ATHI WATER SERVICES BOARD

INDEPENDENT COMMUNITY WATER SUPPLY ALONG THE NORTHERN COLLECTOR TUNNEL PHASE 1 TO THIKA DAM -- MURANGA WATER SUPPLY

Resettlement Action Plan Report

November 2014
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# ACRONYMS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIDS</td>
<td>Acquired Immune Deficiency Syndrome</td>
</tr>
<tr>
<td>AWSB</td>
<td>Athi Water Services Board</td>
</tr>
<tr>
<td>BoQ</td>
<td>Bills of quantity</td>
</tr>
<tr>
<td>DCC</td>
<td>Deputy County Commissioner</td>
</tr>
<tr>
<td>ECD</td>
<td>Early Childhood Development</td>
</tr>
<tr>
<td>EMCA</td>
<td>Environmental Management and Coordination Act</td>
</tr>
<tr>
<td>EMP</td>
<td>Environmental Management Plan</td>
</tr>
<tr>
<td>ESIA</td>
<td>Environmental and Social Impact Assessment</td>
</tr>
<tr>
<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
</tr>
<tr>
<td>KAWASCO</td>
<td>Kahuti Water and Sanitation Company</td>
</tr>
<tr>
<td>Km</td>
<td>Kilometres</td>
</tr>
<tr>
<td>Km²</td>
<td>Square Kilometres</td>
</tr>
<tr>
<td>Ksh</td>
<td>Kenya Shillings</td>
</tr>
<tr>
<td>LM</td>
<td>Lower Midland</td>
</tr>
<tr>
<td>m</td>
<td>Metres</td>
</tr>
<tr>
<td>m³</td>
<td>Cubic Metres</td>
</tr>
<tr>
<td>mm</td>
<td>Millimetres</td>
</tr>
<tr>
<td>M&amp;E</td>
<td>Monitoring and Evaluation</td>
</tr>
<tr>
<td>MUWASCO</td>
<td>Murang’a Water and Sewerage Company</td>
</tr>
<tr>
<td>MUSWASCO</td>
<td>Murang’a South Water and Sewerage Company</td>
</tr>
<tr>
<td>NEMA</td>
<td>National Environmental Management Authority</td>
</tr>
<tr>
<td>NGOs</td>
<td>Non-Governmental Organizations</td>
</tr>
<tr>
<td>°C</td>
<td>Degrees Celsius</td>
</tr>
<tr>
<td>OP</td>
<td>Operational Policy</td>
</tr>
<tr>
<td>PAPs</td>
<td>Project Affected Persons</td>
</tr>
<tr>
<td>RAP</td>
<td>Resettlement Action Plan</td>
</tr>
<tr>
<td>RAPIC</td>
<td>RAP Implementation Committee</td>
</tr>
<tr>
<td>RPF</td>
<td>Resettlement Policy Framework</td>
</tr>
<tr>
<td>TA</td>
<td>Tropical Alpine Zone</td>
</tr>
<tr>
<td>TWSB</td>
<td>Tana Water Services Board</td>
</tr>
<tr>
<td>UH</td>
<td>Upper Highlands</td>
</tr>
<tr>
<td>UM</td>
<td>Upper Midland</td>
</tr>
<tr>
<td>WaSSIP</td>
<td>Water and Sanitation Services Improvement Project</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

1. Introduction

Athi Water Services Board (AWSB) herein referred to as the Proponent in conjunction with Tana Water Services Board (TWSB), has proposed to improve the water supply in Muranga County through a project known as Independent Community Water Supply along the Northern Collector Tunnel Phase 1 to Thika Dam - Muranga Water Supply. This is part of AWSB strategy to address the water needs of the communities living along and downstream of the proposed Northern Collector Tunnel Phase 1. This will complement the efforts of TWSB in provision of water to these communities.

The Northern Collector Tunnel Phase 1 Project includes river diversion weir and related intake hydraulic structures at Maragua, Gikigie and Irati River as well as construction of river outlet at Githika River which will convey the additional water to Thika dam. The tunnel is approximately 11.8km long and of 3m finished internal diameter with an average depth of 100m. The tunnel will be within Kigumo and Kangema Sub-Counties in Muranga County. The objective of this project is to increase water supply in Nairobi County by 121,000m³/day.

The proposed Muranga Water Supply Project is one of the components under the Water and Sanitation Services Improvement Project (WaSSIP) funded by World Bank. The proposed Muranga Water Supply project is located within Muranga County in Kangema, Kiharu, Kandara, Kigumo and Muranga South Sub-Counties.

This Resettlement Action Plan (RAP) was triggered by the findings of the Environmental and Social Impact Assessment Study (ESIA) that determined that the project was going to cause some displacements. The World Bank Operational Policy 4.12 on Involuntary Resettlement also requires that a Resettlement Action Plan be undertaken for projects of such nature.

Project activities necessitating the RAP study

Resettlement has been necessitated by the proposed acquisition of a 6 meter pipeline corridor for construction of the water pipelines and land for Kiricuingu Treatment Plant. The RAP was conducted along the following pipelines:

- Rwathia – Mukangu Pipeline;
- Kiriciungu Pipeline; and
- Kayahwe – Kambirwa Pipeline.
Objectives of the study

The main objectives of this RAP were:

- Identification of Project Affected Persons (PAPs);
- Collection of qualitative and quantitative baseline socio-economic data of PAPs;
- Establishment of entitlements to PAPs;
- Collection of preferences for relocation / resettlement and compensation;

Identification of Project Affected Persons

A total of 461 asset owners with assets within the 6m wayleave and in the proposed Kiriciungu treatment plant are expected to be affected by the Murang’a Water Supply project.

Cut-off date

The cut-off date for eligibility for entitlement by PAPs was the date of last day of enumeration and valuation i.e. 10th November 2014 for Rwathia – Mukangu and Kiriciungu pipeline and 9th December 2015 for Kayahwe – Kambirwa pipeline.

Methodology

The following methods were used to carry out the RAP Study

- Public and stakeholder consultations;
- Census survey;
- Socio-economic survey;
- Land and Asset Valuation.

2. Project Description

The components to be constructed under this project include:

1. Muruka–Kenol-Makuyu Pipeline – 34Km
2. Mareira-Sabasaba-Muthithi Pipeline – 16.5Km
3. Kaharati-Iganjo Pipeline – 6.5Km
4. Rwathia - Mukangu pipeline – 27Km
5. Kayahwe – Kambirwa Pipeline – 12Km
6. Kahuti II Water Treatment Plant – 4,000m³/day
7. Kiriciungu Water Treatment Plant – 4,000m³/day
3. Policy and legal framework

The following policy frameworks were reviewed

- Land policy;

The following Legal framework

- Constitution of Kenya;
- The National Land Commissions Act 2012;
- The Land Act 2012;
- The Land Registration Act 2012;
- The Land and Environment Court Act 2011; and

4. Socio-economic baseline conditions

According to the census survey, 50.7% of the PAPs are female while 49.3% are male. About 93% of the affected persons are land owners, 4% are tenants and 3% are structure owners. For these PAP units, the most affected property is crops at 43.9%, land at 38.4% and trees at 16.6%. Others include residential structures and sanitation facilities.

Most of the PAPs have attained secondary and basic primary education and are therefore considered literate.

About 83.0% of the PAPs are in the informal employment while 17.0% are formally employed. The primary source of income for the PAPs at 79.2% is farming. Majority of the PAPs (90.2%) earn an income of less than Ksh 10,000 followed by those earning between Ksh 10,000 and Ksh 19,000 at 9.2%.

Land tenure in Kenya is classified into three categories, namely; – public land, community land and private land. The most common land tenure system in the project area is private holding at 92.3%, public land at 7.3% and 0.4% being community land.

5. Public consultations and participation

Public and stakeholder consultations were held during the scoping studies as shown in chapter 5. Some of the used raised were:

- That the water project is long overdue. More water should be provided to the community since they are currently using borehole water which is insufficient,
expensive and with high fluoride content;

- Would the water also be used for irrigation? They were informed that the water being provided was for drinking purposes only;
- They requested that the valuation exercise should be done well and compensation money released as soon as possible. They also suggested that the compensation money should be paid before commencement of construction works.
- The community complained that people use the pipeline wayleaves as footpaths which has led to insecurity as thieves take the advantage to steal properties from peoples’ homesteads. They were advised to fence off these areas to avoid these cases;
- The community suggested that the water service providers should immediately start doing the connections so that immediately the project is over, they can be supplied with water;
- The community wanted to know who will be responsible for compensation when pipes burst and destroy their properties. They were informed that this will be the responsibility of the water service providers;
- They also inquired on the ownership of the project after the completion phase. They were told that the project will be handed over to the respective water service providers;
- The youth should be considered for employment during the construction phase.

Disclosure of the RAP

Disclosure should be done by submitting a copy of the RAP Report in a form, manner, and language that is understandable to the PAPs. The Deputy County Commissioner officer is central in the disclosure process and his/her office will provide support during the disclosure process.

In addition this report proposes the following be disclosed to the household heads and their spouses only:

- Inventory of assets; and
- Proposed compensation figures

6. Impacts of the project

Some of the anticipated project impacts include:

- Loss of land;
- Loss of structures;
- Loss of crops, trees and vegetation cover; and
- Impact on public infrastructure.
**RAP Implementation Budget**

The total compensation budget is Ksh 35,764,082. Administrative Costs for Implementing the RAP should be made for the running of the various arms of the implementation committee.

7. Institutional arrangements for implementation

In the implementation of the RAP, a cross organizational approach will be adopted. This will be to ensure smooth implementation and division of roles in line with organizational mandate. Institutions identified and their respective mandates are as presented below:

<table>
<thead>
<tr>
<th>Institution</th>
<th>Department involved</th>
<th>Overall role in the implementation of RAP</th>
</tr>
</thead>
<tbody>
<tr>
<td>AWSB</td>
<td>• Community Development and Environmental Experts</td>
<td>• Payment of Cash compensation to PAPs;</td>
</tr>
<tr>
<td></td>
<td>• Company lawyer</td>
<td>• Check on the compliance of the procurement procedures in relation to</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Kenyan Laws;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Management and monitoring of payment of compensation;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Verification of ownership claims.</td>
</tr>
<tr>
<td>National Government Administration</td>
<td>• Deputy County Commissioner</td>
<td>• Initial verification of ownership claims at the village level in liaison</td>
</tr>
<tr>
<td></td>
<td>• Chief and Assistant Chiefs</td>
<td>with AWSB before confirmation by County Land Officials i.e. County</td>
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<tr>
<td></td>
<td></td>
<td>Lands Officer and County Surveyor;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Disclosure and Valuation of the Valuation report;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Facilitation of election of PAP representatives</td>
</tr>
<tr>
<td>The County Government</td>
<td>• County Minister for Lands</td>
<td>• Ensure that there is no further encroachment on the wayleave after the</td>
</tr>
<tr>
<td></td>
<td>• Physical Planner</td>
<td>cut-off date;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Help in verification of leasehold titles;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Co-ordinating and mobilizing identified departments at the County offices.</td>
</tr>
<tr>
<td>PAP Representatives</td>
<td>• PAP representative</td>
<td>• Collect views of the PAPS and present them to the RAPIC;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Help in confirmation of the asset inventory;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Debrief the PAPs on deliberations of the RAPIC;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Coordinate the payment of the compensation.</td>
</tr>
</tbody>
</table>
8. Monitoring and Evaluation

Both internal and external monitoring will be undertaken. The monitoring exercise will begin immediately after the sensitization of the PAPs until the end of the construction period. Towards the end of the project, a RAP expert will be procured to undertake external monitoring.

9. Conclusion

This study findings show that the proposed Murang’a Water Supply Project is likely to impact approximately 461 persons and as such, this RAP was prepared as a plan to mitigate the impacts of resettlement.

The study also proposes that collaboration between AWSB, National Government Administration and Murang’a County Government staff would be adequate to implement the proposals under this RAP.

The overall objective of the project is good and its positive impacts can be enhanced by ensuring that the identified PAPs are adequately compensated with the aim of improving their livelihoods or restoring their livelihoods to the pre-impact standards.
1.0 INTRODUCTION

1.1 Background of the Project

Athi Water Services Board (AWSB) herein referred to as the Proponent in conjunction with Tana Water Services Board (TWSB), has proposed to improve the water supply in Muranga County through a project known as Independent Community Water Supply along the Northern Collector Tunnel Phase 1 to Thika Dam - Muranga Water Supply. This is part of AWSB strategy to address the water needs of the communities living along and downstream of the proposed Northern Collector Tunnel Phase 1. This will complement the efforts of TWSB in provision of water to these communities.

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3. Kaharati-Iganjo Pipeline – 6.5Km
4. Rwathia - Mukangu pipeline – 27Km
5. Kayahwe – Kambirwa Pipeline – 12Km
6. Kahuti II Water Treatment Plant – 4,000m³/day
7. Kiriciiungu Water Treatment Plant – 4,000m³/day

This Resettlement Action Plan (RAP) was triggered by the findings of the Environmental and Social Impact Assessment Study (ESIA) that determined that the project was going to cause some displacements. The World Bank Operational Policy 4.12 on Involuntary Resettlement also requires that a Resettlement Action Plan be undertaken for projects of such nature.
1.2 Project Location

The proposed Muranga Water Supply project is located within Muranga County in Kangema, Kiharu, Kandara, Kigumo and Muranga South Sub-Counties. The administrative units covered by the project are shown in Table 1-1 below.

Table 1-1: Administrative units covered by the project

<table>
<thead>
<tr>
<th>Sub-County</th>
<th>Division</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kangema</td>
<td>Kanyenyaini</td>
<td>Kanyenyaini</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rwathia</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Muringaine</td>
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<tr>
<td></td>
<td></td>
<td>Muguru</td>
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<tr>
<td></td>
<td>Iyego</td>
<td>Iyego</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gacharaigü</td>
</tr>
<tr>
<td>Kiharu</td>
<td>Kahuro</td>
<td>Kahuhia</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Weithega</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gikindu</td>
</tr>
<tr>
<td>Kandara</td>
<td>Muruka</td>
<td>Muruka</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nguthuru</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gatitu</td>
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<tr>
<td></td>
<td>Ruchu</td>
<td>Githumu</td>
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<tr>
<td></td>
<td></td>
<td>Gituru</td>
</tr>
<tr>
<td>Muranga South</td>
<td>Makuyu</td>
<td>Makuyu</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Kamahuha</td>
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<tr>
<td>Kigumo</td>
<td>Kigumo</td>
<td>Muthithi</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Githima</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mariira</td>
</tr>
</tbody>
</table>

Figure 1-1 shows the location of Muranga County within Kenya while Figure 1-2 is a general map of Muranga County.
Figure 1-1: Location of Murang’a County within Kenya
Source: http://en.wikipedia.org/wiki/Muranga_County
Figure 1-2: Map of Muranga County  
*Source: Muranga County Website*

1.3 Project activities necessitating RAP study

Resettlement has been necessitated by the proposed acquisition of a pipeline corridor for construction of the water pipelines and land for Kiriciungu Treatment Plant. The RAP was conducted along the following pipelines:

- Rwathia – Mukangu Pipeline;
- Kiriciungu Pipeline; and
- Kayahwe – Kambirwa Pipeline.

The rest of the pipelines i.e. Muruka–Kenol-Makuyu Pipeline, Mareira-Sabasaba-Muthithi pipeline and Kaharati-Iganjo Pipeline will pass through road reserves therefore no RAP will be undertaken for these sections.

From the field survey, a total of 461 individual asset owners are to be affected by the proposed Murang’a Water Supply Project, 250 of these assets had their corresponding owners enumerated. The World Bank Involuntary Resettlement Policy states the following as a footnote to section 3.4.6 on policy requirements:
In addition to this numerical guidance, project planners and the Bank should also determine the “significance” of a project by evaluating the severity of adverse impacts on disadvantaged groups (for example, female-headed households, the poorest, isolated communities, including those without title to assets, and pastoralists). Any project that has adverse impacts on disadvantaged groups or ethnic, religious and linguistic minorities, or which affects the poorest and most marginalized communities who do not have the capacity to absorb such impacts, should be considered significant, requiring a full resettlement plan.

Based on the number of persons and the nature of affected assets, a Full Resettlement Action Plan (RAP) Report has been prepared for the project.

1.4 Objectives of the RAP Study

The main objectives of this RAP were:

- Identification of Project Affected Persons (PAPs);
- Collection of qualitative and quantitative baseline socio-economic data of PAPs;
- Establishment of entitlements to PAPs;
- Collection of preferences for relocation / resettlement and compensation;

1.5 Identification of Project Affected persons

A total of 461 asset owners with assets within the 6m wayleave and in the proposed Kiriciungu treatment plant are expected to be affected by the Murang’a Water Supply project. The PAPs are classified as either

- Land owners;
- Structure owners; and
- Tenants

1.6 Cut-off date

The cut-off date for eligibility for entitlement by PAPs was the date of last day of enumeration and valuation i.e. 10\textsuperscript{th} November 2014 for Rwathia – Mukangu and Kiriciungu pipeline and 9\textsuperscript{th} December 2015 for Kayahwe – Kambirwa pipeline. Persons who encroach on the area after the cut-off-date are not entitled to claim compensation or any other form of resettlement assistance. Fixed assets such as built structures or planted trees after this date will not be compensated. This date was communicated to the PAPs during the several public meetings held within the project area.
1.7 Methodology

1.7.1 Public and stakeholder consultations

Consultations with the communities were conducted in the project area with the help of the local administration especially the chiefs and assistant chiefs. The discussions during these public meetings were centered on key emerging issues relating to the project as well as the communities. Given the large size of the project area, a total of thirteen (13) meetings were held at location levels within the project area.

Minutes of meeting and attendance sheets are presented in Appendix 1 of this report.

1.7.2 Census survey

A Census was conducted from 18 October to 19 November 2014. The main aim of this exercise was to:

- Identify the Project Affected Persons (PAPs) living or practicing any activity within the wayleave due for construction of the pipeline;
- Identify property owned by each PAP;
- Collate information on preferred compensation modes by each PAP Unit.

