RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KIGORO-KABETE GRAVITY WATER SUPPLY PIPELINES

KIGORO-NGETHU SECTION
RAP REPORT
VOLUME 1

January 2018
# EXECUTIVE SUMMARY

## INTRODUCTION

1. Project Location
2. Project Components Necessitating Resettlement
   1.2.1 Description of the Project Components
   1.2.2 Land Take for the Pipeline Structures
   1.2.3 Temporary Land Acquisition for the Construction Phase
3. Identification of Project Affected Persons
4. Objectives of the RAP
5. RAP Study Methodology
   1.5.1 Desk Study
   1.5.2 Determination of the Project Footprint
   1.5.3 Community Sensitisation Meetings
   1.5.4 Census
   1.5.5 Socio-economic Baseline Survey
   1.5.6 Data Analysis
   1.5.7 Basis of valuation
6. Emerging Issues after Submission of the RAP Report

## POLICY AND LEGAL FRAMEWORK

2.1 Policy Framework
   2.1.1 National Land Policy
   2.1.3 World Bank Policy on Gender and Development -O P 4.20
2.2 Legal Framework
   2.2.1 The Constitution of Kenya
   2.2.2 The National Land Commissions Act 2012
   2.2.3 The Land Act 2012
      (a) Principles and values to guide Land management and administration
      (b) Compensation in respect to public right of way
      (c) Acquisition of private land for public use
      (d) Land transfers
      (e) Transmission of land ownership upon death
2.2.4 Land Laws (Amendment) Act, 2016
2.2.5 Land Acts Repealed by the Land Act 2012 2-7
2.2.6 The Land Registration Act 2012 2-7
2.2.7 Land Acts Repealed by the Land Registration Act 2012 2-8
2.2.8 The Land and Environment Court Act 2011 2-8
2.2.9 The Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act, 2012 2-9
2.2.10 The Matrimonial Property Act 2013 2-9

2.3 Comparison of World Bank Policies and Kenyan Law 2-10

3 **SOCIO-ECONOMIC PROFILE OF THE PAPS** 3-1

3.1 Administrative Boundaries 3-1

3.2 Population Size and Composition 3-1
3.2.1 Population Distribution and Gender Composition 3-1
3.2.2 Religion 3-2

3.3 Land Use and Land Tenure 3-3
3.3.1 Land Use 3-3
3.3.2 Land Tenure 3-3

3.4 Energy 3-4
3.4.1 Energy Source for cooking 3-4
3.4.2 Energy Source for Lighting 3-5

3.5 Transport and Communication 3-6
3.5.1 Transport 3-6
3.5.2 Communication 3-6

3.6 Water and Sanitation 3-6
3.6.1 Water Sources 3-6
3.6.2 Access to Water 3-7
3.6.3 Modes of Water Treatment 3-8
3.6.4 Quantity of Water Used 3-8
3.6.5 Sanitation 3-9

3.7 Health 3-9
3.7.1 Disease Incidence 3-9
3.7.2 Health Facilities 3-10

3.8 Education 3-10
3.8.1 Highest Level of Education 3-10
3.8.2 Distance to Educational Facility 3-11

3.9 Economic Activities 3-11
3.9.1 Income Sources 3-11
3.9.2 Monthly Household Income 3-12

3.10 Housing and Settlement 3-13

4 **PUBLIC CONSULTATION AND DISCLOSURE** 4-14

4.1 Background 4-14
4.1.1 Objectives of the Public Consultation 4-14

4.2 Stakeholder Engagement 4-15

4.3 Previous Consultations 4-15
4.4 Public Consultation during the RAP Study 4-16
4.5 Summary of Issues Raised 4-19
4.5.1 Issues Raised by Key Informants 4-19
4.5.2 Issues Raised by PAPs 4-21
4.6 Project Acceptance 4-27
4.7 Preferred Mode of Compensation 4-27
4.8 Level of Achievement of Stakeholder Engagement Objectives 4-27
4.9 Disclosure of the RAP Report 4-28
4.9.3 Disclosure by World Bank 4-29
4.9.4 Kenya Legal Requirements 4-30
4.10 Future Consultations 4-30
4.11 Stakeholder Engagement Strategy for RAP Implementation 4-30
4.11.1 Community Relations in Construction Phase 4-32
4.11.2 Objectives and Division of Responsibility 4-32
4.11.3 Construction Contractor Role in Community Liaison 4-32
4.11.4 AWSB’s Role in community liaison 4-33
4.11.5 Community Relations in Operational Phase 4-33
4.11.6 PAPs Engagement 4-33
4.11.7 Decommissioning 4-34

5 IMPACTS OF THE PROJECT 5-1
5.1 Background 5-1
5.2 Eligibility Criteria for Compensation 5-1
5.3 Land Loss 5-2
5.4 Loss of Structures 5-2
5.5 Loss of Crops and Trees 5-3
5.6 Impact on Public Infrastructure 5-3
5.7 Impact on Vulnerable Members of the Community 5-3
5.8 Entitlement Matrix 5-6

6 INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION 6-1
6.1 Existing Institutions of Relevance to This RAP 6-1
6.2 Proposed RAP Implementation Arrangements 6-4
6.3 RAP Implementation Committee 6-4
6.4 RAP Implementation Schedule 6-8
6.5 RAP Implementation Budget 6-10

7 GRIEVANCE MECHANISMS 7-1
7.1 General Information 7-1
7.1.1 Existing Mechanisms for Dispute Resolution 7-1
7.1.2 Expected Grievances 7-1
7.1.3 Proposed Grievance Mechanism 7-2

8 MONITORING AND EVALUATION 8-1
8.1 Internal Monitoring 8-1
8.2 External Monitoring 8-1
8.3 Monitoring and Evaluation Schedule 8-2
8.4 Methods of Monitoring 8-5
8.5 Reporting 8-5

9 CONCLUSION 9-1
LIST OF ACRONYMS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACC</td>
<td>Assistant County Commissioner</td>
</tr>
<tr>
<td>ADR</td>
<td>Alternative Dispute Resolution</td>
</tr>
<tr>
<td>AFD</td>
<td>Agence Française de Développement</td>
</tr>
<tr>
<td>AIDS</td>
<td>Acquired Immunodeficiency Syndrome</td>
</tr>
<tr>
<td>AWSB</td>
<td>Athi Water Services Board</td>
</tr>
<tr>
<td>CEM</td>
<td>County Executive Member</td>
</tr>
<tr>
<td>CEO</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>CSR</td>
<td>Corporate Social Responsibility</td>
</tr>
<tr>
<td>DRSRS</td>
<td>Department of Resource Survey and Remote Sensing</td>
</tr>
<tr>
<td>DSIDO</td>
<td>District Social Development Officer</td>
</tr>
<tr>
<td>ESIA</td>
<td>Environmental &amp; Social Impact Assessment</td>
</tr>
<tr>
<td>FGD</td>
<td>Focus Group Discussion</td>
</tr>
<tr>
<td>ha</td>
<td>Hectare</td>
</tr>
<tr>
<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
</tr>
<tr>
<td>KFS</td>
<td>Kenya Forest Service</td>
</tr>
<tr>
<td>Km</td>
<td>Kilometre</td>
</tr>
<tr>
<td>KeRRA</td>
<td>Kenya Rural Roads Authority</td>
</tr>
<tr>
<td>KTDA</td>
<td>Kenya Tea Development Authority</td>
</tr>
<tr>
<td>KURA</td>
<td>Kenya Urban Roads Authority</td>
</tr>
<tr>
<td>KWS</td>
<td>Kenya Wildlife Service</td>
</tr>
<tr>
<td>m</td>
<td>Metre</td>
</tr>
<tr>
<td>MCA</td>
<td>Member of County Assembly</td>
</tr>
<tr>
<td>MDGs</td>
<td>Millennium Development Goals</td>
</tr>
<tr>
<td>MLHUD</td>
<td>Ministry of Land Housing and Urban Development</td>
</tr>
<tr>
<td>mm</td>
<td>Millimetre</td>
</tr>
<tr>
<td>NCTPh1</td>
<td>Northern Collector Tunnel Phase 1</td>
</tr>
<tr>
<td>NCWSC</td>
<td>Nairobi City Water and Sewerage Company</td>
</tr>
<tr>
<td>NEMA</td>
<td>National Environment Management Authority</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-governmental organisation</td>
</tr>
<tr>
<td>NLC</td>
<td>National Land Commission</td>
</tr>
<tr>
<td>OP</td>
<td>Operational Policy</td>
</tr>
<tr>
<td>PAPs</td>
<td>Project Affected Persons</td>
</tr>
<tr>
<td>PASW</td>
<td>Predictive Analysis Software</td>
</tr>
<tr>
<td>PIU</td>
<td>Project Implementation Unit</td>
</tr>
<tr>
<td>RAP</td>
<td>Resettlement Action Plan</td>
</tr>
<tr>
<td>RAPIC</td>
<td>RAP Implementation Committee</td>
</tr>
<tr>
<td>SPSS</td>
<td>Statistical Package for Social Sciences</td>
</tr>
<tr>
<td>STI</td>
<td>Sexually Transmitted Infection</td>
</tr>
<tr>
<td>URTI</td>
<td>Upper Respiratory Tract Infections</td>
</tr>
<tr>
<td>VIP</td>
<td>Ventilated Improved Pit-latrines</td>
</tr>
<tr>
<td>WaSSIP-AF</td>
<td>Water and Sanitation Services Improvement Project-Additional Funding</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
</tr>
<tr>
<td>WRMA</td>
<td>Water Resources Management Authority</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

Background

The Government of Kenya through the Athi Water Services Board (AWSB) received funding for construction the Northern Collect Tunnel Phase 1 project from the Agence Française de Development (AFD) and additional financing from the World Bank for the Water and Sanitation Services Improvement Project-Additional Funding (WaSSIP-AF). The project is aimed at increasing bulk water supply to Nairobi City and its environs.

The proposed infrastructure for the project will run through three Counties namely Murang’a, Kiambu and Nairobi. Water will be abstracted from three rivers namely Gikigie, Irate and Maragua and transfer it through an 11.8km long tunnel to an outlet at Githika River that will eventually drain the water into the dam. This section is located within Murang’a and Kiambu County.

After the dam, a new raw water gravity main will transfer the water to the Kigoro Water Treatment Plant about 6 km downstream of the dam. The treated water will then be transmitted through a gravity main to Gigiri tanks in Nairobi. This section is located in parts of Murang’a, Kiambu and Nairobi County. Figure 1 to 3 shows the layout of the whole project from Thika dam to existing Gigiri water storage tanks for distribution in Nairobi and environs. This report is for the section of the pipeline in light blue.

This RAP report covers the Kigoro-Ngethu Pipeline for Treated Water. This pipeline starts at Kigoro Treatment Plant and terminates near Ngethu Treatment Plant where the pipeline will join the existing wayleave (about 12.6 km). From the Ngethu Treatment Plant to the Gigiri tanks is 35.7 km and land acquisition for that portion of the pipeline is covered under a separate RAP. The 6 km portion from dam to Kigoro is also covered under a separate RAP.
Figure 1: Location Map – Sheet 1
Figure 2: Location Map – Sheet 2
Athi Water Services Board (AWSB) commissioned GIBB Africa Limited to prepare a Resettlement Action Plan (RAP) for the proposed Thika-Kigoro-Kabete (T-K-K) Pipeline under the Northern Collector Phase 1 (the Project).
Development of the Resettlement Action Plan Report

The overall aim of the preparation of the RAP for the project is to guide the resettlement and compensation activities through involvement of all stakeholders, especially the Project Affected Persons (PAPs) to allow for their meaningful contribution into the program.

An in-depth literature review was carried out before embarking on the field work to aid in the understanding of the exercise and in the development of comprehensive data collection tools. A review of the Policy, Legal and Regulatory Framework for resettlement for this project was also done to guide the study.

Some of the documents that were reviewed included the previous project study reports, Kenyan Land laws and sectoral policies of relevance to land, World Bank Operational Policies and sourcebooks with focus on resettlement and stakeholder engagement in preparation and implementation of resettlement programs.

Initial field studies covering all project components were conducted between April and October 2015. These consisted of community sensitisation meetings, demarcation of the corridor centre line through use of temporary benchmarks (wooden pegs), census, household survey, key informant interviews, Focus Group Discussions (FGDs) and transect walks. During this period a land and asset inventory was developed through a door to door survey from September to October 2015. The development of the inventory was also guided by the census survey, the cadastral maps and the temporary benchmarks set on the affected corridor. The inventory was then used to develop a Land and Asset Valuation Report to inform the resettlement budget as proposed under this RAP Report.

A Resettlement Action Plan report was prepared, in accordance with the project requirements outlined in the previous section and submitted to the Athi Water Services Board, in January 2016.

Initially, the report covered the land requirements for all the project pipeline infrastructure for both raw and treated from Murang’a, Kiambu and Nairobi Counties. The RAP report equally identified and developed mitigation measures for the impacts of the expected land take in accordance with the laws of Kenya and World Bank social safeguards with a focus on the Operational Policy on Involuntary Resettlement (O. P. 4.12).

The initial 2016 RAP report noted that approximately 100 PAPs within the Ngethu – Gigiri treated water pipeline sections were not enumerated as they did not allow the consultant to undertake the census exercise due to historical grievances with regard to easement registration of the existing wayleave. Additional meetings were held with the affected persons with AWSB in attendance to engage the PAPs further on the historical issues and to seek a solution for purposes of the project.

These meetings resulted in a split of the initial RAP Report into three sections composed of the RAP for the Raw Water Pipeline (Thika-Kigoro) and the RAP for the Treated Water Pipeline (Kigoro to Ngethu and Ngethu to Gigiri Tanks). The RAP for Thika-Kigoro pipelines was therefore prepared and submitted to AWSB in September 2017.

It was also decided to include the National Land Commission (NLC) as a key part of the grievance resolution mechanism for the historical grievances in cognisance of their mandates in Alternative Dispute Resolution on land based grievances. The revised report for the Ngethu- Gigiri Section of the pipeline will therefore be updated to ensure integration of a system to manage grievances emerging from PAPs who had outstanding historical issues on the existing wayleave.
Update of the Kigoro-Ngethu Section of the RAP Report

Following the finalisation of the RAP for Thika dam – Kigoro pipeline in September 2017, AWSB mobilised GIBB to update the baseline socio-economic data for the PAPs within the Kigoro-Ngethu Section. This was done between December 2017 and January 2018.

AWSB also independently mobilised a land and asset valuer to revise the land and asset inventory in view of re-alignment of sections of the pipeline as well as in view of the time lapse since the valuation conducted by GIBB in September-October 2015, and submitted in January 2016.

Lastly, AWSB mobilised the full-time field project sociologists to assist with sensitisation and mobilisation of each household / enterprise to participate in the update activities.

These activities facilitated the preparation of a report to update the RAP arrangements for the section of the Pipeline that would fall under a new wayleave (Thika-Kigoro-Ngethu).

As such, the complete set of RAP Study documents for the Thika-Kigoro-Gigiri Pipeline (the section from Gigiri to Kabete was removed from the works contract) are as follows:

- **RAP for Thika-Kigoro dated September 2017;** The RAP has been prepared and AWSB has disclosed and implemented this RAP. As the RAP was implemented prior to World Bank clearance, an audit is currently being done by the Independent Panel of Experts (IPE) to confirm compliance with World Bank Safeguard Policies. The Audit Report is expected in June 2018.

- **RAP for Kigoro-Ngethu dated January 2018 (this report)**

- **RAP for Ngethu to Gigiri (Version 3 of March 2017):** The consultant faced challenges in preparing the RAP for this section of the pipeline. About 100 PAPs within the section of treated water pipeline from Ngethhu to Gigiri (within Kiambu County) did not allow the consultant to undertake census and valuation. They claimed that they were not paid for the existing 18m wayleave. They therefore demanded to be paid for the old wayleave plus the proposed new wayleave of 3m making it an acquisition of 21m. This is what necessitated the splitting of the RAP into 3. AWSB has sought the services of National Land Commission (NLC) in a bid to resolve the issues. The RAP will then be submitted to WB for review and approval once the consultation process with the aggrieved PAPs is completed.

This Report covers the Kigoro-Ngethu section of the Pipelines.

**Identification of Project Affected Persons**

For the affected 172 land parcels, the total number of PAP households is 286. The breakdown of these households is as follows:

- 177 Land owners: Due to the fact that four parcels are co-owned by a number of individuals;
- 4 Lessees who only own crops;
- 105 sons, daughters, grandsons and grand-daughters who only own crops.

This translates to a total of 379 Project Affected Persons. None of these PAPs will be relocated. This means therefore that there will be no physical displacement but the PAPs will loss economically in terms of crops/trees planted on the proposed wayleave. The RAP has valued these crops and trees using current market rates and full replacement cost. This will enable the PAPs to plant these trees/crops on other sections of the remaining land.
**Socio-Economic Profile of the PAPs**

**Land Use and Land Tenure**

The main land use onsite includes cash crop farming at 55% followed by residential land use at 21%. In relation to land tenure, Majority of the PAPs (79%) are land owners while (19%) are land tenants, meaning they have an agreement with the land owner to plant crops on the affected property.

The land is under freehold tenure and most of the lands have titles. The other form of land tenure is public land that is owned by the government, these are mostly used for public utilities such as power, water supply lines and roads.

**Housing**

From analysis and observation during the survey, majority of the PAPs have houses with iron sheet roofing (83%), Cemented floors (72%) and stone walls (69%). There are also houses that were made of wooden floors and walls.

**Education**

The household survey findings show that majority of the PAPs (26% male and 24% female) have attained basic primary school education. 20% male and 20% female have attained secondary school education. Disruption of household livelihoods might lead to increase of cases of school dropouts if the PAPs incomes are not restored. In cases of resettlement, the increase in distance from the initial schools the PAPs attended might impact negatively on the performance of the PAPs.

**Water Supply and Sanitation**

The study established that majority (59%) of the PAPs have access to piped water system either connected to their homesteads (32%) or communal water points (27%). WHO categorises bottled and piped water as improved water sources, during resettlement, damages to the water supply infrastructure might lead the PAPs to use alternative water sources such as rivers that are an unimproved water source. It is estimated that about 93% of the PAPs in the project area use pit latrines while 7% use flush toilets. A few PAPs who had flush toilets within their households were using Offsite sanitation.

**Energy Sources**

The most common source of energy for cooking used by the PAPs is firewood (44%), while the least source of energy for cooking was electricity (3%). Electricity is largely used for lighting purposes among all the PAPs (62%) followed by kerosene lamp (31%). The least form of energy used for lighting is LPG gas at 1%. The PAPs indicated that during power blackouts, they resorted to using rechargeable batteries (6%) and kerosene lamps.

During resettlement, in cases where a PAP prefers land for land compensation, it will be important for the PAPs to be resettled in areas where they can access energy sources previously available to them.

**Highlights of the Emerging Issues from the Stakeholder Engagement Process**

Key issues arising from the stakeholder engagement process and captured in the RAP for pipelines issued on January 2016 and revised in March 2017 RAP are presented in Table E1 below.
### Table E1: Issue-Response Matrix on Key Issues Raised from Stakeholder Engagement

<table>
<thead>
<tr>
<th>Issues/concern</th>
<th>Comments</th>
<th>Responses of relevance to the RAP study</th>
</tr>
</thead>
</table>
| Use of wayleaves provided under the road reserve.                             | - Use of the road reserve without the knowledge of Kenya Urban Roads Authority (KURA) will lead to a scenario where other road support infrastructure such as storm water drains might lack space for construction;  
   - Road junctions will result in destruction of the water supply lines.      | - The layout of the pipeline will be submitted to KURA to identify areas where there will be conflict in road reserve use.  
   - For areas where the Pipeline will cut across a road, the contractor is expected to apply for permission for the construction works. The roads that will be damaged by the pipeline should be repaired to original standards, a 30% cost of the repair cost in form of a bankers cheque is left at the Kenya Rural Roads Authority (KeRRA) offices as guarantee that the roads will be repaired by the applicant. |
| Valuation of affected assets and compensation for losses                     | - The value of crops range from season to season and there is a possibility of the crops being given values of a high season which tends to be low;  
   - Lack of a standard price list for crops in the agricultural docket therefore the crops may be over priced or under-priced;  
   - Unrealistic expectations on land values;  
   - Compensation proposed under this RAP should be reasonable;  
   - Some of the trees have taken many years to mature, some are for economic purpose, some provide feeder to livestock other help in soil preservation, cutting down of these trees will lead to soil erosion and loss of livelihoods;  
   Most of the riparian land is used for irrigation in the county hence loss of this produce will result in impacts on food sources for the affected persons. | - Valuation was done at full replacement cost using recent market rates;  
   - Affected households will be allowed to harvest crop residue in addition to the cash compensation for the loss of crops.                                                                                     |
| Reduction in tea production                                                   | The Tea factories have employed staff based on a monthly average tea collection, acquisition of land with Tea will subsequently lead to reduction of production and a subsequent loss of jobs to the employees  
   The farmers should be allowed to grow the tea after the construction on the wayleave to reduce the ripple effect of acquiring the land from the farmers. |                                                                                                                                                                                                                                           |
<table>
<thead>
<tr>
<th>Issues/concern</th>
<th>Comments</th>
<th>Responses of relevance to the RAP study</th>
</tr>
</thead>
</table>
| Health, safety and economic impacts on the temporary wayleave | • The trenches dug to lay the pipe could be as deep as 20m and this will lead to loss of access to one side of the property and a danger to livestock and human lives.  
• Haphazard stock piling will destroy crops outside of the temporary and permanent right of way  
• Disruption of tea collection as a result of works on roads used to deliver tea;  
• Water and sanitation facilities that will be affected should be restored to their original state to maintain the water and sanitation standards in the county;  
The contractor’s site to be established in a location will not contaminate water sources and cause noise in human settlements. This will ensure that the impacts are minimised. | A community health and safety action plan is in place and it addresses the issues raised including:  
• Regular community meetings to sensitize the community on health and safety hazards;  
• Provision of temporary access (bridges etc.) and alternative routes in cases where roads are blocked;  
• Stockpiling of materials within the acquired right of way or within the designated sites;  
• Repair of damaged roads shortest time possible.                                                                                                                                          |
| Land fragmentation                                  | Productive land will be divided into segments leaving some parcels of land injuriously affected and thus not economically viable.                                                                                                                                                | In cases where the impact of acquisition results in loss of up to 20% or more of the economic viability of the land, acquisition of the entire land parcel will be provided.                                                                                           |
| Employment                                         | • It will be beneficial to the residents of the project area to get employment from the project; this will also ensure that the project runs smoothly without any protests.  
• Employment will also help reduce cases of crime and social crimes that could be as a result of idleness;                                                                                   | • The project will restore incomes of the people who are directly economically affected by the acquisition of land and assets.                                                                                                                                                           |
| Project acceptance                                  | • Risk of resistance by land owners to give up any portion of their land.                                                                                                                                                                                               | • Grievance resolution will be conducted during the mobilisation phase of RAP implementation;  
• Identification of an alternative alignment as a last resort where no agreements can be reached will be conducted.                                                                                                                                          |
| Risk of future land use conflicts due to the easement for the Pipeline. | • Terms of the easement should be clearly documented in the agreement so that both parties know what they are getting into, this will avoid issues of people building permanent structures above the pipeline or growing perennial crops;  
• The wayleave/easement should be registered with the lands ministry to avoid land grabbers;  
• This will not only inform any proposed measures to prevent future encroachment on the wayleave but would also help in informing any measures to manage the risk of vandalism on the pipeline; | AWSB shall:  
• Clearly outline the terms of land acquisition whether its easement or wayleave;  
• Ensure that the neighbouring land owners know what land uses are permitted on the wayleave;  
• Develop a program to map out all the acquired land under this project including setting out of permanent beacons.                                                                                                                     |
<table>
<thead>
<tr>
<th>Issues/concern</th>
<th>Comments</th>
<th>Responses of relevance to the RAP study</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lack of replacement land for resettlement (in-kind compensation)</strong></td>
<td>• Majority of the affected land in Murang’a and Kiambu Counties, are ancestral having been passed down through generations to the current owners therefore, it might be difficult for the PAPs to relinquish their lands. • During valuation, the land values should be well informed and alternative land prices around the area should be considered, this will enable the PAPs buy land in the nearby alternative areas.</td>
<td>• PAPs consulted opted for cash compensation; • Measures proposed for PAPs in informal settlements include a program for provision of alternative livelihoods such as casual employment and skill transfer to promote increase in incomes at household level and some level of security of tenure through sourcing of housing in formal settlements as tenants.</td>
</tr>
<tr>
<td><strong>Losses during operation phase of water pipeline</strong></td>
<td>Water release during cleaning or when the pipes burst has a high volume and velocity and is causing havoc namely: • Pollution of soil by chlorine when the treated water is released into the farms; • Destruction of crops, trees, soil erosion, animals and human life in the valleys; • Disruption of access to the well where the community draws their water from. This happens when excess water is released into the existing Ngethu channel. The large volume of water overwhelms the existing stream channel onto which it is released.</td>
<td>• Losses during the operation of the pipeline will be compensated by AWSB; • AWSB will integrate protection works and drainage structures as part of protection works for adjacent land users. These protection works will be developed by qualified professionals and established with the full participation of the affected persons.</td>
</tr>
<tr>
<td><strong>Inadequate land for in-kind compensation</strong></td>
<td>Concern as to where PAPs could get resettlement land as there was a scarcity of land in the project area</td>
<td>• PAPs opted for cash compensation; • Valuation rates were based on the latest market rates to ensure that PAPs could still acquire land in the present market conditions; • Timely payment of compensation to reduce the risk of increased prices due to speculation due to the false demand that may arise due to the project.</td>
</tr>
<tr>
<td><strong>Lack of land ownership documentation</strong></td>
<td>• There are cases where succession has not been done after the death of the registered land owner; • There are cases where sub-divisions have been done but the new owners have not updated their land ownership documentation at the land registries.</td>
<td>The project will provide support in the form of sensitisation and timely notices to allow for those who need to update their documentation to do so, prior to issuance of compensation for land.</td>
</tr>
<tr>
<td><strong>Project start and end date</strong></td>
<td>The PAPs wanted to know when will the project start and end so that they can plan their activities.</td>
<td>The project is expected to start as soon as the contractor will have been awarded the tender, the project end date is not fixed but the duration is expected to be about two years. Implementation arrangements are in accordance with O.P. 4.12 hence forceful evictions are not expected even</td>
</tr>
<tr>
<td><strong>Fear of forceful evictions</strong></td>
<td>Eviction to pave way for the project</td>
<td></td>
</tr>
</tbody>
</table>

**RAP for Kigoro Ngethu Pipelines**

January 2018
<table>
<thead>
<tr>
<th>Issues/concern</th>
<th>Comments</th>
<th>Responses of relevance to the RAP study</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road destruction due to heavy equipment</td>
<td>The community raised issues on the impact of heavy trucks and equipment being carried on the existing road network within the project area during construction. They noted that the roads are very important to the community as they use them to transport their tea.</td>
<td>The contractor will ensure the roads are maintained in proper condition and alternative traffic arrangements are made when necessary.</td>
</tr>
<tr>
<td>Compensation for loss of business incomes</td>
<td>Valuation of incomes for businesses whose incomes fluctuate through-out the year.</td>
<td>Compensation for loss of income considered the income through-out the business cycle and not just peak or low seasons.</td>
</tr>
</tbody>
</table>
| Cut-Off dates                                     | • The community asked the study team of the intention of the cut-off dates and asked whether only the enumerated and valued structures as well as parcels affected will be compensated after the cut-off dates;  
• Concern where business expansion plans would be considered. | • Community was sensitised on the meaning of the cut-off date as per O.P. 4.12;  
• Further elaboration was made on the fact that assets not on site by the cut-off date were not going to be included in the valuation report nor the compensation arrangement under this RAP Report;  
• Prompt implementation of the RAP will be done to ensure that there is no uncertainty, stagnation or additional losses to the PAPs due to delays in RAP or project implementation;  
• PAP engagement activities will be conducted through-out the implementation as well as the monitoring and evaluation program to identify and mitigate any emerging issues that may not have been foreseen during the preparation of this RAP. |
| Corrupt dealings during payment                   | It is important that the proponent (AWSB) to ensure that all payments or transactions on the given parcels to be done directly to the owner and/or the administrator of the land at the time of compensation. The community did not want any crooks that will come in the name of brokering or mediating between AWSB and the land owner. | • This RAP report recognises that there will be need for multi-stakeholder involvement and possible recruitment of staff for certain elements of RAP implementation. This measure will enhance the capacity of AWSB in implementing the RAP.  
• It will be critical to legitimise any stakeholders or representatives involved in the RAP process either due to their legal mandate as per the laws of Kenya, or through public vetting through validation by the PAPs. These include the members of the RAPIC, grievance resolution committees or the monitoring and evaluation exercises; |
<table>
<thead>
<tr>
<th>Issues/concern</th>
<th>Comments</th>
<th>Responses of relevance to the RAP study</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loan repayment disruptions</td>
<td>• Concern over the consideration of loan repayment plans that would be running during the compensation period.</td>
<td>• However, payment of compensation to the land and asset owners should be done directly by staff with a direct mandate from AWSB.</td>
</tr>
<tr>
<td>Grievances handling</td>
<td>• Concern over the risk of conflicts over the transactions during the compensation period; • Need for a grievance redress mechanism specifically for the resettlement process to be integrated into the resettlement program.</td>
<td>• This report proposes a grievance redress mechanism as informed by consultations with stakeholders; • The mechanism has been integrated as one of the key components of the implementation arrangements for this RAP.</td>
</tr>
<tr>
<td>Emerging issues on the existing and any future proposed easement</td>
<td>• The community raised the issue of future land use on proposed wayleave. They were particularly concerned with the restrictions of the type of land use activity and structures, asking whether the wayleave will restrict farming activities.</td>
<td>• The PAPs are not allowed to cultivate any crops or trees that may cause harm to the water pipeline, build on or over, drill or develop in any manner whatsoever on the wayleave acquired. The types of crops and developments that are prohibited will be explained to the PAPs during the disclosure process.</td>
</tr>
<tr>
<td>Compensation of crops</td>
<td>• Some respondents wanted to know if AWSB will get titles for the 3m wayleave and if that is the case, they wanted to know what would happen to the residual land.</td>
<td>• The wayleave will be registered but there will be no title for it; • Where residual land is not economically viable, AWSB will acquire the entire land parcel to promote livelihood restoration.</td>
</tr>
</tbody>
</table>

Compensation of crops: There are crops that take up to six years to mature when planted for example macadamia and avocado trees. Compensation for these crops should consider the duration of the project and the losses incurred between this period and the time it takes for the crops to mature. • Valuation was done at full replacement cost using recent market rates; • Affected households will be allowed to harvest crop residue in addition to the cash compensation for the loss of crops.
**Proposed Resettlement and Compensation Measures**

Majority of the PAP households within Kigoro-Ngethu project area fall under category (a) of O.P 4.12. These are defined as those with legal rights recognised by Kenyan Law.

