD/FM. It provides procedures and means for adequately compensating for the losses the PAPs may incur, in the case that resettlement cannot be avoided or when resource use restrictions are unavoidable. The RPF includes guidelines for compensation for land contributed voluntarily for the Projects without seeking compensation; as well as land acquired involuntarily. The guiding principle for land acquisition shall be that where land is required for implementation of the sub- project activities, the recommended safeguards shall be observed to reduce the suffering of the affected community members. Specific RAPs will be developed whenever any of the project intervention areas will involve such displacement. No investment will be accepted for financing under the Bank's support to the project until there is an acceptable resettlement plan. The RPF is intended to assist all funded projects of category (A-C) on NRM and WKCDD/FM. The overall responsibility for implementation of this Framework shall reside with the implementing agencies.

Projects on International Waterways (OP 7.50). While the project has no mandated assessment requirements, it would still fall within the OP 7.50 policy and require International Waterways Notification as the sub-projects will include the consumptive use of water, such as the investment in irrigation storage in the lower basin of the Nzoia river, which drains into the Lake Victoria, the world's second largest freshwater lake that is shared by Kenya, Tanzania and Uganda and forms the headwaters of the River Nile. The requirements of the safeguard were fully addressed through the notification of the commencement of the project sent out by the Ministry of Finance to the parties to the Nile Basin Agreement on January 9, 2007.

Other safeguard policies, which would not be directly triggered but will be captured through the above mentioned project safeguard measures include:

Pest Management (OP 4.09) Pesticide use among beneficiary communities of the project is currently very low to non-existent. Because it is likely that the project is not providing support to the purchase or use of pesticides, this safeguard policy is not triggered. However the requirement to screen for pesticide use is included in the processes set out in the ESMF.

Safety of Dams (OP4.37) The project is not anticipating the construction of large dams as defined in the safeguard policy. The NRM project will operate in the Tana catchment that encompasses a dam, but effects dam operation or risks to the NRM project from this dam are negligible. However, further details concerning dam safety are set out in the ESMF.

2. Describe any potential indirect and/or long term impacts due to anticipated future activities in the project area:

A potential environmental risk would be that through the success of the project by rehabilitating and increasing agricultural production in the watersheds, the influx of migrants from other areas would be stimulated. These migrants would increase the already high land pressure in the project areas areas, which could lead to further deforestation and degradation. The increased influx of migrants into the fragile watersheds could also lead to increased use of steep hills for agricultural production, which could increase erosion rates. This is why catchment management activities need to integrate conservation activities with the requirements of local farmers and communities to undertake sustainable economic activity.

The new forest act envisages not only the establishment of a semi-autonomous forest service (which is expected to be self sufficient) but also promotes greater involvement for the private sector and communities in the management of plantations and natural forests. Together with the anticipated lifting of the existing logging ban, this will result in greater pressures on forest resources. It is therefore critical to ensure that any harvesting (while not financed by the project) is being done according to management plans based on agreed and recognized forest management standards.

3. Describe any project alternatives (if relevant) considered to help avoid or minimize adverse impacts.

All subproject activities will be subjected to environmental, resettlement, and indigenous peoples screening, using a series of protocols and templates developed for CDD activities in the Africa Region and local committees described in the project environmental and social instruments. These procedures will allow project managers at central and district levels to identify and treat any potential adverse impacts, where needed by calling upon subject specialists to modify designs or propose alternatives.

4. Describe measures taken by the borrower to address safeguard policy issues. Provide an assessment of borrower capacity to plan and implement the measures described.

The measures being taken to address safeguard issues are given above in the section on project environmental and social issues identified. The Capacity Building and remedial measures required for the ESMF, the RPF and the IPPF will be funded by both the NRM and the WKCDD/FM Project. A total estimated budget of US\$ 11.8 Million, US\$ 8.1 Million in the NRM and US\$ 3.7 Million in the WKCDD/FM, has been set aside to cover all associated costs for resettlement planning, management and implementation as well as building the institutional and human resources capacities for managing the ESMF, IPPF and RAPs. This includes the funds to be allocated for the preparation of annual

environmental audits which is in accordance with the National Environmental Management and Coordination Act of Kenya as well as the World Bank safeguard Policy on Environmental Assessment OP /BP 4.01. The training requirements for the implementation of the recommendations of the safeguard documents and for overall environmental management have been factored both into the above budget and other part of the projects' cost in forest, soil and water management that are inherent in the major activities of the projects.