During the census, enumerators from within the project area were trained and used for enumeration exercise. They were guided by a village elder who introduced them to the PAPs.

For cases where a PAP was not available for enumeration, the RAP team sought responses from the respondent left behind by the PAP or a member of the household above the age of 18 years. The enumerators went back to enumerate those who were not found during the census date.

1.7.3 Socio-economic baseline survey

(a) Household survey

In order to establish the current living conditions of the PAPs within the project area, household surveys were conducted, it involved primary data collection through administration of questionnaires.

The objectives of the household survey were as follows:
• To identify the PAPs in terms of the different entitlements in relation to land owners and asset owners;
• To prepare a socio-economic profile of PAPs;
• To assess incomes and identify productive activities;
• To identify possible vulnerable groups.

Data collected from the household survey included:

• Sources of income and occupation of the Project Affected Persons.
• Marital status of the PAPs and the number of household members who would be affected by the project.
• Levels of education of the household head and other members of the household.
• Employment status of PAPs.

(b) Key informant interviews

One-on-one interviews with county and national government agencies and institutions in the project area were undertaken i.e. from Kangema, Kiharu, Kandara, Kigumo and Murang’a South Sub-Counties. These interviews were conducted to augment and confirm data and information obtained using the other tools and methodologies.

The main objectives of the above exercise were to:

• Introduce the consultancy team and the scope of work;
• Obtain more information about the project area;
• Obtain views of the local area administration on the project;
• Collect baseline information from the project area;
• Organise for a public sensitization meeting.

(c) Data analysis

Microsoft Excel was used for data entry and analysis. Data collected from the household survey was triangulated with information from site surveys, observations by the sociologist and key informant interviews.

1.7.4 Land and Asset Valuation

The Land and asset survey was conducted from 18 October to 9 December 2014 to establish the land, structures, hedges, crops and trees of the PAPs that would be affected by the construction of the water project. The valuer was guided by respective
village elders or guides appointed by respective Chiefs.

Full Replacement Cost method was used to determine the value of the affected land, structures, houses, trees and crops and compared with recommended rates from the Ministry of Agriculture.
2.0 PROJECT DESCRIPTION

2.1 Introduction

The proposed Murang’a Water Supply Project involves the construction of the following components:

1. Kiriciungu Water Treatment Plant;
2. Kahuti II Water Treatment Plant;
3. Muruka–Kenol-Makuyu Pipeline;
4. Mareira-Sabasaba-Muthithi;
5. Kaharati-Iganjo Pipeline;
6. Rwathia - Mukangu pipeline; and

2.2 Proposed Interventions

2.2.1 Kiriciungu Treatment Works

The proposed treatment plant will be located in a 2 acre piece of land in Kiruga area, Kandara Sub-County. The treatment plant will be next to Kiriciungu River. This treatment plant will be constructed to improve the water quality to Kandara town/Ruchu location. The population to benefit from this intervention is 40,000 persons. There is an existing weir which was supplying raw water to residents. This means therefore that intake works will be retained and there will be no additional abstraction.

The construction of Kiriciungu Treatment Works involves:

- 3-No treated Water transmission pipeline approximately DN 160-300mm;
- Construction of 4000m³/day vertical water treatment plant each consisting of 6 no. sedimentation tanks, 4 no. Filter units, 150m³ clear water tank and 48m³ elevated backwash tank;
- Pump house/air blower room and Generator’s room;
- Chlorination building;
- Administration Building;
- Staff Houses;
- Sludge Drying Beds;
- Fencing of the treatment Work site and putting up a gate;
- Power mains supply and Electrical works;
- Ancillary works at the treatment works consisting of access roads, site drainage and
water supply; and
- Associated tie-in works to the existing distribution system

2.2.2 Kahuti Treatment Works

The proposed Kahuti treatment plant will be located near the banks of South Mathioya River. There is an existing treatment works including intake works at the proposed site. This project will therefore utilise the existing intake works. The construction of Kahuti Treatment Works involves:

- 1-No treated Water transmission pipeline approximately 12km of DN 160-300mm;
- Construction of 4000m³/day vertical water treatment plant each consisting of 6 no. sedimentation tanks, 4 no. Filter units parallel to the existing one;
- Ancillary works at the treatment works consisting of access roads, site drainage and water supply; and
- Associated tie-in works to the existing distribution system.

2.2.3 Muruka–Kenol-Makuyu Pipeline

This is an extension of the Kandara bulk water project and will serve Muruka Location, Kenol, Makuyu Location, Kabati Sub-location and Gitura Sub-location to serve a total of 124,000 people. The pipeline length is 34 km of 10 inch PVC pipes. The entire line is within the road reserve. Encroachment is minimal except in few places where there are fences, crops and temporary structures within centres.

2.2.4 Mareira-Sabasaba-Muthithi

This will involve extension of Kandara Bulk water pipeline from Mareira tank to Muthithi tank to enable Maragua Town, Kaharati and kahumbu locations receive water supply. A total of 46,000 people will benefit. The length of the pipeline is 16.5 km of 10” PVC pipes. The pipeline will be constructed along the road reserve from Mareira to Muthithi.

2.2.5 Kaharati-Iganjo Pipeline

This proposed pipeline starts at Kaharati through Kamahuha and terminates at Iganjo centre. It is expected to serve people of Kamahuha location. This will benefit 5,000 People. The pipeline length is 6.5kms of 8 inches uPVC pipes. It will also pass through the existing road reserves. The way leave is clear except for a few sections with maize plantations.
2.2.6 Rwathia - Mukangu pipeline

The proposed project comprises a supply line from Rwathia to Mukangu in Kangema sub-county. It will also have a branch at Gitweku to augment supply in Weithaga, Gitie, Kahuti and the surrounding areas. The line will start from the proposed Kahuti treatments work. Part of the pipeline will be located along South Mathioya River and part of it along the road. The topography of the area is steep and hilly with the main cash crop being tea. This pipeline along South Mathioya River will affect private farms which will require a Resettlement Action Plan (RAP).

2.2.7 Kayahwe – Kambirwa Pipeline

The Projects consist of construction of a 11km gravity system from Kayahwe to Kambirwa market and three main distribution lines, Kambirwa – Muthigiriri (9.8km), Kambirwa – (8.4km) and Kambirwa – Kambirwa (8.2km). It starts from the existing Kayahwe Treatments works and will be located along Kayahwe River and through peoples land crossing Murang’a-Kaharati road to Kambirwa market. The terrain of the area is rugged with shrubs. This pipeline will involve compensation as it will affect people’s lands and assets.

The population expected to benefit from this project is about 15,000 persons. The target area includes Kambirwa Market, Itaru-ini area (by Sagana River), Mirira and Muthigiriri Market.

Figure 2-1 shows the location of these components.
Figure 2-1: Map showing the location of the proposed projects
2.3 Construction Period

The works are estimated to be completed within a Construction period of 18 months with 12 months defect liability period during which the contractor is expected to maintain the system and carry out repair works which may occur to the satisfaction of the AWSB.

2.4 Project Cost

From the bill of quantities, the proposed Murang’a Water Supply is envisaged to cost Ksh 749,882,570.56. The breakdown is as shown in Table 2-1 below:

Table 2-1: Project Cost

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Amount (Ksh)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Preliminary and General</td>
<td>28,490,425.00</td>
</tr>
<tr>
<td>2</td>
<td>Dayworks</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Kiriciungu</td>
<td>320,745,394.30</td>
</tr>
<tr>
<td>4</td>
<td>Kahuti</td>
<td>332,475,608.48</td>
</tr>
<tr>
<td></td>
<td>Bill of Quantities Total</td>
<td>681,711,427.78</td>
</tr>
<tr>
<td></td>
<td>Contingencies 10% of Bill of Quantity Total</td>
<td>68,171,142.78</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>749,882,570.56</td>
</tr>
</tbody>
</table>
3.0 POLICY AND LEGAL FRAMEWORK

3.1 Policy Framework

3.1.1 Land policy

The principles stated in the policy, reflect a reaction to the emphasis over the last 50 years on individual ownership of land. It adopts the position that individual tenure and customary tenure should co-exist and benefit from equal guarantees of tenure security.

It reflects, especially in its discussion of the need for constitutional change, a conviction of the need for land reform, stressing that the current distribution of land is inequitable and arguing that the constitution should not protect private property rights that have been acquired in “an illegitimate manner.”

In Section 3.2, land policy is linked to constitutional reforms; regulation of property rights is vested in the government by the Constitution with powers to regulate how private land is used in order to protect the public interest. The Government exercises these powers through compulsory acquisition and development control. Compulsory acquisition is the power of the State to take over land owned privately for a public purpose. However, the Government must make prompt payment of compensation.

Section 3.6 under land issues requiring special intervention asserts that “Land rights of minority communities shall be protected through a law to be passed specifically to secure their rights as individuals and groups and recognition of their resource management systems to ensure sustainability.” It further states, “Land rights of vulnerable groups (namely subsistence farmers, pastoralists, hunters and gatherers, agricultural labourers, unskilled workers, unemployed youth, persons with disabilities, persons living with HIV and AIDS, orphans, slum and street dwellers and the aged.) shall be addressed by creating a system for identifying, monitoring and assessment, resettling them, facilitating their participation in decision making over land and land based resources, and protecting their land rights”.

Relevance:

This policy document will come in handy for areas where there will be need for compulsory land acquisition, the client will be required to compensate for the land as to acquire land from the respective owners after ascertaining the ownership of the land.

3.1.2 World Bank Operational Policy 4:12 Involuntary Resettlement

The World Bank safeguard policy on involuntary resettlement, Operational Policy (OP 4.12) establishes guidelines for land acquisition and compensation of people affected by the project. Key principles and policy objectives of OP 4:12 can be summarised as:
To minimise or avoid involuntary resettlement where feasible and to explore all viable alternative project designs;

To conceive and implement resettlement activities as sustainable development programs where affected people are provided with sufficient investment resources and opportunities to share in project benefits;

The above shall be carried out through consulting affected persons and let them have opportunities to participate in planning and execution of resettlement programs. This is to assist the Project affected persons (PAPs) where resettlement is necessary, to improve their livelihood and living standards, income earning capacity and production levels, or at least to restore them in a manner that maintains sustainability of resettlement programs.

The Compensation framework should be based on:

- For agricultural land, land of equal productive use or potential, prepared to a similar level and located in the vicinity of the affected land;
- For residential land, land of equal size and use, with similar infrastructure and services and located in the vicinity of affected land;
- For structures, full replacement cost to purchase or build new structures of a similar size and quality to affected houses and other affected structures;
- Subsidies to assist AP with costs associated with the transition period in the resettlement site e.g., moving costs, living allowance, business losses lost production etc.

Where agricultural land is not available, compensation is paid in cash at replacement costs based on market rates. All land compensation, whether paid in land or in cash, should include the cost of any registration or transfer taxes. For structures, the calculation of replacement costs should be based on non-depreciated market values; should include labour and contractors’ fees; and should be reduced by the value of salvage materials.

Resettlement programmes affect not only individuals and households who are displaced, but also members of existing host communities to which they are relocated. Displaced people should be socially and economically integrated into host communities; and, steps should be taken to minimise adverse impacts on host communities caused by influx of displaced households. Community participation involving displaced people and the host communities should be carried out throughout planning and implementation of resettlement programmes. Consultations should provide all affected people with comprehensive and timely information about their options and rights; and, effective opportunities to express needs and preferences make choices among acceptable alternatives and communicate concerns. Particular attention should be paid to the participation of vulnerable groups, namely the poor, elderly, women and children, indigenous groups and ethnic minorities.
Resettlement programmes should be built around development strategy that targets initiatives aimed at improving or at least restoring the economic base for those affected. In addition to the replacement of the effected assets, replacement programmes should consider requirements to assist affected people to restore living standards related to, among others: losses that cannot be easily evaluated or compensated in monetary terms, e.g., common pool resources, loss of customers; alternative non-farm economic and employment strategies where affected people do not receive sufficient land to continue farming; new economic activities made possible by the project; training, credit, extension services and other incentives to support alternative and new economic opportunities; and, the provision of infrastructure and services sufficient to meet direct and induced population growth at resettlement sites.

3.1.3 World Bank Guidelines on Involuntary Resettlement - Eligibility for benefits

World Bank set some criteria for eligibility of displaced persons in the following three groups are entitled to compensation for loss of land or other assets taken for project purposes:

- Those who have formal legal rights to land or other assets (including customary and traditional rights recognized under the law of the Country); and
- Those who do not have formal legal rights to land or other assets at the time census begins but have a claim to such legal rights, provided that such claims are recognized by the laws of the country or become recognized through a process identified in the resettlement plan. The absence of legal title to land or other assets is not, in itself, a bar to compensation for lost assets or other resettlement assistance. Displaced persons in these two groups are also entitled to compensation for loss of other assets such as structures and crops, and to other resettlement assistance.

A third group of displaced persons are those who have no recognizable legal right or claim to the land they are occupying are not entitled to compensation for loss of land under this policy. However they are entitled to resettlement assistance in lieu of compensation for land, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the Borrower and acceptable to the Bank. All such displaced persons are entitled to compensation for loss of assets other than land, in particular, structures and crops. Persons who encroaches the area after the above “cut-off” date are not entitled to compensation or other form of assistance.

Relevance:

The project is financed by World Bank which has set standards in dealing with project initiated resettlement. Therefore, the study was also guided by WB Involuntary Resettlement Policy OP 4.12.
3.2 Legal Framework

3.2.1 The Constitution of Kenya

The Constitution of Kenya categorises land as follows:

- Public Land;
- Community Land;
- Private Land.

The Constitution also provides that the National Land Commission shall recommend a National Land Policy to the National Government while Parliament shall revise and enact legislation to ensure implementation of the issues outlined in it.

Section 40 of the Constitution of Kenya recognizes and protects the right to private property including land. However, Section 40(3) (b) provides that the State may take possession of private land if this is necessary for public purpose or in public interests.

Section 40(3) of the Constitution allows for the deprivation of private property on condition that:

- results from an acquisition of land or an interest in land or a conversion of an interest in land, or title to land, in accordance with Chapter Five; or
- is for a public purpose or in the public interest and is carried out in accordance with this Constitution and any Act of Parliament that:
  - requires prompt payment in full, of just compensation to the person; and
  - allows any person who has an interest in, or right over, that property a right of access to a court of law.

_Relevance:_

This provision is a very important aspect in land management in that it is the instrument by which land is availed for various development needs including infrastructure. The detailed procedures for acquisition are elaborated under the Land Act, 2012.

3.2.2 The National Land Commissions Act 2012

This is an Act of Parliament to make further provision as to the functions and powers of the National Land Commission, qualifications, and procedures for appointments to the commission; to give effect to the objects and principles of devolved government in land management and administration, and for connected purposes.

The mandate of the Commission, as provided for in the Act, Pursuant to Article 67(2) of the Constitution, shall be:
To manage public land on behalf of the national and county governments;
To recommend a national land policy to the national government;
To advise the national government on a comprehensive programme for the registration of Title in land throughout Kenya;
To conduct research related to land and the use of natural resources, and make recommendations to appropriate authorities;
To initiate investigations, on its own initiative or on a complaint, into present or historical land injustices, and recommend appropriate redress;
To encourage the application of traditional dispute resolution mechanisms in land conflicts;
To assess tax on land and premiums on immovable property in any area designated by law; and
To monitor and have oversight responsibilities over land use planning throughout the country;
On behalf of, and with the consent of the national and county governments, alienate public land;
To monitor the registration of all rights and interests in land;
To ensure that public land and land under the management of designated state agencies are sustainably managed for their intended purpose and for future generations;
Develop and maintain an effective land information management system at national and county levels;
Manage and administer all unregistered trust land and unregistered community land on behalf of the county government; and
Develop and encourage alternative dispute resolution mechanisms in land dispute handling and management.

Relevance:

The National Land Commission will come in handy in cases of grievance solving mechanisms. It will also help to initiate investigations, on its own initiative or on a complaint, into present or historical land injustices that might relate to the project implementation.

The commission also monitors and has oversight responsibilities over land use planning throughout the country and will intervene should the proposed project go contrary to the land use plans.

3.2.3 The Land Act 2012

This is an Act of Parliament intended to give effect to Article 68 of the Constitution, to revise, consolidate and rationalize land laws; to provide for the sustainable administration and management of land and land based resources, and for connected purposes.
a) Principles and values to guide land management and administration

Parts 1 and 2 of section 4 of the Act outline the main guiding principles in land management and administration, binding to all land actors including state officers. These principles are to be applied when enacting, applying or interpreting any provisions of this Act; and when making or implementing public policy decisions. In discharging their functions and exercising of their powers under this Act, the Commission and any State officer or Public officer shall be guided by the following values and principles:

- Equitable access to land;
- Security of land rights;
- Sustainable and productive management of land resources;
- Transparent and cost effective administration of land;
- Conservation and protection of ecologically sensitive areas;
- Elimination of gender discrimination in law, customs and practices related to land and property in land;
- Encouragement of communities to settle land disputes through recognized local community initiatives;
- Participation, accountability and democratic decision making within communities, the public and the Government;
- Technical and financial sustainability;
- Affording equal opportunities to members of all ethnic groups;
- Non-discrimination and protection of the marginalized;
- Democracy, inclusiveness and participation of the people and
- Alternative dispute resolution mechanisms in land dispute handling and management.

b) Acquisition of Private Land for Public Use

Section 110 (1) of the Act provides that land may be acquired compulsorily under this if the Commission certifies, in writing, that the land is required for public purposes or in the public interest as related to and necessary for fulfilment of the stated public purpose.

In such an acquisition, this Act, in section 111(1) provides that just compensation shall be paid promptly in full to all persons whose interests in the land have been determined. The procedure for land acquisition is laid out in Part VIII of the Act. The procedure can be summarised as outlined in Figure 3-1 overleaf.