The proposed entitlement matrix is presented in Table E2 below.
Table E2 Proposed Entitlement Matrix

<table>
<thead>
<tr>
<th>Category of PAPs</th>
<th>Proposed Entitlement</th>
<th>Proposed assistance additional assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Land</td>
<td>Crops and Trees</td>
</tr>
<tr>
<td>Land Owner</td>
<td>• Cash compensation at full replacement cost;</td>
<td>• Cash compensation at full replacement cost;</td>
</tr>
<tr>
<td></td>
<td>• Payment of a disturbance allowance amounting to 15% of the value of land;</td>
<td>• Disturbance allowance at 15% of the crop and tree value.</td>
</tr>
<tr>
<td></td>
<td>• PAPs should be sensitised at the on-set to update their land ownership documentation. There are cases of sub-divisions and succession that should be sorted to ensure that there is no question on the eligibility of the land owner identified under this RAP;</td>
<td>• 6 months’ notice to allow PAPs to update land ownership documentation prior to compensation payment;</td>
</tr>
<tr>
<td></td>
<td>• Where land parcels are small resulting in losses of up to 20% of land or a residual land that is of no economic value to the land owner, the entire land parcel will be acquired.</td>
<td>• Initial verification of ownership claims at the village level in liaison with MLHUD before confirmation by County Land Officials i.e. County Lands Officer and County Surveyor; to fast track the process of updating documentations;</td>
</tr>
<tr>
<td>Land Tenants</td>
<td>• Cash compensation at full replacement cost;</td>
<td>• Allowance to salvage any crop remains, timber and wood products.</td>
</tr>
<tr>
<td></td>
<td>• Disturbance allowance at 15% of the crop and tree value.</td>
<td>• Three month notice to move;</td>
</tr>
<tr>
<td></td>
<td>• Allowance to salvage any materials from the demolitions;</td>
<td>• Relocation assistance pegged at an arbitrary maximum of 6000 (developed from reported average of 3 months rent);</td>
</tr>
<tr>
<td></td>
<td>• Capacity building and sensitisation on use of compensation funds.</td>
<td>• Psycho-social support should be provided by AWSB in conjunction with the District</td>
</tr>
<tr>
<td>Category of PAPs</td>
<td>Proposed Entitlement</td>
<td>Proposed additional assistance</td>
</tr>
<tr>
<td>------------------</td>
<td>----------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td></td>
<td>Land</td>
<td>Social Development Officers (DSDO). This can be through counselling and liaison to the existing welfare support programs under the DSDO’s office; • Assistance with transport for their property and salvaged properties during resettlement, if it is necessary that they have to be resettled.</td>
</tr>
<tr>
<td></td>
<td>Crops and Trees</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Structures</td>
<td></td>
</tr>
<tr>
<td>Other Vulnerable Groups</td>
<td>Female crop owners-Daughters and Wives of land owners.</td>
<td>Already covered in main entitlements.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

• Monitor resettlement activities to ensure no coercion during decision making. 
• Capacity building and sensitisation on use of compensation funds; 
• Psycho-social support should be provided by AWSB in conjunction with the District Social Development Officers (DSDO). This can be through counselling and liaison to the existing welfare support programs under the DSDO’s office; 
• Assistance with transport for their property and salvaged properties during resettlement, if it is necessary that they have to be resettled.
<table>
<thead>
<tr>
<th>Category of PAPs</th>
<th>Proposed Entitlement</th>
<th>Proposed additional assistance</th>
</tr>
</thead>
</table>
| The elderly      | Land: Already covered in main entitlements. | • Provide assistance as determined during final negotiation of packages e.g. securing of transport means during relocation;  
• Monitoring of their health status to ensure successful integration;  
• Psycho-social support should be provided by AWSB in conjunction with the District Social Development Officers (DSDO). This can be through counselling and liaison to the existing welfare support programs under the DSDO’s office;  
• Assistance with transport for their property and salvaged properties during resettlement, if it is necessary that they have to be resettled. |


Proposed RAP Implementation Arrangements

This report proposes a three tier mechanism for implementation of this RAP:

- A RAP implementation committee;
- A grievance resolution mechanism;
- A monitoring and evaluation mechanism.

The proposed RAPIC consists of representatives from AWSB, Murang’a and Kiambu County Government, Ministry of Interior and Co-ordination as well as elected PAP representatives. Specific roles and responsibilities are proposed for the members of this RAPIC with AWSB taking the main co-ordination, record keeping and internal monitoring and evaluation roles.

The proposed grievance resolution mechanism has three levels prior to consideration of court systems and to allow for majority of the expected arising grievances to be handled at sub-county level. The highest level identified under this mechanism is the Land and Environment Court as required by the Constitution, while the lowest level is as per the policy direction given by World Bank, The Kenya Land Policy and the Constitution.

The proposed implementation schedule is expected to run for twelve (12) months commencing with disclosure of proposed entitlements at household level, grievance management, community mobilisation and concluding with a close-down audit.

Compensation payment and resettlement of PAPs will be done prior to the contractor taking possession of any construction site.

The RAP implementation budget including compensation funds and select administrative costs is estimated at One Hundred and Five Million, Thirteen Thousand, Six Hundred and Fifty Only (Kshs 105,013,650). The exact breakdown of this estimation is as presented in Table E3

Table E3: Estimated Direct Costs for RAP Implementation

<table>
<thead>
<tr>
<th>Asset</th>
<th>Amount in Kshs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation for loss of land and improvements inclusive of 15% disturbance allowance for all losses</td>
<td>97,100,000</td>
</tr>
<tr>
<td>Provisional cost for M&amp;E at 3% of compensation cost</td>
<td>2,913,000</td>
</tr>
<tr>
<td><strong>Sub Total</strong></td>
<td>100,013,000</td>
</tr>
<tr>
<td><strong>Contingency 5% of total budget</strong></td>
<td>5,000,650</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td>105,013,650</td>
</tr>
</tbody>
</table>
1 INTRODUCTION

The Government of Kenya through the Athi Water Services Board (AWSB) received funding for construction the Northern Collect Tunnel Phase 1 project from the Agence Francaise de Development (AFD) and additional financing from the World Bank for the Water and Sanitation Services Improvement Project-Additional Funding (WaSSIP-AF). The project is aimed at increasing bulk water supply to Nairobi City and its environs.

The proposed infrastructure for the project will run through three Counties namely Murang’a Kiambu and Nairobi. Water will be abstracted from three rivers namely Gikigie, Irati and Maragua and transfer it through an 11.8km long tunnel to an outlet at Githika River that will eventually drain the water into the dam. This section is located within Murang’a County.

After the dam, a new raw water gravity main will transfer the water to a Water Treatment Plant 6km downstream of the dam. The treated water would then be transmitted through a gravity main to Gigiri Reservoir in Nairobi. This section is located parts of Murang’a, Kiambu and Nairobi County.

Athi Water Services Board (AWSB) commissioned GIBB Africa Limited to prepare a Resettlement Action Plan (RAP) for the proposed Northern Collector Phase 1 (the Project). A Resettlement Action Plan report was therefore prepared and submitted to the client, Athi Water Services Board, on March 2017. The report covered the land requirements for the project pipeline infrastructure for both raw and treated from Murang’a, Kiambu and Nairobi Counties. The RAP report equally identified and developed mitigation measures for the impacts of the expected land take in accordance with the laws of Kenya and World Bank social safeguards with a focus on the Operational Policy on Involuntary Resettlement (O. P. 4.12).

However, the RAP report was not approved by the financier, World Bank, due to challenges encountered during census exercise that were highlighted within the March 2017 RAP report. As such, following a meeting between the World Bank and AWSB on 14 November 2017, it was agreed that the RAP for the treated water pipeline would be split into two sections composed of the RAP for Kigoro-Ngethu pipeline (new wayleave) and Ngethu-Gigiri (existing wayleave) with the aim of fast tracking the approval process.

The RAP for Kigoro-Ngethu pipeline was prioritized for updating the census and socioeconomic baseline survey data for submission to World Bank. As such this RAP update report covers the Kigoro-Ngethu section between chainages 0+000 to 12+554.

1.1 Project Location

Majority of the pipeline Kigoro-Ngethu section of the pipeline is based in Murang’a County with a small length of the pipeline before Ngethu Treatment works being located in Kiambu County.

Table 1-1: Administrative units covered by the Water Pipelines

<table>
<thead>
<tr>
<th>County</th>
<th>Sub County</th>
<th>Division</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murang’a</td>
<td>Gatanga</td>
<td>Kigoro</td>
<td>Ndaikaini</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ndunyu Chege</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Kigoro</td>
</tr>
<tr>
<td>Kiambu</td>
<td>Gatundu North</td>
<td>Chania</td>
<td>Gituamba</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Makwa</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Kairi</td>
</tr>
</tbody>
</table>

The map showing the proposed pipeline is as shown in Figure 1-1 below:
Figure 1-1: Map showing the project area within Kiambu County
1.2 Project Components Necessitating Resettlement

1.2.1 Description of the Project Components

The proposed section of the pipeline will consist of construction of 12.554km long treated water gravity main from Kigoro water treatment plant to Ngethu treatment plant.

It is expected that the treated water will join the existing transmission line from Ngethu to the final destination in Gigiri pending the resolution of historical resettlement grievances between Ngethu – Gigiri section to be addressed.

1.2.2 Land Take for the Pipeline Structures

The assessment for land take for Kigoro-Ngethu pipeline structures was based on the land requirements for installation of these structures and all related activities during the installation. The total footprint for land take for these structures was therefore based on the land requirements as determined by the footprint of the pipeline design as provided by the design engineer. Table 1-2 summarises these land requirements.

Table 1-2: Land take for pipeline works

<table>
<thead>
<tr>
<th>Project Component</th>
<th>Land Take</th>
<th>Approximate distance in Km</th>
<th>Size in acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treated water</td>
<td>Permanent land take 6m</td>
<td>12.554</td>
<td>18.61</td>
</tr>
<tr>
<td></td>
<td>Temporary land take 3m</td>
<td></td>
<td>9.30</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>64.8</td>
<td>27.91</td>
</tr>
</tbody>
</table>

1.2.3 Temporary Land Acquisition for the Construction Phase

Temporary land requirement that may arise during the construction phase has been established to be 3 metre either left or right depending on the side with the least impact.

Temporary land acquisition is usually done to cover for loss of private property or temporary loss of access to private property as a direct result of construction activities. In such cases, access to the construction site would also be affected if the aggrieved owners of the assets are not compensated for the losses.

From our understanding of construction activities, these temporary land requirements may arise due to the following reasons:

- Need for space for movement by the contractors machines: Machines that usually require a lot of space to manoeuvre within the construction site sometimes destroy private property outside the permanently acquired land;
- Need for storage areas or space for stock-pilling of materials and spoils. This would only occur if the space provided for permanent land acquisition is not adequate.

1.3 Identification of Project Affected Persons

For the affected 172 land parcels, the total number of PAP households is 286. The breakdown of these households is as follows:

- 177 Land owners: Due to the fact that four parcels are co-owned by a number of individuals;
- 4 Lessees who only own crops;
- 105 sons, daughters, grandsons and grand-daughters who only own crops.
This translates to a total of 379 Project Affected Persons. None of these PAPs will be relocated. This means therefore that there will be no physical displacement but the PAPs will lose economically in terms of crops/trees planted on the proposed wayleave. The RAP has valued these crops and trees using current market rates and full replacement cost. This will enable the PAPs to plant these trees/crops on other sections of the remaining land.

1.4 Objectives of the RAP

A RAP study is a field assessment with the aim of identifying and consulting persons affected by a project or a proposed development and stakeholders influenced or having an influence on the project. The above exercise leads to the development of a time-bound plan with a budget for compensation of Project Affected Persons (PAPs) and its implementation.

The main objectives of the RAP study were:

- Identification of Project Affected Persons (PAPs);
- Identification of land parcels to be acquired for development of project infrastructure;
- Collection of qualitative and quantitative baseline socio-economic data of PAPs;
- Establishment of entitlements to PAPs;
- Collection of preferences for compensation;
- Development of a RAP.

1.5 RAP Study Methodology

1.5.1 Desk Study

An in-depth literature review was carried out before embarking on the field work to aid in the understanding of the exercise and in the development of comprehensive data collection tools. Since literature review is a continuous exercise, more documents were reviewed during reporting stage.

Some of the documents that were reviewed included:

- Previous project study reports including:
  - Final Detailed Design Drawings;
  - Project Survey Reports;
- Kenyan land laws including:
  - Land Laws (Amendment) Act, 2016;
  - Land Act 2012;
  - Land Registration Act, 2012;
  - National Lands Commission Act, 2012;
  - Environment and Land Court Act, 2011;
- World Bank operational policies and sourcebooks with focus on:
  - Involuntary Resettlement Policy (O P 4.12);
  - Involuntary Resettlement Source Book-Planning and Implementation in Development Projects;
- Available copies of easement records on the existing right of way.
1.5.2 Determination of the Project Footprint

Cadastral maps were acquired for Murang’a and Kiambu in areas where the pipeline is to be laid to:

- Determine the project footprint of relevance to land take;
- Identify affected land parcels;
- Determine the size of land to be acquired at land parcel level.

The study surveyors also set-out the alignment of the affected land parcels through temporary pegging.

1.5.3 Community Sensitisation Meetings

The objectives of the community sensitisation meetings were:

- Describing the Project footprint from Thika dam to the proposed Kigoro Water Treatment Plant 6km downstream of Thika and Treated Water gravity main from Kigoro treatment plant up to Gigiri reservoirs
- Setting and agreeing on the Cut-Off dates for compensation as per World Bank’s OP 4.12;
- Information dissemination and sensitisation on the RAP study activities, especially those that would require active PAP participation;
- Discussions and agreement on the schedule and modalities for the household survey (census, enumeration and valuation exercises). This included an explanation of the PAP’s roles in the exercise including the documentation required during the census and the valuation activities;
- Collection and collation of public comments on resettlement.

A total of six (6) public meetings were held along the entire project area in several sub-counties with five (5) meetings in Murang’a County and one (1) meeting in Kiambu County. The primary stakeholders such as Land Owners, property owners, residents and business owners within the project site were informed and sensitized about the proposed project and their views and comments noted.

Attendees were informed of the proposed project and the project footprint earmarked for land take. The sociologist also sensitised the attendees on the project goals and benefits.

After the presentations the attendees were given the opportunity to give their views, comments and queries. As such, the meetings provided a platform for expression of overall opinions, issues and concerns by community members who live on or conduct economic activities on the targeted right of way for the project.

Issues arising from the meetings are presented in Chapter 4 of this report.

1.5.4 Census

A census was done to identify the PAPs and register them according to their location. The following activities were conducted during the census:

- Identification of all PAPs through a pre-set questionnaire.
- Distribution of PAP IDs

For cases where the PAP Unit representative was not available for enumeration, responses were sought from the representatives of the household head or adult persons belonging to the household.

Absentee PAPs who did not have any representatives at all were identified through the assistance of village elders.
1.5.5 Socio-economic Baseline Survey

The tools used for baseline survey were:

- Household survey;
- Observations during transect walks.

(a) Household Questionnaire

The household questionnaires were administered by male and female enumerators with tertiary level of education. As the questionnaire was developed in English, the training and pre testing prior of enumerators prior to the actual enumeration, included a component to enable them administer it in Swahili and Kikuyu. The enumerators were recruited from within the project area.

Data collected from the household survey included:

- Demographic characteristics of the PAPs;
- Sources of income and economic activities of the PAPs;
- 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 PAP household;
- Sources of primary income for the household
- Preferred mode of compensation.

(b) Observations during Transect Walks

Observations were made by the study team to further inform quantitative and qualitative data collected during the field studies. Key parameters observed included conditions of housing, types of settlements, nature of trading and business activities, social interactions among the residents in the project area, land use and land cover.

1.5.6 Data Analysis

The analysis of quantitative data was done using PASW (Predictive Analytics Soft Ware), formally known as Statistical Packages for Social Sciences (SPSS). Data was presented in form of prose, tables, matrices, pie charts and graphs.

Data collected from the household survey was triangulated with information from site surveys, observations by the sociologist, focus group discussions and key informant interviews.

1.5.7 Basis of valuation

The basic principle governing valuation for compensation is that none of the affected persons should be made worse off compared to the situation he was in before the land was acquired but on the contrary, should be made better or at least restore them to pre-displacement level. To ensure that this was achieved, the valuation was undertaken as follows:

a) Valuation of land: The current market rates where used. This involved getting recent comparable land sales evidence as seen in the area and other areas of comparable agro-climatological characteristics.

b) Valuation of trees and crops: Valuation was done at full replacement cost for perennial crops and 8 years income for fruit trees. For annual crops, valuation was done at full replacement value and PAPs are also given advance notice to harvest their crops. The full replacement cost includes the current market rates for the crops and lost income before the crop/tree matures. The market value was determined by undertaking a mini market inquiry where local leaders and property owners were asked to provide information on prices of trees and crops when one is buying a farm. Schedule of updated crop prices from the Ministry of Agriculture (Crops Department) was also obtained with adjustments made in consideration of crop compensation rates used in recent acquisitions within the project area.
c) **Loss of structures:** Cash compensation is done at full replacement cost for construction of the structure plus transition benefits without deduction of value of salvage materials.

d) **Loss of business structure:** Cash compensation is done at full replacement cost for construction of the structure plus rehabilitation assistance equivalent to one (1) year income and transition benefits without deduction of value of salvage materials.

## 1.6 Emerging Issues after Submission of the RAP Report

### 1.6.1 Initial Versions of the RAP Report for the Project

A Resettlement Action Plan report was prepared, in accordance with the project requirements outlined in the previous section and submitted to the Athi Water Services Board, in January 2016.

Initially, the report covered the land requirements for all the project pipeline infrastructure for both raw and treated from Murang’a, Kiambu and Nairobi Counties. The RAP report equally identified and developed mitigation measures for the impacts of the expected land take in accordance with the laws of Kenya and World Bank social safeguards with a focus on the Operational Policy on Involuntary Resettlement (O. P. 4.12).

The initial 2016 RAP report noted that approximately 100 PAPs within the Ngethu – Gigiri treated water pipeline sections were not enumerated as they did not allow the consultant to undertake the census exercise due to historical grievances with regard to easement registration of the existing wayleave. Additional meetings were held with the affected persons with AWSB in attendance to engage the PAPs further on the historical issues and to seek a solution for purposes of the project.

These meetings resulted in a split of the initial RAP Report into three sections composed of the RAP for the Raw Water Pipeline (Thika-Kigoro) and the RAP for the Treated Water Pipeline (Kigoro to Ngethu and Ngethu to Gigiri Tanks). The RAP for Thika-Kigoro pipelines was therefore prepared and submitted to AWSB in September 2017.

It was also decided to include the National Land Commission (NLC) as a key part of the grievance resolution mechanism for the historical grievances in cognisance of their mandates in Alternative Dispute Resolution on land based grievances. The revised report for the Ngethu-Gigiri Section of the pipeline will therefore be updated to ensure integration of a system to manage grievances emerging from PAPs who had outstanding historical issues on the existing wayleave.

### 1.6.2 Update of the Kigoro-Ngethu Section of the RAP Report

Following the finalisation of the RAP for Thika dam – Kigoro pipeline in September 2017, AWSB mobilised GIBB to update the baseline socio-economic data for the PAPs within the Kigoro-Ngethu Section. This was done between December 2017 and January 2018.

AWSB also independently mobilised a land and asset valuer to revise the land and asset inventory in view of re-alignment of sections of the pipeline as well as in view of the time lapse since the valuation conducted by GIBB in September-October 2015, and submitted in January 2016.

Lastly, AWSB mobilised the full-time field project sociologists to assist with sensitisation and mobilisation of each household / enterprise to participate in the update activities.

These activities facilitated the preparation of a report to update the RAP arrangements for the section of the Pipeline that would fall under a new wayleave (Thika-Kigoro-Ngethu).

As such, the complete set of RAP Study documents for the Thika-Kigoro-Gigiri Pipeline (the section from Gigiri to Kabete was removed from the works contract) are as follows:
• **RAP for Thika-Kigoro dated September 2017:** The RAP has been prepared and AWSB has disclosed and implemented this RAP. As the RAP was implemented prior to World Bank clearance, an audit is currently being done by the Independent Panel of Experts (IPE) to confirm compliance with World Bank Safeguard Policies. The Audit Report is expected in June 2018.

• **RAP for Kigoro-Ngethu dated January 2018 (this report)**

• **RAP for Ngethu to Gigiri (Version 3 of March 2017):** The consultant faced challenges in preparing the RAP for this section of the pipeline. About 100 PAPs within the section of treated water pipeline from Ngethhu to Gigiri (within Kiambu County) did not allow the consultant to undertake census and valuation. They claimed that they were not paid for the existing 18m wayleave. They therefore demanded to be paid for the old wayleave plus the proposed new wayleave of 3m making it an acquisition of 21m. This is what necessitated the splitting of the RAP into 3. AWSB has sought the services of National Land Commission (NLC) in a bid to resolve the issues. The RAP will then be submitted to WB for review and approval once the consultation process with the aggrieved PAPs is completed.

This Report covers the Kigoro-Ngethu section of the Pipelines.
2 POLICY AND LEGAL FRAMEWORK

2.1 Policy Framework

2.1.1 National Land Policy

According to the Land Policy, rights of ownership refer to the quantity of rights that different tenure systems confer on individuals or groups of individuals. The principal rights of ownership are the right to use, the right to dispose of, and the right to exclude others from the land owned.

The definition and scope of these rights to land differ from one tenure system to another, depending on policy considerations such as the need to ensure equity in access to land.

According to the Land Policy, the Kenyan cadastre is still very in-optimal. An optimum cadastre system is necessary to ensure an efficient system of land delivery. In practical terms, this would allow not only for preparation and maintenance of cadastral information that indicates who owns what interest in land; but other details such as land capability, uses, size, distribution and topographical characteristics.

The policy also recognises the important of local grievance resolution mechanisms and sets forward proposals for implementation of the same. For example it calls for encouragement and facilitation of the use of Alternative Disputes Resolution (ADR) mechanisms such as negotiation, mediation and arbitration to reduce the number of cases that end up in the court system and delayed justice.

With regard to land take for public purposes, Section 3.2 of the policy on compulsory acquisition has been overtaken by events since the promulgation of the 2010 Constitution. More up to date items of relevance to this RAP are enshrined in the Kenyan Constitution and the new land laws that came into effect after 2012.

This policy document is important for establishment of the government's tenets on land ownership, security of tenure and registration of land ownership instruments. The document also provides historical facts on challenges to security of tenure and settlement in the country.

The policy recognizes that the land rights of vulnerable individuals and groups are not protected and are subject to bias and discrimination. Further, the vulnerable lack cohesive institutions to represent their interests.

The policy identifies that while the Law of Succession Act was supposed to harmonize inheritance laws, in practice the transmission of land rights is largely done within customary law, which discriminates against women and children.

To secure access to land and land based resources for vulnerable groups, the Government shall:

- Develop mechanisms for identifying, monitoring and assessing the vulnerable groups;
- Put in place mechanisms for redistribution of land and resettlement;
- Facilitate their participation in decision making over land and land based resources;
- Protect their land rights from unjust and illegal expropriation.

To protect the rights of women, the Government shall:

- Put in place appropriate legislation to ensure effective protection of women's rights to land and related resources;
- Repeal existing laws and outlaw regulations, customs and practices that discriminate against women in relation to land;
Enforce existing laws and establish a clear legislative framework to protect the rights of women in issues of inheritance to land and land-based resources;

Make provision for joint spousal registration and documentation of land rights, and for joint spousal consent to land disposals, applicable for all forms of tenure;

Secure inheritance rights of unmarried daughters in line with the practices of the respective communities;

Facilitate public awareness campaigns on the need to write wills to protect dependants in the event of death;

Carry out public education campaigns to encourage the abandonment of cultural practices that bar women from inheriting family land; and

Ensure proportionate representation of women in institutions dealing with land at all levels.

To secure the rights of spouses to matrimonial property, the Government shall:

Review succession, matrimonial property and other related laws to ensure that they conform to the principle of equality between women and men;

Enact specific legislation governing division of matrimonial property to replace the Married Women's Property Act of 1882 of England;

Protect the rights of widows, widowers and divorcees through the enactment of a law on co-ownership of matrimonial property;

Put in place appropriate legal measures to ensure that men and women are entitled to equal rights to land and land-based resources during marriage, upon dissolution of marriage and after the death of the spouse; and

Put in place mechanisms to curb selling and mortgaging of family land without the involvement of the spouses.


The policy requires that a Resettlement Action Plan be developed for a project that would require resettlement of people.

Throughout project implementation supervision of the implementation of the resettlement instrument is done to ensure that the requisite social, financial, legal, and technical experts are included in supervision missions. Supervision focuses on compliance with the legal instruments, including the Project Implementation Plan and the resettlement instrument.

The World Bank (WB) OP 4.12 includes safeguards to address and mitigate impoverishment risks arising from involuntary resettlement. For the purposes of this policy, "involuntary" means actions that may be taken without the displaced person's informed consent or power of choice.

The Bank’s experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise negative socio-cultural and economic impacts on the resettled people. For this reason, the overall objectives on WB’s policy on involuntary resettlement are:

Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs;

Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs;

Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
2.1.3 World Bank Policy on Gender and Development -O P 4.20

The objective WB’s Gender and Development policy is to assist member countries to reduce poverty and enhance economic growth, human well-being, and development effectiveness by addressing the gender disparities and inequalities that are barriers to development.

Projects are expected to take into consideration the gender dimensions of the proposed intervention. This study considered the gender dimensions of the project by collecting data whilst considering gender segregation.

The enumeration team also had representation from both genders with respect to the fact that some women may be shy to talk to men and vice versa. A special meeting was also organised for women in the project area as part of the study activities for gender analysis in the project area.

2.2 Legal Framework

2.2.1 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.

The Constitution also requires that compulsory acquisition be preceded by prompt payment in full, of just compensation to the affected person. It also allows any person who has an interest in or right over, that property a right of access to a court of law.

2.2.2 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.

Compulsory Acquisition in Kenya is also to be handled by the National Lands Commission.

Other mandates of the Commission include management of public land on behalf of the national and county governments.

The Act also mandates the Commission 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.

Thirdly, the Act empowers the Commission to administer all unregistered trust land and unregistered community land on behalf of the county government.
2.2.3 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) Compensation in respect to public right of way

Section 143 of the act empowers the Commission to create public rights of way. A public right of way may be: (a) a right of way created for the benefit of the national or county government, a local authority, a public authority or any corporate body to enable all such institutions, organisations, authorities and bodies to carry out their functions, referred to in the Act as a wayleave; or (b) a right of way created for the benefit of the public, referred to in section 145 of this Act as a communal right of way.