Institutional Arrangements for Implementation of the Safeguard Recommendations: The two projects will follow the implementation arrangements tested and found satisfactory under the Arid Lands Resource Management Project. As the implementation of Resettlement Action Plans, Indigenous Peoples Plans (IPPs) and Environmental Management Plans (EMPs) are critical to ensuring sustainable management and undisturbed implementation of all the other keys components of the two projects, clarity on the institutional arrangements for purposes of carrying of the prescribed actions as well as monitoring their out comes is crucial. The project will work with the implementing agencies to ensure that the competent authorities are assigned the responsibility of carrying out such actions and most importantly ensuring ownership and the capacity to mainstream them as part of the core business.

The following is the key remedial measures to be taken by the GOK required for the ESMF, the RPF and the IPPF.

Environmental and Social Management Framework (ESMF): The unified ESMF prepared for the WKCDD/FM Project and the complimentary NRM Project will allow the implementing agencies to identify, assess and mitigate potential negative environmental and social impacts of sub projects, and to ensure that proper mitigation and possibly the preparation of appropriately costed EAs and Mitigation and Management Plans as well as Resettlement Actions Plans (RAPs) where necessary. The ESMF presents guidelines and procedures consistent with the Environmental Management and Coordination Act of Kenya and the World Bank Policy on Environmental Assessment OP/BP 4.01.

The ESMF outlines an environmental and social screening process for sub-projects which will enable the water service agencies, the forest services, and local communities to simultaneously identify potential environmental and social impacts of sub projects and to address them through the incorporation of the relevant mitigation and management measures. To effectively ensure the minimization or elimination of such negative impacts, the ESMF encourages the inclusion of mitigation impacts at the design of sub-projects prior to implementation. Both the WKCDD/FM and the NRM Projects directly address environmental and natural resources management issues and poverty reduction, and are likely to deliver significant positive environmental and social benefits. Both projects will address ongoing problems of environmental destruction and associated deepening poverty. Specifically, the two projects will address: (i) forest destruction due to encroachment and the resulting loss of water, non-timber forest products, timber, and cultural values, and (ii) mitigation through watershed and catchment management and

flood plain management. While the proposed interventions are anticipated to have significant positive impacts on the environment and on the livelihood of the affected communities, some of the individual projects that the WKCDD/FM and the NRM Projects will be funding may involve some environmental and social risk. The ESMF lays out measures to screen and mitigate impacts that may arise during project implementation, including the following:

- . Guidance on preparation of comprehensive checklists of potential environmental and social impacts and their sources;
- . Systematic procedures for participatory screening of sub project sites and activities and the environmental and social considerations;
- . A step by step approach for forecasting the main potential environmental and social impacts of the planned project activities;
- . A typical environmental management planning process for addressing negative externalities in the course of project implementation;
- . A monitoring system for implementation of mitigation measures; and
- . An outline of recommended capacity building measures for environmental planning and monitoring of project activities.

Resettlement Policy Framework (RPF): In accordance with World Bank social safeguard policy on Involuntary Resettlement OP/BP 4.12, which has been triggered by both the NRM Project and the WKCDD/FM Project, the GOK is required to prepare a social safeguards instrument. Since the sub projects are not determined in advance, the appropriate instrument is the RPF, which will be employed in conjunction with the ESMF to ensure that social impacts due to sub-project activities are appropriately addressed. The RPF document outlines the principles and procedures to be followed in the event that a sub-project leads to land acquisition and/or the loss of livelihoods. The projects will ensure that the Framework is publicly disseminated and that the program implementers have the requisite skills and knowledge and, where necessary, they have received appropriate training to implement the RPF as indicated in the Environmental and Social Management Framework (ESMF).

The District Councils/authorities shall take responsibility for implementation of the RPF at respective local authorities, with assistance from other line local offices of the above mentioned Government ministries. Should the environmental and social screening results indicate that any of the planned sub-projects will lead to land acquisition or loss in economic activity or livelihood, the local authorities will apply the principles and procedures for compensation as outlined in the RPF. Implementation of the RPF shall require a number of steps including:

- . A full understanding of the project components, particularly those requiring land acquisition
 - . Determination of land ownership
 - . Screening of the project sites and activities
 - . Property and asset valuation
 - . Preparation and approval of resettlement plans
 - . Implementation and monitoring of the resettlement plans
 - . Effective redress of complaints and grievances