Elements for consideration under this procedure include the following:

- The Act requires that the owners, residents and their spouses should also be notified; as opposed to just the owners;
- The inspector would also have to get the consent of the occupier and give them
not less than seven days’ notice to enter the premises;

- The Commission shall have the power of a court to summon and examine witnesses and compel the production and delivery to the Commission of documents of title to the land;

- Separate award of compensation to every person. An award is final and conclusive evidence of the size of the land, the value in the opinion of the Commission and the amount of compensation payable, whether or not the person attends the inquiry;

- Regulations and rules pertaining to this process are yet to be gazetted;

- Section 107 (4) allows for circumstances where the acquiring authority may proceed with land acquisition at Stage 1;

- The Commission shall make rules to regulate assessment of just compensation;

- The Act does not explicitly state when the inspection will be done. Whether it is before approval of the request for compulsory acquisition or before serving the notice for acquisition.

- The Commission may postpone an inquiry or adjourn the hearing of an inquiry from time to time for sufficient cause.

c) Compensation in respect of public right of way

Section 149 of the lands act states that compensation shall be payable to any person for the use of land, of which the person is in lawful or actual occupation, as a communal right of way and, with respect to a wayleave. The compensation shall be for any damage suffered in respect to trees crops and buildings, in cases of private land, it will be based on the value of the land as determined by a qualified valuer.

The Act goes further to state that Compensation relating to a wayleave or communal right of way shall not be paid to a public body unless there is a demonstrable interference of the use of the land by that public body.

The act further states that, the duty to pay compensation payable under this section shall lie with the State Department, county government, public authority or corporate body that applied for the public right of way and that duty shall be complied with promptly.
Figure 3-1: Land Acquisition as per the Land Act 2012
3.2.4 Land Acts Repealed by the Land Act 2012

The following Acts were in effect in 2010 but have since been repealed through the Land Act 2012:

- The Wayleaves Act, Cap 292;
- The Land Acquisition Act, Cap 295

Relevance:

The new Land acts will therefore guide AWSB in the land acquisition process in line with the Kenyan legislation.

3.2.5 The Land Registration Act 2012

This is an Act of Parliament intended to revise, consolidate and rationalize the registration of titles to land, to give effect to the principles and objects of devolved government in land registration, and for connected purposes.

a) Land Registry

Section 7(1) of the Act provides for establishment of a land registry in each registration unit which shall keep registers of the following regarding land:

- A land register, in the form to be determined by the Commission;
- The cadastral map;
- Parcel files containing the instruments and documents that support subsisting entries in the land register.
- Any plans which shall, after a date appointed by the Commission, be georeferenced;
- The presentation book, in which shall be kept a record of all applications numbered consecutively in the order in which they are presented to the registry;
- An index, in alphabetical order, of the names of the proprietors; and
- A register and a file of powers of attorney.

b) Maintenance of documents, including land title deeds

Further, section 9 (1) provides that the Registrar shall maintain the register and any document required to be kept under this Act in a secure, accessible and reliable format. These documents include:

- Publications, or any matter written, expressed, or inscribed on any substance by means of letters, figures or marks, or by more than one of those means, that may be used for the purpose of recording that matter;
• Electronic files; and
• An integrated land resource register.

The register, as provided for in part 2 of section 9, shall contain the following particulars;

• Name, personal identification number, national identity card number, and address of the proprietor;
• In the case of a body corporate, name, postal and physical address, certified copy of certificate of incorporation, personal identification numbers and passport size photographs of persons authorized and where necessary attesting the affixing of the common seal;
• Names and addresses of the previous proprietors;
• Size, location, user and reference number of the parcel; and
• Any other particulars as the Registrar may, from time to time, determine.

Relevance:

These provisions are essential to the RAP as it is expected that the documentation for the affected land parcel will have to be updated in line with the laws of Kenya to show the changes due to the easement acquired by the AWSB.

3.2.6 The Land and Environment Court Act 2011

This is an Act of Parliament to give effect to Article 162 (2) (b) of the Constitution; to establish a superior court to hear and determine disputes relating to the environment and the use and occupation of, and title to, land, and to make provision for its jurisdiction functions and powers, and for connected purposes. The principal objective of this Act is to enable the Court to facilitate the just, expeditious, proportionate and accessible resolution of disputes governed by this Act.

Section 13 (2) (b) of the Act outlines that in exercise of its jurisdiction under Article 162 (2) (b) of the Constitution, the Court shall have power to hear and determine disputes relating to environment and land, including disputes:

• Relating to environmental planning and protection, trade, climate issues, land use planning, title, tenure, boundaries, rates, rents, valuations, mining, minerals and other natural resources;
• Relating to compulsory acquisition of land;
• Relating to land administration and management;
• Relating to public, private and community land and contracts, choses in action or other instruments granting any enforceable interests in land; and
• Any other dispute relating to environment and land.
Section 24 (2) also states that the Chief Justice shall make rules to regulate the practice and procedure, in tribunals and subordinate courts, for matters relating to land and environment.

However, the physical offices of this Court are yet to be established. As such, section 30 (1) states that all proceedings relating to the environment or to the use and occupation and title to land pending before any Court or local tribunal of competent jurisdiction shall continue to be heard and determined by the same court until the Environment and Land Court established under this Act comes into operation or as may be directed by the Chief Justice or the Chief Registrar.

Relevance:

In case of any disputes relating to compensation if not solved at the project level can be forwarded to the Land and Environment Court

3.3  Comparisons between Kenyan Law and WB Involuntary Resettlement Policy

Kenyan law allows for compensation for loss of land or assets to owners in the event of involuntary resettlement. The WB Policy on involuntary resettlement however has a wider criteria for eligibility of compensation to include “......those who have no recognisable legal right or claim to the land they are occupying...”

This report therefore recognises both asset owners and tenants regardless of the fact that they do not have any legally accepted instruments as per Kenyan Law.

There are similarities between key precepts of the World Bank Policy 4.12 and Kenyan legislation. The legislation recognizes the imperative need to offer compensation to those whose land is affected by government activities, such as compulsory acquisition where such land is envisaged to be used for the public good. The scope of coverage of Kenyan legislation and the World Bank Policy 4.12 differs as well.

The World Bank Safeguards favour a policy of avoidance or minimization of involuntary resettlement and recommends the design of appropriate mitigation provision in case avoidance or minimization is not possible.

The Kenya system recognizes only title holders as bonafide property owners while under WB OP 4.12, lack of legal title is no bar in extending assistance and support to those affected by the project development. To abide by the requirements of the WB OP 4.12 the proponent must take the provisions of this policy while undertaking the RAP.
4.0  SOCIO-ECONOMIC BASELINE CONDITIONS

4.1  Background

The project area covers five sub-counties within Murang’a County namely Kangema, Kiharu, Kandara, Kigumo and Murang’a South. The County has a total area of 2,558.8km² with a present population of approximately 942,581 people (2009 census). It is bordered to the North by Nyeri, to the South by Kiambu, to the West by Nyandarua and to the East by Kirinyaga, Embu and Machakos counties. It lies between latitudes 0° 34’ South and 107° South and Longitudes 36° East and 37° 27’ East.

4.2  Administrative units and population

Population distribution in the sub-counties covered by the project is shown in Table 4-1 below. The project area is mainly inhabited by the Kikuyu community, with small traces of other communities found mainly in the towns and trading centers within the county.

<table>
<thead>
<tr>
<th>Sub-County</th>
<th>Males</th>
<th>Females</th>
<th>Total</th>
<th>Households</th>
<th>Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kangema</td>
<td>36,906</td>
<td>40,082</td>
<td>76,988</td>
<td>21,814</td>
<td>443</td>
</tr>
<tr>
<td>Kiharu</td>
<td>45,985</td>
<td>48,058</td>
<td>94,043</td>
<td>26,812</td>
<td>389</td>
</tr>
<tr>
<td>Kandara</td>
<td>75,836</td>
<td>80,827</td>
<td>156,663</td>
<td>41,234</td>
<td>664</td>
</tr>
<tr>
<td>Murang’a South</td>
<td>48,326</td>
<td>49,710</td>
<td>98,036</td>
<td>25,562</td>
<td>292</td>
</tr>
<tr>
<td>Kigumo</td>
<td>39,246</td>
<td>41,515</td>
<td>80,761</td>
<td>21,968</td>
<td>467</td>
</tr>
<tr>
<td>Total</td>
<td>246,299</td>
<td>260,192</td>
<td>506,491</td>
<td>137,390</td>
<td>2,255</td>
</tr>
</tbody>
</table>

Source: 2009 Kenya population and Housing Census

From the census survey, 50.7% of the PAPs are female while 49.3% are male. The study revealed that 18.4% of the PAPs fall within the age bracket of 41 to 50 years while a majority i.e. 51.7% falls within the age bracket of 11 to 40 years (see Figure 4-1). Those within the ages of 20 to 40 years are considered to be comprised of persons of high productivity and can be available to offer labour during the construction phase of this project.
Figure 4-1: Age of the PAPs

4.2.1 PAP Unit

From the census survey, 93% of the affected persons are land owners, 4% are tenants and 3% are structure owners. This is as shown in Figure 4-2 below.

Figure 4-2: PAP Unit

For these PAP units, the most affected property is crops at 43.9%, land at 38.4% and trees at 16.6%. Others include residential structures and sanitation facilities (see Figure 4-3).
4.2.2 Marital Status

From the census survey, 54.2% of the PAPs were married while 38.8% were single.

Figure 4-4: Marital Status of PAPs

4.2.3 Religion

In Murang’a Country, Christianity is the largest religion at 82.5% where 47.4% are Protestants, 23.3% are Catholics and about 11% Muslims. From the census survey, approximately 72.0% of the PAPs are Protestants and 26.2% are Catholics as shown in Figure 4-5. Only 1.3% are Muslims.
Figure 4-5: Religion

4.2.4 Education

Murang’a County has 1080 Early Childhood Development (ECD) centres with total enrolment of 31,944 pupils and 1,127 teachers. The teacher/pupil ratio is 1:28. The county has 634 primary schools, 6,324 teachers, total enrolment of 214,986 and a transition rate of 70%. The teacher/pupil ratio is 1:34. From the socio-economic survey undertaken during the ESIA study, most primary schools are 1 to 1.4km away from the homesteads which is a reasonable distance for most of the pupils. Figure 4-6 shows how the respondents responded to the question on the distance to the nearest primary school.

Figure 4-6: Distance to the nearest primary school
The county has 292 secondary schools, 3,206 teachers and a total enrolment of 84,874 students. This represents a gross enrolment of 71.04%. The county has one university (Murang’a University College), one science and technology institute (Michuki Technical Training Institute), forty eight youth polytechnics, three accredited colleges and four non accredited colleges. All these are middle level institutions where the youth who don’t get opportunities to join the universities go and get skills suitable for the labour market.

The county’s literacy level stands at 70.1%, where literacy level for male is 73.9% and female is 66.7%. This implies most of the county population can make informed decisions on matters affecting their socio-economic livelihoods.

From the census survey, 51.3% of the PAPs had attained secondary level education while 41.3% had attained primary level of education translating to a high literacy levels among the PAPs. See Figure 4-7.

![Figure 4-7: Highest education level](image)

4.2.5 Income and expenditure

About 83.0% of the PAPs are in the informal employment while 17.0% are formally employed. The primary source of income for the PAPs at 79.2% is farming; this is followed by salaried employment at 11.6% then trading and farm labour at 4.6% and 4.1% respectively. Construction work accounts for 0.5% only (Figure 4-8).
Figure 4-8: Primary income sources

Majority of the PAPs (90.2%) earn an income of less than Ksh 10,000 followed by those earning between Ksh 10,000 and Ksh 19,000 at 9.2% (Figure 4-9). This shows that the income levels in the area are generally low.

Figure 4-9: Monthly income

According to the Welfare Monitoring Survey of 1997, people living below poverty line in Murang’a were about 39% of the total population. The hardest hit groups are the women, unemployed youth, widows and orphans, neglected retired old people, the street children and those living in marginal areas of the County.
4.2.6 Housing

Characteristics of housing for the community was assessed in terms of roofing, walls and floor to determine the quality of housing available for the use within the community. The results are as shown in Table 4-2.

Table 4-2: Housing conditions

<table>
<thead>
<tr>
<th>Roofing</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thatched</td>
<td>0.8%</td>
</tr>
<tr>
<td>Corrugated Iron Sheets</td>
<td>95.8%</td>
</tr>
<tr>
<td>Tiles</td>
<td>0.2%</td>
</tr>
<tr>
<td>Other</td>
<td>0.2%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Walls</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mud</td>
<td>12.1%</td>
</tr>
<tr>
<td>Stone</td>
<td>47.1%</td>
</tr>
<tr>
<td>wooden</td>
<td>6.0%</td>
</tr>
<tr>
<td>iron sheets</td>
<td>10.0%</td>
</tr>
<tr>
<td>Bricks</td>
<td>11.5%</td>
</tr>
<tr>
<td>Other</td>
<td>6.7%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Floor</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Earth</td>
<td>32.9%</td>
</tr>
<tr>
<td>Cement</td>
<td>62.7%</td>
</tr>
<tr>
<td>Wooden</td>
<td>0.2%</td>
</tr>
<tr>
<td>Other</td>
<td>4.2%</td>
</tr>
</tbody>
</table>

4.2.7 Sources of energy for lighting and cooking

The main source of energy for cooking available as per Table 4-3 is firewood with a percentage of 81.1% which is locally available, 11.1% charcoal, 4% Liquid Petroleum Gas (LPG), 2.45 and electric cooker at 1.4% which is the least source of energy used by the respondents.

The main source of energy for lighting at a percentage of 56% used by most of the respondent is kerosene which is bought from local vendors, this followed by electricity at a 34.4%. The least used source of energy for lighting by the respondents at a 2.9% is LPG Lamp.

From the analysis, it’s evident that the residents within Murang’a County use electricity, kerosene and firewood as the most popular sources of energy for lighting and cooking respectively, this implies that more money is spent as the energy alternative above are expensive, this leaves the residents with limited resources to use for water and other family needs.
Table 4-3: Sources of energy for cooking and lighting

<table>
<thead>
<tr>
<th>Source of Energy for Cooking</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firewood</td>
<td>81.1%</td>
</tr>
<tr>
<td>Charcoal</td>
<td>11.1%</td>
</tr>
<tr>
<td>electric cooker</td>
<td>1.4%</td>
</tr>
<tr>
<td>Kerosene</td>
<td>2.4%</td>
</tr>
<tr>
<td>Liquid Petroleum Gas (LPG)</td>
<td>4.0%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Source of Energy for Lighting</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Battery Lamp</td>
<td>4.8%</td>
</tr>
<tr>
<td>Kerosene Lamp</td>
<td>56.0%</td>
</tr>
<tr>
<td>Solar</td>
<td>2.9%</td>
</tr>
<tr>
<td>LPG Lamp</td>
<td>1.9%</td>
</tr>
<tr>
<td>Electricity</td>
<td>34.4%</td>
</tr>
</tbody>
</table>

4.2.8 Access to water

The study established that a significant number (30.1%) of the community members source their water from rivers, followed by 29.5% who have piped water system to their homesteads. This is supplemented by rainwater catchment which accounted for 22.8% of community’s water source as indicated in Figure 4-10.

![Figure 4-10: Sources of drinking water](image)

A majority (62.2%) of the community members take less than 30 minutes to and from water points with another 31.8% taking between 30 minutes and 1 hour. Only 6% of those surveyed taking more than one hour.

Figure 4-11 below shows that 36.0% of the respondents use approximately 101 to 160 liters of water per day followed by 81 to 100 liters per day at 28.3%.
When asked about the method of water treatment, 47.3% boil, 7.3% let it stand and settle while 5.5% use chlorine/bleach. A further 39.9% do nothing (see Table 4-4).

Table 4-4: Mode of water treatment

<table>
<thead>
<tr>
<th>Water treatment method</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Treatment</td>
<td>39.9%</td>
</tr>
<tr>
<td>Boiling</td>
<td>47.3%</td>
</tr>
<tr>
<td>Use of Bleach /Chlorine</td>
<td>5.5%</td>
</tr>
<tr>
<td>Let it stand and settle</td>
<td>7.3%</td>
</tr>
</tbody>
</table>

4.2.9 Toilet facilities

About 96.5% of the persons in the project area use pit latrines. This is followed by the usage in flush toilets accounting for 3.5% of the surveyed population. The figure of persons having access to sanitation facilities is higher than the national average of 87.8 per cent.

4.2.10 Health

Murang’a County has about 271 health facilities which include 112 centers run by government, 125 that are privately owned and 31 run by faith based organizations. A few centers are managed by community based organizations. The most prevalent diseases are Malaria, Respiratory Tract Infections and Water Borne diseases. Table 4-5 provides a summary of some of the health indicators of Murang’a.
Table 4-5: Health Indicators – Murang’a District

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crude Birth Rate (CBR)</td>
<td>26/1,000</td>
</tr>
<tr>
<td>Crude Death Rate (CDR)</td>
<td>9/1,000</td>
</tr>
<tr>
<td>Life Expectancy</td>
<td>55 years</td>
</tr>
<tr>
<td>Infant Mortality Rate (IMR)</td>
<td>29/1000</td>
</tr>
<tr>
<td>Under 5 Mortality Rate</td>
<td>69/1000</td>
</tr>
<tr>
<td>Total Fertility Rate</td>
<td>5.1</td>
</tr>
<tr>
<td>HIV Prevalence Rate</td>
<td>17%</td>
</tr>
<tr>
<td>Doctor/Patient Ratio</td>
<td>1:30,000</td>
</tr>
</tbody>
</table>

Source: Murang’a District Strategic Plan 2005 – 2010

Figure 4-12 shows the responses to illnesses suffered by the respondents and their families during the last four month period prior to the survey. Common cold was the most frequently made complaint accounting for about 54.0% of all cases. This was followed by Malaria at 24.9% then skin infections at 5.3%. Others included diarrhea, worms, tuberculosis and eye infections.

![Image of a bar chart showing the percentage of different illnesses in the past 4 months. Common Cold is the most frequent illness at 54.0%, followed by Malaria at 24.9%, Skin Infections at 5.3%, Diarrhoeal Disease at 3.6%, Eye Infections at 0.5%, Worms in Stool at 0.8%, and Other at 1.8%.]