A public right of way shall attach to and run with the servient land in respect of which it has been created and shall be binding on all owners from time to time of the servient land, any manner they are occupying the land, whether under a land or a derivative right thereof, or under customary law or as a successor in title to any such owner or as a trespasser.

This section is relevant to the tunnel as its right of way is expected to run under private land.

Section 144 (1) states that an application, for the creation of a wayleave, shall be made by any State department, or the county government, or public authority or corporate body, to the NLC.

In applying for wayleave, section 144(4) requires the applicant to serve a notice on:

- All persons occupying land over which the proposed wayleave is to be created, including persons occupying land in accordance with customary pastoral rights;
• The county government in whose area of jurisdiction land over which the proposed wayleave is to be created is located;
• All persons in actual occupation of land in an urban and per-urban area over which the proposed wayleave is to be created; and
• Any other interested person.

Subsection (5) requires the Commission to publish the application along the route of the proposed wayleave calculated to bring the application clearly and in a comprehensible manner to the notice of all persons using land over which the proposed wayleave is likely to be created.

Section 145 (1) provides that a county government, an association, or any group of persons may make an application to the commission for a communal right of way.

Once an application has been made to the Commission, the determination for creation of a wayleave is conducted as per section 146 of the act and includes:

• The Commission, after at least ninety days from the date of the serving of notices, considering all the information received and all representations and objections made by any person served with a notice and recommending to the Cabinet Secretary whether to: (i) appoint a public inquiry to give further consideration to the representations and objections; or (ii) refer the application to the County Government for its opinion on whether to approve the application; or (iii) initiate and facilitate negotiations between those persons who have made representations on the application and the applicant with a view to reaching a consensus on that application;
• The Cabinet Secretary determining whether or not to create a public right of way, after taking account, as the case may be, of: (a) the recommendations of the Commission; or (b) the advice of the county government; or (c) the outcome of any negotiations referred to above;
• The Cabinet Secretary creating a public right of way by order in the Gazette. The order comes into force thirty days after its publication in the gazette.

An appeal against an order creating the wayleave is allowed within six weeks after the order has been made. Such appeal is made to the Court on a point of law against an order made by the Cabinet Secretary, but apart from such an appeal, an order of the Cabinet Secretary shall not be questioned by way of judicial review or otherwise in any court.

According to section 148, prompt compensation shall be payable (by the State Department, county government, public authority or corporate body that applied for the public right of way) 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, in addition to any compensation for the use of land for any damage suffered in respect of trees, crops and buildings as shall, in cases of private land, be based on the value of the land as determined by a qualified valuer.

In case of disagreement or dissatisfaction on amount or method of or time taken to make payment, the affected individual may apply to court for determination and award.

Section 148 (6) stipulates that the Commission shall make regulations prescribing the criteria to be applied in the payment of compensation. However, these regulations are yet to be gazetted.

(c) **Acquisition of private land for public use**

Section 110 (1) of the Land Act 2012 states that land may be acquired compulsorily under this Part 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 fulfillment of the stated public purpose.
Under such an acquisition, section 111(1) provides that if land is acquired compulsorily under this Act, 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 2-1.

Highlights of requirements under this process are:

- 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 128 of the Land Act states that any dispute arising out of any matter provided for under this Act may be referred to the Land and Environment Court for determination.

(d) Land transfers

Section 43 defines “transfer” as a conveyance, an assignment, a transfer of land, a transfer of lease or other instrument used in the disposition of an interest in land by way of transfer.

It further provides that a proprietor may transfer land, a lease or a charge to any person (including himself or herself), with or without consideration, by an instrument in the prescribed form and that the transfer shall be completed by the registration of the transferee as proprietor of the land, lease or charge.

From this provision, the transferee of a charge may require the charger to execute the transfer for the purpose of acknowledging the amount due under the charge at the date of execution of the transfer.

(e) Transmission of land ownership upon death

The provisions of this law are relevant to the process of succession for any PAPs who are yet to update land ownership documents due to death of the registered land owner.

Section 49, 50 and 51 provide that if one of two or more joint proprietors of any land, lease or charge dies, the Registrar shall, on proof of the death, delete the name of the deceased from the register by registration of the death certificate.

Also, if a sole proprietor or a proprietor in common dies, the proprietor’s personal representative shall, on application to the Registrar in the prescribed form and on production to the Registrar of the grant, be entitled to be registered by transmission as proprietor in the place of the deceased with the addition after the representative’s name of the words “as executor of the will of (..........................) [deceased]” or “as administrator of the estate of (..............................) [deceased]”, as the case may be.

Upon production of a grant for the above, the Registrar may, without requiring the personal representative to be registered, register by transmission;
a) Any transfer by the personal representative; and
b) Any surrender of a lease or discharge of a charge by the personal representative.

In this section, “grant” means the grant of probate of the will, the grant of letters of administration of the estate or the grant of summary administration of the estate in favour of or issued by the Public Trustee, as the case may be, of the deceased proprietor.

Subject to any restriction on a person’s power of disposing of any land, lease or charge contained in an appointment, the personal representative or the person beneficially entitled on the death of the deceased proprietor, as the case may be, shall hold the land, lease or charge subject to any liabilities, rights or interests that are unregistered but are nevertheless enforceable and subject to which the deceased proprietor held the same, but for the purpose of any dealing the person shall be deemed to have been registered as proprietor thereof with all the rights conferred by this Act on a proprietor who has acquired land, a lease or a charge, as the case may be, for valuable consideration.

The registration of any person as aforesaid shall relate back to and take effect from the date of the death of the proprietor.

2.2.4 Land Laws (Amendment) Act, 2016

Section 44(b) (2) (b) of this act states that:

(2) The Commission shall establish and maintain a register containing-

(b) the names and addresses of all persons whose land has converted to public through compulsory acquisition or reversion of leasehold.

These provisions once enacted will be critical in management of public land acquired for establishment of infrastructure as they would provide a record of publicly acquired land.

2.2.5 Land Acts Repealed by the Land Act 2012

The following Acts were repealed through the Land Act 2012:

- The Wayleave Act, Cap 292;
- The Land Acquisition Act, Cap 295.

2.2.6 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.

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 geo-referenced;
- 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.
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.

These provisions are essential throughout the RAP process including the verification of land ownership and update of land ownership documentation arising from acquisition of the wayleave and land for intake and water storage facilities.

2.2.7 Land Acts Repealed by the Land Registration Act 2012

The following Acts have since been repealed through the Land Registration Act 2012 and other related new legislations to give effect to the new constitution:

- The Indian Transfer of Property Act, 1882;
- The Government Land Act, Cap. 280;
- The Registration of Titles Act, Cap. 281;
- The Land Titles Act, Cap. 282;
- Registered Land Act, Cap. 300.

2.2.8 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, chooses 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.

**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.

### 2.2.9 The Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act, 2012


Section 3 of the Act state that 'displacement and relocation due to development projects shall only be lawful if justified by compelling and overriding public interests and in accordance with the conditions and procedures in Article 5 of the Protocol, Principles 7-9 of the Guiding Principles and as specified in sections 21-22 of this Act.

Displacement and relocation which come about due to development projects or projects to preserve the environment should be:

- Authorized and carried out in accordance with the applicable law;
- Justified by compelling and overriding public interests in the particular case; and
- Conducted when no feasible alternatives exist.

### 2.2.10 The Matrimonial Property Act 2013

The Matrimonial Property Act 2013 sets out the law and procedures for creation and division of a marital estate. It also stipulates how and by whom matrimonial property should be managed as well as how it should be divided at the end of a marriage.

Under section 6 of the Act, Matrimonial Property is described as the matrimonial home, household goods and effects in the matrimonial home, immovable property owned by either spouse, which provides basic sustenance for the family and any other property acquired during the subsistence of the marriage which the spouses expressly or impliedly agree to be matrimonial property.

Under section 3 (2) of the act, the parties to a marriage have equal rights and obligations at the time of the marriage and at the dissolution of it. Matrimonial property shall be deemed to vest in the spouses in equal shares regardless of the contribution of either of them towards the acquisition thereof.

Section 12(1) provides that no estate or interest in any matrimonial property shall be alienated in any manner without the prior consent of both spouses and that neither spouse shall be liable to be evicted from' the matrimonial homes except in accordance with a court order.

The provisions of this Act are relevant to the recognition of the role of both spouses in the decisions connected to matrimonial property to be affected by the project, and especially compensation payment on the same.
2.3 **Comparison of World Bank Policies and Kenyan Law**

A comparison of the Kenyan laws and WB requirements is presented in Table 2-1 overleaf. This comparison was conducted with the following considerations:

- None of the affected land parcels fall under the category of community land, therefore the community land Act is not included in the comparison;
- The affected persons are either:
  - Land owners as recognised by land ownership instruments and related records as prescribed by Kenyan law;
  - Tenants of land owners in the above category;
- The ratification status or coming into force of the International Treaties and Conventions included in this review was not included in the conduct of this analysis. The inclusion of these documents was to provide perspective at the policy level.
### Table 2-1 Comparison between World Bank Operational Policies and Kenya Policy and Laws

<table>
<thead>
<tr>
<th>Aspect</th>
<th>World Bank Policy</th>
<th>The Constitution</th>
<th>Kenyan Laws</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation and Engagement of PAPs</td>
<td>O.P 4.12-Paragraph 2(b): Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs. Paragraph 6 (a) The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are: (i) Informed about their options and rights pertaining to resettlement; (ii) Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives.</td>
<td>Access to information. 35. (1) Every citizen has the right of access to— a. Information held by the State; and b. Information held by another person and required for the exercise or protection of any right or fundamental freedom. Obligations in respect of the environment. 69. (1) The State shall— …… (d) encourage public participation in the management, protection and conservation of the environment.</td>
<td>Access to Information Act AN ACT of Parliament to give effect to Article 35 of the Constitution; to confer on the Commission on Administrative Justice the oversight and enforcement functions and powers and for connected purposes. It provides limitation on access to information on matters of national security but also states in Section 6. (4): Despite anything contained in subsections (1) and (2), a public entity or private body may be required to disclose information where the public interest in disclosure outweighs the harm to protected interests as shall be determined by a Court. Environmental (Impact Assessment and Audit) (Amendment) Regulations, 2016 Section 7.1(1) During the process of conducting an environment impact assessment study under these Regulations, the proponent shall in consultation with the Authority, seek the views of persons who may be affected by the project. It then provides the modalities for notices and a minimum number of meetings to be held. Land Act, 2012 Section 107: On approval of an application for land acquisition: (5) Upon approval of a request under subsection(1), the Commission shall publish a notice to that effect in the Gazette and the county Gazette, and shall deliver a copy of</td>
<td>Community sensitisation meetings were held to provide information as required in WB Policy (See Minutes of Meeting and public participation chapter on key aspects discussed during community sensitisation). Key objectives of the community meetings and the achievements of the program are as presented in Chapter 4 of this Report. In addition to engagement of PAPs in preparation of the RAP, the Bank Approved Report should be presented to affected persons in form, manner and language that is understandable to the affected persons. The disclosure arrangements provided in this Report with regard to the RAP report itself prior to its implementation, as well as integration of a PAP sensitisation program into the RAP Implementation Schedule, aim at achieving this requirement. (See Chapter 4, 6, 7 and 8 of this Report).</td>
</tr>
<tr>
<td>Aspect</td>
<td>World Bank Policy</td>
<td>The Constitution</td>
<td>Kenyan Laws</td>
<td>Remarks</td>
</tr>
<tr>
<td>--------</td>
<td>-------------------</td>
<td>-----------------</td>
<td>-------------</td>
<td>---------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>the notice to the Registrar and every person who appears to the Commission to be interested in the land.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Section 112 also provides procedures for hearings where interested parties can present their case to the commission.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>The Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act, 2012</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>22. (1) Subject to the Constitution and section 21 (2) of this Act and prior to the decision to give effect to the displacement of persons due to development projects or projects to preserve the environment, the Government shall-</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(a) seek the free and informed consent of the affected persons; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(b) hold public hearings on the project planning.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(2) The decision to give effect to the displacement of persons shall give the justification for the displacement and demonstrate that the displacement is unavoidable and no feasible alternatives exist. The decision shall contain detailed justification on the alternatives explored.</td>
<td></td>
</tr>
<tr>
<td>Aspect</td>
<td>World Bank Policy</td>
<td>The Constitution</td>
<td>Kenyan Laws</td>
<td>Remarks</td>
</tr>
<tr>
<td>------------------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Eligibility Criteria</td>
<td><strong>15. Criteria for Eligibility</strong>. Displaced persons may be classified in one of the following three groups:</td>
<td></td>
<td></td>
<td>The Bank’s policy on eligibility criteria and entitlements was adopted in this RAP Report.</td>
</tr>
<tr>
<td></td>
<td>(a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) 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 (see Annex A, para. 7(f)); and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) those who have no recognizable legal right or claim to the land they are occupying.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Entitlement for</td>
<td><strong>16. Persons covered under para. 15(a) and (b) are provided compensation for the land they lose, and other assistance in accordance with para. 6. Persons covered under para. 15(c) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, 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</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compensation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aspect</td>
<td>World Bank Policy</td>
<td>The Constitution</td>
<td>Kenyan Laws</td>
<td>Remarks</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Valuation and Prompt</td>
<td>Paragraph 6 (a)</td>
<td>After Repeal of the Compulsory Acquisition Act, regulations for Valuation methodologies are to be developed under the requirements for Compulsory Acquisition as outlined in the Land Act.</td>
<td>The previous (repealed) valuation procedures were based on market values while World Bank policy requires that compensation be based on full replacement cost.</td>
<td>The valuation methodology applied in this study is in line with the World Bank requirements on full replacement cost. The Rap Implementation Arrangements proposed in this RAP also aim and comply with the Policy and the Constitution of Kenya on prompt, full and just compensation.</td>
</tr>
<tr>
<td>Compensation</td>
<td>The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(iii) Provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Displaced persons should</td>
<td></td>
<td>The Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act, 2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>be assisted in their</td>
<td></td>
<td>Section 22:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>efforts to improve</td>
<td>(4) The Government shall ensure that the displacement is carried out in manner that is respectful of the human rights of those affected, taking in particular into account the protection of community land and the special needs of women, children and persons with special needs.</td>
<td>(4) The Government shall ensure that the displacement is carried out in manner that is respectful of the human rights of those affected, taking in particular into account the protection of community land and the special needs of women, children and persons with special needs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>their livelihoods and</td>
<td></td>
<td>Section 9:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>standards of living or at</td>
<td>(2) Without limiting the generality of the subsection (1), the following conditions for durable solutions shall apply:</td>
<td>(2) Without limiting the generality of the subsection (1), the following conditions for durable solutions shall apply:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>least to restore them, in</td>
<td>(b) full restoration and enjoyment of the freedom of movement; (c) enjoyment of an adequate standard of living without discrimination;</td>
<td>(b) full restoration and enjoyment of the freedom of movement; (c) enjoyment of an adequate standard of living without discrimination;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aspect</td>
<td>World Bank Policy</td>
<td>The Constitution</td>
<td>Kenyan Laws</td>
<td>Remarks</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Monitoring and Evaluation</td>
<td>The World Bank policy requires collection of baseline socio-economic data as a basis for monitoring the efficacy of livelihood restoration measures proposed in resettlement instruments. It also outlines the responsibilities of the borrower and the Bank in monitoring and evaluation of the borrower’s compliance with the resettlement instrument. Upon completion of the project, the borrower is required to undertake an assessment to determine whether the objectives of the resettlement instrument have been achieved. If the assessment reveals that these objectives may not be realized, the borrower proposes follow-up measures that may serve as the basis for continued Bank supervision, as the Bank deems appropriate.</td>
<td>---</td>
<td>(d) access to employment and livelihoods; (e) access to effective mechanisms that restore housing, land and property; .......... (i) access to justice without discrimination.</td>
<td>This RAP outlines a monitoring and evaluation framework for use by AWSB during implementation of the resettlement program.</td>
</tr>
</tbody>
</table>

The laws of Kenya on Compulsory Acquisition (Land Act, 2012), are not explicit on monitoring of the efficacy of compensation modalities to ensure livelihood restoration of displaced persons. However:

The Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act, 2012

Section 22

(5) The Government shall ensure the presence of a Government official when the displacement and relocation is effected and the monitoring by an independent body.
<table>
<thead>
<tr>
<th>Aspect</th>
<th>World Bank Policy</th>
<th>The Constitution</th>
<th>Kenyan Laws</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grievance Mechanisms</td>
<td>Paragraph 13: Appropriate and accessible grievance mechanisms are established for these groups. i.e. Displaced persons and their communities, and any host communities receiving them</td>
<td>Article 159 on Judicial Authority: (2) In exercising judicial authority, the courts and tribunals shall be guided by the following principles— (c) alternative forms of dispute resolution including reconciliation, mediation, arbitration and traditional dispute resolution mechanisms shall be promoted, subject to clause (3); (3) Traditional dispute resolution mechanisms shall not be used in a way that— (a) contravenes the Bill of Rights; (b) is repugnant to justice and morality or results in outcomes that are repugnant to justice or morality; or (c) is inconsistent with this Constitution or any written law.</td>
<td>The Land Act 2012 recognizes the right of the affected persons to refer their disputes to the Land and Environment Court, while the Land Policy advocates for negotiation, mediation and arbitration to reduce the number of cases that end up in the court system and delayed justice. Similarly, the World Bank guidelines and policies call for appropriate and accessible grievance handling mechanisms for both displaced persons and host communities.</td>
<td>This RAP has given proposals for local grievance mechanisms to promote compliance with the Kenyan and World Bank policies.</td>
</tr>
</tbody>
</table>
3 SOCIO-ECONOMIC PROFILE OF THE PAPS

3.1 Administrative Boundaries

The proposed Kigoro-Ngethu pipeline will traverse two counties namely Murang’a and Kiambu. In Murang’a the project will pass through Gatanga Sub-County, in Kiambu the project will pass through one sub-counties namely Gatundu North. The map showing the project alignment within Murang’a and Kiambu counties is as shown if figure 1-1 in Chapter 1.

The pipelines will traverse several locations as shown in Table 3-1.

Table 3-1: Administrative units along the project area

<table>
<thead>
<tr>
<th>County</th>
<th>Sub County</th>
<th>Division</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murang’a</td>
<td>Gatanga</td>
<td>Kigoro</td>
<td>Ndakaini</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ndunyu Chege</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Kigoro</td>
</tr>
<tr>
<td>Kiambu</td>
<td>Gatundu North</td>
<td>Chania</td>
<td>Gituamba</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Makwa</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Kairi</td>
</tr>
</tbody>
</table>

3.2 Population Size and Composition

3.2.1 Population Distribution and Gender Composition

For the affected 172 land parcels, the total number of PAP households is 286. The breakdown of these households is as follows:

- 177 Land owners: Due to the fact that four parcels are co-owned by a number of individuals;
- 4 Lesees who only own crops;
- 105 sons, daughters, grandsons and grand-daughters who only own crops.

The PAPs sampled for the update of the socio-economic baseline data represent 36% of the total number of PAPs.

The population distribution of the PAPs in Murang’a and Kiambu was found to consist of more men (72.1%) than women (27.9%). It was also noted that in Murang’a and Kiambu, the largest age group was between 50-59 years followed by 60-69 years. Children between the ages of 10-19 was the least group followed by those between the ages of 0-9 years.
From the analysis shown in figure 3-1, it was noted that there are slightly more male PAPs (53%) than there are female (47%). It will be important to ensure that both the men and women household heads are advised on how to spend the money in efforts to restore their livelihoods. This includes requirements for opening of joint accounts with assistance from AWSB where possible. In addition, it might also be necessary to ask the PAPs to be accompanied with their spouses or immediate family to minimise issues of a PAP misappropriating the cash.

### 3.2.2 Religion

Christianity is the largest religion at 94% where 77% are Protestants, while 17% are Catholics. Muslims form only 1% of the PAP population while indigenous religious groups account for 5%, as shown in Figure 3-2.

**Figure3-2: PAPs religion**

This relative homogeneity in belief systems reflected by the response of a majority of the population will ease the process of resettlement and integration in case there will be need of relocation of the affected population from the proposed wayleave.
3.3 Land Use and Land Tenure

3.3.1 Land Use

The major land use onsite as indicated by the PAPs include cash crop farming at 55% followed by residential land use at 21%. The other land use along the proposed wayleave was found to be pasture/fodder grounds (10%), subsistence farming (9%). Graves/burial grounds and business premises take up the least land use patterns at 3% each.

Figure 3-3: Land use patterns on site

![Land Use Chart]

3.3.2 Land Tenure

The land in Murang’a and Kiambu County is under freehold tenure and most of the lands have titles. The other form of land tenure is public land that is owned by the government, these are mostly used for public utilities such as power, water supply lines and roads. Majority of the PAPs surveyed (79%) are land owners while (19%) are land tenants.
The land tenants include spouses and daughters of the registered land owners. While under the marital properties act the spouses would retain land rights, depending on the enforcement of the act, the daughters of the land owners do not have any land rights. However, neither of the two groups pay rent to the land owner, as they are family to the registered land owner. The actual words applied during the engagement process is that they were “allowed” to farm on the property. This is also supported by kikuyu culture where women of the household were also allowed to farm within the property of the household head.

From the engagement process during the RAP study, both groups do not pay rent to the land owner.

3.4 Energy

3.4.1 Energy Source for cooking

From the survey analysis in Figure 3-5, the most common source of energy for cooking used by the PAPs is firewood (44%), while the least source of energy for cooking was electricity (3%) as most of the PAPs indicated that it was too expensive.
3.4.2 Energy Source for Lighting

Electricity is largely used for lighting purposes among all the PAPs (62%) followed by kerosene lamp (31%). The least form of energy used for lighting is LPG gas at 1%. The PAPs indicated that during power blackouts, they resorted to using rechargeable batteries (6%) and kerosene lamps.

During resettlement, in cases where a PAP prefers land for land compensation, it will be important for the PAPs to be resettled in areas where they can access energy sources previously available to them.

Figure 3-6: Energy sources for lighting
3.5 Transport and Communication

3.5.1 Transport

Murang’a and Kiambu County are served by different class of roads that has opened up the county to markets for the tea, macadamia, bananas and coffee. The project area has a number of murram roads of class D, E, F, G that run through the County connecting the farms to the buying centres and factories.

The Major form of motorised transport is through the use of motorcycle taxis (bodaboda) and 14 seater Public Service Vehicles. Non-motorised transport modes such as donkey pulled carts are also available in the area.

The roads that are expected to be affected were noted to be under KURA and KeRRA. The constituency roads officer indicated that maintaining roads within Murang’a and Kiambu are critical for transportation of Tea and Coffee from the farms to the processing factories. Disruption of these roads is expected to affect the delivery of coffee to the factories thus affecting the livelihoods of the people using them.

3.5.2 Communication

In the entire project area, it was noted that majority of the PAPs (92%) have access to mobile phones and use it as the main mode of communication, 1% of the PAPs have postal addresses through which they receive mails. The PAPs who did not have access to either mobile phones or postal addresses have access to mobile phones belonging to neighbours or relatives. This is particularly important when communicating dates for RAP disclosure meetings; this is a sure way to ensure all the PAPs have been notified of the meetings in time.

3.6 Water and Sanitation

3.6.1 Water Sources

The study established that majority (59%) of the PAPs have access to piped water system either connected to their homesteads (32%) or communal water points (27%). WHO categorises bottled and piped water as improved water sources, during resettlement, damages to the water supply infrastructure might lead the PAPs to use alternative water sources such as rivers that are an unimproved water source.

Rain water harvesting is a common practice among the PAPs as it was the second most common source of water at 12% who harvest the rain water using water tanks connected to roof gutters. Water vendors were also a source of water for the PAPs at 4% and is not considered as an improved water source by WHO despite it being sourced from water kiosks. 7% of the PAPs indicated protected springs as their source of water. Protected springs are considered improved water sources as per WHO standards although are highly susceptible to ground water pollution which might occur during construction. Figure 3-7 shows the water sources used by the PAPs along the proposed wayleave.
Figure 3-7: Water sources used by PAPs

![Water Sources Chart]

### 3.6.2 Access to Water

Ease of access to a water source is a factor of time and distance, according to UN standards, a water source is considered accessible if it is less than 1Km away from the intended consumer. The survey results indicated that majority of the PAPs (83%) access water sources in less than 30 minutes while walking reducing water-carrying burdens, which in turn increases children attendance at school as well as mothers time for household activities. This shows that the PAPs live in close proximity to the water source which is mainly piped water, springs or streams located near their homesteads. Figure 3-8 shows the duration taken to fetch water that more often is a task delegated to and women and children.

Resettlement within the same locale is therefore critical to ensuring that the PAPs do not have to cover more distance and time to access the water source.

**Figure 3-8: Time taken to water source**

![Time taken to water source Chart]
3.6.3 Modes of Water Treatment

PAPs households use different purification strategies to make water safe for consumption. Figure 3-9 shows the most common method for treating water for domestic consumption is boiling (57%). 42% of the PAPs indicated that they do not treat water as they trust its safety. The percentage of persons who treat their water is relatively high compared to those who do not. These results indicates that sensitisation of the PAPs and the community at large on water and sanitation issued is key to avert and reduce cases of water borne diseases.

Figure 3-9: Water treatment methods used by PAPs

3.6.4 Quantity of Water Used

According to WHO, the average water use for drinking, cooking and personal hygiene is at least 15 litres per person per day. Considering the average household size of the PAPs is 4, Figure 3-10 indicates the amount of water used by PAPs and their households.

Figure 3-10: Amount of water used by PAPs
3.6.5 Sanitation

From the survey analysed in figure 3-11, there are two types of sanitation facilities. It is estimated that about 93% of the PAPs in the project area use pit latrines while 7% use flush toilets. A few PAPs who had flush toilets within their households were using Offsite sanitation.

Figure 3-11: Toilet facility used by PAPs

3.7 Health

3.7.1 Disease Incidence

From the responses gathered from the PAPs, it was noted that majority of them suffered from common cold (63%), headaches (19%) and eye infections (7%).

Figure 3-12: Prevalent ailments
3.7.2 Health Facilities

During the survey, it was observed that majority of the PAPS (81%) live within 5 Km of major health facilities, this helps them reduce the time taken and distance covered to seek medical care. PAPs access the hospitals by use of public transport vehicles, motorbikes or on foot to access health facilities. Figure 3-13 shows the distance covered by PAPs to the nearest medical facility.

Figure 3-13: Distance covered to health facilities

3.8 Education

3.8.1 Highest Level of Education

The household survey findings show that majority of the PAPs (26% male and 24% female) have attained basic primary school education. 20% male and 20% female have attained secondary school education. Disruption of household livelihoods might lead to increase of cases
of school dropouts if the PAPs incomes are not restored. In cases of resettlement, the increase in distance from the initial schools the PAPs attended might impact negatively on the performance of the PAPs. Figure 3-14 shows the education levels among the PAPs.

**Figure 3-14: Education level among PAPs**

![Education level among PAPs](image)

### 3.8.2 Distance to Educational Facility

The PAPs indicated that there are several schools in the area and majority of them (53%) attend schools less than 2km away. Should relocation of some of the PAPs occur, it will be necessary that they be resettled within the 2km radius of the schools to reduce the impact on education. Figure 3-15 shows the distances covered by the PAPs to educational facilities.

**Figure 3-15: Distance to educational facility**

![Distance to educational facility](image)

### 3.9 Economic Activities

#### 3.9.1 Income Sources

Majority of the PAPs engage in farming as their primary (79%) and secondary sources of income (73%). Salaried employment is the second most common primary source of income at 9% while
small scale commercial trading is the second common source of secondary income.

The incomes activities conducted by the PAPs are as indicated in figure 3-16.

Figure 3-16: Income sources of the PAPs

![Income Sources Diagram]

3.9.2 Monthly Household Income

From the survey results as shown in figure 3-17, majority of the households (64%) have an average monthly income of less than 30,000 a month, while 35% have an average monthly income of above Kshs30,000.

Sensitisations and capacity building on financial management skills is therefore important to protect PAPs from the risk of misusing compensation funds for their immediate needs. There is also a risk of PAPs misusing the funds especially for those PAPs who will receive huge sums of money that they have never handled before.

Figure 3-17: Monthly household income
3.10 Housing and Settlement

From analysis shown in figure 3-18 and observation during the survey, majority of the PAPs have houses with iron sheet roofing (83%), Cemented floors (72%) and stone walls (69%). There are also houses that were made of wooden floors and walls.

Figure 3-18: Type of housing material
4 PUBLIC CONSULTATION AND DISCLOSURE

4.1 Background

The Kenyan Constitution promotes public participation as one of the national values and principles of governance. Chapter Eleven of the Constitution on “Objects and Principles of Devolved Government” also calls for enhancement of “participation of the people in the exercise of the powers of the State and in making decisions affecting them.”