. Public consultation and participation

These steps will ensure that the projects are satisfactorily and efficiently implemented to effectively address any adverse social, economic and environmental impacts so that Project Affected Persons are fairly treated on land acquisition and resettlement. It is, however, noted that, while no policy directly equivalent to the Bank's social safeguard policies or expressly devoted to safeguarding social issues may exist, the rights of citizens and residents of Kenya are nevertheless laid out in the country's constitution and further elaborated in various laws and statutes all of which seek to ensure fair play in administration of public affairs and conflict whether over land or other natural resources. When specific planning information becomes available and the land areas are identified, subproject resettlement / compensation plans will be subsequently prepared consistent with the RPF and will be submitted to the Bank for approval before any land acquisition, resettlement or any other negative impact on livelihood occurs.

Apart from the earlier evictions which took place before the two projects were identified and for which data is scarce, it is important to note that the number of PAPs that will require resettlement and /or compensation is not yet known. For this reason, it is not possible to prepare RAPs at this stage. The NRM Project has however taken it upon itself to assist the Government to address the resettlement issues in the projects area of influence. To achieve this important objective, the project will have to first carry out a comprehensive and participatory survey to map out the issues before any RAP is drawn up and implemented. The indicative budget provided by the project includes a provision to ensure that resettlement is integrated into the participatory forest management to be developed in these areas.

The Indigenous Peoples Policy Framework (IPPF): The NRM Project will address key issues regarding indigenous peoples and other forest dependent communities in the projects area of influence. It will attempt to harmonize the forest Policy with the draft Lands Policy, implement a participatory forest management, support the elaboration of a comprehensive resettlement policy and improve in the operational areas the livelihoods of the populations which have been evicted. The Project will ensure that:

- . present and past settlements, land use areas and cultural sites of indigenous peoples are comprehensively documented;
- . the indigenous peoples are well represented in all forest and resettlement related decision making bodies and processes;
- . a comprehensive strategy to improve the livelihoods of evicted indigenous peoples is elaborated in an open minded and fully participatory options assessment;
- . this strategy is implemented in a comprehensive and timely manner; and
- . the indigenous peoples are enabled to benefit from participatory forest management and reforestation.

The projects will apply four mechanisms to ensure that indigenous peoples receive cultural appropriate benefits: (a) support and capacity building will be provided to IP communities through the IPSS to assist community planning and applications for resources for priority sub-projects; (b) IP communities will be given priority for

subproject identification and funding: (c) IP communities will be allowed the option of making the required community sub-project contribution in kind (i.e. through labor or the supply of local materials); and (d) IP representatives will be invited to sit in relevant decision-making bodies at district and catchment level. [e.g. DSG]

The GOK is fully aware that, given their close association with land, forests, water, wild life and other natural resources, the physical relocation of indigenous peoples or other measures which reduce their access to livelihoods-related activities has complex implications and may entail significant adverse impacts. For these important reasons, the recommended options analysis will explore all possible options in the most participatory manner possible.

Finally, in compliance with the safeguard policy OP 7.50, the notification document has been issued to the riparian states of the White Nile, and will also be sent to the Nile Basin Council of Ministers and will be presented at the next Council annual meeting in March/April 2007.

5. Identify the key stakeholders and describe the mechanisms for consultation and disclosure on safeguard policies, with an emphasis on potentially affected people. Consultations have been carried out extensively with a wide range of stakeholders in Western Kenya and Central Province, and with a range of stakeholders at the central / national level for the ESMF, the RPF and the IPPF. In preparation of ESMF and RPF, consultation has been undertaken during (i) policy formation of the policy and legal reforms that the project will support, (ii) design studies that have contributed to the preparation of the projects, and (iii) associated with World Bank-led preparation missions.

The consulting team undertook a field visit to the project intervention areas in Western Province, Nyanza Province and Central Province and meet with District Officers, CBO representatives and other stakeholders including the local communities. Please refer to the Annexes A, B and D of the ESMF report for further detail in the stakeholder consultation process.

Similar meetings and consultation programs have been organized for the preparation of IPPF. To apply the well thought through inclusive approach of indigenous and vulnerable groups and ensure that all parties are involved in the process but most importantly to ensure ownership of the IP processes, the GoK organized a workshop to discuss and debate the findings of their consultant on IP issues and to arrive at an agreed upon way forward for the implementation of the recommendations. Please refer to the Annexes 2, 3, 4 and 5 of the IPPF report for further detail in the stakeholder consultation process.