Figure 4-12: Main illnesses suffered from in the past 4 months

Most of the respondents seek health services from health centres (80.64%) followed by district hospitals (17.9%) and finally private dispensaries (1.5%). Majority of these facilities are located more than 2km away from the residents as depicted in Figure 4-13.
Figure 4-13: Distance from the homestead to health service provider

About 68% of the respondents take between 30 minutes to 1 hour to reach a health service provider while walking. The rest at 16% each take less than 30 minutes and more than 1 hour respectively as per Figure 4-14. The transport means is mostly the respondents own at 61.8%, through public or hired transport (38%) or through help from neighbours (0.2%).

Figure 4-14: Time to the health service provider

4.2.11 Land tenure and ownership

Land tenure in Kenya is classified into three categories, namely; – public land, community land and private land. Figure 4-15 below shows that the most common land tenure system in the project area is private holding at 92.3%, public land at 7.3% and 0.4% being community land.
Figure 4-15: Category of land tenure

Respondents were asked whether they were the owners of land where they reside. 97.9% of the respondents own land where they reside. Land tenants were notably few at 1.7% while squatters were 0.4%. Majority of the respondents at 78% had the intention of subdividing the land in future while 22% did not.

4.2.12 Land use

The Project area has a wide land use because of its wide Agro Ecological Zone range; from Tropical Alpine Zone (TA) on the highlands to LM4 (see Table 4-6 below) on the low lands. The forests occupy the highest grounds while cash crops like tea, coffee and macadamia follow the forests in that order. Horticultural crops and subsistence crops like maize and beans are found in the mid and lower zones of the project study area.

Table 4-6: Existing land use within the proposed project study area

<table>
<thead>
<tr>
<th>Agro-ecological Zone</th>
<th>Current land use</th>
</tr>
</thead>
<tbody>
<tr>
<td>TA</td>
<td>Tropical alpine</td>
</tr>
<tr>
<td>UHO</td>
<td>Forest Zone</td>
</tr>
<tr>
<td>UH1</td>
<td>Carrots, Cabbage, Maize, Pears, Plums</td>
</tr>
<tr>
<td>LH1</td>
<td>Tea, Dairy, I. potatoes, Cut flower</td>
</tr>
<tr>
<td>UM1</td>
<td>Tea, Coffee, Dairy, Maize, Beans, Poultry, potatoes</td>
</tr>
<tr>
<td>UM2</td>
<td>Coffee-main, Dairy, Maize, Macadamia, Bananas, Poultry, Avocado, Cut flower.</td>
</tr>
<tr>
<td>UM3</td>
<td>Coffee (marginal), Bananas, Maize, Beans, Mangoes, French beans, Tomatoes.</td>
</tr>
<tr>
<td>UM4</td>
<td>Maize, Beans, Sunflower, Mangoes, Asian Vegetables.</td>
</tr>
<tr>
<td>LM3</td>
<td>Maize, Beans, Cotton, Mangoes.</td>
</tr>
<tr>
<td>LM4</td>
<td>Cotton (marginal), Maize, Beans</td>
</tr>
</tbody>
</table>
Drylands in the proposed Project study area are basically semi-arid areas. These are in the Agro-ecological Zone IV. Most of the crops grown here are the drought resistant or varieties that are early maturing. Some horticulture farming is practiced along riverbeds while mangoes are becoming the preferred fruit tree. Uncontrolled sand harvesting and quarrying is rampant in these lands and are causing a negative impact in environmental conservation. Table 4-7 below shows the land use type in drylands.

Table 4-7: Land use systems in drylands

<table>
<thead>
<tr>
<th>Ecological Zone</th>
<th>Land tenure</th>
<th>Land use type</th>
</tr>
</thead>
<tbody>
<tr>
<td>LM4</td>
<td>Private ownership</td>
<td>Maize, beans, pigeon peas, cassava, sweet potatoes, yams, mangoes, bush land and mining.</td>
</tr>
</tbody>
</table>

From the socio-economic survey, the most crops grown in the area is maize (31.4%) followed by bananas at 28.4%. Other crops are as shown in Figure 4.16. About 64.3% of the respondents believe that the food they produce is enough, 34.5% think that it’s not enough while 1.4% think that it’s more than enough. The source of market for their produce is mostly the nearest market centers, use of middlemen or cooperative societies.

![Types of crops grown](image)

Figure 4-16: Types of agricultural crops produced in the last season
4.2.13 Livestock inventory

The respondents were asked what type of livestock they keep. About 32.9% said that they keep cows, 26.5% said that they keep poultry and 23.1% said that they keep goats. Other livestock that were mentioned as shown in Figure 4-17 include calves, bulls, sheep, pigs, rabbits, bees and oxen.

![Type of livestock kept](image)

**Figure 4-17: Type of livestock kept**

The reasons for keeping these animals especially cattle and goats/sheep were for milk, manure and meat production and (see Table 4-8).

<table>
<thead>
<tr>
<th>Cattle</th>
<th>Percentage</th>
<th>Sheep/Goat</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meat production</td>
<td>18.2%</td>
<td>Meat production</td>
<td>27.6%</td>
</tr>
<tr>
<td>Milk Production</td>
<td>36.8%</td>
<td>Milk Production</td>
<td>24.0%</td>
</tr>
<tr>
<td>Manure production</td>
<td>38.1%</td>
<td>Manure production</td>
<td>36.8%</td>
</tr>
<tr>
<td>Savings</td>
<td>6.8%</td>
<td>Savings</td>
<td>11.6%</td>
</tr>
<tr>
<td>Draught power</td>
<td>0.1%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
<td></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

4.3 Perceptions and support of the Proposed Project

During the socio-economic survey exercise, a question on the community’s awareness and perception of the proposed project was asked. About 59.1% of the persons within the project area noted that they were aware of the proposed project while 40.9% were not aware.
Of the surveyed population who noted that they were aware of the project, 62.1% got the information from government officials while 22.1% got the information from their friends and neighbours. Another 13.5% got their information from the ESIA and RAP exercise and 1.4% from the media. This is as presented in Figure 4-18 below.

![Source of awareness]

Figure 4-18: Source of awareness

About 97.1% of members of the community support the project while only 2.9% of the community does not support the project.

4.4 Problems affecting people in the area

The community gave the general problems which are facing them and according to the survey, their biggest challenge is access to water at 31.6%. Other problems as shown in Figure 4-19 include youth unemployment, infrastructure, inadequate land, insecurity, inadequate health facilities, inadequate schools and floods.
Current Problems

- Floods: 0.5%
- Inadequate schools: 0.2%
- Inadequate health facilities: 3.1%
- Inadequate land: 12.3%
- Infrastructure: 17.2%
- Youth Unemployment: 26.4%
- Water: 31.6%
- Insecurity: 8.7%

Figure 4-19: Problems affecting people in the area
5.0 PUBLIC CONSULTATIONS AND PARTICIPATION

5.1 Background

Public consultation in the RAP process is undertaken to disseminate information to interested and affected parties (stakeholders), solicit their views and consult on resettlement and compensation issues.

The provisions in WB OP 4.12 requiring consultation and disclosure have equivalents in Kenyan Constitution but the WB procedures are more stringent therefore the RAP shall adhere to the WB operational policy OP 4.12.

For disclosure, the WB policy on Involuntary Resettlement (OP 4.12) recommends the following:

- Condition of appraisal: borrower provides the Bank with (acceptable) draft Resettlement Action Plan (RAP) or Resettlement Policy Framework (RPF) and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them.”
- Bank discloses draft RAP/RPF in Infoshop;
- After final RAP/RPF approved by Bank, both Bank and Borrower disclose again in same way.

5.1.1 Objectives of the Public Consultations

The specific objectives of the consultation process under this RAP were to:

- Make the resettlement process participatory and transparent;
- Facilitate the development of appropriate and acceptable entitlement options;
- Increase the effectiveness and sustainability of income restoration strategies, and improve coping mechanisms.
- Minimise the risk of poor co-ordination by all affected institutions through establishment of communication channels as early as the RAP Study phase;
- Providing a platform for future consultation by:
  - Reducing conflict through early identification of contentious issues;
  - Improving transparency and accountability of decision making;
  - Facilitating participation to increase public confidence in the RAP process;
  - Identifying local leaders with who further dialogue can be continued in subsequent stages of the project.
5.2 Stakeholder engagement

In summary, public and stakeholder engagement was done through:

- Key informant interviews; and
- Public meetings

5.2.1 Key informant interviews

Key informant interviews were held with several Sub-County heads within Kangema, Kiharu, Kandara, Kigumo and Murang’a South Sub-Counties. A summary of the discussions are as shown in Table 5-1 below. The consultation list is as shown in Appendix 2.

Table 5-1: Summary of discussions with key stakeholders within Murang’a County

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Comments</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Kandara Sub-County</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J.K. Nyamumbo Sese</td>
<td>Deputy County Commissioner (DCC)</td>
<td>- Provide a main pipeline and leave distribution to peoples homesteads to be run by community based water service providers;</td>
<td>- As per the Water act 2002, the provision of water services is done by the local Water Service Providers.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Emphasized that the water to be supplied should be treated thoroughly as the current water is turbid and unfit for consumption;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- People running the CDF funded projects to be given a layout plan of the pipeline for better planning in laying of distribution pipelines to peoples homesteads;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Requested for rehabilitation of the current existent pipelines in the area.</td>
<td></td>
</tr>
<tr>
<td>2. Lydia W. Mwangi</td>
<td>District Agriculture Officer (D.A.O)</td>
<td>- Expressed concern on challenges faced by Murang’a South Water and Sanitation Company (MUSWASCO) in water supply in the area, she proposed more facilitation of service providers to ensure sustainability of the water supply service;</td>
<td>- The Water Company will be involved during the construction phase of the project to ensure smooth transition.</td>
</tr>
<tr>
<td>Name</td>
<td>Title</td>
<td>Comments</td>
<td>Response</td>
</tr>
<tr>
<td>----------------------</td>
<td>------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>3. Beatrice Gicheha</td>
<td>Sub county administrator</td>
<td>-Fully supports the project as long as the people of Kandara sub-County are getting water for consumption.</td>
<td></td>
</tr>
<tr>
<td>4. P. M. Munyambu</td>
<td>Sub county water officer</td>
<td>-Fully supports the project especially the construction of the Kiriciungu treatment plant as the water currently being provided to the people is turbid and unsafe for drinking; -Requested for rehabilitation of pipeline network currently existent in Kandara; -Focus to be given generally in all parts not only in Kenol and Makuyu.</td>
<td>-The request may be considered in the future. -A pipeline from Muruka through Kenol to Makuyu will be constructed under this project.</td>
</tr>
<tr>
<td>5. D. K. Waweru</td>
<td>Sub county fisheries officer</td>
<td>-Fully supports the project as the water being supplied currently is inadequate to meet the needs of the people; -Public has been informed that there's a lot of water especially around Ngararia but they don't know where the water goes to as there's inconsistency in water supply.</td>
<td>-The proposed project will increase water distribution within the County which was lacking before. This will ensure that the locals can easily get connected.</td>
</tr>
<tr>
<td>6. George Karuru</td>
<td>Sub-County Public Health Officer</td>
<td>-Gave the most common diseases in the sub-county i.e. URTI, UTI, skin diseases, diarrhea and eye infections.</td>
<td>-The project will decrease incidences of water borne diseases as the water supplied will be safe for drinking.</td>
</tr>
<tr>
<td>7. Julius Mungai</td>
<td>Technical manager: MUSWASCO</td>
<td>-Proposed changes to the Kaharati-Iganjo line that it should pass through Sabasaba</td>
<td>-The Sabasaba area will be served by the Mareira-Muthithi line.</td>
</tr>
<tr>
<td>Name</td>
<td>Title</td>
<td>Comments</td>
<td>Response</td>
</tr>
<tr>
<td>-----------------------</td>
<td>--------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>8. John Macharia</td>
<td>Engineering Assistant: MUSWASCO</td>
<td>as it would best serve the people there who have very little water; -Were not aware of the project plans of the Mareira-Muthithi line; -Wondered whether the board will use new lines or rehabilitate the old ones; -They need the project scope plans for better planning; -AWSB could offer assistance in the funding of distribution pipelines because their funds are currently low; -Muruka-Kenol-Makuyu line should at least be extended to reach Makuyu town; -Fully supports the project and it would be good as it goes according to the proposed plan and are pleased with the way AWSB started off with the project.</td>
<td>Mareira-Muthithi line is part of the Murang’a water supply project -The board will construct new lines. -The Water Company will be involved fully during the construction phase of the project. -The line has been designed to terminate at Makuyu.</td>
</tr>
<tr>
<td>2. Murang’a South Sub-County</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Wesley Koech</td>
<td>DCC</td>
<td>-Fully supports the project as it will increase water supply in many areas especially in growing towns such as Kenol where water is mostly salty; -Proposed for more facilitation of water supply service providers to ensure efficiency.</td>
<td>-The request may be considered in the future.</td>
</tr>
<tr>
<td>2. Benson Muhia</td>
<td>Sub county administrator</td>
<td>-Fully supports the project as long as the people of his district get safe water for drinking; -Suggested that after the proposed project has been successful sewers should be constructed in Kenol.</td>
<td>-This is a good proposed and it will be raised with Tana Water Services Board for consideration.</td>
</tr>
<tr>
<td>3. John K. Mwangi</td>
<td>Sub county fisheries officer</td>
<td>-Supports the project as it is a good idea to give back to the</td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Title</td>
<td>Comments</td>
<td>Response</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>4. Saamuel M. Rwigi</td>
<td>Sub county water officer</td>
<td>- Proposed change of the Kaharati-Iganjo line to pass through Sabasaba as the people there are in desperate need of the water due to its inadequacy; - Muruka-Kenol-Makuyu line to be extended to serve people of Karimiri, Murang’a TCC, Ciombo and finally towards Kabiti and Makuyu town; - Fully supports the project and requests for the layout plan for better planning on his side.</td>
<td>- The Sabasaba area will be served by the Mareira-Muthithi line. - The line has been designed to terminate at Makuyu. Extensions can be done by the Water Service Providers in future.</td>
</tr>
<tr>
<td>3. Kigumo Sub-County</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Mr. Langat</td>
<td>Assistant County Commissioner</td>
<td>- Fully supports the project as it will improve the livelihoods of the people; - Pledges to fully support the project to ensure its successful completion.</td>
<td></td>
</tr>
<tr>
<td>2. Fredrick K. Munyua</td>
<td>Sub county administrator</td>
<td>- Fully supports the project; - Inquired whether the pipelines will reach Sabasaba as there’s none there; - Involve the County government and Community based organizations in the project as they could partner up in laying of pipelines to people’s homesteads.</td>
<td>- The Sabasaba area will be served by the Mareira-Muthithi line. - The County Government is fully aware of the project and is in support of the project. - As per the Water act 2002, the provision of water services is done by the local Water Service Providers - The local communities will be informed in laying of pipes since this will create employment for the locals.</td>
</tr>
<tr>
<td>3. David N. Gichoni</td>
<td>Sub county water officer</td>
<td>- Suggested that the line should also pass through Sabasaba as the area is</td>
<td>- The Sabasaba area will be served by the Mareira-Muthithi line.</td>
</tr>
<tr>
<td>Name</td>
<td>Title</td>
<td>Comments</td>
<td>Response</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>currently receiving very little water as compared to other places;</td>
<td>-Major areas in Kigumo haven’t been covered especially Kahumba which is the driest part in Kigumo; -Doesn’t see the importance of distributing water into the Muthithi tank instead that water should be taken to Sabasaba.</td>
<td>-This will be considered in future. -This line is being layed to ensure to ensure that the people of Sabasaba get access to clean water.</td>
<td></td>
</tr>
<tr>
<td>4.John N. Ndurung'o</td>
<td>Sub county fisheries officer</td>
<td>-Fully supports the project; -Requested for integration of water supply with aquaculture as the water from aquaculture is used in people’s farms as fertilizer; -Requests for supply of water for a hatchery of catfish because most farmers are switching from tilapia to catfish.</td>
<td>-The current project is being done to meet the demands for domestic use.</td>
</tr>
<tr>
<td>5.Rewel M Kariuki</td>
<td>Sub-County Health Research Informative Officer</td>
<td>-Gave the most common diseases in the sub-county i.e. URTI, UTI, skin diseases, diarrhea, eye infections and accidents inclusive of injuries; -He gave a website where all the disease prevalence's in the county are posted (<a href="http://www.dhis2kenya.go.ke">www.dhis2kenya.go.ke</a>).</td>
<td>-The project will help in reducing the incidences of water borne diseases in the sub-county.</td>
</tr>
</tbody>
</table>

4.Kiharu Sub-County

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Comments</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.Richard Onyango</td>
<td>Assistant County Commissioner</td>
<td>-The ACC is aware and supports the project being undertaken.</td>
<td></td>
</tr>
<tr>
<td>2.Mary Chege</td>
<td>DAO</td>
<td>-Requested for future purposes to be given a detailed layout plan of the projects in order to get a clearer perspective; -Fully supports the project especially areas around Kenol and Makuyu.</td>
<td>-The design reports including the project layout are available and can be shared with her office.</td>
</tr>
<tr>
<td>Name</td>
<td>Title</td>
<td>Comments</td>
<td>Response</td>
</tr>
<tr>
<td>---------------------</td>
<td>--------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| 3. Edward Leu go    | DCC                            | - It’s the project that will spur socioeconomic growth of Murang’a;  
- Water coverage around Kiharu Sub-County should be equal in terms of water provision;  
- People to be given prior notice before their lands are pegged.                                                                                                                                                                                                                                                                   | - The project will ensure the percentage water coverage in Kiharu increases.  
- The affected farmers have been sensitized through public meetings and they will be informed through the Chief’s office when the survey and pegging works will be undertaken.                                                                                                                                                                                                                          |
| 4. Danson Chege     | Sub county fisheries officer   | - Fully supports the project and should the water be in excess could be used in ponds.                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 5. Daniel Ng’ang’a  | Managing Director: MUWASCO     | - They serve Kiharu Sub-county with a population of 60,000 people. They have managed to serve 80% of this population;  
- Parts of Kayahwe-Kambirwa line will pass through private property which will require compensation  
- Ensure proper consultations are done with the affected persons;  
- Pipeline will pass through sloping ground in some sections and might cause soil erosion if the soil is not properly compacted. This may lead to pollution of Kayahwe river.                                                                                                                                 | - Valuation will be undertaken to ensure that the affected persons are adequately compensated.  
- The affected farmers have been sensitized through public meetings which were organized by the area chiefs.  
- Mitigation measures will be proposed in the ESIA Report to ensure that soils are protected.                                                                                                                                                                                                                                                                       |
| 5. Kangema Sub-County |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 1. Miriam W. Tilas  | DCC                            | - Communities would be more receptive to the project if they received the news from their administrators;  
- People at the intake should be given consideration by being supplied with water too.                                                                                                                                                                                                                                                                                                                  | - Public meetings have been held through the local administration to sensitize the community on the project.  
- The people around the intakes will receive water.                                                                                                                                                                                                                                                                                                                         |
<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Comments</th>
<th>Response</th>
</tr>
</thead>
</table>
| 2. Zachary Ngatia     | Sub county administrator                   | - Highly supported the project as it would be a positive added value to the sub-county;  
- MCA to be involved in the project in a political good will basis;  
- Suggested that water kiosks be built in order to create some job opportunities and management be under the community. | - The MCAs have been consulted widely on this project.  
- This suggested may be considered in future.                                           |
| 3. Bernard Ndome      | Sub county Agricultural officer            | - In support of the project;  
- The dominant crops within Kangema Sub-county includes coffee, tea, fruit trees (ovacado, passion fruits, tree tomato), beans, cabbages and tomatoes;  
- People might use the domestic water for irrigation as they are in need of irrigation water. Irrigation is important as it reduces crop seasonality and improves diversity. There are two irrigation projects in the area although one is non-functional. | - People will be sensitized during the public meetings not to use the water for irrigation. |
| 4. Ephantus Kamau     | General Manager: Kahuti Water and Sanitation Company | - They cover the larger part of Kangema Sub-county and parts of Kiharu Sub-county;  
- They are in support of the project and they appreciate it.  
- The community should be properly briefed on the project and how compensation will be done so that they don’t feel ambushed.  
- Land for clear water tank at Kahuti treatment works should be quickly addressed. | - The affected farmers have been sensitized through public meetings which were organized by the area chiefs. Valuation will be done by a valuer to ensure that the affected persons are adequately compensated.  
- Negotiations are ongoing with the land owner at the clear water tank at Kahuti treatment works. This will ensure acquisition of the land on a willing-buyer-willing-seller basis. |
5.2.3. Public meetings

Public sensitization and inclusion meetings were held within the project area from 14th October 2014 to 30th October 2014 with the help of Tana Water Services Board and the respective local administration more so the area chiefs and assistant chiefs. A total of 13 meetings were held as shown in Table 5-2 below. The attendance lists and minutes of meetings are presented in Appendix 1.