The World Bank Policy on Involuntary Resettlement gives policy direction on consultation of affected persons where it states “displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs” (Paragraph 2b).

It also requires the following as elements of a participation plan:

Involvement of resettlers and host communities, including:

- A description of the strategy for consultation with and participation of resettlers and hosts in the design and implementation of the resettlement activities;
- A summary of the views expressed and how these views were taken into accounting preparing the resettlement plan;
- A review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individuals, families, or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centres, cemeteries); and;
- Institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented” (Annex A, paragraph. 15).

According to the World Bank Resettlement Source Book, participation is important because the success of resettlement depends on the responsiveness of the people affected. The displaced persons must themselves be able and willing participants if they are to return to productivity and resume responsibility for their lives.

4.1.1 Objectives of the Public Consultation

The specific objectives of the consultation process 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 through establishment of communication channels and redress mechanisms 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.
  - Establishment of cut-off date
Public consultation process for the Pipeline project took place throughout the ESIA study process starting with the Scoping Stage through to the Detailed ESIA stage. To facilitate direct involvement by PAPs, special measures were put in place to ensure discussion on resettlement related issues at all forums.

In addition, the area Chiefs were sensitised during the mobilisation for public participation, to ensure that PAPs are part of the persons participating in the meetings. Similarly during the household survey, the enumerators were trained to identify PAP households to ensure that the questionnaire with elements specific to RAP was administered to these households during the household survey.

The PAPs were also engaged in detail during the development of the Land and Asset Inventory. Specific forms filled at household level are provided in Volume III of this Report.

4.2 Stakeholder Engagement

To enhance maximum participation and achieve a better output, the right stakeholders were taken on board. This was done through stakeholder identification and involvement based on their needs, interests, relative power and potential impact on project outcome.

In this regard, two broad categories of stakeholders were identified. These include:

- **Primary stakeholders** – those who are the beneficiaries of a development intervention or those directly affected (positively or negatively), by the project, commonly referred to as Project Affected Persons (PAPs). For purposes of the RAP, these include:
  - Households, businesses, organised community groups as well as government / public institutions and private institutions who are to be impacted through land take, displacement and resettlement;
  - The RAP implementation Agency i.e. AWSB

- **Secondary stakeholders** – those who influence development or are indirectly affected by the project especially those stakeholders involved in resettlement planning and implementation. For purposes of the RAP these include:
  - Murang’a and Kiambu County Government representatives;
  - National government agencies with mandates impacting land take, resettlement and livelihood streams of the PAPs;
  - Civil Society Organisations with experience or on-going activities related to the livelihood streams of the PAPs;
  - Any other stakeholders of relevance to the resettlement process.

4.3 Previous Consultations

Different strategies of consultation were adopted depending on the role each target group played in the area. Notifications of these meetings were done during the reconnaissance tour and the courtesy visits at various offices of the Assistant County Commissioners along the proposed route. The notices were given at least one week for public meetings and three days for government officials and CSOs prior to the meeting day to allow them time for preparation.

The study team held introductory meetings with key stakeholders at the scoping stage between 10-22 April, 2014. These meetings served as an introduction of the Northern Collector Tunnel-Phase 1 project and set the ground for the ESIA studies ad RAP studies held from the month of August to early October, 2014.

Consultations with the Sub-County administration in Kangema and Kigumo Sub-Counties were done during the preliminary field visits to notify them of the proposed project as well as to aid in identification of relevant institutional stakeholders to be consulted during the ESIA study.
The key stakeholders that were consulted included:

- Mr. J.G Kamau - Deputy County Commissioner (DCC) - Kangema Sub County;
- Mr. Charles Langata - Assistant County Commissioner (ACC) on behalf of the DCC - Kigumo Sub County;
- Mr. David Gichoni - Sub County Water Officer - Kigumo Sub County;
- Ms. Faith Mbathi - Service Water Officer (WRMA) – Murang’a Sub Region;
- Hon. Anderson Muchemi Waweru - Member of the County Assembly - Kangari Ward;
- Hon. Caroline Wairimu Njoroge – Member of the County Assembly - Kigumo Ward;
- Hon. Charles Mwangi Kirigwi – Member of the County Assembly - Kinyona Ward;
- Hon. Peter Irungu Kihungi - Member of the County Assembly – Kanayanyaini Ward;
- Hon. David Muheru Njeri – Member of the County Assembly – Kariara Ward

4.4 Public Consultation during the RAP Study

Various approaches were employed by the field team during the stakeholders’ consultation process. These included consultative and participatory meetings, interviews, discussions and administering of questionnaires. Due to different levels of stakeholders and their roles regarding the project, the consultative meetings were carried out on various levels of stakeholders to ensure that there is an open and interactive communication.

In the meetings, the Consultant team explained what was entailed in the project proposal and envisioned social and environmental impacts. After presentations, questions and opinions were invited from the participants.

The minutes of the meeting were prepared and signed by a representative. The records of consultations are as shown in Appendix 2.

The following stakeholder groups were consulted:

Table 4-1: Stakeholder groups consulted.

<table>
<thead>
<tr>
<th>Stakeholders</th>
<th>Residents of Murang’a County:</th>
<th>Consultation tools</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary stakeholders</td>
<td>Kigoro</td>
<td>Six (6) Public meetings were conducted on from Kigoro to Ngethu. The meetings were spaced 2km apart to ensure adequate sensitization of the people living within the project zone of influence.</td>
</tr>
<tr>
<td></td>
<td>Ndunyu Chege (2 No Meetings)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kiriaimi</td>
<td></td>
</tr>
<tr>
<td></td>
<td>✑ Gatanga</td>
<td></td>
</tr>
<tr>
<td>Residents of Kiambu County:</td>
<td>Ngethu Social Hall</td>
<td>Informal interviews were held with area residents especially the village elders who have knowledge of the area from day of the past to date.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Questionnaires were used to collect household data to describe the household characteristics of the people living in the project area.</td>
</tr>
</tbody>
</table>
### Stakeholders

<table>
<thead>
<tr>
<th>Primary stakeholders</th>
<th>Institutions in Murang’a;</th>
<th>Consultation tools</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>These include those institutions that run their daily operations or manage infrastructure within the proposed wayleave:</td>
<td>One on one meetings and minutes of the meetings taken;</td>
</tr>
<tr>
<td></td>
<td>- Water Resource Users Association (WRUA);</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Gatanga water and Sewerage Company.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Murang’a Water and sanitation company</td>
<td></td>
</tr>
<tr>
<td>Institutions in Kiambu</td>
<td>Gatundu water and sanitation Company formerly known as Karimenu water, provides water for residents of Gatundu North and south as well as run their daily operations within the project area.</td>
<td>We sought their views through a questionnaire but by the time this report was finalised they hadn’t responded.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Secondary stakeholders</th>
<th>Government Agencies in Murang’a;</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The following stakeholders identified and consulted on the proposed project were:</td>
<td>These stakeholders were consulted through:</td>
</tr>
<tr>
<td></td>
<td>- National Administration;(Deputy County Commissioner Murang’a County, Area chief and assistant chiefs of each location);</td>
<td>- One on one meetings, and</td>
</tr>
<tr>
<td></td>
<td>- County director of Public health;</td>
<td>Round table meetings.</td>
</tr>
<tr>
<td></td>
<td>- Water resource management authority;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- County Registrar;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Constituency roads officer KeRRA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- County Director of Physical planning;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Deputy county Surveyor;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- County Director Agricultural officer;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- County Director of Environment;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- County Water Director.</td>
<td></td>
</tr>
<tr>
<td>Government Agencies in Kiambu</td>
<td>The following National Government stakeholders were identified and consulted on the proposed project:</td>
<td>These stakeholders were consulted through:</td>
</tr>
<tr>
<td></td>
<td>- Kiambu County Commissioner,</td>
<td>- One on one meetings,</td>
</tr>
<tr>
<td></td>
<td>- Senior ACC 1 representing Deputy County Commissioners for Gatundu North,</td>
<td>- A round table meeting with the Chiefs and assistant chiefs in Gatundu North.</td>
</tr>
<tr>
<td></td>
<td>- Area chief and assistant chiefs of each location);</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- County director of Education;</td>
<td>- Questionnaires.</td>
</tr>
</tbody>
</table>
The Kiambu County Government stakeholders identified and consulted were as follows:

- CEC Planning and Development;
- CEC Education, Youth, Culture and Social Services;
- CEC for Agriculture, livestock and fisheries;
- Water, Environment, and Natural Resources;
- Health Services.

Table 4-2 shows the date and venues of previous meetings held within the respective locations and gender representation.

**Table 4-2: List of Previous Public Meetings and the Venues**

<table>
<thead>
<tr>
<th>County</th>
<th>Sub County</th>
<th>Location</th>
<th>Venue</th>
<th>Date</th>
<th>male</th>
<th>females</th>
<th>total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murang’a</td>
<td>Gatanga</td>
<td>Kigoro</td>
<td>Kanunga Chiefs office</td>
<td>5/5/2015</td>
<td>30</td>
<td>44</td>
<td>74</td>
</tr>
<tr>
<td>Murang’a</td>
<td>Ndunyu Chege</td>
<td>Kigoro</td>
<td>Kagongo Tea Buying Centre</td>
<td>6/5/2015</td>
<td>11</td>
<td>13</td>
<td>24</td>
</tr>
<tr>
<td>Murang’a</td>
<td>Ndunyu Chege</td>
<td>Ndunyu Chege</td>
<td>Ndunyu Chege Tea Buying Centre</td>
<td>14/5/2015</td>
<td>12</td>
<td>61</td>
<td>73</td>
</tr>
<tr>
<td>Murang’a</td>
<td>Kiriai- Ini</td>
<td>Ndunyu Chege</td>
<td>Kigoro</td>
<td>Kanunga Chiefs office</td>
<td>5/5/2015</td>
<td>30</td>
<td>44</td>
</tr>
<tr>
<td>Murang’a</td>
<td>Gatanga</td>
<td>Tear Buying Centre</td>
<td>Tear Buying Centre</td>
<td>5/5/2015</td>
<td>30</td>
<td>44</td>
<td>74</td>
</tr>
<tr>
<td>Kiambu</td>
<td>Gatundu North</td>
<td>Ngethu</td>
<td>Ngethu social hall</td>
<td>19/5/2015</td>
<td>13</td>
<td>16</td>
<td>29</td>
</tr>
</tbody>
</table>
### 4.5 Summary of Issues Raised

#### 4.5.1 Issues Raised by Key Informants

Table 4-3 provides a summary of the issues raised by key informants.

**Table 4-3: Issues raised by Key Informants**

<table>
<thead>
<tr>
<th>Issue/concern</th>
<th>Comments</th>
<th>Responses of relevance</th>
</tr>
</thead>
</table>
| Use of wayleaves provided under the road reserve. | - Use of the road reserve without the knowledge of KURA will lead to a scenario where other road support infrastructure such as storm water drains might lack space for construction;  
- Road junctions will result in destruction of the water supply lines.                                                                                      | - The layout of the pipeline will be submitted to KURA to identify areas where there will be conflict in road reserve use.  
- For areas where the Pipeline will cut across a road, the contractor is expected to apply for permission for the construction works. The roads that will be damaged by the pipeline should be repaired to original standards, a 30% cost of the repair cost in form of a bankers cheque is left at the Kenya Rural Roads Authority (KeRRA) offices as guarantee that the roads will be repaired by the applicant. |
| Valuation of affected assets and compensation for losses | - The value of crops range from season to season and there is a possibility of the crops being given values of a high season which tends to be low;  
- Lack of a standard price list for crops in the agricultural docket therefore the crops may be over priced or under-priced;  
- Unrealistic expectations on land values;  
- Compensation proposed under this RAP should be reasonable;  
- Some of the trees have taken many years to mature, some are for economic purpose, some provide feeder to livestock other help in soil preservation, cutting down of these trees will lead to soil erosion and loss of livelihoods;  
- Most of the riparian land is used for irrigation in the county hence loss of this produce will result in impacts on food sources for the affected persons. | - Valuation was done at full replacement cost using recent market rates;  
- Affected households will be allowed to harvest crop residue in addition to the cash compensation for the loss of crops.                                                                                             |
<table>
<thead>
<tr>
<th>Issue/concern</th>
<th>Comments</th>
<th>Responses of relevance</th>
</tr>
</thead>
</table>
| Reduction in tea production                      | The Tea factories have employed staff based on a monthly average tea collection, acquisition of land with Tea will subsequently lead to reduction of production and a subsequent loss of jobs to the employees.  
The farmers should be allowed to grow the tea after the construction on the wayleave to reduce the ripple effect of acquiring the land from the farmers. | A community health and safety action plan is in place and it addresses the issues raised including:  
- Regular community meetings to sensitize the community on health and safety hazards;  
- Provision of temporary access (bridges etc.) and alternative routes in cases where roads are blocked;  
- Stockpiling of materials within the acquired right of way or within the designated sites;  
- Repair of damaged roads shortest time possible.                                                                                           |
| Health, safety and economic impacts on the temporary wayleave | • The trenches dug to lay the pipe could be as deep as 20m and this will lead to loss of access to one side of the property and a danger to livestock and human lives.  
• Haphazard stock piling will destroy crops outside of the temporary and permanent right of way  
• Disruption of tea collection as a result of works on roads used to deliver tea;  
• Water and sanitation facilities that will be affected should be restored to their original state to maintain the water and sanitation standards in the county;  
• The contractor’s site to be established in a location will not contaminate water sources and cause noise in human settlements. This will ensure that the impacts are minimised. |                                                                                                                                                                                                                                                                                  |
| Land fragmentation                                | Productive land will be divided into segments leaving some parcels of land injuriously affected and thus not economically viable.                                                                        | In cases where the impact of acquisition results in loss of up to 20% or more of the economic viability of the land, acquisition of the entire land parcel will be provided.                                                     |
| Employment                                        | • It will be beneficial to the residents of the project area to get employment from the project; this will also ensure that the project runs smoothly without any protests.  
• Employment will also help reduce cases of crime and social crimes that could be as a result of idleness; | • The project will restore incomes of the people who are directly economically affected by the acquisition of land and assets.                                                                                         |
| Risk of future land use conflicts due to the easement for the Pipeline. | • Terms of the easement should be clearly documented in the agreement so that both parties know what they are getting into, this will avoid issues of people building permanent structures above the pipeline or growing perennial crops;  
• The wayleave/easement should be registered with the lands ministry to avoid land grabbers; | AWSB shall:  
- Clearly outline the terms of land acquisition whether its easement or wayleave;  
- Ensure that the neighbouring land owners know what land uses are permitted on the wayleave;  
- Develop a program to map out all the acquired land under this project including setting out of permanent beacons.                                                                                             |
4.5.2 Issues Raised by PAPs

Table 4-4 provides a summary of the issues raised by PAPs.

<table>
<thead>
<tr>
<th>Issues/concern</th>
<th>Comments</th>
<th>Responses of relevance</th>
</tr>
</thead>
</table>
| Use of wayleaves provided under the road reserve.   | • Use of the road reserve without the knowledge of Kenya Urban Roads Authority (KURA) will lead to a scenario where other road support infrastructure such as storm water drains might lack space for construction;  
|                                                      | • Road junctions will result in destruction of the water supply lines.                                                                                                                                       | • The layout of the pipeline will be submitted to KURA to identify areas where there will be conflict in road reserve use.  
<p>|                                                      |                                                                                                                                                                                                          | • For areas where the Pipeline will cut across a road, the contractor is expected to apply for permission for the construction works. The roads that will be damaged by the pipeline should be repaired to original standards, a 30% cost of the repair cost in |</p>
<table>
<thead>
<tr>
<th>Issues/concern</th>
<th>Comments</th>
<th>Responses of relevance to the RAP study</th>
</tr>
</thead>
</table>
| Valuation of affected assets and compensation for losses | • The value of crops range from season to season and there is a possibility of the crops being given values of a high season which tends to be low;  
• Lack of a standard price list for crops in the agricultural docket therefore the crops may be over priced or under-priced;  
• Unrealistic expectations on land values;  
• Compensation proposed under this RAP should be reasonable;  
• Some of the trees have taken many years to mature, some are for economic purpose, some provide feeder to livestock other help in soil preservation, cutting down of these trees will lead to soil erosion and loss of livelihoods;  
Most of the riparian land is used for irrigation in the county hence loss of this produce will result in impacts on food sources for the affected persons. | • Valuation was done at full replacement cost using recent market rates;  
• Affected households will be allowed to harvest crop residue in addition to the cash compensation for the loss of crops.  
• The farmers are not allowed to plant tea because they are deep routed. Annual crops such as legumes, maize and nappier grass is allowed. This will be communicated to the farmers during the disclosure process. |
| Reduction in tea production | The Tea factories have employed staff based on a monthly average tea collection, acquisition of land with Tea will subsequently lead to reduction of production and a subsequent loss of jobs to the employees  
The farmers should be allowed to grow the tea after the construction on the wayleave to reduce the ripple effect of acquiring the land from the farmers. | The tea production will be affected as farmers will not be allowed to farm tea on the wayleave. However, the overall impact will be minimal since small sections of individual lands will be taken up by the project |
| Health, safety and economic impacts on the temporary wayleave | • The trenches dug to lay the pipe could be as deep as 20m and this will lead to loss of access to one side of the property and a danger to livestock and human lives.  
• Haphazard stock piling will destroy crops outside of the temporary and permanent right of way  
• Disruption of tea collection as a result of works on roads used to deliver tea;  
• Water and sanitation facilities that will be affected should be restored to their original state to maintain the water and sanitation standards in the county; | A community health and safety action plan is in place and it addresses the issues raised including:  
• Regular community meetings to sensitize the community on health and safety hazards;  
• Provision of temporary access (bridges etc.) and alternative routes in cases where roads are blocked;  
• Stockpiling of materials within the acquired right of way or within the designated sites;  
• Repair of damaged roads shortest time possible. |
<table>
<thead>
<tr>
<th>Issues/concern</th>
<th>Comments</th>
<th>Responses of relevance to the RAP study</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land fragmentation</td>
<td>The contractor’s site to be established in a location will not contaminate water sources and cause noise in human settlements. This will ensure that the impacts are minimised.</td>
<td>In cases where the impact of acquisition results in loss of up to 20% or more of the economic viability of the land, acquisition of the entire land parcel will be provided.</td>
</tr>
<tr>
<td>Employment</td>
<td>Productive land will be divided into segments leaving some parcels of land injuriously affected and thus not economically viable.</td>
<td>• The project will restore incomes of the people who are directly economically affected by the acquisition of land and assets.</td>
</tr>
<tr>
<td>Project acceptance</td>
<td>• Risk of resistance by land owners to give up any portion of their land.</td>
<td>• Grievance resolution will be conducted during the mobilisation phase of RAP implementation;</td>
</tr>
<tr>
<td>Risk of future land use conflicts due to the easement for the Pipeline.</td>
<td>• Terms of the easement should be clearly documented in the agreement so that both parties know what they are getting into, this will avoid issues of people building permanent structures above the pipeline or growing perennial crops;</td>
<td>• Identification of an alternative alignment as a last resort where no agreements can be reached will be conducted.</td>
</tr>
<tr>
<td>Lack of replacement land for resettlement (in-kind compensation)</td>
<td>• Majority of the affected land in Murang’a and Kiambu Counties, are ancestral having been passed down through generations to the current owners therefore, it might be difficult for the PAPs to relinquish their lands.</td>
<td>AWSB shall:</td>
</tr>
<tr>
<td>Losses during operation phase of water pipeline</td>
<td>Water release during cleaning or when the pipes burst has a high volume and velocity and is causing havoc namely:</td>
<td>• Clearly outline the terms of land acquisition whether its easement or wayleave;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Ensure that the neighbouring land owners know what land uses are permitted on the wayleave;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Develop a program to map out all the acquired land under this project including setting out of permanent beacons.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• PAPs consulted opted for cash compensation</td>
</tr>
<tr>
<td>Issues/concern</td>
<td>Comments</td>
<td>Responses of relevance to the RAP study</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Pollution of soil by chlorine when the treated water is released into the farms;</td>
<td>• Destruction of crops, trees, soil erosion, animals and human life in the valleys;</td>
<td>• AWSB will integrate protection works and drainage structures as part of protection works for adjacent land users. These protection works will be developed by qualified professionals and established with the full participation of the affected persons</td>
</tr>
<tr>
<td>Destruction of access to the well where the community draws their water from. This happens when excess water is released into the existing Ngethu channel. The large volume of water overpowers the existing stream channel onto which it is released.</td>
<td>• Disruption of access to the well where the community draws their water from. This happens when excess water is released into the existing Ngethu channel. The large volume of water overpowers the existing stream channel onto which it is released.</td>
<td></td>
</tr>
<tr>
<td>Inadequate land for in-kind compensation</td>
<td>Concern as to where PAPs could get resettlement land as there was a scarcity of land in the project area</td>
<td>• PAPs opted for cash compensation;</td>
</tr>
<tr>
<td>Inadequate land for in-kind compensation</td>
<td>Concern as to where PAPs could get resettlement land as there was a scarcity of land in the project area</td>
<td>• Valuation rates were based on the latest market rates to ensure that PAPs could still acquire land in the present market conditions;</td>
</tr>
<tr>
<td>Lack of land ownership documentation</td>
<td>• There are cases where succession has not been done after the death of the registered land owner;</td>
<td></td>
</tr>
<tr>
<td>Lack of land ownership documentation</td>
<td>• There are cases where sub-divisions have been done but the new owners have not updated their land ownership documentation at the land registries.</td>
<td>• Timely payment of compensation to reduce the risk of increased prices due to speculation due to the false demand that may arise due to the project.</td>
</tr>
<tr>
<td>Project start and end date</td>
<td>The PAPs wanted to know when will the project start and end so that they can plan their activities.</td>
<td>The project is expected to start as soon as the contractor will have been awarded the tender, the project end date is not fixed but the duration is expected to be about two years.</td>
</tr>
<tr>
<td>Fear of forceful evictions</td>
<td>Eviction to pave way for the project</td>
<td>Implementation arrangements are in accordance with O.P. 4.12 hence forceful evictions are not expected even for those who have no legally recognisable rights as per the laws of Kenya.</td>
</tr>
<tr>
<td>Road destruction due to heavy equipment</td>
<td>The community raised issues on the impact of heavy trucks and equipment being carried on the existing road network within the project area during construction. They noted that the roads are very important to the community as they use them to transport their tea.</td>
<td>The contractor will ensure the roads are maintained in proper condition and alternative traffic arrangements are made when necessary.</td>
</tr>
<tr>
<td>Compensation for loss of business incomes</td>
<td>Valuation of incomes for businesses whose incomes fluctuate throughout the year.</td>
<td>Compensation for loss of income considered the income throughout the business cycle and not just peak or low seasons.</td>
</tr>
</tbody>
</table>

RAP for Kigoro-Ngethu Pipeline

4-24

January 2018
<table>
<thead>
<tr>
<th>Issues/concern</th>
<th>Comments</th>
<th>Responses of relevance to the RAP study</th>
</tr>
</thead>
</table>
| Cut-Off dates                        | • The community asked the study team of the intention of the cut-off dates and asked whether only the enumerated and valued structures as well as parcels affected will be compensated after the cut-off dates;  
  • Concern where business expansion plans would be considered.                                                                                     | • Community was sensitised on the meaning of the cut-off date as per O.P. 4.12;  
  • Further elaboration was made on the fact that assets not on site by the cut-off date were not going to be included in the valuation report nor the compensation arrangement under this RAP Report;  
  • Prompt implementation of the RAP will be done to ensure that there is no uncertainty, stagnation or additional losses to the PAPs due to delays in RAP or project implementation;  
  • PAP engagement activities will be conducted through-out the implementation as well as the monitoring and evaluation program to identify and mitigate any emerging issues that may not have been foreseen during the preparation of this RAP. |
| Corrupt dealings during payment      | It is important that the proponent (AWSB) to ensure that all payments or transactions on the given parcels to be done directly to the owner and/or the administrator of the land at the time of compensation. The community did not want any crooks that will come in the name of brokering or mediating between AWSB and the land owner. | • This RAP report recognises that there will be need for multi-stakeholder involvement and possible recruitment of staff for certain elements of RAP implementation. This measure will enhance the capacity of AWSB in implementing the RAP.  
  • It will be critical to legitimise any stakeholders or representatives involved in the RAP process either due to their legal mandate as per the laws of Kenya, or through public vetting through validation by the PAPs. These include the members of the RAPIC, grievance resolution committees or the monitoring and evaluation exercises;  
  • However, payment of compensation to the land and asset owners should be done directly by staff with a direct mandate from AWSB. |
<table>
<thead>
<tr>
<th>Issues/concern</th>
<th>Comments</th>
<th>Responses of relevance to the RAP study</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loan repayment disruptions</td>
<td>• Concern over the consideration of loan repayment plans that would be running during the compensation period.</td>
<td>• This RAP proposes compensation at full replacement cost and adequate notice to ensure that there is no loss of income;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• During mobilisation, PAPs should however be reminded to take cognisance of the cut-off date to ensure that they do not incur liabilities that are not covered under this RAP;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Prompt compensation will be done to ensure that people do not accrue debts as a result of delays and uncertainties over the compensation. The PAPs will be paid within one (1) month after signing the compensation agreements.</td>
</tr>
<tr>
<td>Grievances handling</td>
<td>• Concern over the risk of conflicts over the transactions during the compensation period;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Need for a grievance redress mechanism specifically for the resettlement process to be integrated into the resettlement program.</td>
<td>• This report proposes a grievance redress mechanism as informed by consultations with stakeholders;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• The mechanism has been integrated as one of the key components of the implementation arrangements for this RAP.</td>
</tr>
<tr>
<td>Emerging issues on the existing and any future proposed easement</td>
<td>• The community raised the issue of future land use on proposed wayleave. They were particularly concerned with the restrictions of the type of land use activity and structures, asking whether the wayleave will restrict farming activities.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Some respondents wanted to know if AWSB will get titles for the 3m wayleave and if that is the case, they wanted to know what would happen to the residual land.</td>
<td>• The PAPs are not allowed to cultivate any crops or trees that may cause harm to the water pipeline, build on or over, drill or develop in any manner whatsoever on the wayleave acquired. The types of crops and developments that are prohibited will be explained to the PAPs during the disclosure process.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• The wayleave will be registered but there will be no title for it;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Where residual land is not economically viable, AWSB will acquire the entire land parcel to promote livelihood restoration.</td>
</tr>
<tr>
<td>Compensation of crops</td>
<td>There are crops that take up to six years to mature when planted for example macadamia and avocado trees. Compensation for these crops should consider the duration of the project and the losses incurred between this period and the time it takes for the crops to mature.</td>
<td>• Valuation was done at full replacement cost using recent market rates;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Affected households will be allowed to harvest crop residue in addition to the cash compensation for the loss of crops.</td>
</tr>
</tbody>
</table>
4.6 Project Acceptance

Majority of the surveyed PAPs (83%) within Kigoro-Ngethu pipeline expressed support for the project. Some of the issues raised by those who did not support the project are discussed in Table 4-4 and they include:

- Use of wayleaves provided under the road reserve;
- Valuation of affected assets and crops and compensation for losses of business incomes;
- Land fragmentation and reduction in tea production;
- Health, safety and economic impacts on the temporary wayleave;
- Risk of future land use conflicts due to the easement for the Pipeline;
- Lack of replacement land for resettlement (in-kind compensation);
- Losses during operation phase of water pipeline in case of pipe bursts and during;
- Lack of land ownership documentation and fear of forceful evictions;
- Road destruction due to heavy equipment;
- Corrupt dealings during payment; and
- Loan repayment disruptions.

4.7 Preferred Mode of Compensation

All the PAPs unanimously wanted to be compensated in cash.

4.8 Level of Achievement of Stakeholder Engagement Objectives

The stakeholder engagement plan had specific objectives. One of the key indicators of meaningful stakeholder engagement is the demonstration of stakeholder involvement in the decision-making process in relation to planning for the resettlement program for the Kigoro-Ngethu Pipelines.