B. Disclosure Requirements Date

Environmental Assessment/Audit/Management Plan/Other:

Date of receipt by the Bank	11/09/2006
Date of "in-country" disclosure	01/10/2007

Date of submission to InfoShop	01/10/2007
For category A projects, date of distributing the Executive Summary of the EA to the Executive Directors	
Resettlement Action Plan/Framework/Policy Process:	
Date of receipt by the Bank	11/09/2006
Date of "in-country" disclosure	01/10/2007
Date of submission to InfoShop	01/10/2007
Indigenous Peoples Plan/Planning Framework:	
Date of receipt by the Bank	12/11/2006
Date of "in-country" disclosure	01/10/2007
Date of submission to InfoShop	01/10/2007
* If the project triggers the Pest Management and/or Physical Cultural Resources, the respective issues are to be addressed and disclosed as part of the Environmental Assessment/Audit/or EMP.	
If in-country disclosure of any of the above documents is not expected, please explain why:	
n/a	

C. Compliance Monitoring Indicators at the Corporate Level (to be filled in when the ISDS is finalized by the project decision meeting)

OP/BP/GP 4.01 - Environment Assessment	
Does the project require a stand-alone EA (including EMP) report?	Yes
If yes, then did the Regional Environment Unit or Sector Manager (SM) review and approve the EA report?	Yes
Are the cost and the accountabilities for the EMP incorporated in the credit/loan?	Yes
OP/BP 4.04 - Natural Habitats	
Would the project result in any significant conversion or degradation of critical natural habitats?	No
If the project would result in significant conversion or degradation of other (non-critical) natural habitats, does the project include mitigation measures acceptable to the Bank?	N/A
OP/BP 4.11 - Physical Cultural Resources	
Does the EA include adequate measures related to cultural property?	Yes
Does the credit/loan incorporate mechanisms to mitigate the potential adverse impacts on cultural property?	Yes
OP/BP 4.10 - Indigenous Peoples	
Has a separate Indigenous Peoples Plan/Planning Framework (as appropriate) been prepared in consultation with affected Indigenous Peoples?	Yes
If yes, then did the Regional unit responsible for safeguards or Sector Manager review the plan?	Yes
If the whole project is designed to benefit IP, has the design been reviewed and approved by the Regional Social Development Unit or Sector Manager?	N/A
OP/BP 4.12 - Involuntary Resettlement	

Has a resettlement plan/abbreviated plan/policy framework/process framework (as appropriate) been prepared?	Yes
If yes, then did the Regional unit responsible for safeguards or Sector Manager review the plan?	Yes

OP/BP 4.36 - Forests

Has the sector-wide analysis of policy and institutional issues and constraints been carried out?	Yes
Does the project design include satisfactory measures to overcome these constraints?	Yes
Does the project finance commercial harvesting, and if so, does it include provisions for certification system?	N/A

OP 7.50 - Projects on International Waterways

Have the other riparians been notified of the project?	Yes
If the project falls under one of the exceptions to the notification requirement, has this been cleared with the Legal Department, and the memo to the RVP prepared and sent?	N/A
Has the RVP approved such an exception?	N/A

The World Bank Policy on Disclosure of Information

Have relevant safeguard policies documents been sent to the World Bank's Infoshop?	Yes
Have relevant documents been disclosed in-country in a public place in a form and language that are understandable and accessible to project-affected groups and local NGOs?	Yes

All Safeguard Policies

Have satisfactory calendar, budget and clear institutional responsibilities been prepared for the implementation of measures related to safeguard policies?	Yes
Have costs related to safeguard policy measures been included in the project cost?	Yes
Does the Monitoring and Evaluation system of the project include the monitoring of safeguard impacts and measures related to safeguard policies?	Yes
Have satisfactory implementation arrangements been agreed with the borrower and the same been adequately reflected in the project legal documents?	Yes

D. Approvals

<i>Signed and submitted by:</i>	<i>Name</i>	<i>Date</i>
Task Team Leader:	Ms Christine E. Cornelius	01/10/2007
Environmental Specialist:	Mr Serigne Omar Fye	01/10/2007
Social Development Specialist	Mr Paul A. Francis	01/10/2007
Additional Environmental and/or Social Development Specialist(s):		
<i>Approved by:</i>		
Regional Safeguards Coordinator:	Mr Warren Waters	01/10/2007
Comments:		
Sector Manager:	Ms Karen Mcconnell Brooks	01/10/2007
Comments:		