Table 5-2: Public consultation meetings during ESIA and RAP

<table>
<thead>
<tr>
<th>Date</th>
<th>Venue</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>14/10/2014</td>
<td>Mathioya Tea Collection Centre</td>
<td>Kanyenyaini</td>
</tr>
<tr>
<td>15/10/2014</td>
<td>Kagia Tea Collection</td>
<td></td>
</tr>
<tr>
<td>15/10/2014</td>
<td>Rwathia’s Chief’s Office</td>
<td>Rwathia</td>
</tr>
<tr>
<td>16/10/2014</td>
<td>Gituru Tea Collection Centre</td>
<td>Githimu</td>
</tr>
<tr>
<td>16/10/2014</td>
<td>Assistant Chief’s Office Kenyanjeru</td>
<td>Rwathia</td>
</tr>
<tr>
<td>21/10/2014</td>
<td>Chief’s Camp in Nguthuru Sub-location</td>
<td>Muruka</td>
</tr>
<tr>
<td>21/10/2014</td>
<td>Kenol</td>
<td>Kimomori</td>
</tr>
<tr>
<td>21/10/2014</td>
<td>Kairathe Centre</td>
<td>Muringaine</td>
</tr>
<tr>
<td>22/10/2014</td>
<td>Mbiri’s Chief Office</td>
<td>Mbiri</td>
</tr>
<tr>
<td>22/10/2014</td>
<td>Kamahuha Chief’s Office</td>
<td>Kamahuha</td>
</tr>
<tr>
<td>22/10/2014</td>
<td>Makuyu Chief’s Office</td>
<td>Makuyu</td>
</tr>
<tr>
<td>23/10/2014</td>
<td>Gikindu Chief’s Office in Kambirwa</td>
<td>Gikindu</td>
</tr>
<tr>
<td>30/10/2014</td>
<td>Muthithi Chief’s Camp</td>
<td>Muthithi</td>
</tr>
</tbody>
</table>

Presented below are the main concerns and issues that arouse from the public meetings:

- That the water project is long overdue. More water should be provided to the community since they are currently using borehole water which is insufficient, expensive and with high fluoride content;
- Would the water also be used for irrigation? They were informed that the water being provided was for drinking purposes only;
- They requested that the valuation exercise should be done well and compensation money released as soon as possible. They also suggested that the compensation money should be paid before commencement of construction works.
- The community complained that people use the pipeline wayleaves as footpaths which has led to insecurity as thieves take the advantage to steal properties from peoples’ homesteads. They were advised to fence off these areas to avoid these cases;
- The community suggested that the water service providers should immediately start doing the connections so that immediately the project is over, they can be supplied with water;
- The community wanted to know who will be responsible for compensation when pipes burst and destroy their properties. They were informed that this will be the
responsibility of the water service providers;

- They also inquired on the ownership of the project after the completion phase. They were told that the project will be handed over to the respective water service providers;
- The youth should be considered for employment during the construction phase.

Table 5-3 shows the photo plates showing some of the meetings held with the project affected persons.

Table 5-3: Photo log of various meetings held during the RAP study

| Plate 1: The study team and the area leaders inspecting a proposed clear water tank site in Kahuti | Plate 2: Public meeting at Mathioya Tea Collection Centre |
5.5 Disclosure of the RAP

The Disclosure process should be undertaken in a manner that is inclusive, culturally appropriate and ensures the participation of vulnerable groups. Paragraph 22 of OP 4.12 requires that a copy of the RAP be posted by WB on Infoshop for review and comments by the public.

5.5.1 Disclosure of the RAP Report by AWSB

Disclosure should be done by submitting a copy of the RAP Report in a form, manner, and language that is understandable to the PAPs. The Deputy County Commissioner officer is central in the disclosure process and his/her office will provide support during the disclosure process.

In addition this report proposes the following be disclosed to the household heads and their spouses only:

- Inventory of assets; and
- Proposed compensation figures
6.0 IMPACTS OF THE PROJECT

6.1 Introduction

The project may have a negative impact to persons living along the proposed water pipelines in terms of loss of assets, source of livelihoods/ revenue and disruption of services in the project area. It is therefore imperative that the OP 4.12 triggered by this project be followed to the letter during the compensation process.

6.2 Eligibility Criteria for Compensation and Resettlement

PAPs eligible for resettlement and compensation were determined as per World Bank Policy on Involuntary Resettlement (O.P. 4.12). The policy provides guidelines which categorizes PAPs that are eligible for compensation as follows:

I. Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);

II. Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan;

III. Those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under (I) and (II) are provided compensation for the land they lose, and other assistance.

Persons covered under (III) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, if they occupy the project area prior to a cut-off date established at the beginning of the study.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

The basis of the enumeration, valuation, and compensation within this report is therefore based on the World Bank Policy.
6.3 Project Impacts

Some of the anticipated project impacts include:

- Loss of land;
- Loss of structures;
- Loss of crops, trees and vegetation cover; and
- Impact on public infrastructure.

6.3.1 Loss of land

The proposed project will have minimal impact on land due to the fact that there will be limited acquisition of land from PAPs, most of the water pipelines pass through river riparian and road reserves, however easement will be acquired where the water pipeline is laid in peoples farms. This includes pipelines within Rwathia – Mukangu, Kayahwe – Kambirwa and Kiriciungu. Adequate compensation has been allowed to the persons who will surrender the easement for the project.

Recommendation

- Adequate compensation for the land to be affected by the project.

6.3.2 Loss of structures

A total of 3 structures i.e. two houses and a goat pen are expected to be affected by the proposed water project. The structures are within Kayahwe-Kambirwa pipeline.

Recommendation

- Compensation at Full Replacement Cost for the affected structures before commencement of works within the section in question;
- Provision of a three month notice to structure owners after payment of compensation to relocate their structures;
- Provision of a notice of two months to tenants before the demolition exercise so as to source for alternative rental units;
- Provision of opportunity to salvage the remains from demolition of the PAPs structures.

6.3.3 Loss of crops, trees and vegetation cover

The crops, trees and other vegetation cover grown along the proposed water pipeline route are expected to be affected by the project. The major crop to be affected is tea which is predominant in the area. Trees include eucalyptus and fruit trees such as avocado and bananas.
Recommendation

- Compensation at the current market value for the affected trees and crops before commencement of works.

6.3.4 Impact on public infrastructure

The Project’s land acquisition will result in the loss of a number of public assets. These public assets play an important role in the community and their loss will be felt. Water, power and roads are expected to be affected by the water pipelines. Water service lines run the risk of water contamination should the water lines be broken exposing the water to pathogens.

Affected power lines pose a danger to the people working on the project and those living nearby thus the relocation of the power lines should be carried solely by Kenya Power.

The roads within the project area may be affected as some pipelines may cut across or move along the existing roads. This may cause some inconveniences to the public during the construction phase.

Recommendation

- Relocation of the power lines should be done by Kenya Power to ensure it does not pose a safety hazard;
- Notice should be given to all beneficiaries of public utilities to allow them to plan for the disruptions;
- The Bills of quantity (BoQ) for the project should include provisional sum for reestablishment of these services to the existing beneficiaries;
- Reestablishment of all these services should be done with constant communication and involvement of the service providers;
- The existing utilities should not be decommissioned until the new pipelines are established and connected to the existing system.
6.4 RAP implementation budget

The total compensation budget is as shown in Table 6-1.

<table>
<thead>
<tr>
<th>Pipeline Location</th>
<th>Number of PAPs</th>
<th>Amount (Ksh)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rwathia – Mukangu Pipeline</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kenanyeini – Gitugu</td>
<td>43</td>
<td>1,223,072</td>
</tr>
<tr>
<td>Rwathia</td>
<td>78</td>
<td>4,535,890</td>
</tr>
<tr>
<td>Kairathe</td>
<td>97</td>
<td>3,285,821</td>
</tr>
<tr>
<td>Kenyanjeru</td>
<td>26</td>
<td>1,614,341</td>
</tr>
<tr>
<td>Kanorero – Gakira - Gitweku</td>
<td>84</td>
<td>8,049,503</td>
</tr>
<tr>
<td>Sub-total</td>
<td>328</td>
<td>18,708,127</td>
</tr>
<tr>
<td>Kiriciungu Pipeline</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kiriciungu Pipeline</td>
<td>18</td>
<td>2,407,718</td>
</tr>
<tr>
<td>Kiriciungu Treatment Plant</td>
<td>4</td>
<td>2,972,521</td>
</tr>
<tr>
<td>Sub-total</td>
<td>22</td>
<td>5,380,239</td>
</tr>
<tr>
<td>Kayahwe – Kambirwa Pipeline</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kayahwe</td>
<td>105</td>
<td>8,196,548</td>
</tr>
<tr>
<td>BPTs (Tank Sites)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 BPTs</td>
<td>6</td>
<td>1,776,116</td>
</tr>
<tr>
<td>Total</td>
<td>461</td>
<td>34,061,030</td>
</tr>
<tr>
<td>Miscellaneous 5% of compensation cost</td>
<td></td>
<td>1,703,052</td>
</tr>
<tr>
<td>Grand Total</td>
<td></td>
<td>35,764,082</td>
</tr>
</tbody>
</table>

6.4.1 Administrative Costs for Implementing the RAP

Annual budgetary arrangements should be made for the running of the various arms of the implementation committee. Budgetary arrangements should include the following:

- Resettlement staff salaries and benefits;
- Office capital investment costs and running expenses;
- Implementation Committee capacity building, especially for community representatives;
- Logistical costs for travel to meetings and field visits to both the departure and receiving sites. These costs include, fuel costs for staff, and logistical costs for inclusion of implementation committee members and the independent evaluation panel;
- Resettlement preparation costs;
• Public participation costs for activities such as social surveys, public meetings, interest group meetings and/or workshops etc;
• Logistical costs for grievance handling and resolution;
• Financial auditing costs;
• Monitoring and Evaluation costs;
• Allowance for land adjudication, survey, and subdivision for the affected land parcels whose ownership instruments are outdated.
7.0 INSTITUTIONAL ARRANGEMENTS

7.1 Overview

In the implementation of the RAP, a cross organizational approach will be adopted. This will be to ensure smooth implementation and division of roles in line with organizational mandate. Institutions identified and their respective mandates are as presented in Table 7-1 below:

Table 7-1: Identified Institutions

<table>
<thead>
<tr>
<th>Institution</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athi Water Services Board</td>
<td>Facilitation and Implementation of the RAP report</td>
</tr>
<tr>
<td>County Government of Murang’a</td>
<td>Facilitation of the RAP report and assisting in verification of claims</td>
</tr>
<tr>
<td>National Government Administration</td>
<td>Assisting in verification of claims and provision of security during payment of compensation.</td>
</tr>
</tbody>
</table>

7.2 Athi Water Services Board

Athi Water is one of the eight Water Boards under the Ministry of Environment, Water and Natural Resources created to bring about efficiency, economy and sustainability in the provision of water and sewerage services in Kenya. The roles and responsibilities of AWSB will include but not be limited to the following:

- Payment of cash compensation to PAPs;
- Check on the compliance of the procurement procedures in relation to Kenyan Laws;
- Co-ordination of stakeholder participation;
- Management and monitoring of payment of compensation;
- Preparation of internal monthly audit reports.

In undertaking the above, AWSB will be responsible for implementing compensation activities and it will therefore be its responsibility to undertake regular internal monitoring of the process. The objectives of internal monitoring and evaluation will be:

- To ensure that the compensation process is implemented with utmost transparency;
- To verify that funds for implementation of the RAP are provided in a timely manner and in amounts sufficient for their purposes.

The Internal monitoring process should entail the following regarding the process:

- Accomplishment to-date;
• Objectives attained and not attained during the period;
• Problems encountered, and;
• Suggested options for corrective actions.

The monitoring and evaluation of the RAP will be done against the indicators presented in Table 7-2.

Table 7-2: Monitoring and Evaluation Indicators

<table>
<thead>
<tr>
<th>Process Indicators</th>
<th>Output Indicators</th>
<th>Impact Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project input, public participation and monitoring</td>
<td>Setting up of Compensation unit</td>
<td>Changes in housing.</td>
</tr>
<tr>
<td></td>
<td>Start and progress disclosure and consultation events</td>
<td>Changes in water and sanitation.</td>
</tr>
<tr>
<td></td>
<td>Formation of Grievance Resolution Committee</td>
<td>Changes in land holding.</td>
</tr>
<tr>
<td></td>
<td>Monitoring reports</td>
<td>Changes in occupation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Changes in income and expenditure.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pace of income against change in expenditure.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Changes in vulnerable households and women headed households</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Delivery of entitlements</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of households compensated and assisted</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<td></td>
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</tbody>
</table>

7.3 County Government of Murang’a

The County Government of Murang’a will be tasked with the job of:

• Verifying ownership documents;
• Ensure that there is no further encroachment on the wayleave after the cut-off date;
• Member of RAP Implementation Committee (RAPIC);
• Disclosure of the Valuation report;
• Facilitation of election of PAP representatives.

7.4 National Government Administration

The current administrative framework for the national government starts with the County Commissioner to the Assistant Chief. Below is the breakdown of levels of administration is as follows.

• County Commissioner
• Head of Counties;
- Deputy County Commissioner Head of Sub-County;
- Assistant County Commissioner Head of Division;
- Chief Head of Location;
- Assistant Chief Head of Sub Location;
- Village Elders Operate under Chief and Assistant Chiefs within villages.

The roles of the Assistant County Commissioner in the implementation of this report are:

- Co-ordinating and mobilizing identified departments at County level to participate in the implementation of the RAP report especially the Chiefs;
- Provision of security during implementation of the RAP;
- Disclosure of the Valuation report;
- Facilitation of election of PAP representatives

The Chief and Assistant Chiefs will be responsible for the following:

- Initial verification of ownership claims at the village level in liaison with AWSB before confirmation by County Land Officials i.e. County Lands Officer and County Surveyor;
- Certification of agreements between land owners and family members with regards to the compensation exercise;
- Verification of sale and resolution of grievances for cases where land parcels were sold without a written sale agreement to facilitate compensation;
- Organising public sensitization and mobilization drives during disclosure by AWSB and compensation;
- Participating in dispute resolution.

7.5 PAP Representatives

These are persons in the RAPIC to represent the PAPs. PAP representatives from the community should be elected by PAPs to represent them in the RAPIC.

The roles of a PAP representative are to:

- Collect views of the PAPS and present them to the RAPIC;
- Help in confirmation of the asset inventory;
- Debrief the PAPs on deliberations of the RAPIC;
- Coordinate the payment of the compensation.
7.6 Grievance Mechanisms

7.6.1 General Information

Grievance mechanisms are important to the resettlement process as they allow for RAP implementers to identify disputes in good time and allow for them to be resolved in a transparent and accountable manner.

A well established and validated grievance mechanism can also promote good relations between the project proponent and the affected community thus reducing the risk of hostilities and delays on the construction program, both before and after the contractor takes possession of the site.

Compensation based disputes are also likely to occur during and after the RAP implementation program, hence it is critical to establish this system prior to implementation of the resettlement program.

Section 4 (2) (h) of the Land Act 2012 on the guiding values and principles under the Act is on “encouragement of communities to settle land disputes through recognized local community initiatives”.

The grievance mechanism proposed under this RAP aims at incorporation of a locally based grievance mechanism.