A qualitative analysis of the level of achievement of the stakeholder engagement plan for the RAP studies is presented in Table 4-5 below.
Table 4-5: Level of Achievement of the Objectives of Stakeholder Engagement

<table>
<thead>
<tr>
<th>Objective</th>
<th>Achievement</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Make the RAP study participatory and transparent;</td>
<td>The RAP study provided platforms for PAP and stakeholder participation in the assessment of impacts as well as proposed mitigation measures. 100% of the PAPs were consulted via the census questionnaire. A total of 291 persons attended the public consultation meetings 99 being male and 192 female translating to 34% male and 66% female. Where complaints were beyond the capacity of the consultant to resolve, additional meetings were held with the participation of relevant parties from the proponent to provide clear communication on outstanding issues as well as proposals on how to mitigate them from various parties.</td>
</tr>
<tr>
<td>• Providing a platform for future consultation by reducing conflict through early identification of contentious issues;</td>
<td>Facilitating participation to increase public confidence in the RAP process:</td>
</tr>
<tr>
<td>• Facilitating participation to increase public confidence in the RAP process:</td>
<td></td>
</tr>
<tr>
<td>• Facilitate the development of appropriate and acceptable entitlement options;</td>
<td>The RAP study provided platforms for PAP and stakeholder participation in the assessment of impacts as well as proposed mitigation measures. 100% of the PAPs were consulted via the census questionnaire. A total of 291 persons attended the public consultation meetings 99 being male and 192 female translating to 34% male and 66% female. Where complaints were beyond the capacity of the consultant to resolve, additional meetings were held with the participation of relevant parties from the proponent to provide clear communication on outstanding issues as well as proposals on how to mitigate them from various parties.</td>
</tr>
<tr>
<td>• Providing a platform to improve transparency and accountability in decision making:</td>
<td></td>
</tr>
<tr>
<td>• Minimise the risk of poor co-ordination through establishment of communication channels and redress mechanisms as early as the RAP Study phase;</td>
<td>Entitlement options as prescribed by Kenyan law and World Bank’s O.P 4.12 were discussed with the affected persons. Where the PAPs had differing opinions on the prescribed entitlements, discussions were held on the same and presented in this report in a manner as to inform decision makers on PAP and stakeholder comments on the same. Feedback from the stakeholders especially the PAPs, AWSB and the World Bank also informed the compensation and additional support as defined in this RAP’s Entitlement Matrix</td>
</tr>
<tr>
<td>• Providing a platform for future consultation by identifying stakeholders with who further dialogue can be continued in subsequent stages of the project:</td>
<td>Chapter 6 of this report proposes the grievance mechanism to be followed in case of a grievance arising.</td>
</tr>
<tr>
<td>• Minimise the risk of poor co-ordination through establishment of communication channels and redress mechanisms as early as the RAP Study phase;</td>
<td>It is also expected that the disclosure process may result in documentation of additional feedback from identified partners for RAP implementation as well as the wider public. This RAP provides an opportunity for integration of accepted changes, prior to disclosure of confirmed entitlements to the PAPs at the beginning of the RAP implementation phase. Lastly, this RAP integrated a section on development of a stakeholder engagement strategy and a communication plan for RAP implementation phases.</td>
</tr>
</tbody>
</table>

4.9 Disclosure of the RAP Report

The Disclosure process should be undertaken in a manner that is inclusive, culturally appropriate and ensures the participation of vulnerable groups.
4.9.1 Background

Section 34 of the World Bank Policy on Disclosure of Information states that whenever the Bank requires a Resettlement Instrument (RI) or Indigenous Peoples’ Development Plan (IPDP) for an operation; the proposed borrower prepares an RI or IPDP as a separate, free-standing document. As a condition of appraisal of the operation, the borrower provides the draft RI or IPDP, which conforms to the relevant policy and makes it available at a place accessible to, and in a form, manner and language understandable to the displaced or affected people and local NGOs. Apart from the above, Paragraph 22 of O.P 4.12 also states that once the Bank accepts this instrument (in this case the RAP) as providing an adequate basis for project appraisal, the Bank will make it available to the public through its InfoShop.

After the Bank has approved the final resettlement instrument, the Bank and the borrower disclose it again in the same manner.

4.9.2 Disclosure of the RAP Report by Athi Water Services Board

During the field studies, the study team established that due to the nature of the terrain of the project area and the modes and schedules of the public transport system, the disclosure of the RAP is better done at select locations along the pipeline alignment.

The study documents should be disclosed at two levels i.e. public level and household level. For purposes of this section, public level disclosure means that any member of the public can review the documents provided. Household level disclosure means that only the household head and his spouse(s) can review the documents provided. The documents to be viewed at both levels are as follows:

- **Public level:**
  - The RAP Report (This Report);
  - Land Acquisition Map;

- **Household Level:** information specific to PAP units should be disclosed only to the specific PAPs, that is the household heads and their spouses only:
  - Land search findings;
  - Inventory of assets;
  - Proposed compensation figures;
  - Baseline socio economic data at household level.

This study also proposes that the RAP report be disclosed at a desk that can be easily accessed by the public. This can be done at the same points that NEMA discloses the ESIA Report. In practice, this is usually the County Director of Environment under NEMA.

4.9.3 Disclosure by World Bank

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) 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 on the Bank’s external website;
- After final RAP approved by Bank, both Bank and Borrower disclose again in same way.
4.9.4 Kenya Legal Requirements

The Environmental and Social Impact Assessment Report from which this Resettlement Action Plan is development was submitted to the National Environment Management Authority (NEMA) on 16 October 2015.

Regulation 22

Upon receipt of both oral and written comments as specified Public hearing by section 59 and section 60 of the Act, the Authority may hold a public hearing. A public hearing under these Regulations shall be presided over by a suitably qualified person appointed by the Authority. The date and venue of the public hearing shall be publicized at least one week prior to the meeting –

(a) by notice in at least one daily newspaper of national circulation and one newspaper of local circulation; (b) by at least two announcements in the local language of the community and the national language through radio with a nationwide coverage.

The public hearing shall be conducted at a venue convenient and accessible to people who are likely to be affected by the project.

A proponent shall be given an opportunity to make a presentation and to respond to presentations made at the public hearing.

The presiding officer shall in consultation with the Authority determine the rules of procedure at the public hearing.

On the conclusion of the hearing, the presiding officer shall compile a report of the views presented at the public hearing and submit the report to the Director General within fourteen days from the date of the public hearing.

4.10 Future Consultations

A participatory approach is encouraged in future through public meetings, one on one discussions through grievance mechanism and focus group discussions. Future consultations are recommended when:

- The project is formally referred to public review, hearing or enquiry;
- AWSB seeks to apply best case practice to the proposal;
- The project depends upon gaining the consent;
- The project involves gaining the consent or support of local stakeholders.

4.11 Stakeholder Engagement Strategy for RAP Implementation

Future consultations should include mechanisms to promote consultations to ensure that stakeholders maintain active participation during the RAP implementation. A Stakeholder Engagement Plan (SEP) is required as part of the RAP implementation to provide structured stakeholder engagement.

The main objectives of the SEP include:

- Mechanisms to build on the previous stakeholder engagement activities and requisite expectations to finalise on a mutually agreed approach to deal with the outstanding issues;
- Establish and maintain a plausible working relationship with identified stakeholders;
- Identify new stakeholders that would be critical actors / partners in resolution of outstanding issues;
- Establish modalities for development of messages in a form and manner that can be easily understood by the specific target population;
• Allocate adequate resources (financial and human) for implementation of the stakeholder engagement plan;
• Develop a system for record keeping, monitoring and evaluation of the SEP implementation process and expected outcomes;
• Development of a communication plan to guide information dissemination and engagement with each target stakeholder group;
• Ensure issues raised by key stakeholders are addressed as well as in project decision-making and design phase;
• Outline a Grievance Mechanism for local stakeholders.

The SEP has identified stakeholder groups that may be affected by and/or interested in the implementation of the Project, as well as proposed communication methods and media for each group, presented in Table 4-6 below.

Table 4-6: Stakeholder Consultations during Project Construction and Operation Phase

<table>
<thead>
<tr>
<th>Stakeholder/s</th>
<th>Type of Communication and Proposed Method</th>
<th>Responsibility</th>
<th>Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>External stakeholders</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>People residing (or using land) and owners of businesses operating in Project affected areas</td>
<td>Information delivered to residents / businesses operating in areas affected by the Project, through community meetings, public notice boards at chiefs offices, Focus group discussions specifically for women so they can voice their issues and concerns</td>
<td>Contractor / AWSB/ Consultant</td>
<td>Throughout the implementation of the Project, as appropriate</td>
</tr>
<tr>
<td>Local community representatives (Chiefs and Ward Representatives)</td>
<td>Regular communication by phone or through public meetings, project progress updates</td>
<td>Contractor / AWSB/ Consultant</td>
<td>All Project phases</td>
</tr>
<tr>
<td>Interested NGOs and other organisations</td>
<td>Local media (newspapers) ESIA, RAP and SEP published on Athi Water Services Board website and available at the site offices.</td>
<td>Contractor / AWSB/ Consultant</td>
<td>Throughout the implementation of the Project</td>
</tr>
<tr>
<td>Relevant National Government and County Government Authorities for example: KURA, KeRRA, Kenya Power.</td>
<td>Official correspondence and meetings, progress reports Permitting procedures</td>
<td>Contractor / AWSB/ NCWSC</td>
<td>During project design, construction and implementation</td>
</tr>
<tr>
<td>Kenya National Museums</td>
<td>Official correspondence and meetings Permitting procedures in case cultural/archaeological sites are encountered.</td>
<td>Contractor / AWSB/ Consultant</td>
<td>During project Construction phase</td>
</tr>
<tr>
<td><strong>Internal stakeholders</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employees (Contractor, Athi Water, Nairobi City Water and Sewerage Company(NCWSC) and Consultant)</td>
<td>Bulletin board Grievance procedure Code of conduct</td>
<td>Contractor / AWSB/ NCWSC / Consultant</td>
<td>Throughout the implementation of the Project</td>
</tr>
<tr>
<td>Temporary construction workers and subcontractors</td>
<td>Information in contract, bulletin board, training. Grievance procedure. Code of conduct</td>
<td>Contractor</td>
<td>Upon the selection of subcontractors and during construction</td>
</tr>
</tbody>
</table>
4.11.1 Community Relations in Construction Phase

This section sets out the proposed objectives, mechanisms and responsibilities for liaison with persons affected by the project and the neighbouring communities during the Construction Phase. It identifies the approach and frequency of consultation with affected settlements. The primary responsibility for liaison will be borne by the Construction Contractor i.e. in communicating health and safety aspects and AWSB for resettlement issues. Athi Water Services Board will therefore require the Contractor to develop his own plan and more detailed proposals for community liaison. This will build on the approach outlined in this section.

4.11.2 Objectives and Division of Responsibility

The objectives of the Community Relations Programme will be to:

- Provide local residents affected by the project with regular information on the progress of work and its implications.
- Inform the project/contractor of any community related issues that may impact construction.
- Monitor implementation of mitigation measures and the impact of construction via direct monitoring and feedback from settlements.
- Identify any significant new issues that may arise during the construction period; and
- Manage any complaints against the project/contractors and local residents (i.e., provide a grievance mechanism).

The responsibility of the Community Liaison Programme and employment of community liaison staff will be divided between AWSB and the Construction Contractor. It is intended that during the Construction Phase, the Contractor/AWSB will have day-to-day responsibility for community liaison and will be the primary point of contact with affected settlements.

The Community Liaison Officer(s), (CLOs) will be appointed on full time basis and will be responsible for the coordination of Project public relations and external liaison needs. The CLOs will also manage the good reputation of both Athi Water Services Board and the Construction Contractor and liaise with third parties who are or may be affected by the execution of the Works as well as interface with affected project persons.

4.11.3 Construction Contractor Role in Community Liaison

The Construction Contractor will be required to adhere to the requirements of the Environmental and Social Management and Monitoring Plan (ESMMP) that sets out how the Contractor will meet and monitor the mitigation measures recommended by the plan.

The role and responsibilities of the contractor include:

- Provide primary interface between project and affected or interested persons;
- Coordinate and implement required pre-construction activities, namely:
  - produce management plans for community relations, construction camps and transport; train staff with community relations responsibilities; and
  - implement induction training workshops for all construction staff;
- Assist in local recruitment process; and
- Ensure on-going communication with project and affected or interested persons through the following activities:
  - Meet with community leaders and hold community meetings prior to arrival of construction teams in a given locality to inform local residents about construction activities, work schedule, construction staff Code of Conduct, grievance procedure, safety issues, dates of future meetings and contact details of CLO staff;
  - Hold fortnightly meetings with directly project and affected or interested persons during construction to provide information on progress and provide channel for issues and queries to be raised;
o Liaise with contract representatives on major issues arising and ensure that the local residents are kept informed of any expected or unexpected disruption through leaders and by maintaining a community information centre.

o Provide a focus for negotiation and resolution of specific disputes with residents if/when they arise, using the dispute resolution procedure;

o Submit monthly social impacts reports to the project; and

o Monitor processing and resolution of complaints and ensure alignment across the project with the dispute resolution process.

Successful community liaison will be achieved through sharing this responsibility throughout the Construction Contractor’s team. Each work team will allocate primary responsibility for community liaison to an individual. These individuals will liaise with the team of dedicated CLOs and involve them as necessary.

4.11.4 AWSB’s Role in community liaison

AWSB through the project sociologists will engage with the community especially during the implementation of the RAP. This will include:

- Providing training on financial management to the PAPs with the help of the appointed financial consultants
- Disclosure compensation packages
- Assist the PAPs in opening joint accounts
- Attend to grievances as itemised in Chapter 7.

This will be done through meetings organised by local chiefs and where appropriate, one on one meetings. The sociologists will prepare quarterly RAP implementation status reports which include the grievance log.

4.11.5 Community Relations in Operational Phase

The objective of the Community Relations Programme in this phase will be to:

- Maintain constructive relationships between local residents and the pipeline operators, to assist in the operation of the pipeline;
- Maintain awareness of safety issues among local residents along the pipeline route;
- Ensure compliance with land use constraints among land owners along the pipeline route; and
- Monitor community attitudes to the pipeline and operating company (NCWSC)

4.11.6 PAPs Engagement

PAPs are also expected to participate through the following platforms throughout the implementation process:

- RAP Implementation Committee;
- Proposed grievance mechanism for the RAP Implementation process;
- Focus Group Discussions and Social Surveys during monitoring and evaluation of the RAP implementation process by internal and external reviewers;
- Training of project team/staff and awareness raising activities with community members.

To further enhance participation the above teams should be provided with information cards (info-cards) with the following information at the very least:

- Procedures for collecting in cash compensation:
- Eligibility criteria for compensation
- How to access the grievances committee and the fact that the grievance process is free of charge.
The back page should have a flow diagram of the approved grievance mechanism and the summary write up of the mechanism. The info card should also be distributed at the first community meeting at the commencement of the resettlement process. Members should be informed of all the locations where they can get other copies of the info card. These should include the village chairmen, residences, office of the County Government, AWSB Community Liaison Office and community members who sit in the RAP Implementation Committee.

The PAP should sign that they have received the info-card.

4.11.7 Decommissioning

In the event of decommissioning of the pipeline, liaison would continue to take place by the AWSB and NCWSC with project and affected or interested persons prior to de-commissioning. This role would complement work carried out by the operating company and social investment team to reduce the negative impact of pipeline decommissioning.
5 IMPACTS OF THE PROJECT

5.1 Background

This section outlines some of the key displacement impacts that the project’s land acquisition process is likely to affect. It also provides an overview of international guidance on how such displacement impacts should be addressed.

An important aspect of resettlement planning process is to obtain a detailed understanding of the likely impacts that the project will have on those that will be physically and or economically displaced as a result of it.

This knowledge enables appropriate compensation and livelihood restoration plans to be formulated. This ensures affected PAPs are provided with the best possible means through which to re-establish their livelihoods in the post relocation setting.

Projects impacts can be summarized as below:
- Loss of land;
- Loss of housing related facilities such as fences, water supply, electricity and sanitation facilities;
- Loss of crops and trees;

5.2 Eligibility Criteria for Compensation

PAPs eligible for resettlement and compensation were determined as per the World Bank involuntary resettlement policy-OP 4.12

In line with O P 4.12, displaced persons may be classified in one of the following three groups:

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

(b) 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

(c) Those who have no recognizable legal right or claim to the land they are occupying

Identified impacts and mitigation measures for each loss are presented in the following sections.
5.3 Land Loss

Land take will be in the form of permanent easement for the pipeline. An estimated 121 land owners will be affected by the project.

Table 5-1 below shows the estimated compensation for the new land to be acquired for the new easement along the Kigoro to Ngethu pipeline.

**Table 5-1: Compensation Estimates for Acquisition of Land on the Kigoro Ngethu new wayleave**

<table>
<thead>
<tr>
<th>Location/Identification of affected land</th>
<th>Affected Land size(acres)</th>
<th>Corresponding no. of land owners</th>
<th>Asset Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kigoro</td>
<td>2.6169</td>
<td>21</td>
<td>3,289,200</td>
</tr>
<tr>
<td>NdunyuChege</td>
<td>6.5994</td>
<td>52</td>
<td>9,899,100</td>
</tr>
<tr>
<td>Kiriaini</td>
<td>2.6712</td>
<td>26</td>
<td>4,006,800</td>
</tr>
<tr>
<td>Rwegetha</td>
<td>2.5446</td>
<td>11</td>
<td>3,816,900</td>
</tr>
<tr>
<td>Chania Ngorongo</td>
<td>2.3942</td>
<td>11</td>
<td>3,191,300</td>
</tr>
</tbody>
</table>

**Commitments**

- Cash compensation at full replacement cost;
- Payment of a disturbance allowance amounting to 15% of the value of land;
- PAPs should be sensitised at the on-set to update their land ownership documentation. There are cases of sub-divisions and succession that should be sorted to ensure that there is no question on the eligibility of the land owner identified under this RAP;
- Adequate notice of 6 months to be given to PAPs to allow them update land ownership documentation prior to compensation payment, as this is likely to affect the RAP implementation process and consequently the construction phase of the project, if notice is not given early enough;
- Initial verification of ownership claims at the village level in liaison with MLHUD before confirmation by County Land Officials i.e. County Lands Officer and County Surveyor; to fast track the process of updating documentations.
- Where land parcels are small resulting in losses of up to 20% of land or a residual land that is of no economic value to the land owner, the entire land parcel will be acquired.

5.4 Loss of Structures

5.4.1 Structures

There are no permanent household structures affected by the Kigoro-Ngethu pipelines. The affected structures are mostly temporary structures located within the farm area of most PAPs and include; pit latrines, beehives, and fences.

**Recommendations**

- Cash compensation at full replacement cost;
- Payment of a disturbance allowance amounting to 15% of the value of the structure;
- Upon payment of compensation PAPs should be given at least four (4) months to relocate from the project site;
- Provision of opportunity to salvage the remains from demolition of the PAPs structures.
5.5 Loss of Crops and Trees

Affected crops and trees include tea, fruit trees (avocado, plums), bamboo, eucalyptus, wattle trees, croton trees, banana stems, maize crops, beans among others. Compensation estimates are presented in Table 5-2 below.

Table 5-2: Compensation Estimates for Crops and Trees

<table>
<thead>
<tr>
<th>Nature of Assets</th>
<th>Asset Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crops and Trees</td>
<td>49,094,550.50</td>
</tr>
</tbody>
</table>

**Recommendations**

- Cash compensation at full replacement cost;
- Provision of opportunity to harvest and salvage fodder, fruits and timber.

5.6 Impact on Public Infrastructure

Acquisition of land and structures in these areas is not recommended. However, AWSB should ensure that records of areas where the pipe cuts across public utilities are shared with the agencies responsible for these assets. This can be done in the form of sharing “as built drawings” or in any other form as agreed by AWSB and the other parties.

5.7 Impact on Vulnerable Members of the Community

The World Bank defines vulnerable groups ‘...as the poor, women, and indigenous peoples; those less able to care for themselves (children, the elderly, and the disabled); and other groups not protected by national land compensation law (those without land or use rights; host communities; and community members remaining in the original area after resettlement).’ Source: World Bank Involuntary Resettlement Sourcebook p. 71.

Table 5-3 below presents a qualitative analysis of the participation barriers to be faced by the vulnerable groups of PAPs within the Kigoro-Ngethu project area.
Table 5-3: Qualitative analysis of the participation barriers to be faced by the identified vulnerable groups

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Possible Impairment/Limitation</th>
<th>Participation Barrier</th>
<th>Proposed Assistance</th>
<th>Related resources (financial and human) of relevance to the implementation budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female crop owners - Daughters and spouses of land owners</td>
<td>There is the risk of decisions on compensation collection being influenced by the male relative.</td>
<td>Household roles that may limit women from participating in engagement activities</td>
<td>Cultural barriers limiting women from making decisions without consulting a male counterpart or relative.</td>
<td>Monitor resettlement activities to ensure no coercion during decision making. Provide option of organised childcare for those in need during resettlement period. Capacity building and sensitisation on use of compensation funds.</td>
<td>Consideration of gender balance when recruiting/allocating staff for RAP implementation. Women to assisted in opening bank accounts. Joint accounts to be opened and women to be present during disclosure of compensation package. Training on financial management to be provided before payment of compensation packages. PAPs to be sensitized on alternative crops to be planted on the acquired wayleave. Monitoring and evaluation team should give special consideration to the gender aspects related to use of compensation packages.</td>
</tr>
<tr>
<td>Category</td>
<td>Description</td>
<td>Possible Impairment/Limitation</td>
<td>Participation Barrier</td>
<td>Proposed Assistance</td>
<td>Related resources (financial and human) of relevance to the implementation budget</td>
</tr>
<tr>
<td>---------------</td>
<td>------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------</td>
<td>-----------------------</td>
<td>---------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>The elderly</td>
<td>PAPs that are over 65 years of age especially when they have</td>
<td>• No social support from able bodied children and grandchildren to assist in relocation activities</td>
<td></td>
<td>• Provide assistance as determined during final negotiation of packages e.g. securing of transport means;</td>
<td>Monitoring of their health status to ensure successful integration</td>
</tr>
</tbody>
</table>
Recommendations

Additional assistance over and above compensation for affected properties should include but not limited to:

- Psycho-social support should be provided by AWSB in conjunction with the District Social Development Officers (DSDO). This can be through counselling and liaison to the existing welfare support programs under the DSDO’s office;
- Assistance with transport for their property and salvaged properties during resettlement, if it is necessary that they have to be resettled.

5.8 Entitlement Matrix

In summary, the following entitlements and additional assistance are presented in Table 5-4 below.
<table>
<thead>
<tr>
<th>Category of PAPs</th>
<th>Proposed Entitlement</th>
<th>Proposed Entitlement</th>
<th>Proposed additional assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Land</td>
<td>Crops and Trees</td>
<td>Structures</td>
</tr>
<tr>
<td>Land Owner</td>
<td>• Cash compensation at full replacement cost; • Payment of a disturbance allowance amounting to 15% of the value of land; • PAPs should be sensitised at the on-set to update their land ownership documentation. There are cases of sub-divisions and succession that should be sorted to ensure that there is no question on the eligibility of the land owner identified under this RAP; • Where land parcels are small resulting in losses of up to 20% of land or a residual land that is of no economic value to the land owner, the entire land parcel will be acquired.</td>
<td>• Cash compensation at full replacement cost; • Disturbance allowance at 15% of the crop and tree value.</td>
<td>• 6 months’ notice to allow PAPs to update land ownership documentation prior to compensation payment; • Initial verification of ownership claims at the village level in liaison with MLHUD before confirmation by County Land Officials i.e. County Lands Officer and County Surveyor; to fast track the process of updating documentations; • Minimum of 3 months notice to vacate the premises; • Allowance to salvage any crop remains, timber and wood products; • Allowance to salvage any materials from the demolitions; • Capacity building and sensitisation on use of compensation funds.</td>
</tr>
<tr>
<td>Category of PAPs</td>
<td>Proposed Entitlement</td>
<td>Proposed additional assistance</td>
<td></td>
</tr>
<tr>
<td>------------------</td>
<td>----------------------</td>
<td>--------------------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Land</td>
<td>Crops and Trees</td>
<td>Structures</td>
</tr>
<tr>
<td>Land Tenants</td>
<td>-</td>
<td>• Cash compensation at full replacement cost; Disturbance allowance at 15% of the crop and tree value.</td>
<td>• Allowance to salvage any crop remains, timber and wood products.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Three month notice to move;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Relocation assistance pegged at an arbitrary maximum of 6000 (developed from reported average of 3 months rent);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Psycho-social support should be provided by AWSB in conjunction with the District Social Development Officers (DSDO). This can be through counselling and liaison to the existing welfare support programs under the DSDO’s office;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Assistance with transport for their property and salvaged properties during resettlement, if it is necessary that they have to be resettled.</td>
</tr>
<tr>
<td>Category of PAPs</td>
<td>Proposed Entitlement</td>
<td>Proposed additional assistance</td>
<td></td>
</tr>
<tr>
<td>-------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Female crop owners</td>
<td>Land: Already covered in main entitlements.</td>
<td>• Monitor resettlement activities to ensure no coercion during decision making.</td>
<td></td>
</tr>
<tr>
<td>Daughters</td>
<td>Crops and Trees: Already covered in main entitlements.</td>
<td>• Capacity building and sensitisation on use of compensation funds;</td>
<td></td>
</tr>
<tr>
<td>and Wives of land owners</td>
<td>Structures: Already covered in main entitlements.</td>
<td>• Psycho-social support should be provided by AWSB in conjunction with the District Social Development Officers (DSDO). This can be through counselling and liaison to the existing welfare support programs under the DSDO's office;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Assistance with transport for their property and salvaged properties during resettlement, if it is necessary that they have to be resettled.</td>
<td></td>
</tr>
<tr>
<td>The elderly</td>
<td>Land: Already covered in main entitlements.</td>
<td>• Provide assistance as determined during final negotiation of packages e.g. securing of transport means during relocation;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Crops and Trees: Already covered in main entitlements.</td>
<td>• Monitoring of their health status to ensure successful integration.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Structures: Already covered in main entitlements.</td>
<td>• Psycho-social support should be provided by AWSB in conjunction with</td>
<td></td>
</tr>
<tr>
<td>Category of PAPs</td>
<td>Proposed Entitlement</td>
<td>Proposed additional assistance</td>
<td></td>
</tr>
<tr>
<td>-----------------</td>
<td>----------------------</td>
<td>-------------------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Land</td>
<td>Crops and Trees</td>
<td>Structures</td>
</tr>
</tbody>
</table>

the District Social Development Officers (DSDO). This can be through counselling and liaison to the existing welfare support programs under the DSDO’s office;
- Assistance with transport for their property and salvaged properties during resettlement, if it is necessary that they have to be resettled.
  -
6 INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION

6.1 Existing Institutions of Relevance to This RAP

The following institutions have been identified to be relevant in the implementation of the RAP.

Table: 6-1 Stakeholders/institutions to support RAP planning and implementation

<table>
<thead>
<tr>
<th>Stakeholders</th>
<th>Category</th>
<th>Role/Contributions</th>
<th>Expectations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Government</td>
<td>Ministry of Lands, Housing and Urban Development;</td>
<td>Processing land documentations and confirmation of ownership.</td>
<td>Successfully implementation of the RAP process</td>
</tr>
<tr>
<td>Central Government</td>
<td>The Treasury</td>
<td>Provision of funds for compensation</td>
<td>RAP is planned and successfully implemented through participatory process</td>
</tr>
<tr>
<td>Project Proponent</td>
<td>AWSB</td>
<td>Project Developer, Overseeing RAP Implementation including addressing grievances, technical, legal and policy issues. Facilitate the Valuation exercise</td>
<td>RAP is planned and successfully implemented through participatory process</td>
</tr>
<tr>
<td>County Government</td>
<td>Murang’a and Kiambu, County Government</td>
<td>Management of the County;</td>
<td>All PAPs are paid on time; Telecom services are relocated promptly</td>
</tr>
<tr>
<td>Kenya Rural Roads Authority (KeRRA) and Kenya Urban Roads Authority (KURA)</td>
<td>State Corporations</td>
<td>State corporations under the Ministry of Transport and Infrastructure established by the Kenya Roads Act, 2007 with the mandate of Management, Development, Rehabilitation and Maintenance of Rural Roads and National urban trunk roads respectively. They control developments on their road reserves.</td>
<td>Procedures for laying of pipelines along road reserves and across roads are complied with.</td>
</tr>
<tr>
<td>Project Affected Persons/Enterprises</td>
<td>Category A and C</td>
<td>Those whose land will be affected and those residing along the pipeline route</td>
<td>Compensation and livelihoods improvement, assistance in identifying alternative area for business</td>
</tr>
<tr>
<td>World Bank</td>
<td>Funding of the project</td>
<td>Check and monitor that the RAP studies and implementation are being conducted as per World Bank requirements</td>
<td>RAP is planned and successfully implemented in accordance with the Bank Requirements.</td>
</tr>
</tbody>
</table>
6.1.1 **Ministry of Transport Infrastructure, Housing and Urban Development (MoTIHUD)**

The Ministry of Land, Housing and Urban Development (MLHUD) is mandated to formulate and implement land policy, undertake physical planning, register land transactions, undertake land surveys and mapping, land adjudication and settlement, land valuation and administration of State and public land.

The MLHUD delegates the management of land in the Counties to the County Land Boards and Land Committees, while the Commissioner of Lands manages land belonging to the Government of Kenya.

**Murang’a and Kiambu County Lands Board**

The roles of the County Land Board are as follows:

- Keep and allocate land by the State in the County;
- Assist in recording, registering and transferring of rights or claims on land;
- Make and keep up to date a list of compensation rates for the loss or damage to crops, houses and other property;
- Revises the list of rates of compensation each year.

The following departments under the Ministry of Lands will be important in the implementation and management of the RAP:

**County Lands Officer, County Lands Survey Office, and Valuation Surveyor**

The office deals with acquisition, planning, demarcation, survey, and allocation of all agricultural land.

In the implementation of this RAP the department will be relevant in provision of support in dispute resolution and provision of clarification where land ownership instruments are outdated. This may occur in cases where registered owners are deceased or have subdivided and sold their land yet the records have not been updated.

6.1.2 **National Land Commission**

The National Land Commission (NLC) is mandated to:

- Manage public land on behalf of the national and county governments;
- Recommend a National Land Policy to the national government;
- Advise the national government on a comprehensive programme for the registration of title in land throughout Kenya;
- Conduct research related to land and the use of natural resources, and make recommendations to appropriate authorities;
- Initiate investigations, on its own initiative, or on a complaint, into present or historical land injustices, and recommend appropriate redress;
- Encourage the application of traditional dispute resolution mechanisms in land conflicts;
- Assess tax on land and premiums on immovable property in any area designated by law; and
- Monitor and have oversight responsibilities over land use planning throughout the country.

The role of the NLC under the Land Act 2012 in resettlement is mainly concerned with compulsory acquisition. NLC will be used by AWSB for alternative dispute resolution in land based grievances.
6.1.3 Ministry of Interior and Coordination

Under the new dispensation, the Ministry has an 8 tier administrative framework starting with the County Commissioner to the Village Elders.

Below is the breakdown of levels of administration:

- Regional Commissioner: Heads the Region;
- County Commissioner: Head of Counties;
- Deputy County Commissioner: Head of County;
- Sub-County Commissioner: Head of Division;
- Deputy Sub-County Commissioner: Head of Sub Division;
- Chief: Head of Location;
- Assistant Chief: Head of Sub Location;
- Village Elders: Operate under Chief and Assistant Chiefs within villages.

The officers of this Ministry were instrumental in mobilisation and co-ordination between the study team and the Murang’a and Kiambu County Government. Their contribution to the implementation phases of this RAP will promote continuity in whatever communication strategy is selected for RAP implementation.

6.1.4 County Governments

The County Governments were formed under the Kenyan Constitution and consist of various levels including:

- The County Governor;
- The County Executive;
- The Legislature known as Members of the County Assembly, headed by a Speaker;
- Various officers leading specific departmental roles.

Other actors within the County include:

- Members of Parliament who represent their specific constituencies at the National Assembly;
- A County level Women’s Representative who represents gender issues at the National Assembly;
- A Senator who represents the County at the Senate.

The people’s representatives play a crucial role in support of the resettlement program due to their role as opinion leaders in the project area. Support of the RAP by the County Government will not be underscored as they play a crucial role in management of expectations both among the County Assembly and the PAPs.

This group will therefore provide advisory and support services on a case by case basis during the implementation of the project and all its components including this RAP.
6.2 Proposed RAP Implementation Arrangements

This report proposes a three tier mechanism for implementation of this RAP

- A RAP implementation mechanism (RAPIC);
- A grievance resolution mechanism;
- A monitoring and evaluation mechanism.

Details are presented in subsequent sections.

6.3 RAP Implementation Committee

We propose that a RAP Implementation Committee (RAPIC) be formulated with the following participants;

- Athi Water Services Board;
- County Government of Murang’a and Kiambu;
- Ministry of Interior Design and Coordination;
- PAP representatives.

Specific roles are as presented in the following section.

6.3.1 Athi Water Services Board

We propose that the main driver of RAP implementation and consequently the RAPIC be AWSB. To facilitate this, various staff in AWSB will be expected to play both primary (implementation) and secondary (co-ordination, supervisory and advisory) roles in RAP implementation. These are:

- The Chief Executive Officer (CEO) AWSB;
- Technical Manager, Project Implementation Unit;
- AWSB Legal Advisors;
- Environmental Officer;
- Sociologists.

We propose that the RAPIC secretary, the Grievance Resolution Co-ordinator as well as the field team leaders during RAP implementation be AWSB staff. All these persons will report to the Chief Executive Officer or whomever he seconds in his stead on RAP implementation matters.

Considering that AWSB staff already have specific roles within the organisation that may or may not directly relate to RAP, we encourage that specific terms of reference (ToRs) be written for any AWSB staff charged with RAP implementation roles. These ToRs will be relevant to the implementation of the RAP for the duration of the pre-construction and construction phases of this project.

While the CEO of AWSB is a key figure in RAP implementation, the day to day running of the RAPIC will be seconded to the Technical Manager, Project Implementation Unit.

Due to the intensive time inputs expected during the disclosure period and the compensation payment phases, AWSB will hire more temporary staff to assist at these two crucial stages of RAP implementation. AWSB has already employed 5 project based sociologists who are assisting the office staff in implementation of the RAP for the Thika dam-Kigoro section of the
pipeline. Temporary staff will also be required during the field activities for monitoring and evaluation verification / validation exercises.

The following roles will be performed by AWSB Staff:

**Primary Roles**

These are the roles relevant to the day to day implementation of the RAP:

- Community sensitisation through-out the implementation process;
- Disclosure of the RAP Study outputs;
- Secretary of the RAPIC;
- Convene RAPIC meetings;
- Keep records of the deliberations of the committee;
- Issuance of compensation payment to PAPs;
- In collaboration with the County Government, issue notices to relocate to PAPs;
- Monitoring of the RAP implementation program (progress, inputs, outputs, outcomes and performance);

**Secondary Roles**

These are roles related to support of the overall implementation of the RAP. The key players will be AWSB staff in other disciplines including engineering, legal services, public relations / communication, human resources and finance. Specific roles will be to advise on or assist with:

- Drawing of Terms of Reference for internal staff (AWSB) and representatives of various public bodies involved in RAP implementation;
- Allocation of human resources and where necessary, hiring of staff to assist with or drive RAP implementation;
- Dispute resolution;
- Communication with public entities, the media and civil organisations;
- Financial accounting and / or audits where deemed necessary, of financial resources allocated to compensation payment and RAP implementation;
- Recruitment of RAP implementation support staff.

### 6.3.2 Murang’a and Kiambu County Government

The following roles will be performed by the County Government:

- Advise in verification of land ownership instruments issued by the former County / Municipal Councils;
- Where necessary, advise on land ownership instruments issued by the former County / Municipal Councils;
- Ensure that there is no further encroachment on the wayleave after the cut-off date;
- In collaboration with AWSB, issue notices to relocate to PAPs;
- Participate in dispute resolution.

While the County Governors are a key figure in RAP implementation, the day to day involvement of the County Government in the RAPIC will be seconded to the County Executive Member in charge of Land.

The County Executive Member in charge of Land will be the key person in co-ordinating County Government Staff in their supporting roles for RAP implementation.
6.3.3 MoTI HUD Officers in Murang’a and Kiambu

The roles and responsibilities of MoTI HUD officers will include but not be limited to the following:

- Verifying ownership of the land;
- Assist with land adjudication where necessary and the related roles;
- Assist in efficient update of land ownership records;
- Participate in the grievance mechanism when called upon;
- Advise on valuation whenever there is a re-alignment of the project wayleave.

6.3.4 Ministry of Interior and Coordination

The roles of these officers 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;
- 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 MoTI HUD 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 MoTI HUD and compensation;
- Participating in dispute resolution.

6.3.5 PAP Representatives

These are persons in the RAPIC to represent the PAPS. PAP representatives from institutions will be appointed by the respective institution while PAP Representatives for households and tenant farmers will be elected.

Through-out the approximately six kilometre stretch the following representatives will be key:

- Two representatives of land and asset owners;
- A representatives of tenant farmers;
- A female representative of land and asset owners;
- A female representative of tenant farmers;
- A youth representative of tenant farmers;
- A representative from Members of County Assembly (MCAs) of the affected areas.

The PAP representatives will then select a chairman among themselves.

The roles of the PAP representatives are to:

- Collect views of the PAPS and present them to the RAPIC;
- Help in confirmation of the asset inventory;
- Act as a liaison between the RAPIC and the PAPs and vice versa;
- Assist in dispute resolution where necessary.
Figure 6-1  Organogram for the Proposed RAPIC
**Key**

PIU: Project Implementation Unit  
REP: Representative  
MCA: Member of County Assembly

---

### 6.4 RAP Implementation Schedule

An outline of the proposed implementation schedule is as presented in Figure 6-2 overleaf.
## RAP Implementation Schedule

### Activity

1. Mobilization and Negotiations
2. Sensitization of the PAPs
3. Allowance for update of land ownership documentation
4. Recruitment of support (temporary) staff
5. Disclosure of proposed compensation at Household level
6. Election of PAP representatives
7. Constitution of a RAPIC
8. Establishment and institution of a grievance mechanism
9. Determination of administrative costs for RAP implementation
10. Determination of a funds allocation plan
11. Confirmation of a RAP implementation schedule
12. Drawing up offer documents for PAPs
13. Solving of grievances
14. Conduct M and E
15. Payment of compensation
16. Serving notice to move
17. Relocation and recovery of materials
18. Closedown audit

### Duration in Months

<table>
<thead>
<tr>
<th>Activity</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobilization and Negotiations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sensitization of the PAPs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Allowance for update of land ownership</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disclosure of compensation at Household level</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recruitment of support staff</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Election of PAP representatives</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Constitution of a RAPIC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Establishment and institution of grievance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Determination of administrative costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Determination of funds allocation plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmation of a RAP implementation schedule</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drawing up offer documents for PAPs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Solving of grievances</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conduct M and E</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payment of compensation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Serving notice to move</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relocation and recovery of materials</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Closedown audit</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
6.5 RAP Implementation Budget

6.5.1 Direct Costs for RAP Implementation

The estimated RAP Budget can be estimated at One Hundred and Five Million, Thirteen Thousand, Six Hundred and Fifty Only (Kshs 105,013,650). The exact breakdown of this estimation is as presented in Table 6-2.

<table>
<thead>
<tr>
<th>Table 6-2: Estimated Direct Costs for RAP Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asset</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>Compensation for loss of land and improvements inclusive of 15% disturbance allowance for all losses</td>
</tr>
<tr>
<td>Provisional cost for M&amp;E at 3% of compensation cost</td>
</tr>
<tr>
<td>Sub Total</td>
</tr>
<tr>
<td>Contingency 5% of total budget</td>
</tr>
<tr>
<td>Grand Total</td>
</tr>
</tbody>
</table>

To avoid duplication in budgeting, the following items are covered in the RAP for Thika-Kigoro section of the new wayleave:

<table>
<thead>
<tr>
<th>Asset</th>
<th>Amount in Kshs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provisional sum to cover for RAPIC and grievance committee meeting costs (rooms, transport, refreshments, stationery etc) at a maximum of Kshs 900,000 per month for a maximum of 20 months.</td>
<td>6,000,000.00</td>
</tr>
<tr>
<td>Provisional sum for Capacity Building Programs for RAPIC, M&amp;E and Grievance Committee members at a maximum lump sum of KES 2,000,000.</td>
<td>2,000,000.00</td>
</tr>
<tr>
<td>Capacity building and sensitization of PAPS on compensation (500,000 for a maximum of 6 months)</td>
<td>1,500,000.00</td>
</tr>
<tr>
<td>Provisional sum for Consultancy services for development of a communication plan-A lumpsum of 3,000,000.00</td>
<td>3,000,000.00</td>
</tr>
</tbody>
</table>

6.5.2 Administrative Costs for RAP Implementation

Annual budgetary arrangements will be made for the running of the various arms of the implementation committee. Budgetary arrangements will include the following:
- Staff packages in the event of hiring of additional resettlement staff (e.g. salaries and benefits);
- Office capital investment costs and running expenses;
- Logistical costs for travel to meetings and field visits from AWSB headquarters in Nairobi to Murang’a and Kiambu County. These costs include, fuel and out of office allowances for AWSB staff;
- Purchase of field equipment and vehicles;
- Resettlement preparation costs;
- Financial auditing costs;
- Internal monitoring and evaluation costs (provision for external monitoring and evaluation already given in the RAP Budget in this report);
- Specialised surveys to evaluate the improvements required and / or the success of the re-establishment of incomes and livelihoods;
- Allowance for land adjudication, survey, and subdivision for the affected land parcels whose ownership instruments are outdated;
- Allowance for a survey program for the acquired wayleave.
7 GRIEVANCE MECHANISMS

7.1 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.

Compensation based disputes are issues 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.

Lack of perceived transparency may lead to feelings of mistrust and misinformed judgements on both sides.

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.

7.1.1 Existing Mechanisms for Dispute Resolution

From consultations during the RAP studies, the study team was informed that the following local mechanisms already exist:

For the case of land disputes on boundaries of property, the District Land Registrar’s office usually handles these cases. Other land disputes are usually referred to the Courts.

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.

7.1.2 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 from PAPs who want the proponent to permanently acquire the easement as they feel their land is no longer economically viable;
- Issues of succession that have not been clearly resolved among household siblings. Such situations among the PAPs may result in family feuds over who should receive compensation on behalf of the affected family;
- Grievance between PAPs and the RAP implementers;
- Grievance between PAPs and AWSB with regard to compensation packages offered;
- Grievances between PAPs and RAP implementers may arise if PAPs feel they are not adequately involved in the implementation process.

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.
7.1.3 Proposed Grievance Mechanism

During the Elders FGDs, the study team probed on the appropriate proposals to compensation to avoid the occurrence of the noted problems during compensation, such as family feuds and conflict. Members agreed that the most appropriate method will be to go through the local administration in case the issue was not solved at family level.

The findings from the FGDs also raised suggestion that while the proposed grievance mechanism will be through the local administration, other members of the mechanism should include PAP representatives from all locations affected as well as local and external professionals.

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

This committee will sit at the office of the Ward Representative. The following procedure is proposed:

1. A PAP registers a grievance at the Chief’s office using a “Grievance Registration Form” and within two working day, the committee members are alerted of the case (See appendix 4 for a sample of the Grievance Registration Form);
2. The Grievance is logged into the Grievance Register and the affected person is immediately informed of the next date of the scheduled hearing. Depending on the case load, a maximum of 14 working days should be given between the date that a case is recorded and the date when the hearing is held;
3. 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;
4. The committee will communicate its judgement to the affected persons within 7 working days (See appendix 5 for a sample Resolution Form);
5. 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 14 working days of the hearing;
6. If the PAP is not satisfied with the judgement, he or she will be allowed to move the case to the next level.

(b) Level Two: County Committee

Some 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.

A County Level Committee will constitute of the following members:

- County Commissioner (CC);
- A representative from the county land management boards;
- Respected Opinion Leader in the Community such as a religious leader or a community elder;
- A specifically delegated representative from AWSB;
- A representative of the County Government e.g. the Chief Officer Lands Housing and Urban Development
Members: three PAP representatives consisting of a man, a woman and a youth.

This committee will be chaired by the Opinion leader but the proposed secretary who is the County Commissioner is the representative from MSF.

This committee may also invite an arbitrator or qualified representatives from the Attorney General’s Office at the County Level. Other specialists from the line ministries can also be invited to provide expert advice as the need arises. These may include officers from the National Land Commission, County Land Management Boards, Ministry of Land and Physical Planning such as the District Lands Surveyor and / or the District Land Registrar.

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

1. A grievance is forwarded from the Local Level Committee either by the PAP or forwarded by the secretary (the Chief) of the local committee and logged at the County Commissioners’ Office. This includes other cases forwarded from the Local Committee Level (see appendix 6 for a sample Complaints Log);
2. Within five working days, a notice is sent out to all the interested parties informing them of the date of the hearing;
3. Prior to the hearing, the chairman and the secretary will determine the need for an arbitrator and invite them to the hearing;
4. A hearing will then be held within twenty days of the grievance being raised;
5. In cases where an arbitrator is required, the committee’s ruling is final. The complainant should however be made aware of the fact early prior to commitment to the arbitration;
6. The ruling of the hearing should be communicated within 3 working days;
7. Disputes that cannot be resolved at this level should be forwarded by the committee to the next level within five working days.

Whatever decision is made at this level should be communicated downwards to the local level to avoid duplication of issues.

(c) Level Three: Project Committee

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, or changing of compensation packages as agreed under this RAP. In such cases, the RAPIC may require legal interpretation on certain aspects.

A Project Level Committee constituted of the following members is therefore proposed:

- Chairman: Chief Executive Officer AWSB;
- A representative from the Ministry Of Finance;
- A specifically delegated representative from AWSB;
- Legal representative AWSB;
- Project Engineer, who will also serve as the secretary.

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

1. 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. This includes cases forwarded from the County Committee Level;
2. A hearing will then be held within thirty days of the grievance being raised;
3. 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;
4. The committees decision will be communicated in writing within 5 working days of the date of the hearing;

5. If the committee does not resolve an issue, the affected persons are free to go to the Land and Environment Court.

Considering the various levels of decision making required at this stage, it is proposed that the final decision from this committee be communicated within three months (a quarter within the financial year).

A flow chart of this process is presented in Figure 6-2 overleaf.

Whatever decision is made at this level should be communicated downwards to the local level to avoid duplication of issues.
Grievance lodged at the chief’s office
14 days
RAP implementation committee meeting
14 days
Discussion with PAP

LOCAL LEVEL COMMITTEE

Invitations to Arbitrator or Technical witness
14 days
Grievance lodged at County commissioner’s office
14 days
Notice to PAP of hearing
14 days
Hearing

COUNTY COMMITTEE

Notice of hearing to PAP
14 days
Grievance lodged at Project Engineers office
28 days
Hearing

COUNTY COMMITTEE

RESOLUTION
NO RESOLUTION
RESOLUTION
NO RESOLUTION
RESOLUTION
NO RESOLUTION
Court of Law
8 MONITORING AND EVALUATION

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.

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. The process is also important in measuring project inputs, outputs and outcomes of resettlement activities and for evaluating resultant resettlement impacts.

8.1 Internal Monitoring

AWSB has the overall responsibility of conducting regular internal monitoring of the progress of project implementation. The monitoring should be systematic evaluation of the implementation stage in relation to the recommendations of this report.

In undertaking the same, AWSB will be the main driver of RAP implementation. As such, it will be their 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.

8.2 External Monitoring

To ascertain quality and objectivity in the process, we also recommend that AWSB engage an external expert to conduct a comprehensive evaluation of the implementation of compensation activities and milestones on a regular basis.

The objective of the monitoring will be to:

- Review the results of the internal monitoring and review overall compliance with the study recommendations;
- Assess whether compensation process objectives have been met, especially with regard to signing of agreements and management of grievances;
- Evaluate post-compensation assistance to PAPs;
- Assess general efficiency of the process and formulate lessons for future guidance;
- Determine overall adequacy of entitlements.
8.3 Monitoring and Evaluation Schedule

The tools for monitoring and evaluation should include:

- Review of reports e.g. construction, grievances, implementation etc;
- Review of minutes of public meetings;
- Review of complaints reports;
- Focus Group Discussions;
- Sample surveys.

The monitoring and evaluation cycle should consist of the benchmark shown on Table 8-1. Below

The completion audit should bring to AWSB’s responsibilities for resettlement, compensation, livelihood restoration, and development support.
### Table 8-1 Monitoring and Evaluation benchmarks

<table>
<thead>
<tr>
<th>Benchmarks</th>
<th>Responsibilities</th>
<th>Aspects</th>
<th>Reporting</th>
<th>Frequency</th>
</tr>
</thead>
</table>
| Monitoring of resettlement exercise | AWSB representatives from head office                 | • Review and confirmation of census and identification documents;  
• Conduct audits on grievances, including checkups on number of public meetings held;  
• Conduct monitoring of the the process, extent and level of community engagement with PAPs leading to resettlement/relocation;  
• Community engagement process and outcomes;  
• Include contingency to deal with emerging issues;  
• PAPs perception on handing of grievances;  
• Percentage of payments made vis a vis percentage of payments issued;  
• Percentage of people resettled;  
• Percentage of social amenities constructed;  
• Percentage of social programmes implemented;  
• Follow up reports submitted on emerging issues during RAP implementation. | This should be supported by submission of quarterly reports by:  
• AWSB Environmental Officer;  
• Officer in charge of community liaison in AWSB | At the beginning of RAP implementation and ongoing                                                                                          |

- **Monitoring of Resettlement impacts**  
  Officer in charge of community liaison in AWSB  
  • Develop monitoring checklist from the ESIA study reports;  
  • Monitor changes vis a vis PAPs baseline data;  
  • Identify improvements in the lives of PAPs, Expected, improvements include:  
    o Improved school attendance;  
    o Upgrades in social amenities e.g. schools, medical facilities, water supply, sanitation facilities and communication facilities;  
    o Improved access to social amenities in terms of better roads or faster means of travel and their affordability.  
    o Jobs retained  
    o New jobs created for PAPs.  
  • This should be supported by submission of monthly reports by the AWSB Environmental Officer, the AWSB community Liaison Officer.  
  • At the beginning of RAP implementation and ongoing.
<table>
<thead>
<tr>
<th>Benchmarks</th>
<th>Responsibilities</th>
<th>Aspects</th>
<th>Reporting</th>
<th>Frequency</th>
</tr>
</thead>
</table>
| Preliminary and Completion Audit | Independent third party | - Ensure all physical assets that were committed have been delivered to the PAPs;  
- Compliance to a local and international laws and policies;  
- Percentage of targets achieved;  
- Constraints and mitigations to constraints;  
- Handling of emerging issues;  
- Response on grievances raised. This should include adequacy of dealing with queries and the promptness with which grievances were attended to;  
- Percentage attendance of public meetings;  
- Percentage of development initiatives that were started as well as their status at closure (active or inactive). | Semi-annually  | Semi-annually |
8.4 Methods of Monitoring

The M&E approach would be to identify and select a set of appropriate monitoring aspects and indicators and gathering information on them to assess the changes and variations. Participation of stakeholders, especially the affected persons and vulnerable groups will be ensured in the M&E process. Monitoring tools would include both quantitative and qualitative methods as follows:

- **Focused Group Discussions (FGD):** Consult with a range of stakeholder groups (local government, Compensation Unit, NGOs, community leaders and PAPs);
- **Key informant interviews:** Consult individuals like local leaders, persons with special knowledge or experience about relocation activities and implementation;
- **Stakeholder meetings:** Open or one on one meeting to elicit information about performance of various project activities;
- **Structured direct observations:** Field observations on status of RAP report implementation, plus individual or group interviews for crosschecking purposes;
- **Informal surveys/Interviews:** Informal surveys of PAPs, workers, project staff, and implementing agency personnel using non-sampled methods.

In the case of special issues, in-depth case studies of PAPs and host populations from various social classes will be undertaken to assess impact of the project.

From the monitoring and evaluation process, the expert will prepare status reports to be forwarded to AWSB for further action.

8.5 Reporting

The quarterly evaluation reports shall be compiled by the internal evaluation team formed by the AWSB. This report shall then be availed to the Compensation Unit and the PAPs. The same procedure shall be adopted by the external evaluation team.

For this RAP the monitoring and evaluation reporting schedule will be as follows:

- **Monthly reports on:**
  - Assessment on the use of resources and the production of outputs, and to identify key issues requiring more intensive study;
  - Panel studies to provide continuous feedback on implementation and to identify potential problems;
  - Combined progress report to include all the above and to be circulated internally.
- **Periodic reports to be done whenever management requires help in the evaluation of problems, or require information to help in making an important decision;**
- **Annual monitoring and evaluation reports.**

The end of monitoring and evaluation will be marked by completion of RAP implementation.
CONCLUSION

Generally, the proposed project will result in appreciable benefits to the city of Nairobi, its satellite towns and Kenya at large and bring opportunities for both social and economic development. The proposed community water supply project is also expected to bring direct benefits to the residents of Murang’a and Kiambu County. As part of rehabilitation, the project should consider an alternative of free or highly subsidized water connections with free meters for the vulnerable in informal settlements and female headed households as part of the compensation framework and this can be discussed with relevant companies responsible for water distribution such as Nairobi Water and Sewerage Company, and equivalent companies in Murang’a and Kiambu respectively.

The report outlines mechanisms to allow for PAP involvement throughout the disclosure, implementation as well as monitoring and evaluation processes under RAP implementation. The report includes measures to ensure that resettlement does not interfere with sources of income including current jobs available to the PAPs and compensation from loss of income from business structures and related activities. A participatory approach was facilitated and is encouraged in future through public meetings, one on one discussions through grievance mechanism and focus group discussions. The proposed implementation committee calls for inclusion of community members, including representatives of vulnerable groups to ensure that every PAP has a voice during resettlement process.

This RAP study also provides for additional institutional support to AWSB as well as targeted recruitment of staff during specific activities and events during the RAP implementation program. AWSB will hire more temporary staff to assist in RAP implementation. AWSB has already employed 5 project based sociologists who are assisting the office staff in implementation of the RAP for the Thika dam-Kigoro section of the pipeline. It also required that whoever is allocated tasks for RAP implementation, should be given specific terms of reference, roles and responsibilities and the requisite financial and human resources to carry out their mandate. Some of the identified institutions under this proposed set-up have experience through the implementation of the RAP for Thika Dam – Kigoro pipeline. However, additional capacity building programs are also necessary, to bring all the stakeholders in touch with the accepted resettlement policies proposed under this RAP.
Appendix 1: Copy of Cadastral Maps for Kigoro -Ngethu Pipeline
Appendix 2: Minutes of Stakeholder and Community Sensitisation Meetings
Murang’a County
Notes for the meeting held with the public of Nairobi City Water and Sewerage company at the Nakuru location.

Attendance
1. Job Kihomba (Dam coordinator)
2. Joseph Ndungu (Environmentalist KWS)
3. Newton Shiner (Project Env' GIEB)
4. Florence

Agenda
To discuss potential environmental and social impacts of the project in the project area and set a cut-off date for the valuation of the affected assets.

Notes
The meeting started with a word of prayer from Mother Eunice, who was invited by the area chief to offer a word of prayer.

The chief apologised for the late start of the public meeting that she attributed to the bad weather and people working on farms.

The chief invited the Dam coordinator Mr. Job Kihomba to invite the guests who had requested for the meeting.

Mr. Job Kihomba welcomed the public to the meeting. He briefly explained the team from the water deal GIEB international. He indicated that the project will be highly beneficial to Nairobi city; water will help if it fully meets its mandate. He stated that the people within Nakuru who have relatives...

Notes drafted by: Newton Stower  Confirmed by: [Signature]

Designation: Project Environmentalist  Designation: [Signature]

Project Name: ...........................................
Project Code: ...........................................
Date of meeting: .......................... 2014
Notes for the meeting held with...

Notes continued....

In Nairobi will have some witnesses that their friends or relatives who live in Nairobi suffer from insufficient water supply.

The chief indicated that a total of 15 households will be affected within the location. He told the public that the meeting concerned environmental impact assessment of settlement action plan. He advised the audience to ask as many questions as they can so as to ensure that the project meets its end goal. The chief invited Mr. Ndirangu from Athir water to address the audience. He told the audience that Athir water intends to supply water to Nairobi by an additional pipeline of 39 km between Athir to Ngoyo T. Works and from there to Kalehe treatment works to water supply. He told the public that the project environmental will give more details on the EIA prep exercise.

The project Environmentalist from Gibb told gave an account of the project details to the audience. He indicated that the EIA is important in determining the impact of the project on the people living in the physical environment.

______________________________
Notes drafted by: Newton Stower

______________________________
Confirmed by: FLORITA MWANGI

______________________________
Designation: Project Environmentalist

______________________________
Designation: NDAKA-INI LOCATION

______________________________
Signature: 

______________________________
Signature:

Project Name: 

Project Code: 

Date of meeting: / / 2014
Notes for the meeting held with...

Notes continued...

Question 1: The valuation date should be made public to
an affected people to ensure that none of the people whose
assets will be affected miss out on the valuation.
Response: The valuation date will be on 12th May 2015 and
the cut off date shall be on 15/5/2015.

Question 2: How wide is the way where to be acquired?
The waybank is to be 9m to 6m will be for the construction
waybank while 3 meters will be for laying the pipes. However,
they will be official confirmed once the surveyor has passed
the riparian boundary to determine the amount of private
land to be taken.

Question 3: Which side of the river will it be.
The pipe will be on the right side of the river
for the first time 2km after which it will shift
to the left side of the river.

Response: Once the dam was built the area became very cold
due to a lot of water in the area. How will the
project ensure that the crops are still viable in the area
after the climate change?