7.6.2 Expected Grievances

Considering the nature of resettlement and as informed by the findings of the field studies, the type of grievances that may arise include:

- Grievances between two PAPs from the same family (nuclear and extended);
- Grievance between two PAPs from different families;
- Grievance between PAPs and the RAP implementers;
- Grievance between PAPs and AWSB or the County Government of Murang’a with regard to land ownership and the related instruments.

Grievances between PAPs may occur when there is a dispute over land and asset ownership. They may also occur over the receipt or use of compensation payment. Such cases may arise between neighbours, siblings or spouses. These kinds of disputes are best resolved at the local level to avoid time delays that may arise if people move to court. It would also help to manage the risk of loss of social capital due to bad relationships among family members and neighbours.

Grievances between PAPs and RAP implementers may arise if PAPs feel they are not adequately involved in the implementation process. Lack of perceived
transparency may lead to feelings of mistrust and misinformed judgments on both sides. Some PAPs may also feel that the proposed compensation is not equal to their initial investment or just based on their current situation.

Such grievances may require calls for witnesses, unbiased parties or technical evaluations prior to proposing a solution. Local mechanisms may not have the capacity to meet all these requirements and would therefore require some form of support.

Some grievances may also occur that are outside of the direct control of the RAPIC and would require intervention at national or county policy level. These include disputes that require policy interpretation or investigations prior to a conclusive resolution. In such cases, the RAPIC may require legal interpretation on certain aspects.

7.6.3 Proposed Grievance Mechanism

The following grievance mechanism is proposed for the implementation of this RAP:

a) Level One: Local Committee

A Local Grievance Committee constituted of the following members will be formed at the local level:

- Chairman: Area Chief
- Secretary: Village Elder
- Members: three PAP representatives consisting of a man, a woman and a youth (18 to 30 years).

This committee will sit at the Chiefs office. The following procedure is proposed:

- A PAP registers a grievance and within one working day, the committee members are alerted of the case;
- The affected person is immediately informed of the next date of the scheduled hearing. Depending on the case load, a maximum of 7 working days should be given between the date that a case is recorded and the date when the hearing is held;
- The committee meets once every seven calendar days to deal with emerging cases. At these meetings, hearings with the affected persons and related witnesses will be held;
- The committee will communicate its judgement to the affected persons within 3 working days;
• If no resolution is met or the PAP is not satisfied with the judgement, the case is moved to the next level by the committee. This will be done within 5 working days of the hearing.

b) Level Two: Project Committee

A Project Level Committee constituted of the following members will be formed at the local level:

- Chairman: Chief Executive Lands Housing and Urban Development;
- Secretary: Deputy County Commissioner (DCC);
- Representative from AWSB;
- Representative from Water Service Provider;
- Members: three PAP representatives consisting of a man, a woman and a youth.

This committee will sit once a month at the County Government Office. The following procedure is proposed:

- A grievance is logged at the County Government Office and within five working days, a notice is sent out to all the interested parties informing them of the date of the hearing;
- A hearing will then be held within thirty days of the grievance being raised;
- In the event that investigations and technical witnesses are required, a maximum of thirty (30) calendar days will be taken prior to a hearing being held;
- The committees decision will be communicated in writing within 5 working days of the date of the hearing;
- If the committee does not resolve an issue, the affected persons are free to go to the Land and Environment Court.

A flow chart of this process is presented in Figure 7-1 overleaf.
7.7 Implementation schedule

7.7.1 Mobilisation of RAPIC

Implementation of RAP usually requires coordinated planning to ensure that all activities on critical path are synchronized. To allow for this certain mobilization
activities have to be conducted before compensation can be paid thus allowing for relocation of persons and clearance of the wayleave for the contractor.

Disclosure activities should also occur prior to signing of any agreements with PAPs thus promoting the principle of “prior informed consultations / consent”. This RAP already proposes disclosure mechanisms as outlined in chapter 5 of this report.

Prior community sensitization and awareness is also aimed at smoothing the process of vacating the right of way on timely manner to allow subsequent stages of the project. As such the following mobilisation activities should take place:

- Sensitization of the PAPs;
- Disclosure of RAP study findings;
- Election of PAP representatives;
- Constitution of a RAPIC including writing of appointment letters with clear terms of reference for every RAPIC member;
- Establishment and institution of a grievance mechanism including writing of appointment letters with clear terms of reference for every member;
- Determination of administrative costs for RAP implementation;
- Determination of an allocation plan to allow for smooth cash flow throughout the RAP implementation process. This is likely to require coordination within the higher levels of National and County Government;
- Confirmation of the RAP implementation schedule with requisite timelines as informed by all the mobilisation activities outlined above;
- Design and institution of an M and E programme.

7.7.2 Compensation and relocation

The following activities shall be carried out during this Phase:

- AWSB draws up offer documents for PAPs;
- Solving of grievances;
- Conduct of monitoring and evaluation;
- Serving of notices to move;
- Payment of compensation;
- Closedown audit.

All of the activities above may commence but not be concluded until all the grievances are solved. However there are those activities that are on critical path and therefore cannot occur in good time unless well planned for. For example, notices to move should only be done when agreements have been made with majority if not all of the PAPs.

There may also be some activities that are affected whenever the pipeline is
realigned or redesigned. In such a case, the RAPIC would be called upon to re-evaluate. This will require an update of the RAP report.

Should such a case happen as a minimum, the following have to be done at PAP unit level:

- PAP sensitization;
- Preparation of a land and asset form;
- Valuation of affected assets; and
- Signing of agreements with the PAPs

An outline of the proposed implementation schedule is as presented in Table 7-3 overleaf.
### Table 7-3: RAP Implementation schedule

<table>
<thead>
<tr>
<th>Activity</th>
<th>Duration in Months</th>
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<tbody>
<tr>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Mobilization</td>
<td></td>
</tr>
<tr>
<td>1. Sensitization of the PAPs;</td>
<td></td>
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<tr>
<td>2. Disclosure of RAP study findings;</td>
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<tr>
<td>3. Election of PAP representatives;</td>
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<tr>
<td>4. Constitution of a RAPIC</td>
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<tr>
<td>5. Establishment and institution of a grievance mechanism</td>
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<tr>
<td>6. Determination of administrative costs for RAP implementation;</td>
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<tr>
<td>7. Determination of an allocation plan</td>
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<tr>
<td>8. Confirmation of an RAP implementation schedule</td>
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<tr>
<td>Compensation</td>
<td></td>
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<tr>
<td>10. AWSB draws up offer documents for PAPs;</td>
<td></td>
</tr>
<tr>
<td>11. Solving of grievances;</td>
<td></td>
</tr>
<tr>
<td>12. Conduct M and E;</td>
<td></td>
</tr>
<tr>
<td>13. Serving of notices to move;</td>
<td></td>
</tr>
<tr>
<td>14. Payment of compensation;</td>
<td></td>
</tr>
<tr>
<td>15. Closedown audit. Close down audit will be undertaken at the at 15 months since the project construction period is 18 months</td>
<td></td>
</tr>
</tbody>
</table>
8.0 MONITORING AND EVALUATION

8.1 RAP Monitoring Framework

To adhere to OP 4.12, the Project will be required to monitor and report on the effectiveness of RAP implementation, including the disbursement of compensation, the effectiveness of public consultation and participation activities and the sustainability of the Project’s livelihood restoration and development efforts. Inspections and audits will be used, where relevant, to verify compliance and progress toward the desired outcomes. Qualified and experienced external experts will be retained to verify the Project’s monitoring information. Finally, the Project will document monitoring results, implement corrective and preventive actions where necessary and follow up on these actions to ensure their effectiveness.

Monitoring and Evaluation (M&E) involves the development of a system through which information regarding resettlement activities of PAPs is analyzed by the implementing agency or other tasked independent monitors to ensure objectivity and success of the whole RAP process. The RAP monitoring helps to evaluate the success of resettlement through the study of specific performance indicators for a reasonable period of time after the resettlement activities have been completed. This process is also important in gauging the implementation of the mitigation measures for potential negative impacts highlighted in the environmental management plan (EMP) in the ESIA Report prepared for this project. The process is important in measuring project inputs, outputs and outcomes of resettlement activities and for evaluating resultant resettlement impacts.

The RAP will develop a monitoring plan which will include both internal and external monitoring. A resettlement framework with performance indicators will be developed to help in monitoring the RAP process. The monitoring framework will also offer a schedule on which monitoring will be conducted and this will run for a minimum of six months after completion of the RAP process. The RAP team will work closely with the external monitoring independent resettlement specialist. The monitoring and evaluation process will check to ensure that compensation is done in the right manner and that all eligible PAPs are adequately compensated according to the compensation procedures and market rates. A list of performance indicators which will be tabled include:

- Input indicators e.g. sources and amounts of funding for various RAP activities
• Output indicators that concern activities and services which are produced
• Inputs e.g. payment of compensation for loss of property
• Public participation indicators e.g. creation of RAPIC

8.2 Project Monitoring Plan

Monitoring will be initiated at an early stage in the resettlement process and will continue until the project is commissioned, during this period, the intensity of the process will vary. For example, before and immediately after compensation, monitoring will be fairly intense, while one year later the frequency of the monitoring will have reduced. The Project’s monitoring plan will have two key components; namely:

• Performance monitoring; and
• Impact monitoring.

Performance monitoring and impact monitoring are components of internal monitoring. It is the responsibility of the RAPIC and Resettlement Committee to conduct regular internal monitoring of the resettlement performance indicators and to correct where necessary. The monitoring should be a systematic evaluation of the activities of the operation in relation to the specified criteria of the condition of approval.

In undertaking the same, Project Implementation Unit will be responsible for implementing resettlement and compensation activities and it will therefore be their responsibility to undertake regular internal monitoring of the process.

The objective of internal monitoring and supervision will be:

• To verify that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements, has been carried out in accordance with the resettlement policies provided by the Government of Kenya, and World Bank.
• To oversee that the RAP is implemented as designed and approved;
• To verify that funds for implementation of the RAP are provided by the Project authorities in a timely manner and in amounts sufficient for their purposes, and that such funds are used in accordance with the provisions of the RAP. The main internal indicators which will be monitored regularly will include:
  o Entitlements monitoring-This evaluates the status of entitlement and ensures that they are in accordance with the approved policy
and that the assessment of compensation is carried out in accordance with agreed procedures;

- Payment of compensation to the PAPs in the various categories is made in accordance with the level of compensation described in the RAP;
- Public information and public consultation and grievance procedures are followed as described in the RAP;
- Restoration of affected public facilities and infrastructure are completed prior to construction.
9.0 CONCLUSION AND RECOMMENDATIONS

9.1 Conclusion

This study findings show that the proposed Murang’a Water Supply Project is likely to impact approximately 461 persons and as such, this RAP was prepared as a plan to mitigate the impacts of resettlement.

The study also proposes that collaboration between AWSB, National Government Administration and Murang’a County Government staff would be adequate to implement the proposals under this RAP.

The overall objective of the project is good and its positive impacts can be enhanced by ensuring that the identified PAPs are adequately compensated with the aim of improving their livelihoods or restoring their livelihoods to the pre-impact standards.

9.2 Recommendations

In a bid to reduce project impacts that will directly affect project sustainability it is recommended that:

- The pipeline route should be earmarked on the edge of the road reserve only after confirmation of the actual road reserve and its availability to avoid future unwanted inconveniences during project implementation or maintenance of the road.
- The route should also avoid structures as much as possible.
- Confirmation with the County land offices will be done before the final compensation.
- The community should be fully involved and integrated in the management and planning of the project to make them own the whole process.
LIST OF APPENDICES

Appendix 1: Minutes of Meetings and Attendance List
Appendix 2: Stakeholder Consultation List
MINUTES FOR THE MEETING HELD AT MATHIOYA TEA COLLECTION CENTER FOR THE MURANG’A WATER SUPPLY PROJECT ON 14TH OCTOBER 2014

Meeting was called to order by James Kigotho (Chief of Rwathia) at 12:17pm

AGENDA:

Public sensitization on the proposed Murang’a water supply project

The meeting started with introductions from key representatives and they were: The director in charge of the Mathioya tea collection center, the area MCA, the assistant chief of Kanyenyaine. Chief of Rwathia, Chairlady of the Mathioya tea collection center committee, District Agricultural officer of Kangema sub-county and finally the representatives from Tana water services board and Athi water services board respectively.

The chief of Rwathia informed the members present the issues that will be discussed in the meeting and left the floor to Eng. Mwai of Tana waters services board to brief the public on the project and clarify on concerns that may arose from the public.

The engineer first gave a brief and concise description of the project that the said project was being undertaken by the two boards namely Athi water services board and Tana water services board respectively. The project was an extension pipeline network of the bulk water system that had earlier been laid down by Tana water services board in Murang’a before the formulation of this project. The project would be funded by World Bank through Athi water services board and supervision of the construction of the project would be under both Athi water services board and Tana water services board since Murang’a County was under their jurisdiction. The pipeline network would be traversing across 5 districts in Murang’a County namely; Murang’a south, Kangema, Kandara, Kiharu and lastly Kigumo district. The project would start near the South Mathioya river in Kanyenycine and there are several pipelines one being Rwathia – Mukangu Pipleine. The pipeline would be roughly 27km.

The Engineer explained that this meeting had the following main purposes:
a) The area that will be touched by the projects and where the contractors will be working on and the sole goal of this project which was to provide safe water for drinking.

b) The significance of the pegs that was placed on peoples farms or lands

c) To explain to the land owners of the land who will be affected by the water pipeline and the documentations that they would require to present in order for them to receive compensation.

He also clarified that the peg placed near the Mathioya tea collection center wasn’t the demarcation of the proposed clear tank area but it would be placed further down near the bank of South Mathioya River.

The floor was then left to the public to raise any questions or concerns that they may have had concerning the project. The queries were as follows:

i) Who would be in charge of the compensation? Would it be the Chinese contractors or the board? In response to this note they were informed that the board would be in charge of their compensation and any money they received from the contractor’s maybe just simple payment from the agreement between the contractor and the recipient of that money only on issues such as sites for disposal of spoil.

ii) Chairlady of the committee in charge of the tea collection center asked whether the pegs that were placed so close to the building meant that the Kahuti tank would be constructed there and whether its construction would occur without their consent. Response to this was that the proposed location of the tank had been changed to further downward near the river and not where they had seen the pegs and that construction would not begin without their consent. It was from this response that the chairlady along with some members present in the meeting with extreme prejudice rejected the idea of placing the tank in the compound of the tea collection center regardless of the position.

iii) Director of the center stated that placing pegs in that area without consent of the committee in charge of the area may cause some animosity and a proper and organized layout plan is needed and the affected respective parties should be clearly informed on the matter prior to any actions being undertaken.
iv) The MCA of the area also raised concern that he had no prior knowledge of the project. He only came to know of it recently due to the people’s protests on the proposed site for the tank. He also requested from Eng. Mwai that he should share with him the exact amount that the PAP’s will receive from the valuation.

It was on this note that the DAO of Kangema district that is in charge of the valuation process explained to the public that there is a clear standard pricing placed by the government on how the property and its commodities will be valued.

Due to the public rejecting the placing of the Kahuti tank in the proposed location the director suggested that the board could use the land adjacent to their compound as an alternative. In response to this suggestion Eng. Mwai asked, if the Board bought the land adjacent to the center would the committee allow them to place the pipe to cut across their compound to the adjacent land. They agreed to this suggestion.

The Chief of Rwathia and Kanyenyaine informed the public that public consultation meeting would be held the following day with the PAP’s within their locations.

Meeting ended with a word of prayer.

Meeting was adjourned at 2:05pm

Signed

For and on Behalf of Athi water Services Board:

..............................................................

EUNICE CHERUTICH

For and on Behalf of the Chief:

..............................................................

Name:........................................... (Signature:..............................................................

Rwathia LUNAH

MINUTES FOR THE MEETING HELD AT KAGIA TEA COLLECTION CENTER IN KANYENYAINE LOCATION ON 15TH OCTOBER 2014

Meeting was called to order by Ass. Chief Daniel Macharia at 10:46AM

AGENDA:

Public sensitization on the proposed Murang’a water supply project

Meeting was chaired by the Assistant chief and started off with prayers and introductions from representatives from Athi water services board and Tana water services board respectively.

The floor was then left to Eunice Jemutai the environmental officer from AWSB to explain to the public more about the project. She explained concisely:

- That the project was formulated as a result of the proposed Northern Collector Tunnel project that is meant to add water to the current supply held at Ndakaini dam. The source of this water would be from three rivers namely; Maragua, Gikigie and Irati. It was due to this project that there was a lot of complain from the people of Murang’a that a lot of their water was being taken to benefit the people of Nairobi whereas they themselves had insufficient water and it was one of the major problems affecting the area. This thus led Athi water services board through funding from the World Bank formulated the Murang’a water supply project which was an infrastructural extension of the bulk water system that had been laid down by Tana water services board. The pipeline network would be traversing across 5 districts in Murang’a County namely; Murang’a south, Kangema, Kandara, Kiharu and lastly Kigumo district. The project was to be done jointly between the two boards namely Athi water services board and Tana water services board respectively. Athi water services board would be funding the project and giving oversight on the completion of the project whereas Tana water services board together with Athi water services board would be in charge of supervision during construction phase of the project. The
goal of the project was to provide the people of Murang'a County with safe water for drinking. She also mentioned:

- The routes through which the pipeline will follow from Rwathia to Mukangu and
- The valuation process which will be undertaken by a registered valuer as from 18 October 2014 with the last date which will be the cut-off date being 10 November 2014. They were informed that in order for them to receive compensation they will be required to present copies of title deed, ID and ATM.

After the explanation members of the public present in the meeting raised the following concerns:

- Individuals who had rented land, what procedure would the follow in order to receive compensation and the basis. It was on this note that they were informed that they would be compensated only for the crops and not the land.
- For family members who are sharing the land that will be affected, would they be compensated as one or will it be done individually. They were informed that the mode of compensation will be dependent on them if they want individually they will be paid individually or if they want as one it will be done so. They should write a letter through the chief and also obtain an affidavit explaining how they want the compensation to be made.
- For people whose lands are bare, how would they be compensated? They were informed that they would be compensated for the disturbance on the land only.
- What would be the procedure that the spouse of the deceased title holder of the land would follow? The spouse should initiate succession process but in the meantime they can get an affidavit and a letter from the chief.