Notes drafted by: Newton Stower
Confirmed by: FLORA NDARI

Designation: Project Environmentalist
Signature:

Designation: CHIEF
Signature: NDAKA INI LOCATION

Project Name: ..................................................
Project Code: ..................................................
Date of meeting: ......./...../2014
Notes for the meeting held with...

Notes continued...

Question: How will the project benefit the locals in terms of water supply? Having rice water taken from the area and the locals have no water, the need for the project to give us water.

Response: The water is supplied in the area is supposed to come from Gasa water supply, the water from the dam is supposed designed to supply water to Naria, and the locals have been told to collect for water supply within the area.

Question: If a portion of my land from the bigger part of the land, because the river meets the hill, will be helpful?

Response: If the land separated is vigorously uplifted the land will be fully accounted by the project, flow will be for few areas where the pipe passed over the land.

Question: If I have a grievance on the value put on my assets, what do I do?

Response: A grievance mediation mechanism will be proposed from in the report, and it will be carried out by a RAP implementation committee that will consist of RAP representatives. During valuation photos of assets will be taken, and a description which will be signed by the RAP. Valuation will be done based on the current market rate and will not be lower than the government value.

Notes drafted by: Newton Stower

Confirmed by: Flore

Designation: Project Environmentalist

Signature:

CHIEF

NDAKA-INI LOCATION

SIGN:

Project Name:

Project Code:

Date of meeting: 04/01/2014
Notes for the meeting held with...

Notes continued....

Question: The dam currently flood delation of water from
another dam will increase flooding in the area, how will
this be managed?

Response: The water being tapped from the proposed Mavungu
dam will only collect flood waters, and once the current
flood region has been reached, the water from the Mavungu
dam shall not be directed to Mokavuni Dam.

Question: How will farmers be compensated for loss of
their assets?

Response: Farmers will only be compensated for the affected
assets and not for the land, but the land owner shall
be compensated for the land.

Question: Will we get employed on this project or
will we employ people from outside. The charges should not
be elevated because to ensure the jobs are equally
distributed.

---

Notes drafted by: Newton Stower
Confirmed by: Flore Mwanza

Designation: Project Environmentalist
Signature: [Signature]

Designation: Chief
NDAKA-INI LOCATION
Signature: [Signature]

Project Name: .................................................................
Project Code: ..............................................................
Date of meeting: ....../....../2014
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE**

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Flora W. Msangi</strong></td>
<td>CHIEF NDAKAINI, L.G.</td>
<td>0727602496</td>
<td></td>
</tr>
<tr>
<td><strong>John M. Kamau</strong></td>
<td>ASS. CHIEF, NDAKAINI</td>
<td>0726712044</td>
<td></td>
</tr>
<tr>
<td><strong>Jeffrey M. Munyua</strong></td>
<td>ASS. CHIEF, KIMANDI</td>
<td>0726943200</td>
<td></td>
</tr>
<tr>
<td><strong>Job Kihamba</strong></td>
<td>DAM COORD, THIKA DAM (NCWSC)</td>
<td>0726215848</td>
<td></td>
</tr>
<tr>
<td><strong>Joseph W ndunu</strong></td>
<td>ENVIRONMENTALIST</td>
<td><a href="mailto:jndunu@nbsahibred.co.ke">jndunu@nbsahibred.co.ke</a></td>
<td></td>
</tr>
<tr>
<td><strong>Newton Stoker</strong></td>
<td>PROJECT ENVIRONMENTALIST</td>
<td>pete@<a href="mailto:mouse@gibbinternational.com">mouse@gibbinternational.com</a></td>
<td></td>
</tr>
<tr>
<td><strong>Samuel M. Mutuma</strong></td>
<td>FARMER</td>
<td>0722022658</td>
<td></td>
</tr>
<tr>
<td><strong>Samuel Gatoni Kamau</strong></td>
<td>FARMER</td>
<td>0719978876</td>
<td></td>
</tr>
<tr>
<td><strong>Jane W. Msangi</strong></td>
<td>FARMER</td>
<td>0721915068</td>
<td></td>
</tr>
<tr>
<td><strong>Joseph K. Gichin</strong></td>
<td>FARMER</td>
<td>0720098261</td>
<td></td>
</tr>
</tbody>
</table>

**CHIEF INTERNATIONAL**

**LOCATION:**

**SIGNATURE:**
<table>
<thead>
<tr>
<th>VENUE</th>
<th>NAME</th>
<th>DESIGNATION</th>
<th>CONTACTS</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Jacinta Wanjeri</td>
<td>Plant Operator</td>
<td>0710961766</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Beth Kiponge</td>
<td>Plant Operator</td>
<td>0719204546</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Francis Wangari</td>
<td>Engineer</td>
<td>0726325125</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Margaret Mwangi</td>
<td>Engineer</td>
<td>0716885084</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rose Nyawira</td>
<td>Engineer</td>
<td>0719584632</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jose Kiburu</td>
<td>Farmer</td>
<td>0728683919</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Johnson Kagemu</td>
<td>Farmer</td>
<td>0728683670</td>
<td></td>
</tr>
<tr>
<td></td>
<td>John Ng'opoe</td>
<td>Waterer</td>
<td>0726836252</td>
<td></td>
</tr>
</tbody>
</table>
# Public Consultation Meeting Attendance List

Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan for Proposed Thika-Kabete Raw and Treated Water Pipeline

**Date:**

**Venue:** Nurse Office

<table>
<thead>
<tr>
<th>#</th>
<th>Name</th>
<th>Designation</th>
<th>Contacts</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nicholas Otiero</td>
<td>Supervisor</td>
<td>0723-991562</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Benson M. Kanyu</td>
<td>Farmer</td>
<td>0728-0715269757</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Isaac M. Mwambo</td>
<td>Farmer</td>
<td>0724-492325</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Michael G. Kariti</td>
<td>Farmer</td>
<td>2012035</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>James M. Kariti</td>
<td>Farmer</td>
<td>0726-649523</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Simon Malinga</td>
<td>Catchment Officer</td>
<td>0723-795645</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Gilbert Omweri</td>
<td>HR Officer Thika Dam</td>
<td>0722465081</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>James K. Mucunda</td>
<td>Farmer</td>
<td>0723-368888</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>David Mbungu</td>
<td>Sec. Sup. Thika Dam</td>
<td>0721544450</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Chief**

Ndaaka-Ini Local Council

**Sign:**
Notes for the meeting held with the public at Kayange tea buyers, Nalungu-mugyango location.

Attendance
1. Joe Kipando
2. Newton Stower
3. Peter Nalungu
4. Francis Nsung particles

Agenda
To discuss potential environmental and social impacts of the project and set a cut-off date for their relocation of the affected assets.

Notes
The meeting started with a word of prayer from the Chief of Nalungu-mugyango.
The Chief invited the public to the meeting and made the audience for prompt attendance.
The Chief introduced the GIBB team to the audience and gave them a brief overview of what the meeting was all about.
He went on to invite the GIBB team to give a description of the project and inform the public that the DAP exercise was completed.
The GIBB team presented the details to the public for attendance of the public meeting and was asked to give a description of the project and get the cut-off date as the first day of innovation of the major works.

Notes drafted by: Newton Stower
Confirmed by:

Designation: Project Environmentalist
Signature: 

Project Name: .................................................................
Project Code: .................................................................
Date of meeting: .......................................................... 2014
Notes for the meeting held with...

Notes continued...

He indicated that the cut-off dams are set to avoid people laying claims on property that was built after the valuation exercise.

He indicated that it is important for the people to be present during the enumeration and valuation exercise so as to ensure that their details are taken and that their socio-economic status is taken.

He indicated that for those people who will not be available shall be required to have a respondent behind to give their details. The public was told that public to ask questions in areas they did not understand.

Question: The current dam is always full, do you intend to expand the dam?

The dam shall not be increased in size, the extra water will only be channeled into the dam to maintain levels but during floods the tunnel should be closed. This will help ensure that the flood is not transferred from one area to the other.

Question: I don't want to know exactly what extent of our own lands will be taken.

Aklie indicated to acquire 200 unoccupied permanently for burying the pipe and a 6m temporary construction that will be removed to another after reconstruction.

Notes drafted by: Newton Stower

Confirmed by:

Designation: Project Environmentalist

Signature: [Signature]

Designation:

Signature:

Project Name: ..............................................................

Project Code: ..............................................................

Date of meeting: .............. / 2014

GIBB International
CONSULTING • DESIGN • MANAGEMENT
Notes for the meeting held with...

Notes continued....

The crops on the waterway shall be incorporated, harvested and supervised in AUSB.

- How wide will the treated water pipeline be and how long will the pipe be?
  The pipeline has been proposed to be 1200mm diameter and 6.6km long, it shall start from Ndakami to Kigoro where there will be a treatment works then it proceeds to Kabete passing through Ruiru and Athi river as it heads to Kabete.

  The treated water will be about 60km and the raw water will be 5.5km.

Question: if the pipe is to pass through my land and affect my house, will the line be shifted?

The main purpose for the RAP is to identify all the assets to be affected by the project and in so doing, critical assets such as houses and institutions are pay to be avoided as much.

Notes drafted by: Newton Stower

Confirmed by:

Designation: Project Environmentalist

Signature:

Designation:

Signature:

Project Name: ..........................................................

Project Code: ..........................................................

Date of meeting: ......./......./ 2014
Notes for the meeting held with...

Notes continued...

as possible because the magnitude of the impact is heavy on the project proponent given the cost and the high interest of livelihood disruption; therefore, when it is not possible, it will be proposed that this compensation for the house.

Question: I do not have a title for my land, how will I be helped if my whole land is to be affected?

For those who own land but do not have titles, shall be examined as everyone else, but will need to get letters from the army chief acknowledging that the land belongs to the Army. Further to this, the study shall carry out land searches to determine the rightful owner.

Question: Who are the persons affected by the pipeline within the land?

The persons who will be affected by the project shall be clearly known. The surveyor/ffe of the proposed pipeline at the meeting will be required to show beneficiary or proponent called for the meeting. But the proponent will be contacted during the survey exercise.

Notes drafted by: Newton Stower

Confirmed by:

Designation: Project Environmentalist

Signature:

Designation:

Signature:

Project Name:

Project Code:

Date of meeting: .../.../2014
Notes for the meeting held with...

Notes continued...

Question: If we are allowed to use the wayleave after the project has been completed.

The wayleave after compensation is property of the NSW EPA and proposed that no structures such as structures, deep rooted trees & fences should be put on the wayleave. Minimal use such as fencing may be allowed depending these choices.

Question: When the valuation is on, will the farmers be involved in determining the value for affected assets. All farmers shall be asked to attend the valuation exercise. The third of these assets shall be taken and they shall be asked to sign around the assets that are seen to be within the proposed wayleave.

Question: The clause should accompany the surveyor and owner of the land.

The clause together with the values shall walk from one end to the next to ensure no gap is left out.

Notes drafted by: Newton Stower

Confirmed by:

Designation: Project Environmentalist

Signature:

Designation:

Signature:

Project Name: ..................................................

Project Code: ..................................................

Date of meeting: .............................................
PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

DATE: 06/05/015  VENUE: KAGONZO TEA BUYING CENTRE

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Ephraim Kiarie</td>
<td>KAGONZO</td>
<td>0723 990 379</td>
<td></td>
</tr>
<tr>
<td>2. Giluthi Korai</td>
<td>KAGONZO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Margaret Gathoni</td>
<td>KAGONZO</td>
<td>0722 92 92 64</td>
<td></td>
</tr>
<tr>
<td>4. Abraham Muwada</td>
<td>KAGONZO</td>
<td>0758 550 801</td>
<td></td>
</tr>
<tr>
<td>5. Sipiteni Mbuwa</td>
<td>KAGONZO</td>
<td>0724 746 399</td>
<td></td>
</tr>
<tr>
<td>6. Daniel Huncie</td>
<td>KAGONZO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Simon Mwanau</td>
<td>KAGONZO</td>
<td>0722 49 49 50</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DESIGNATION</td>
<td>NAME</td>
<td>VENUE</td>
<td>CONTACTS</td>
</tr>
<tr>
<td>-------------</td>
<td>---------------------</td>
<td>-------</td>
<td>----------</td>
</tr>
<tr>
<td></td>
<td>Joffe Kamau</td>
<td>Kasaoto Centre</td>
<td>0701568061</td>
</tr>
<tr>
<td></td>
<td>Muhindo D.</td>
<td>Kasaoto Centre</td>
<td>0701410909</td>
</tr>
<tr>
<td></td>
<td>Muhindo W.</td>
<td>Kasaoto Centre</td>
<td>0722611552</td>
</tr>
<tr>
<td></td>
<td>Muhindo G.</td>
<td>Kasaoto Centre</td>
<td>0702020201</td>
</tr>
<tr>
<td></td>
<td>Muhindo S.</td>
<td>Kasaoto Centre</td>
<td>0722610964</td>
</tr>
</tbody>
</table>

**Signature**

[Signature]

**Telephone/Email address**

1. 0701568061
2. 0701410909
3. 0722611552
4. 0702020201
5. 0722610964
<table>
<thead>
<tr>
<th></th>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts</th>
<th></th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>KIMUHU George</td>
<td>FARMER</td>
<td>PIO. BOX 1768 - THIKA</td>
<td>Kimu Hu</td>
<td>Kimu Hu</td>
</tr>
<tr>
<td>2</td>
<td>JOHN EDWARD GITUH</td>
<td>FARMER</td>
<td>0729538341 Box 84 Tea</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>HANNAH Nduta</td>
<td>FARMER</td>
<td>0713296366 - BOX 1768 THIKA</td>
<td>Han Na</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>HANNAH WAMBU</td>
<td>FARMER</td>
<td>BOX 718 THIKA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>REBECCA KARIIMU NTHIA</td>
<td>FARMER</td>
<td>0717262235 - 718 THIKA</td>
<td>Rebeca</td>
<td>Rebeca</td>
</tr>
<tr>
<td>6</td>
<td>ALICE KARIIMU KIYANGI</td>
<td>FARMER</td>
<td>071731474 - 1768 THIKA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>FRANCIS N. KATUNA</td>
<td>ASST. CHIEF - CHOMO</td>
<td>0722956221 - 916 THIKA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Notes for the meeting held with the public at Kimong Tea buying centre on the proposal Maua-Kigoro Gabrielle pipelines

Attendance
1. Samuel Njo
2. Newton Thomas
3. Members of public
4.
5.
6.
7.
8.

Agenda
To discuss potential environmental and social impacts of the project on the physical and social environment of the project area.

Notes
The meeting started with a word of prayer from the chief Njoro who then invited the public to the meeting.

The chief expressed his thanks to the late chief of the public meeting as he was passing on with another meeting.

The chief told the members in the audience that a team from GIBB Africa consultants had been contracted by the MCB to carry out PDP & EOIA studies for the proposed pipeline. He stated that it is therefore crucial that many questions are asked for clarification to avoid misunderstanding later when the project is being implemented.

The chief invited the GIBB team to address the audience and stated the main purpose of the visit.

Notes drafted by: Newton Stower
Confirmed by: Samuel Njoro

Designation: Project Environmentalist
Signature:

Designation: 
Signature:

Project Name: .................................................................
Project Code: .................................................................
Date of meeting: ............................ / 2014
Notes for the meeting held with...

Notes continued....

The project team thanked the audience for the prompt attendance of the meeting. They stated that GIBB Africa had commissioned by Mkro to carry out EIA and ESIA for the pipeline to reduce from Udchi.

He would also like to state that it is required by law that all projects before implementation go through public consultation to ensure projects are improved. The proposed developments (the proposed areas) are therefore used to influence the design of the project. He also stated that the project also included EIA which was done to know the private assets that are expected to be affected by the project. The right of way determination and a vegetation roll developed that shall be submitted to the client. The roll will be used by the client should they refuse to use the proposed wastewater. He stated that the best play of the compensation will be the cut of workers, which will be followed up.

Question: Will we be compensated before or after the project?

Response: Affected persons will be compensated before the start of the project, i.e., the service following the guidelines set by World Bank. Please see our resettlement action plan which will help us with compensation.

Question: Will we get jobs?

Response: The project is expected to source unskilled labor from the local community, but might have to source for skilled labor elsewhere as well.

Notes drafted by: Newton Stower

Confirmed by: 

Designation: Project Environmentalist

Signature:

Designation: 

Signature:

Project Name: 

Project Code: 

Date of meeting: 17/01/2014
Notes for the meeting held with...

Notes continued...

Question: When will the project start?
Response: The project will start once the project has gotten approval from NEA and a contractor awarded the contract. The project must go through the tendering process established in the Kenyan law.

Question: What criteria will be used in valuing crops?
Response: The project has contracted a licensed land and asset valuer to value the crops. The proposed values should not be lower than the government valuer, this might be confirmed by the market rate for the affected crops.

Question: Will the evaluation rates be provided before the works start?
Response: The rates of the assets affected shall be generated by the licensed valuer. After he has completed his work, the valuation report will be made public. The disclosure will be when the PARPS will comment on the given rates.

Question: I have a fish pond that will be affected, how will I be compensated?
Response: All affected assets will be valued as normal on the day of valuation and will be documented in the valuation roll. Should AGIB choose to compensate, as indicated in the valuation roll.

Notes drafted by: Newton Stower

Confirmed by: Samuel Mithura

Designation: Project Environmentalist  Designation: 

Signature:  Signature: 

Project Name:  
Project Code:  
Date of meeting: …../…./2014
Questions:

1. Can the site be effectively remediated by excavation alone?

   Answer:
   - If excavation alone is insufficient, consider additional technologies.

2. What is the current condition of the site, and what remediation steps are necessary?

   Answer:
   - The site needs to be researched further to determine the extent of contamination.

3. How can the site be prevented from recontamination after remediation?

   Answer:
   - Implement passive systems to monitor and prevent future contamination.

4. What is the timeline for completing the remediation project?

   Answer:
   - Develop a detailed project schedule to ensure timely completion.

5. What are the potential risks associated with the remediation process?

   Answer:
   - Address potential risks through comprehensive risk assessment and mitigation plans.

6. How will the site be monitored after remediation?

   Answer:
   - Establish a monitoring program to track the effectiveness of remediation efforts.

7. What are the financial implications of the remediation project?

   Answer:
   - Conduct a cost-benefit analysis to optimize budget allocation.

8. Are there any legal or regulatory considerations that need to be addressed?

   Answer:
   - Ensure compliance with all relevant regulations and permits.

9. What are the community's concerns about the site?

   Answer:
   - Engage with the community to address their concerns and gain their support.

10. What other stakeholders should be involved in the remediation process?

    Answer:
    - Involve environmental groups, local authorities, and other relevant stakeholders.

Notes continued...
Notes for the meeting held with...

Notes continued...

These shall be compensated for by the contractor as he progresses with works.

Question: There is a supply line from Cherry wells that will be affected too will these be compensated for that?
Response: The surveyor will adjust a schedule of 3 months before the project start date to ensure adequate time for the gaps to be re-established before the project starts.

Question: How long will it take for the surveyor to commence?
Response: The surveyor will adjust a schedule of 3 months before the project start date to ensure adequate time for the gaps to be re-established before the project starts.

Note: I have a title but was allocated land back in January and been told the compensation will be compensated for.
Response: The compensation figure will be allocated to the original title owner, who if deceased will be entitled to any funds or assets associated with the title. During compensation everyone will be compensated as per this agreement.

Question: Will the surveyor work with guidelines to ensure all affected people are satisfied?
Response: Yes, the surveyor will move around with...
Notes for the meeting held with...

Notes continued...

a village elder to ensure that everyone knows where they
pipe will pass in their land during the process, respective line
wires shall also be identified.

Question: The idea of coffee supply to the factory shall affect the factory,
how will this project ensure that the proposed factory is not affected
Response: The project is being restricted to the irrigation
and where the alignment follows through a plantation, a
corridor of 3m is being acquired.

Question: What type of package are we receiving from the project?
Response: The water distribution budget for Katega water
town has been increased to ensure that more water is
distributed and supplied to different areas.

Question: What has happened to a proposed line to be affected?
Response: The project has tried as much as possible to avoid
the standards but in cases where the grave cannot be avoided
there a compensation package will be proposed for the
burial ceremony involved with changing of buying the dead.
Question: (skip due to darkness)

Notes drafted by: Newton Stower
Confirmed by: [Signature]

Designation: Project Environmentalist
Signature: [Signature]

Project Name: .................................................................
Project Code: .................................................................
Date of meeting: ........... / 2014
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE**

**DATE:** 14-05-15  **VENUE:** KIAGARE R1 CENTRE (GITHI SUB-LOC)

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
</table>
| 1.  
Zipporah W. Mwanda         | Farmer      | 0714892659                        |           |
| 2.  
James Mwihia Maima         | Farmer      | 0716341444                        |           |
| 3.  
Michael Wanjiru Atiogio   | Farmer      | 0716143278                        |           |
| 4.  
Winfred Wanjiru Atiogio   | Farmer      | 0716962541                        |           |
| 5.  
Beatrice Wanjiru Wanjiru  | Farmer      | 0716962541                        |           |
| 6.  
Philozece N. Mwihia       | Farmer      | 0722222316                        |           |
| 7.  
Judy M. Gachie            | Farmer      | 0724654566                        |           |
| 8.  
Simon Muriuki             |             | 0713734446                        |           |
| 9.  
Mary Ng'ombe              |             | 0724946375                        |           |
| 10. 
Samuel Mureris            |             | 0711141633                        |           |

**CHIEF**
NDUNYU - CHEGE LOCATION

**Signature:**

Samuel K. Kinyu
## PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

**DATE:** 14/05/15  **VENUE:** MAIREGI TEA B CENTRE (GITIRI SUB LOU)

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jumoke Mugaia</td>
<td>Farmer</td>
<td>0715095537</td>
<td></td>
</tr>
<tr>
<td>Joseph Mekonnen</td>
<td>Farmer</td>
<td>0721205662</td>
<td></td>
</tr>
<tr>
<td>Geoffrey Maina Magaria</td>
<td>Farmer</td>
<td>0706920708</td>
<td></td>
</tr>
<tr>
<td>Peter Kimumu Mugaia</td>
<td>Farmer</td>
<td>0720265342</td>
<td></td>
</tr>
<tr>
<td>Lucioh Mumbi Mugi</td>
<td>Farmer</td>
<td>0720492611</td>
<td></td>
</tr>
<tr>
<td>Chrisan Muga Muga Mugi</td>
<td>Farmer</td>
<td>0727613867</td>
<td></td>
</tr>
<tr>
<td>Joseph Githua Mugi</td>
<td>Farmer</td>
<td>0727425937</td>
<td></td>
</tr>
<tr>
<td>Paul Ng'anga Kahwa</td>
<td>Farmer</td>
<td>0706391692</td>
<td></td>
</tr>
<tr>
<td>Stephen Macharia</td>
<td>Farmer</td>
<td>0729975063</td>
<td></td>
</tr>
<tr>
<td>Charles Malakili</td>
<td>Farmer</td>
<td>0723389728</td>
<td></td>
</tr>
</tbody>
</table>

CHIEF

YDUNUY CHEGE LOCATION
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

DATE: 14/05/15  VENUE: KAIReG1 TEA B. CENTRE

<table>
<thead>
<tr>
<th></th>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Gilbert Mwangi Muigai</td>
<td>Farmer</td>
<td>0723219716</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Naftali Kamaa Githeu</td>
<td>Farmer</td>
<td>0781144987</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Simon Mwanga Kabugu</td>
<td>Farmer</td>
<td>0720748788</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Geoffrey Ndungu M.</td>
<td>Farmer</td>
<td>0701565085</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Stephen Githeu Koreke</td>
<td>Farmer</td>
<td>0722-89786</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Davis Ng'guru Kung'</td>
<td>Farmer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Margaret W. Gachia</td>
<td>Farmer</td>
<td>0720 428 400</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Louise Ng'gari Muchna</td>
<td>Farmer</td>
<td>0725 103 223</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Michael M. Mwangi</td>
<td>Bodh Bodh</td>
<td>0726778685</td>
<td>Mike</td>
</tr>
<tr>
<td>10</td>
<td>Peter Ng'gir Muwuthia</td>
<td>Farmer</td>
<td>0718 138 355</td>
<td></td>
</tr>
</tbody>
</table>

Samuel Kifaru

HIF
DUNYU-CHEGE LOCATION
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE**

**DATE: 14/05/15**  **VENUE: KAIRESI TEA B. CENTRE**

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.  Rebecca W. Mwenda</td>
<td>Farmer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.  Joyce Wairimu</td>
<td>Farmer</td>
<td>0726174075</td>
<td></td>
</tr>
<tr>
<td>3.  Naomi Wanjiru</td>
<td>Farmer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.  Joel Ngunga Wangu</td>
<td>Farmer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.  Janson Kamern Wangu</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.  Michael Gachora</td>
<td>Farmer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.  Hana Gauro</td>
<td>Farmer</td>
<td>0701560933</td>
<td></td>
</tr>
<tr>
<td>8.  Geoffrey Gauro</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.  Jospha Kamau</td>
<td>Farmer</td>
<td>0727786710</td>
<td></td>
</tr>
<tr>
<td>10. Ecieta Kamau</td>
<td></td>
<td>0727564267</td>
<td></td>
</tr>
</tbody>
</table>

**NDUNYU-CHEGE LOCATION**
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

**DATE:** 14/05/15  **VENUE:** MAFREGS TEA B. CENTRE

<table>
<thead>
<tr>
<th></th>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Amos Mwathari Kamau</td>
<td>Farmer</td>
<td>0724 389608</td>
<td>A</td>
</tr>
<tr>
<td>2</td>
<td>James Mwangi Muchiri</td>
<td>Farmer</td>
<td>0708494496</td>
<td>F</td>
</tr>
<tr>
<td>3</td>
<td>Geoffrey Kihara Korir</td>
<td>Farmer</td>
<td>0726031263</td>
<td>G</td>
</tr>
<tr>
<td>4</td>
<td>Joseph Mukamunye</td>
<td>Farmer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Job - maina</td>
<td>Farmer</td>
<td>0722 572530</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Peter ()</td>
<td>Farmer</td>
<td>0721 408174</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>James Igeche</td>
<td>Farmer</td>
<td>0701268068</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Paul Kamau</td>
<td>Farmer</td>
<td>0722601339</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Wilson Mwaniki</td>
<td>Farmer</td>
<td>0719 299537</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Anne Kamali</td>
<td>Farmer</td>
<td>0741 400344</td>
<td></td>
</tr>
</tbody>
</table>

**Signature:**

---

**IIEF**

**NDUNGU - CHEGE LOCATION**

---
<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>James M. Mwangi</td>
<td>Farmer</td>
<td>0724 389 669</td>
<td></td>
</tr>
<tr>
<td>Frank J. Wasilwa</td>
<td>Farmer</td>
<td>0714 323 995</td>
<td></td>
</tr>
<tr>
<td>Samuel A. Achieng</td>
<td>Farmer</td>
<td>0713 623 256</td>
<td></td>
</tr>
<tr>
<td>S. M. Langat</td>
<td>Business Lady</td>
<td>0727 746 805</td>
<td></td>
</tr>
<tr>
<td>Ester M. Bungo</td>
<td>Farmer</td>
<td>0713 611 956</td>
<td></td>
</tr>
<tr>
<td>John O. Mbogga</td>
<td>Farmer</td>
<td>0713 610 573</td>
<td></td>
</tr>
<tr>
<td>Daniel M. Kuyumi</td>
<td>Farmer</td>
<td>0713 610 573</td>
<td></td>
</tr>
<tr>
<td>Huna G. Waithira</td>
<td>Farmer</td>
<td>0711 586 646</td>
<td></td>
</tr>
</tbody>
</table>
### Public Consultation Meeting Attendance List

#### Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan for Proposed Thika-Kabete Raw and Treated Water Pipeline

**Date:** 14/05/16  
**Venue:** KIA Reg 1 Tea B Centre

<table>
<thead>
<tr>
<th></th>
<th>Name</th>
<th>Designation</th>
<th>Contacts Telephone/Email Address</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Elizabeth Wambui K.</td>
<td>Engineer</td>
<td>0728 593 117</td>
<td>Entukuruza</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Chief**  
NDUNYU - CHEGE LOCATION
Notes for the meeting held with the public at Ngorongo community hall at the Assistant county commissioner's office in Ngorongoro sub-location

Attendance
1. Newton Stower 5. 
4. 8. 

Agenda
Discuss the impacts of the project to the project area and collect views on the project. The meeting was also used to sensitise the public on the RAP and set a cut off date.

Notes
The meeting started with a word of prayer by a member of the audience. The chief then invited the GIBE team to the meeting and introduced them to the audience. He told the audience that he will address them in Kiswahili but later he will translate in Kisiguzi for the elderly to understand the project. The chief invited the RAP expert to address the audience on the project details.