They were informed that those who have accounts with saccos should open an account with a registered bank as payment will be made through registered bank accounts and not saccos.

The area Ass.chief explained to the members of the public present in their preferred language for better understanding and further explained to them under which
circumstances would prompt the use of an affidavit which is one of the required documentation that a project affected person has to have in order to be compensated.

After this a prayer was made.

Meeting was adjourned at 12:00pm

Signed

For and on Behalf of Athi water Services Board:

.................................................................
EUNICE CHERUTICH

For and on Behalf of the Chief:

................................................................. Signature: ........................................
MINUTES FOR THE MEETING HELD AT RWATHIA IN THE CHIEF'S OFFICE CONCERNING THE MURANG'A WATER SUPPLY PROJECT

Meeting was called to order by the area Ass chief Rahab Waitego at 2:40pm

AGENDA:

Public sensitization on the proposed Murang’a water supply project

The meeting was chaired by the Ass. Chief and began with prayers from one of the members of the public followed by introductions from respective members of Athi water services board and Tana water services board members present in the meeting.

Evans kinyua a TWSB member explained to the public using vernacular language for ease of understanding of the public gave a brief and concise description of the project that the said project was being undertaken by the two boards namely Athi water services board and Tana water services board respectively. The project was an extension pipeline network of the bulk water system that had earlier been laid down by Tana water services board in Murang’a before the formulation of this project. The project would be funded by World Bank through Athi water services board and supervision of the completion of the project would be under Athi and Tana water services board since Murang’a County was under their jurisdiction.

He further explained that the valuation process which will be undertaken by a registered valuer as from 18 October 2014 with the last date which will be the cut-off date being 10 November 2014. This will include valuation of assets within the proposed pipeline route. He also informed them that some documents will be required in order for compensation to be done. This includes:

- The individual’s copy of id card
- Copy of the title deed to the land
➤ Confirmatory signed letter form the area chief acknowledging that the said person is the owner of the land
➤ If a person occupying the land but the title deed is in the name of a deceased family member, they require signing an affidavit stating that they are the rightful owners of the land they’re occupying.

He further clarified in regards to land compensation that the compensation made wasn’t for the permanent acquisition but merely easement which includes disturbance allowance that may arise due to implementation of the project and that after the project has been completed the individual owners of those lands would be free to plant crops on that land except trees or construction of buildings on the wayleaves.

After the in depth explanation the members of the public present in the meeting raised the following concerns:

• Those who haven’t changed the title deeds name from the deceased name and they’re the current owners of the land, what would be the way forward. On this note they were informed that they are required to go to the respective magistrate/advocate office to sign an affidavit claiming that they’re the rightful owners of the said land.

• Would they be selling the land indefinitely or would they be free to do whatever they wanted with the land afterwards. They will be allowed to plant crops after construction is complete.

• How will the excavation be done; would it be done manually or mechanically by use of tractors? Much concern was expressed on use of tractors as it would leave a lot of damage to the land. They were informed that the method used would be dependent on the contractor’s preference.

• Much concern was expressed on the validity of the valuation that would be done on their farms and whether they would be truly paid. They were assured that the payments will be done as soon as the valuation process is complete.

• Would they be able to get the safe water for consumption or is their land being used to route the water pipe without them benefiting. On this note they were
informed that they would be the primary beneficiaries of the project they would get access to the water.

- On instances where a person had two title deeds to the land that would be affected by the project works, would they need to present both title deeds or would one be okay. On this note they were implored to bring both title deeds.

- In cases where the people have different names on the title deed and the original ID’s what would be the way forward. They were informed that a confirmatory letter from the area chief would suffice to prove that they’re the owners and no affidavit is required.

- What was the pegs’ significance. It was clarified that the pegs signified the area under which the works will be carried out and also where they would place their materials.

After all the public concerns were addressed the area senior chief Mr. James Kigotho urged the public to be watchful and protective of the equipment and materials that would be used in the project and to be cooperative with the project implementers to ensure that the project is successful.

He also said that the relevant documents as mentioned earlier should be submitted to his office should be as soon as possible.

A closing prayer was had and the meeting was adjourned at 3:41 pm

Signed

**For and on Behalf of Athi water Services Board:**

[Signature]

**EUNICE CHERUTICH**

**For and on Behalf of the Chief:**

[Signature]
MINUTES FOR THE MEETING HELD AT GITURU TEA COLLECTION CENTER IN GITHUMU LOCATION CONCERNING THE MURANG'A WATER SUPPLY PROJECT ON 16TH OCTOBER 2014

Meeting was called to order by the area Ass. Chief James .K. Ngugi at 10:50 AM

AGENDA:

Public sensitization on the proposed Murang’ a water supply project

Meeting was chaired by the area Ass. Chief and started off with introductions from respective members of Athi water services board and Tana water services board.

Eunice Jemutai the environmental officer from AWSB headed off the meeting with an explanation of the scope of the project which entailed:

- How the project came to be and this was- That the project was formulated as a result of the proposed northern collector tunnel project that is meant to add water to the current supply held at Ndaikaini dam . The source of this water would be from three rivers namely; Maragua, Gikigie and Irati. It was due to this project that there was a lot of complains from the people of Murang’a that a lot of their water was being taken to benefit the people of Nairobi whereas they themselves had insufficient water and it was one of the major problems affecting the area. This thus led Athi water services board through funding from the World Bank formulated the Murang’a water supply project which was an infrastructural extension of the bulk water system that had been laid down by Tana water services board. The pipeline network would be traversing across 5 districts in Murang’a County namely; Murang’a south, Kangema, Kandara, Kiharu and lastly Kigumo district. The project was to be done jointly between the two boards namely Athi water services board and Tana water services board respectively. Athi water services board would be funding the project and giving oversight on the construction of the project whereas both Athi and Tana water services board
would be in charge of supervision of the construction of the project. The goal of the project was to provide the people of Murang’a County with safe water for drinking.

- She also mentioned that valuation process of those lands to be affected by the Kiriciungu Pipeline will be valued by a registered valuer on 30 October 2014 with the last date which will be the cut-off date being 10 November 2014. They were informed that in order for them to receive compensation they will be required to present some documents including:
  - The individual’s copy of id card
  - Copy of the title deed to the land
  - Confirmatory signed letter form the area chief acknowledging that the said person is the owner of the land
  - If a person occupying the land but the title deed is in the name of a deceased family member, they require signing an affidavit stating that they are the rightful owners of the land they’re occupying.

After the explanation was completed the floor was left to the members of the public for any question, concerns and comments that they may have. They were as follows:

- One of the members present asked if it was relevant for them to go to the magistrate for an affidavit. He felt that the death certificate of the owner of the land and a confirmatory letter from the chief suffice or AWSB to bring their own lawyers to assist them with the affidavits. They were told that the affidavits are important as they are binding documents and that AWSB is a neutral body therefore it cannot provide them with a lawyer.

- How would they be able to identify the areas on their land that would be affected. They were informed that pegs would be placed on their farms which would serve as indicators where the works would occur.

- One member of the public suggested that AWSB should permanently buy the land as their use to that land will be restricted to only growth of short rooted crops and their freedom to do whatever they wished with the land is somewhat restricted. He
also said that AWSB should buy that land and offer goodwill to them and let them grow their crops on that land and not vice versa.

- Some questioned the importance or credibility of the household questionnaires that were to be conducted as they had witnessed it being conducted in some prior projects but up to date haven’t seen any fruits from that experiment. They were informed that the questionnaires will help in determining the baseline socio-economic conditions of the area against which the project impacts can be monitored in future.

- Would the water supply in their area increase? On this note they were informed that the quantity of water supplied would increase from the current levels.

- How long would it take for them to be compensated after the valuation had been done and that compensation should be done before the works on their land begins. On this note they were requested to be patient and that a payment date wasn’t definitively set but they will be informed as soon as the payment process has began.

- Would they know the amount that they will receive on that day of the valuation or would they have to wait until a later date. They were informed that they would have to wait since the valuer had to first gather the data which he would later calculate in his office. This will later be disclosed to them. If they will be in agreement, the compensation money will be disbursed.

Meeting was adjourned at 11:30 AM

Signed

For and on Behalf of Athi water Services Board:

[Signature]

EUNICE CHERUTICH

For and on Behalf of the Chief:

[Signature]

ASST. CHIEF
MINUTES FOR THE MEETING HELD AT KENYANJERU SUBLOCATION IN THE CHIEF’S OFFICE CONCERNING THE MURANG’A WATER SUPPLY PROJECT ON 16TH OCTOBER 2014

Meeting was called to order by Ass chief Paul K. Mwangi at 2:00pm

AGENDA:

Public sensitization on the proposed Murang’ a water supply project

Meeting was called to order and chaired by the area Ass. Chief. It started off with prayers from one of the members of the public and introductions from the representatives of Athi water services board and Tana water services board present at the meeting.

Evans Kinyua a representative member of Tana waters services board explained to the community through vernacular language for their ease of understanding the:

- What the project entailed. He gave a brief and concise description of the project that the said project was being undertaken by the two boards namely Athi water services board and Tana water services board respectively. The project was an extension pipeline network of the bulk water system that had earlier been laid down by Tana water services board in Murang’a before the formulation of this project. The project would be funded by World Bank through Athi water services board and supervision of the construction of the project would be under Athi and Tana water services board since Murang’a County was under their jurisdiction

- He further explained that the valuation process which will be undertaken by a registered valuer as from 18 October 2014 with the last date which will be the cut-off date being 10 November 2014. This will include valuation of assets within the proposed pipeline route. He also informed them that some documents will be required in order for compensation to be done. This includes:
- The individual’s copy of id card
- Copy of the title deed to the land
- Confirmatory signed letter form the area chief acknowledging that the said person is the owner of the land
- If a person occupying the land but the title deed is in the name of a deceased family member, they require signing an affidavit stating that they are the rightful owners of the land they’re occupying.

The floor was then left open to the public for any questions, queries, concerns or issues that they may have had. They were as follows:

- Who would be in charge of the provision of the water? They were informed mandate of water provision would be left to the water companies that were already in charge of water provision in their areas and it would not be the boards.
- If a water pipe burst was to occur and crops damaged, who would be in charge of the compensation would it be the boards or the water service providers. In response to this they were informed that maintenance of the system would be left to the water service providers.
- There were already existing pipelines in the area would the board use those pipelines or would they use new ones and how would they be placed. They were informed that new ones would be placed parallel to the existing lines.
- One of the members expressed concerns that once the lines had been laid their lands would be exposed to security risks as many people would use that pipe route as a public pathway. They also wanted to know whose responsibility is it to get rid of the spoilage resulting from the works. In response to this the chief suggested on that they would inform the public through any means possible that the route where the pipes follow will not be a public route but private and anyone passing illegally under those routes will be reprimanded. On concern to the spoilage they were informed getting rid of the spoilage will be left to the contractors as it is their responsibility to do so.
• Those who have rented land what would they do as a title deed is required as one of the documentation necessary for compensation. Those people who have rented land will be compensated for crop damage and a title deed will not be necessary.

• In instances where they have misplaced or lost the title deeds to their lands what would be the way forward. They should ensure they get a copy from the lands office as soon as possible.

• Will they be supplied with water and will they be able to use the water for irrigation apart from domestic use? In response to this they were informed that water would be supplied to them but it would be mandated to the water service providers in the area and in terms of use of water for irrigation, this is not recommended as the water is specific for domestic use.

• Some asked the significance of the wooden pegs on their land. They were informed that they signified the area that would be under works for the project.

• Some people raised issues that other members of the community were removing pegs from their land so they don’t clearly know the area where the pipes will pass through. They were requested to sensitize the rest of the community to ensure that the pegs are not removed.

• Would the day of valuation be the same day that they will know how much they will receive. They were informed that the results will not be given on the valuation date since the valuer will have to do his computation. The amounts will be disclosed at a later date.

• How will they be compensated for bare land? In response to this they were informed that payment will be done in terms of disturbance allowances that will be made on the land.

Meeting was adjourned at 3:38pm
Signed

For and on Behalf of Athi water Services Board:

EUNICE CHERUTICH

For and on Behalf of the Chief:

Name: [Signature: Rwathia Location]
MINUTES FOR THE MEETING HELD AT THE CHIEF'S CAMP IN NGUTHURU SUBLOCATION ON MURANG'A WATER SUPPLY PROJECT ON 21ST OCTOBER 2014

Meeting was called to order by Ass chief Simon. M. Kariuki at 10:26AM

AGENDA:

Public sensitization on the proposed Murang’a water supply project

The meeting was chaired by the Ass.chief. He started off the meeting by first placing emphasis to the public to value and promotes security as it is through security that area opportunities arise. The floor was then left to Eunice Jemutai, the environmental officer from AWSB to brief the public on the Murang’a water supply project. She explained to the public:

- How the project came to be. That the project was formulated as a result of the proposed northern collector tunnel project that is meant to add water to the current supply held at Ndakaini dam. The source of this water would be from three rivers namely; Maragua, Gikigie and Irati. It was due to this project that there was a lot of complain from the people of Murang’a that a lot of their water was being taken to benefit the people of Nairobi whereas they themselves had insufficient water and it was one of the major problems affecting the area. This thus led Athi water services board through funding from the World Bank formulated the Murang’a water supply project which was an infrastructural extension of the bulk water system that had been laid down by Tana water services board. The pipeline network would be traversing across 5 districts in Murang’a County namely; Murang’a south, Kangema, Kandara, Kiharu and lastly Kigumo district. The project was to be done jointly between the two boards namely Athi water services board and Tana water services board respectively. Athi water services board would be funding the project and giving oversight on the construction of the project whereas Athi and Tana water services board would be in charge of supervision of the construction of the project. The goal of the project was to provide the people of Murang’a County with safe water for drinking.
• She also explained the route that the pipeline would follow in the Muruka location in which Nguthuru sub location is under. This would start at Kandara water tank passing through the road reserves all the way to Makuyu.

All this information was later translated by the Ass. Chief in the vernacular language to the public for better and ease of understanding. The floor was then left to the public to pose any questions or queries that they may have and they were as follows:

• Is the water being supplied enough to meet the needs of the people. They were told the water is sufficient to serve the whole of Murang’a.

• Will the project use the already existent pipelines in the area for supply of the water or will they use new ones. AWSB will lay new pipelines but MUSWASCO will utilize the existing distribution lines.

• Will AWSB be in charge of provision of distribution pipelines to people’s homesteads. They were informed that provision of those lines would be a mandate of the water service providers in charge of the area i.e. MUSWASCO.

• Concerns were expressed on MUSWASCO capability for provision of those distribution pipelines due to inadequate funding. They thus proposed that AWSB lend a helping hand to MUSWASCO in provision of those distribution pipelines.

• Would they be able to use the water for irrigation? They were informed that this water is for domestic use and using it for irrigation may deny other people to access this water.

• For those living in the sloppy areas would they be able to receive the water as they have always been unable to receive water because of insufficient pressure in the water capable of transport it up the slopes. On this note they were assured that the waters pressure would be sufficient enough for it to even reach the sloppy areas.

• They requested AWSB to do a water purity test on their current sources of water which is the river.

Meeting was adjourned at 11:18 AM
Signed

For and on Behalf of Athi water Services Board:

EUNICE CHERUTICH

For and on Behalf of the Chief:

Name: Simon M. Ktiuki  Signature: [signature]

[Other text and signatures not legible]
MINUTES FOR THE MEETING HELD AT KENOL IN KIMORORI LOCATION ON THE MURANG’A WATER SUPPLY PROJECT ON 21ST OCTOBER 2014

Meeting was called to order by the area Ass. Chief at 12:23 PM

AGENDA:

Public sensitization on the proposed Murang’a water supply project

The meeting was chaired by the Ass Chief and began with introductions from all the present parties this was from members of the public to the members of Athi Water Services Board.

The forum was then left to Eunice Jemutai the environmental officer form AWSB to brief the public on the Murang’a water supply project.

She explained the following:

- How the project came to be. She said that the project was formulated as a result of the proposed northern collector tunnel project that is meant to add water to the current supply held at Ndakaini dam. The source of this water would be from three rivers namely; Maragua, Gikigie and Irati. It was due to this project that there was a lot of complain from the people of Murang’a that a lot of their water was being taken to benefit the people of Nairobi whereas they themselves had insufficient water and it was one of the major problems affecting the area. This thus led Athi water services board through funding from the World Bank formulated the Murang’a water supply project which was an infrastructural extension of the bulk water system that had been laid down by Tana water services board. The pipeline network would be traversing across 5 districts in Murang’a County namely; Murang’a south, Kangema, Kandara, Kiharu and lastly Kigumo district. The project was to be done jointly between the two boards namely Athi water services board and Tana water services board respectively. Athi water services board would be funding the project and giving the overall
oversight whereas both Athi and Tana water services board would be in charge of supervision of the construction of the project. The goal of the project was to provide the people of Murang’a County with safe water for drinking.

- She also explained the route that the pipeline would follow in the the area. She said that the pipeline would start at Kandara water tank passing through the road reserves all the way to Makuyu.

This information was later translated by the Ass. Chief in Kikuyu for better understanding by the public. The floor was then left open for questions by the public and they were as follows:

- The members present wanted to know roughly how long the project would take to completion. They were told that it will take almost one and a half years.

- Public asked if the source of water would be pumped by electricity like the borehole or gravitationally. They were informed that this water was being moved gravitationally.

- Citizens preferred the proposed project since the water will be from a fresh source unlike the salty water they were currently getting from the borehole.

- Could the water be multipurpose or is it strictly just for drinking only. The water is only for domestic use and should not be used for farming.

- Will the community based water service providers be involved in the project to provide water to the public? They were informed that once the project was completed maintenance and provision of waters to peoples homesteads would be left under the mandate of the water service providers in charge of the area recognized by the government i.e. MUSWASCO.

- They inquired on the safety of the water for consumption. Would they be able to consume it without doing anything to it i.e. treating the water? They were informed that the water they receive would have already been treated to the required standard and it would be available for direct consumption.

- They suggested that the water supply should be constant and they should not be subjected to water rationing.
How many homesteads will be able to benefit from this project? Tana Water Services Board initiated a project which is supposed to reticulate water to the whole of Murang’a and this project will help them in achieving this.

The community highly welcomed the project as they gravely need the water especially if it’s fresh unlike the salty water that they’re currently receiving.

The area sub chief also made several suggestions:

- Household sampling be done in Gathururu sub location as they are in dire need of water rarely get any water
- Suggested to the public that they could use CDF funding in provision of pipes to people’s homesteads and that the public needs to write proposals in order to receive the funding and the construction would be done by MUSWASCO.

The meeting was adjourned at 1:40pm

Signed

**For and on Behalf of Athi water Services Board:**

EUNICE CHERUTICH

**For and on Behalf of the Chief:**

[Signature]

Name: [Signature]

Date: 20/09/2015
MINUTES FOR THE MEETING HELD KIAIRATHE SUBLOCATION AT
CHIEF'S OFFICE ON MURANG'A WATER SUPPLY PROJECT ON 21ST
OCTOBER 2014

Meeting was called to order by the area chief at 2:50pm

AGENDA:

Public sensitization on the proposed Murang’a water supply project

Meeting was chaired by the area chief and began with introductions from representatives of Athi water services board and Tana water services board.

Evans Kinyua a representative of Tana water services board explained to the public in their preferred dialect:

➢ What the project was about. He gave a brief and concise description of the project that the said project was being undertaken by the two boards namely Athi water services board and Tana water services board respectively. The project was an extension pipeline network of the bulk water system that had earlier been laid down by Tana water services board in Murang’a before the formulation of this project. The project would be funded by World Bank through Athi water services board and supervision of the construction of the project would be under both Athi and Tana water services board since Murang’a County was under their jurisdiction. The goal of the project was to provide the people of Murang’a County with safe water for drinking.

➢ He further explained that the valuation process which will be undertaken by a registered valuer as from 18 October 2014 with the last date which will be the cut-off date being 10 November 2014. This will include valuation of assets within the proposed pipeline route. He also informed them that some documents will be required in order for compensation to be done. This includes:
➢ The individual’s copy of id card
➢ Copy of the title deed to the land
➢ Confirmatory signed letter form the area chief acknowledging that the said person is the owner of the land
➢ If a person occupying the land but the title deed is in the name of a deceased family member, they require signing an affidavit stating that they are the rightful owners of the land they’re occupying.

After the explanation the floor was then left open for questions and they were as follows:

- After the pipes have been laid, if the pipeline were to burst and damage the crops whose responsibility would it be to compensate them?
  It was from this query that they suggested there be a formal binding agreement between the land owners and the board in which should there be a pipe burst the board would be responsible for compensation of the damaged crops. They were informed that this can only be done with the water service providers since they are the ones who will be in charge of operation and maintenance.

- Would they be able to use the water even for irrigation? No, the water will be for domestic use only.

- What is the procedure for valuation of their crops? The valuation will be based on the Ministry of Agriculture rates. The farmers were also advised to ask the valuer these questions during the valuation date as he would give them an in depth explanation of how the valuation procedure goes.

- Would the area where the pipe would follow be indefinitely converted into a public pathway as it had earlier occurred in some of their lands? Response to this query was that the board wasn’t permanently buying the land and after the pipes have been land the land would still belong to the owner. He or she therefore has the authority utilize the land regardless of a pipe being laid by the board.

- Who would pay the expenses of acquiring an affidavit would it be the board’s or they themselves. The costs will be incurred by the land owners.
• In areas where the pipe is passing through their land could the water be tapped and reticulated to their homestead? The response to this question was that they should inform the water service provider to do a feasibility study to ascertain if it could be done since the water service providers are in charge of providing the distribution pipeline to the homesteads.

• Some claimed they saw no use of going to the advocate for an affidavit instead a confirmatory signed letter from the chief could be better since the chief knows them personally.

• The PAPs wanted to know where they can take the required documents. It was unanimously agreed that those documentation would either be taken to the chief’s or ass. Chief’s office.

• For the PAPs who inherited the land from their parent but the title deed is in the parent’s name who isn’t deceased but resides far away, what would be the way forward. It was agreed that they bring all their documentation even the title deed if they have it.

After all questions had been heard and answered to the public’s content the valuer emphasized and urged the members of the public to make sure that they had all their documentation on the day of valuation.

Meeting was adjourned at 4:10pm

Signed

For and on Behalf of Athi water Services Board:

.............................................................
EUNICE CHERUTICH

For and on Behalf of the Chief:

Name: ............................................ Signature: .............................................
MINUTES FOR THE MEETING HELD AT THE CHIEF’S OFFICE IN MBIRI LOCATION ON THE MURANG’A WATER SUPPLY PROJECT
DATE 22ND OCTOBER 2014

Meeting was called to order by the area Chief James Muiruri at 10:00 AM

AGENDA:

Public sensitization on the proposed Murang’a water supply project

The meeting was chaired by the area chief and began with introductions from the respective members of Athi water services board and Tana water services board respectively.

Eng. Mwai of Tana water services board then briefed the public about the project. He explained:

- The scope of the project. He gave a brief and concise description of the project that the said project was being undertaken by the two boards namely Athi water services board and Tana water services board respectively. The project was an extension pipeline network of the bulk water system that had earlier been laid down by Tana water services board in Murang’a before the formulation of this project. The project would be funded by World Bank through Athi water services board and supervision of the construction of the project would be under both Athia and Tana water services board since Murang’a County was under their jurisdiction. He also mentioned that the pipeline of the project would be traversing across 5 districts in Murang’a County namely; Kangema, Kiharu, Murang’a south, Kandara and lastly Kigumo district. The goal of the project was to provide people of Murang’a County with safe water for drinking.

- He further explained that the valuation process which will be undertaken by a registered valuer but a date for valuation will be communicated to them through the Chief since the survey works within Kambirwa - Kayahwe line are yet to be
completed. He said that the valuation exercise will include the assessment of assets within the proposed pipeline route. He also informed them that some documents will be required in order for compensation to be done. This includes:

- The individual’s copy of id card
- Copy of the title deed to the land
- Confirmatory signed letter form the area chief acknowledging that the said person is the owner of the land
- If a person occupying the land but the title deed is in the name of a deceased family member, they require signing an affidavit stating that they are the rightful owners of the land they’re occupying.

The floor was then left open to questions and comments from the members and they were as follows:

- How would they know if their land was being touched by the pipeline and which area would be affected. Response to this was that wooden pegs would be placed on their land to show the area that the pipeline would pass and also where the contractors would do their works and placement of materials.

- How would they know the compensation amount that they would receive. On this note they were briefed about the valuer who would value their crops/trees and even the land will use standard pricing developed by the government. After this, the values will be disclosed to individual farmers.

- Suppose the pipeline passed through an area where they have put up a building, would the building be demolished and how would compensation for it go. On this note they were informed that the building would be demolished and the owner would either choose to be paid in kind or be compensated financially for the building.

- If the title deed is in the name of a deceased family member what would they do. They were informed that they would require a signed affidavit from the advocate’s office.

- They requested to be given prior notice on the day of valuation and also on the date the project is expected to begin in the area.
• Fear was expressed on a majority of them on receipt of the compensation because Kenya power had asked for the similar documentation but up to date they have not received any compensation from Kenya Power considering that they have already placed electricity poles on their land.

• The community unanimously welcomed the project.

After answering of the questions Eng. Mwai informed the public that the purpose of this meeting was to give the public prior notice of project to avoid surprise when they see strangers on their land.

Meeting adjourned at 11:30AM

Signed

For and on Behalf of Athi Water Services Board:

..............................................................

EUNICE CHERUTICH

For and on Behalf of the Chief:

Name: ........................................ Signature: .................................
MINUTES FOR THE MEETING HELD AT THE CHIEF’S CAMP IN KAMAHUHA LOCATION ON THE MURANG’A WATER SUPPLY PROJECT ON 22ND OCTOBER 2014

Meeting was called to order by the senior chief Eric .K. Kariuki at 12:36pm

AGENDA:

Public sensitization on the proposed Murang’a water supply project
The meeting was chaired by the area senior chief and began with prayers followed by introductions from the chiefs present and the representative members of Athi water services board and Tana water services board respectively Eng. Mwai then briefed the public on the Murang’a water supply project. He explained the following:

- What encompassed the project i.e. that the said project was being undertaken by the two boards namely Athi water services board and Tana water services board respectively. The project was an extension pipeline network of the bulk water system that had earlier been laid down by Tana water services board in Murang’a before the formulation of this project. The project would be funded by World Bank through Athi water services board and supervision of the construction of the project would be under both Athi and Tana water services board since Murang’a County was under their jurisdiction.

- He also said the purpose of the meeting was to disseminate information and to give the public prior notice on the Murang’a water supply project so that when the construction starts, they will be aware of the project.

The floor was then left to Eunice Jemutai the environmental officer from Athi water services board who further clarified on the Murang’a water supply project and explained her role on the project from an environmental capacity.

After that it was left to the community to raise issues or put forward their comments in regards to the project and they were as follows:
• They all unanimously and highly welcomed the project as they’re in desperate need of the water.

• They all agreed to be ambassadors of the project to help disseminate the information to their villages for further sensitization of the public on the Murang’a water supply project.

• They wanted to know when the project was expected to start and its completion. Response to this was that everything had been laid out and the only thing left was the NEMA license so that the project can start.

• The chiefs urged the public to fully support the project especially those whose land will be traversed by the pipes. They were urged to allow passage of the pipeline as the project is to their benefit.

• Upon completion of the project which organization would be left with maintenance and distribution of that water. They were informed it would be the registered water service providers recognized by the government.

• Could the water be used for irrigation? Eng Mwai clarified on this matter that the sole purpose of this project was to provide water for domestic consumption.

• One member expressed concern that if Murang’a water supply project begins the other projects in the area that were under way would be neglected. He was told that the project will not in any way hinder the progress of other projects.

• A representative of the area MCA mentioned that he together with the MCA strongly support the project as the area is prone to water borne diseases. He further mentioned that provision of safe water would reduce the susceptibility of persons to those diseases and urged the public to be fully supportive of the project.

• Chairlady of the community sacco water provider also showed full support of the project and requested for the project to be completed as soon as possible as they’re in dire need of the water.

• The area chief on behalf of the public offered his gratitude for the project and will fully support it to ensure its successful completion.
The youth were urged not to be money minded and whichever amount they might get from the contractors, they should be contended. Finally the chairman of development of the area gave a vote of thanks.

Meeting was adjourned at 1:30pm

Signed

For and on behalf of Athi water Services Board:

EUNICE CHERUTICH

For and on behalf of the Chief:

Shiep [signature] Location: [signature]

Name: [signature] Signature: [signature]
MINUTES FOR THE MEETING HELD AT THE CHIEF’S CAMP IN MAKUYU LOCATION ON THE MURANG’A WATER SUPPLY PROJECT ON 22ND OCTOBER 2014

Meeting was called to order by the area senior chief Joseph M. Ngugi at 2:00pm

AGENDA:

**Public sensitization on the proposed Murang’a water supply project**

Meeting was chaired by the area senior chief and Ass. Chief then followed by a prayer and introductions from all of the members present in the meeting. Eng. Mwai of Tana water services board then briefed the public about the project. He explained:

- The scope of the project entailing the route of the proposed pipelines. He gave a brief and concise description of the project that the said project was being undertaken by the two boards namely Athi water services board and Tana water services board respectively. The project was an extension pipeline network of the bulk water system that had earlier been laid down by Tana water services board in Murang’a before the formulation of this project. The project would be funded by World Bank through Athi water services board and supervision of the construction of the project would be under both Athi and Tana water services board since Murang’a county was under their jurisdiction.

- He further said that the goal of the project which was provision of safe water for drinking.

He firmly pointed out that after the project has been completed, maintenance and supply of water would be left under the mandate of the authorized company responsible for distribution of water in the area i.e. MUSWASCO.

The floor was then left open to the community members to raise their issues or suggestions that they may have and they were as follows:
• Requested for funding in some of the community based projects that had been funded by World Bank but funding stopped midway and they have been struggling to maintain them.

• Requested for more tanks in the area especially around Kanyororo and Muhoro North

• Chairlady of Kakungu water sacco requested for more boreholes to be constructed in the area as the current boreholes in the area are unable to meet the water needs of the current population.

• Another chairperson from different water sacco requested for provision of pipes from the boreholes to the tanks and also provision of more tanks.

• They mentioned that three areas were suffering greatly from insufficient water and they were Kambirwa, Maragua range and Kamahuha-Makuyu line. They requested for provision of water in these areas. These areas have low aquifer discharge and water being provided currently was unsafe for drinking.

• Would the water also be used for irrigation? They were informed that the water being provided was for drinking only.

• They requested that the pipes for the project be placed correctly to avoid them getting damaged by heavy vehicles.

Eng. Mwai suggested that the community based water providers liaise with MUSWASCO for better provision of water to people’s homesteads and urged the community to safeguard and support the project as it is to their benefit and it would reduce the medical expenditure that they would spend on treating water borne diseases.

The community as a whole greatly welcomed the project and wanted to see the project come to fruition. On this note a member of the public who is the owner of a borehole greatly supported the project and urged the public to do so as the boreholes in the area are unable to meet the demands of everyone but through this project people will be able to access a lot of water.
The area chief gave a vote of thanks.

Meeting adjourned at 3:40PM

Signed

For and on Behalf of Athi water Services Board:

EUNICE CHERUTICH

For and on Behalf of the Chief:

Name: [Signature]
MINUTES FOR THE MEETING HELD IN THE CHIEF'S CAMP AT KAMBIRWA LOCATION ON THE MURANG'A WATER SUPPLY PROJECT ON 23RD OCTOBER 2014

Meeting was called to order by the area chief at 1:30pm

AGENDA:

Public sensitization on the proposed Murang’a water supply project

The meeting was chaired by the area chief and began with introductions form the respective members of Athi water services board and Tana water services board. Eng. Mwai of Tana water services board then gave a brief and concise description of the project. He said that the proposed Murang’a water supply project was being undertaken by the two boards namely Athi water services board and Tana water services board respectively. The project was an extension pipeline network of the bulk water system that had earlier been laid down by Tana water services board in Murang’a before the formulation of this project. The project would be funded by World Bank through Athi water services board and supervision of the construction of the project would be under both Athi and Tana water services board since Murang’a County was under their jurisdiction. He noted that the areas which will be the primary beneficiaries of the project include this locality and firmly pointed out that the goal of this project was provision of water for consumption and not irrigation. He further mentioned that upon the completion of the project maintenance and supply of the water would be left to the water service providers who are in charge of the area, in this case, MUWASCO.

The floor was then left to the public to pose any questions or requests that they may have had and they were as follows:

- Requested for rehabilitation of storage tanks that had been earlier bee neglected in the area and are now damaged.
• When the project was expected to start? They were informed that the project will start immediately after the NEMA license is received.

• What would be the pricing rates of the water? The rates will be set by MUWASCO.

• They requested for the water project to start as soon as possible because most of the villages in the area suffer from lack of enough water let alone water for irrigation.

• Some of the residents said that where they live they experience burst sewers which contaminate the river where they source their water. They therefore highly welcomed the project.

• The area chief suggested that there are farms near the access roads that could be used for placement of the pipes instead of putting them on the road where they might be exposed to damage in the future. Eng Mwai informed them that the pipes will be placed at the edge of the road reserves so as to avoid damages during road construction.

The meeting was adjourned at 2:14PM

Signed

For and on Behalf of Athi water Services Board:

EUNICE CHERUTICH

For and on Behalf of the Chief:

Name: Donald M. Mwenda Signature: 26/3/2016
MINUTES FOR THE MEETING HELD AT MUTHITHI CHIEF’S CAMP ON MURANG’A WATER SUPPLY PROJECT ON 30TH OCTOBER

Meeting was called to order by the area senior chief at 12:06PM

AGENDA:

Public sensitization on the proposed Murang’a water supply project

The meeting was chaired by the area senior chief. It began with prayers from one of the members followed by introductions from the chiefs and AWSB representatives.

The floor was then left to Vincent Waweru a member of AWSB to brief the public on the Murang’a water supply project. He touched on the following areas concerning the project:

- How the project came to be. That the project was formulated as a result of the proposed northern collector tunnel project that is meant to add water to the current supply held at Ndakaini dam. The source of this water would be from three rivers namely; Maragua, Gikigie and Irati. It was due to this project that there was a lot of complain from the people of Murang’a that a lot of their water was being taken to benefit the people of Nairobi whereas they themselves had insufficient water and it was one of the major problems affecting the area. This thus led Athi water services board through funding from the World Bank to come up with the Murang’a water supply project which was an infrastructural extension of the bulk water system that had been laid down by Tana water services board. The pipeline network would be traversing across 5 districts in Murang’a County namely; Murang’a south, Kangema, Kandara, Kiharu and lastly Kigumo district. The project was to be done jointly between the two boards namely Athi water services board and Tana water services board respectively. Athi water services board would be funding the project and giving the general oversight of the project whereas both Athi and Tana water services board would be in charge of
supervision of the construction of the project. The goal of the project was to provide the people of Murang’a County with safe water for drinking

- The route that the pipeline would start from Mareira tank following the road upto Muthithi storage tank which will then be extended all the way to Kamahuha.

This information was later translated to kikuyu by the chief for better understanding of the public. The floor was then left to the public for any questions that they may have and they were as follows:

- Would the people of the community be able to get the manual labor jobs that may arise from the project? Yes, the contractor will employ youth to offer unskilled labour.

- Is the water quantity that would be supplied be enough to meet and satisfy the needs of the current population or will it recede as other water quantities from other projects have. The water quantities are enough to serve the residents for a long period of time.

- For those people living far away from the main pipeline would they be able to be supplied with the water and would the pipelines pass through the interior villages. On this note they were informed that the water service providers designated in the area were responsible for provision of a pipeline network to the villages to people’s homesteads.

Meeting adjourned at 1:57PM
Signed

For and on Behalf of Athi water Services Board:

EUNICE CHERUTICH

For and on Behalf of the Chief:

Name: DAVID N. KAMAU Signature: rg

LOCATION
Appendix 2: Stakeholder Consultation List