The RAP & ESIA expert thanked the audience for their prompt attendance of the attendance meeting. He stated that the project is expected to take both benefits and positive impact to the project area and thus it is necessary for an ESIA to be carried out to generate most likely impacts of the project and

Notes drafted by: Newton Stower Confirmed by: Vincent M. Mwaura

Designation: Project Environmentalist  Designation: Assistant Chief
Signature:  Signature: Camilla

Project Name: .................................................................
Project Code: .................................................................
Date of meeting: 10/10/2019

GIBB Internation
CONSULTING • DESIGN • MAKAGE
Notes for the meeting held with...

Notes continued....

Mr. Mwaro raised a matter of concern. He said that for those persons whose assets will be affected, the surveyors are to determine their socioeconomic status and value all the assets within the area and are expected to be affected. It is important for a cut-off date to be set to avoid people claiming assets that were not there during the valuation. The cut-off date was set to be the 1st of January.

Question: The width initially took 12 m and later took 6 m that was not compensated for. We want to know if all will be paid for the 6 m that was taken.

The agreement made took them was not acceptable but with the interest of the community, the issue concerning the wayleave shall be submitted to AKISI to give advice on the way forward.

A meeting shall be organized with AKISI to discuss the issues raised concerning the wayleave.

Question: Why are you doing survey work without involving the land owner?

The survey work has not yet begun but when it starts, the chief shall be requested to

Notes drafted by: Newton Stower
Confirmed by: Vincent Mwaro

Designation: Project Environmentalist
Signature:  

Designation: Assistant Chief
Signature:  

Project Name:  
Project Code:  
Date of meeting: 3/15/2014
Notes for the meeting held with...

Notes continued....

Control the asset owners at least a day before the surveyor goes to the site. All asset owners of the affected assets shall be present and informed during the survey and valuation exercise.

Question: Will the pipeline be on the surface or be underground?

In some areas, depending on the terrain of the land, the pipe shall be on the surface and in some instances, it shall be in the ground. Areas with deep valleys/river crossings shall have the pipeline on the surface.

Question: We were prepared water by Keyatta, as community appreciation for accepting the project. We want the water supply to be implemented a year before the project is implemented.

The project area has an already existing water supply system but the locals have not gone ahead to apply for the water connection. The project will supply water to Nakoabi but lack the local areas. Shall we supplied with water from the local water company, AthiWE, in exchange of supply bulk water to the water service provider?

Notes drafted by: Newton Stower
Confirmed by: Vincen W. Mwaura

Designation: Project Environmentalist
Designation: ASSISTANT CHIEF

Signature: [Signature]
Signature: [Signature]

Project Name: Ngorongoro Sub-Location
Project Code: 0000
Date of meeting: 15/7/2018

GIBB International
CONSULTING · DESIGN · MANAGEMENT
Notes for the meeting held with...

Notes continued...

Question: Back then I was paid 29 shillings. There was slight adhesion, we shall reduce the pipeline to pass but we want proper compensation.

Your contention shall be presented in the report as said. The pipeline shall be valued as they are and value awarded. The value awarded shall be as per the government valuer, it shall not be lower than the government value but equal or slightly higher.

Question: The Giza team should assess and know why the extra 6 m was paid to...

The contention concerning the waiver shall be presented to him and the response shall be communicated to the community through the chief.

Notes drafted by: Newton Sower
Confirmed by: VINCENT W. MWANZA

Designation: Project Environmentalist
Signature: [Signature]

Designation: ASSISTANT CHIEF
Signature: [Signature]

Project Name:.........................................................
Project Code:.........................................................
Date of meeting: ........................................ 2019

GI BB Internation
CONSULTING • DESIGN • MANAGEMENT
Notes for the meeting held with...

Notes continued....

Comment: We have very little land, if 2.5m is acquired we will not be able to use the land, so we want level for land compensation, and not cash compensation. During the roping only one of the ropes the gap to be in a request to be compensated by level, in land where the gap is given an alternative land elsewhere of equal or higher value. After the land affected is urgently affected it will be proposed that the nature land be secured.

Question: Where will the excavated soil be put after the construction exists of the pipeline.

One of the reasons as to why we're unable to acquire land for construction way leave is to move mud from the rough working space that includes room for the excavated top soil. The top soil will then be used in back filling.

Notes drafted by: Newton Stower

Confirmed by: Vincent W. Mwaura

Designation: Project Environmentalist

Designation: ASSISTANT CHIEF

Signature: 

Signature: 

GIBB International
CONSULTING - DESIGN - MANAGERS

Project Name: 

Project Code: 

Date of meeting: ND/ND / 2014
Notes for the meeting held with...

Notes continued...

Question: How will we benefit from this project? The project will be a source of employment to the locals, it will also market for locally available goods & services such as hotels that will eventually build the economy of the area.

Question: The water from the treatment works discharges our crops when air values are supplied and we are never compensated. The water values have been proposed to be conducted in natural water courses so that the water does not flow into peoples land destroying crops and spreading soils. It will be proposed to channel it into water courses such as rivers & streams.

Question: What happens when land is irrevocably affected and not economically viable. We shall recommend to the S&G that land that has been irrevocably affected be fully compensated.

Notes drafted by: Newton Stower
Confirmed by: Vincent W. Mwaura

Designation: Project Environmentalist
Signature:

Designation: ASSISTANT CHIEF
Signature:

Project Name: .................................................................
Project Code: ............................................................
Date of meeting: ....4/.../2009

GiBB Internation
CONSULTING • DESIGN • MANAGEMENT

Www.gibb.co.za | info@gibb.co.za | Tel: 011 372 0000
Notes for the meeting held with...

Notes continued:
reduce impetuses of the remote livelihood of the poor and
cause they restore their lives as before or to a
much better state.

Question: Where will the construction soil be dumped because
the 3 m is very narrow for heavy machinery?

The soil shall be put within the 6 m construction area
that wishes intends to require temporarily and shall be used
is backfilling up the excavated area.

Notes drafted by: Newton Stower
Confirmed by: Vincent Ki-Mwaura

Designation: Project Environmentalist
Signature:
Designation: Assistant Chief
Signature:

Project Name: 
Project Code: 
Date of meeting: 12/12/2014

GIBB Internation
CONSULTING • DESIGN • MANAGEMENT
<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>CONTACTS</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ruiru Kibunyu Wanja</td>
<td>Ruiru</td>
<td>0727573594</td>
<td></td>
</tr>
<tr>
<td>Kamaru Kibunyu</td>
<td>Ruiru</td>
<td>0726159783</td>
<td></td>
</tr>
<tr>
<td>Mwangi Mutua</td>
<td>Ruiru</td>
<td>0719327539</td>
<td></td>
</tr>
<tr>
<td>Nginyi Wangi</td>
<td>Ruiru</td>
<td>0726159783</td>
<td></td>
</tr>
<tr>
<td>Njuguna Wangi</td>
<td>Ruiru</td>
<td>0710726479</td>
<td></td>
</tr>
</tbody>
</table>
### PUBLIC CONSULTATION MEETING ATTENDANCE LIST

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE**

**DATE:** 15/05/2015  **VENUE:** NGORONGO SOCIAL HALL

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. JOHN MUGAI GITAU</td>
<td>FARMER</td>
<td>0703948241</td>
<td></td>
</tr>
<tr>
<td>2. JOHN THIMO KAMAU</td>
<td></td>
<td>0728279018</td>
<td></td>
</tr>
<tr>
<td>3. JOSEPH GITAU</td>
<td></td>
<td>0720629226</td>
<td></td>
</tr>
<tr>
<td>4. JOHN GATOLI NGANGA</td>
<td></td>
<td>0715037700</td>
<td></td>
</tr>
<tr>
<td>5. PATRICK KAMUMI N'GATI</td>
<td></td>
<td>0722787624</td>
<td></td>
</tr>
<tr>
<td>6. Paulina Kakuru</td>
<td></td>
<td>071273882</td>
<td></td>
</tr>
<tr>
<td>7. Rose Muthoni</td>
<td></td>
<td>070489331</td>
<td></td>
</tr>
<tr>
<td>8. MARTHA KAMARA</td>
<td></td>
<td>072037989</td>
<td></td>
</tr>
<tr>
<td>9. K. MANYANG'AMA</td>
<td></td>
<td>0703948241</td>
<td></td>
</tr>
<tr>
<td>10. NERI CHINGIRE PILI</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

VINCENT W. MWAWA

ASST. CHIEF NGORONGO SUB-LOCATION
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

**DATE:** 15/05/2015  
**VENUE:** Ng'oro Ng'oro Social Hall

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Matay W. Ng'eno</td>
<td>Farmer</td>
<td>0723829128</td>
<td></td>
</tr>
<tr>
<td>2. Leonard Mugo</td>
<td>Farmer</td>
<td>0726037347</td>
<td></td>
</tr>
<tr>
<td>3. BENVICTA Njihini</td>
<td>Farmer</td>
<td>0713200150</td>
<td></td>
</tr>
<tr>
<td>4. Juliet Wambui</td>
<td>Farmer</td>
<td>0723826151</td>
<td></td>
</tr>
<tr>
<td>5. Peter Wamuna</td>
<td>Farmer</td>
<td>0727136870</td>
<td></td>
</tr>
<tr>
<td>6. Mary Mutua</td>
<td>Farmer</td>
<td>0726585031</td>
<td></td>
</tr>
<tr>
<td>7. John Wamuyu</td>
<td>Farmer</td>
<td>0719366618</td>
<td></td>
</tr>
<tr>
<td>8. Lawrence Mwolgo</td>
<td>Farmer</td>
<td>071020897</td>
<td></td>
</tr>
<tr>
<td>9. Geoffrey Kihoro</td>
<td></td>
<td>0700810668</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
<td>Vincent Mwaura</td>
</tr>
</tbody>
</table>

Asst. Chief
NGORONGO SUB-LOCATION
PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

DATE: 15/5/15  VENUE: NGORONGO SOCIAL HALL

<table>
<thead>
<tr>
<th></th>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Joseph Karage Kanduki</td>
<td>Farmer</td>
<td>0728172362</td>
<td>Toffkins</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

VINCENT W. MWANDA
ASST. CHIEF NGORONGO SUB-LOCATION
Notes for the meeting held with...the public to discuss the potential
impacts of the proposed pipeline in the biophysical and social environment of
the area.

Attendance
1. Omgikanu Mbing
2. Nchwev Chir
3. Members of the public
4.
5.
6.
7.
8.

Agenda
To discuss the possible positive and negative impacts of the proposed
pipeline in the biophysical and social environment of
the area.

Notes
The meeting started with a word of prayer from one of the officers who was requested by the
chief.

The chief then welcomed the people to the meeting after which he introduced the project team to the meeting.

He invited the audience to ask as many questions as possible to avoid misunderstanding in the future.

He invited Mr. Bwibo from...to address the audience.

The project environment welcomed the audience to the meeting and thanked them for their good turn out.

He gave the project description of the proposed pipeline and indicated that the first task of the EIA process is also
necessary that...due to the proposed road acquisition and destruction to avoid
a RAP is to be done. He set the cut off date for the RAP is the first day of

Notes drafted by: Newton Stower
Confirmed by: ONESMUL MAINA

Designation: Project Environmentalist
Signature: [Signature]

Designation: CHIEF KIGORO
Signature: [Signature]

Project Name:
Project Code:
Date of meeting: ....../....../2014
Notes for the meeting held with...

Questions: If I have 2 parcels of land and I have not been notified which one will be affected and why have I not been notified?

The chief was walked through the line and bounded a list of homes who the owners will be affected. The chief then went around to call you all for the meeting. Further consultations will be done with the pops during the period survey work, enumeration and valuation exercise in days to come.

Question: Will we be compensated before or after the project start or at what stage?

This will be advised to compensate before the construction works begin to reduce Pops interference with their livelihood before they are relocated. Project starts... This is with regard to the LHI policy on involuntary resettlement.

The compensation will be done after the set up of the Pops and document of the entitlement to the Pops. After this, the Pops will be served with notices of pending works.

Question: If we are not satisfied with the compensation package, what can we do, can we appeal?

Notes drafted by: Newton Stower
Confirmed by: ONESIMS MAFANA

Designation: Project Environmentalist
Signature: [Signature]

Designation: CHIEF KICHIKA
Signature: [Signature]

Project Name:.................................................................
Project Code.................................................................
Date of meeting: ........../...... / 2014

GIBB International
CONSULTING • DESIGN • MANAGEMENT
Notes for the meeting held with...

Notes continued...

In case the RAP feels the amount allocated is not equal to the value of the property he will make a complaint to the 1st level of Government. If this complaint is unresolved they may move to the next level till the issues are addressed. If the project implementation have not been addressed the issues, he will move to court and present his complaint against the project.

Question: Why don't we give the valuer our rates before the valuer exercise begins?

It will not be professional if we give away the value suggested by the RAP. Valuation is based on a number of factors that the valuer considers before he assigns a value to an asset. The RAP will only sign on a paper giving the detailed description of the assets to be affected.

Question: What is the cut off date?

The last day of renumeration will be the last day of the project. The cut-off date for renumeration eligibility is the completion.

Notes drafted by: Newton Stover
Confirmed by: [Signature]

Designation: Project Environmentalist
Signature: [Signature]

Designation: CHIEF KIKORO
Signature: [Signature]

Project Name: ........................................
Project Code: ........................................
Date of meeting: ............. / 2014
Notes for the meeting held with...

Notes continued...

After this is to ensure that people do not treat chickens after the valuation and that tying claims during the project been implemented.

All the assets noted during the enumeration exercise are what will be valued during the valuation exercise, any modification or additional structure will not be valued.

Question: Which land parcels have been affected.

This will be determined after the surveyor has been mobilized to peg the center line of the pipeline. This will then be followed by measuring from the center line to determine to what extent an asset is affected.

Question: What size will the workforce be?

The intake to acquire for temporarily for construction and 3m for lining the pipeline. The 3m will then belong to which the 3m returned to the PEP after the construction.

Notes drafted by: Newton Stower  Confirmed by: 

Designation: Project Environmentalist  Designation: CHIEF K.KOGO

Signature: 

Project Name: 
Project Code: 
Date of meeting: / 2014
Question: If I had future plans to develop this land will I be compensated for that?

Only the assets valued are subject to valuation compensation, any developments made after the cut off date shall not be eligible for valuation.

Question: Why didn't the farm come with the cadastral maps to show which land parcels will be affected?

The cadastral maps shall be available during the valuation exercise. This is only possible after the surveyor has rigged the land and land parcels are determined. This will then help in acquisition of the right land parcels that are lined will be worked on.

Question: If the pipe cuts across my standing will I be allowed to use the remaining part of my standing?

The part will acquire 5m on permanently that the 5m will be impassable by the PAP after 5m will remain property of the PAP only the rights to use his property but the 5m is dependent on agreement with KSKB.

Notes drafted by: Newton Stower

Confirmed by: [Original Missing]

Designation: Project Environmentalist

Signature:

Designation: [Original Missing]

Signature: [Signature]

Project Name: 

Project Code: 

Date of meeting: 11/11/2014

GIBB Internation Consulting · Design · Management
Question: We were drawn concerned with the Kigoro power lines who left the site without compensation. The Kigoro project was largely a different project and organisation. KIGB requested for the RAP so that it can help them decide on the best route for the pipeline and the costs.

Question: We were consulted earlier on the treatment works, how is the different from the other?

The treatment at Kigoro is under a different consultancy, GIBB is only interested in carrying out consultancy for the EIA and RAP for the pipeline. The consultancy may not have captured issues related to the pipeline.

Notes drafted by: Newton Stower
Confirmed by: ONESimus MANGA

Designation: Project Environmentalist
Signature:

Designation: CHIEF KIGORO LDC
Signature:

Project Name:
Project Code:
Date of meeting: 11/11/2014
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENVIROMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter Miharanja</td>
<td>Farmer</td>
<td>0729385694</td>
<td></td>
</tr>
<tr>
<td>Samuel K. Ngoye</td>
<td>Farmer</td>
<td>0726295978</td>
<td></td>
</tr>
<tr>
<td>Witer N. Mutweli</td>
<td>Farmer</td>
<td>0722165198</td>
<td></td>
</tr>
<tr>
<td>Tempe M. Ngoye</td>
<td>Farmer</td>
<td>0713613194</td>
<td></td>
</tr>
<tr>
<td>Joseph K. Resi</td>
<td>Farmer</td>
<td>0724291229</td>
<td></td>
</tr>
<tr>
<td>Kama C. Kihim</td>
<td>Farmer</td>
<td>07227926185</td>
<td></td>
</tr>
<tr>
<td>Nganga Ngari</td>
<td>Farmer</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DATE:</th>
<th>VENUE:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

CHIEF KIGORO LOCATION
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

**DATE:** 5/5/2017  **VENUE:** KANUNGA CHIEFS CAMP

<table>
<thead>
<tr>
<th></th>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Cebulian K. Achimwe</td>
<td>Farmer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Easson Mutungi K.</td>
<td></td>
<td>07219254922</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Helen Waweru H.</td>
<td>Farmer</td>
<td>0723290576</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Easson Kanyiru M.</td>
<td>Farmer</td>
<td>0716005113</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Charles Muiruq</td>
<td>Farmer</td>
<td>0724352652</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Joseph Muiruq</td>
<td>Farmer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Loise Waweru M.</td>
<td>Farmer</td>
<td>0725103283</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Peter Kimani M.</td>
<td>Farmer</td>
<td>0720265342</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Lucy Muigai</td>
<td>Farmer</td>
<td>0726272783</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Wilfred Kigo Njiiri</td>
<td>Farmer</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SIGNED:**

[Signature]
PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

DATE: 5/5/2015 VENUE: KANUNGA CHIEF'S CAMP

<table>
<thead>
<tr>
<th></th>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PETER DJROBI NJUKIA</td>
<td>FARMER</td>
<td>0711787836</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>HENRY KIRYU NJUKIA</td>
<td>FARMER</td>
<td>0729262713</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

CHIEF
KIGORO LOCATION
### PUBLIC CONSULTATION MEETING ATTENDANCE LIST

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE**

**DATE:** 5/5/18  |  **VENUE:**  KANUNGA  |  CHIEF'S CAMP

<table>
<thead>
<tr>
<th></th>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td><em>Philip Hanga</em></td>
<td>WELDER</td>
<td>0721 3C3 925</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td><em>Rose Wanjiku</em></td>
<td>FARMER</td>
<td>0727 961 115</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*CHIEF KIGORO LOCATION*
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

**DATE:** 5/5/2015  **VENUE:** KANUNGA CHIEF'S CAMP

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>CONTACTS Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.  Stephen Gitimu Kipkionki</td>
<td>Farmer</td>
<td>0722-877586</td>
<td></td>
</tr>
<tr>
<td>2.  Zipporah W. Mwanza</td>
<td></td>
<td>0714542659</td>
<td></td>
</tr>
<tr>
<td>3.  John K. Kacoe</td>
<td>MoE</td>
<td>0723-0724389373</td>
<td></td>
</tr>
<tr>
<td>4.  James N. Kiare</td>
<td>Farmer</td>
<td>0727954927</td>
<td></td>
</tr>
<tr>
<td>5.  David Mwiru</td>
<td></td>
<td>2911-3760</td>
<td></td>
</tr>
<tr>
<td>6.  Tomana C. Mweu</td>
<td>Athave</td>
<td>0714931064</td>
<td></td>
</tr>
<tr>
<td>7.  Esther Madjini Mgungua</td>
<td>Farmer</td>
<td>0727577867</td>
<td></td>
</tr>
<tr>
<td>8.  Gilbert Mwamie Muigai</td>
<td>Farmer</td>
<td>0723219216</td>
<td></td>
</tr>
<tr>
<td>9.  Muigai Kamau</td>
<td></td>
<td>0723132950</td>
<td></td>
</tr>
<tr>
<td>10. Muigai Kamau</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**CHIEF'S SIGNATURE:**

**KIGORO LOCATION**
PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

DATE: 5-5-2015 VENUE: KANUNGA CHIEFS CAMP

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>JOHN W. NMARI</td>
<td>KANUNGA</td>
<td>0727461151 85707HKA</td>
<td></td>
</tr>
<tr>
<td>PAUL R. MWANCI</td>
<td>KANUNGA</td>
<td>0728084174 6427HKA</td>
<td></td>
</tr>
<tr>
<td>PETER KAMUON</td>
<td>KANUNGA</td>
<td>0724743550 0227225</td>
<td></td>
</tr>
<tr>
<td>HOPA MUGUIR</td>
<td>KANUNGA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SAMUEL K. BOROME</td>
<td>KANUNGA</td>
<td>0726654635</td>
<td></td>
</tr>
<tr>
<td>JAMES N. BOROMO</td>
<td>KANUNGA</td>
<td>0717929448</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NAME</td>
<td>DESIGNATION</td>
<td>Contacts</td>
<td>SIGNATURE</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-------------</td>
<td>---------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>WILSON MNANWU M.</td>
<td>TEACHER</td>
<td>0723 335 803</td>
<td></td>
</tr>
<tr>
<td>FRANCIS MWATT M.</td>
<td>FARMER</td>
<td>0748 881 692</td>
<td></td>
</tr>
<tr>
<td>CYRUS KAGIRA NJUGUNA</td>
<td>FARMER</td>
<td>0722 384 644</td>
<td></td>
</tr>
<tr>
<td>SOLOMON KAGIRA N.</td>
<td>FARMER</td>
<td>0714 265 427</td>
<td></td>
</tr>
<tr>
<td>ALICE WAIRIMU K.</td>
<td>FARMER</td>
<td>0722 991 807</td>
<td></td>
</tr>
<tr>
<td>ESTHER MA MUIGAI</td>
<td>FARMER</td>
<td>0710 668 078</td>
<td></td>
</tr>
<tr>
<td>WASUREU KINIRIA</td>
<td>TEACHER</td>
<td>0737 751 90</td>
<td></td>
</tr>
<tr>
<td>N SUCUNA</td>
<td>KAIN</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Public Consultation Meeting Attendance List

**Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan for Proposed Thika-Kabete Raw and Treated Water Pipeline**

**Date:** 5th July 2011  **Venue:** Kanunga Chief Camp

<table>
<thead>
<tr>
<th>Name</th>
<th>Designation</th>
<th>Contacts Telephone / Email address</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Paul M. Kagwe</td>
<td>Farmer</td>
<td>0722360991</td>
<td></td>
</tr>
<tr>
<td>2. Simon M. Kagwe</td>
<td>Farmer</td>
<td>0710368241</td>
<td></td>
</tr>
<tr>
<td>3. James Philip Rume</td>
<td>Farmer</td>
<td>0716083050</td>
<td></td>
</tr>
<tr>
<td>4. Kimia Nyonge</td>
<td>Samwon</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Kimia Ng°</td>
<td>Sambu</td>
<td>2619603</td>
<td></td>
</tr>
<tr>
<td>6. Francis Kwaneri Kimai</td>
<td>Farmer/ Tea Erv. Art</td>
<td>0722369678</td>
<td></td>
</tr>
<tr>
<td>7. Joseph Karanja Kunuma</td>
<td>Farmer</td>
<td>0728200335</td>
<td></td>
</tr>
<tr>
<td>8. Peter Nganga Nguithin</td>
<td>Farmer</td>
<td>0718138355</td>
<td></td>
</tr>
<tr>
<td>9. Rebecca Wambui Nyanjire</td>
<td>Farmer</td>
<td>0710687274</td>
<td></td>
</tr>
<tr>
<td>10. Karanja Ndani Nyi</td>
<td>Farmer</td>
<td>0720985250</td>
<td></td>
</tr>
</tbody>
</table>

**CHIEF KIGORO LOCATION**
PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

DATE: 5/5/15  VENUE: KANUNGA CHIEFS CAMP

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Simon N. Nekesa</td>
<td>Businessman</td>
<td>0726368217</td>
<td></td>
</tr>
<tr>
<td>Joseph Gatua m</td>
<td>Teacher</td>
<td>0727-425-937</td>
<td></td>
</tr>
<tr>
<td>Charles M. Kariuki</td>
<td>Farmer</td>
<td>0723-389-728</td>
<td></td>
</tr>
<tr>
<td>Grace Ndoki Mulumu</td>
<td>Farmer</td>
<td>0727004694</td>
<td></td>
</tr>
<tr>
<td>Samuel Kiarii Kariira</td>
<td>Farmer</td>
<td>0721575714</td>
<td></td>
</tr>
<tr>
<td>Charles Gathatavie</td>
<td>Farmer</td>
<td>0723937327</td>
<td></td>
</tr>
<tr>
<td>James Mwadi Mwadi</td>
<td>Farmer</td>
<td>0722885203</td>
<td></td>
</tr>
<tr>
<td>Dcoo Mwangi Ndungi</td>
<td>Farmer</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Mwangi Mwanga</td>
<td>Farmer</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Sammy Ngena</td>
<td>Farmer</td>
<td>0725709298</td>
<td></td>
</tr>
</tbody>
</table>

OK: [Signature]

CHIEF: [Signature]

KIGORO LOCATION
## PUBLIC CONSULTATION MEETING ATTENDANCE LIST

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE**

**DATE:** 5/5/2017  
**VENUE:** KANUNGA CHIEFS CAMP

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Onesmus Maina</td>
<td>Chief Kigoro</td>
<td>0724480366</td>
<td></td>
</tr>
<tr>
<td>Peter Mwangata Kanan</td>
<td>Chief Kavanuka</td>
<td>0732200939</td>
<td></td>
</tr>
<tr>
<td>Paul Maina Njiruga</td>
<td>Chief Gachuki</td>
<td>0738704569</td>
<td></td>
</tr>
<tr>
<td>Helina Wangari k.</td>
<td></td>
<td>0723490286</td>
<td></td>
</tr>
<tr>
<td>David Mwedwa Kagina</td>
<td>Former Chief Dir.</td>
<td>0725585241</td>
<td></td>
</tr>
<tr>
<td>Bernado Kibunja</td>
<td></td>
<td>0723478742</td>
<td></td>
</tr>
<tr>
<td>F. P. M. Kagina</td>
<td>Farmer</td>
<td>0722960885</td>
<td></td>
</tr>
<tr>
<td>David M. Kananja</td>
<td>Farmer</td>
<td>0700754171</td>
<td></td>
</tr>
<tr>
<td>George N. Kananja</td>
<td>Farmer</td>
<td>0705142248</td>
<td></td>
</tr>
<tr>
<td>Phavis Kanan</td>
<td>Farmer</td>
<td>0722459053</td>
<td></td>
</tr>
</tbody>
</table>

CHIEF KIGORO LOCATION

EXPECTED ATTENDANCE: 10

TOTAL ATTENDANCE: 10

OK, [Signature]

[Signature]

KIGORO LOCATION
Notes for the meeting held with...public at Nduynyu Chege to...on the proposed Thika-Tigoni-Kabile pipeline.

Attendance
1. Newton Gower
2. Samuel Thico
3. Members of the public
4.
5.
6.
7.
8.

Agenda
To discuss the proposed Thika-Tigoni-Kabile pipeline and solicit comments on the project. To set the cut off date for the eligibility of pipes.

Notes
The meeting started with a word of prayer from the audience who were invited by the area chief.

The chief thanked the audience for their prompt attendance and set the start of the meeting. He introduced the leaders from the financial administration and the GIBB team. He invited the assistant chief to welcome the team and the GIBB team.

The assistant chief urged the audience to be patient and listen to the GIBB and any questions they feel they really need answers to, they can ask. He indicated that it's crucial that questions are all answered satisfactorily since there is the issue of land takings.

He indicated it's good that the government is courageous enough to consult land owners and proceed with development plans unlike before when the government used to compulsorily acquire land without consulting the public.

Notes drafted by: Newton Stower

Confimred by: Samuel Thico

Designation: Project Environmentalist
Signature:

Designation:
Signature:

Project Name: __________________________________________
Project Code: ___________________________________________
Date of meeting: ______/_____/2014
Chief invited the GIBB team to address the public.

The project was correlated referred to ensuring the audience
for attending the public meeting and then went ahead to
give the project details. He indicated that the project
is expected to generate both negative and positive impacts
on the area. He stated that it is necessary that the audience
give their comments and opinion of the project so as to
determine the impacts. This will allow for determination
of mitigation measure for the negative impacts. In a way
to improve the positive impacts.

He also talked about the equipment of ROP that is a result
of bad execution. He informed the audience that the cut
up data for Odubel is on the first day of expropriation and that
any asset not included in the exercise shall not be valued.

Question: Where is the land acquisition plan

The land acquisition plan will be available during the valuable
acquire to show the point to what extent
his/ her land will be affected. This exercise is preceded
then by the surveyors putting all pegging where the
pipelines will pass.

Question: The land that will be permanently acquired will it be
the same way as that for temporary acquisition
land that will be permanently acquired shall be valued as for the government valuation rates or

Notes drafted by: Newton Stower

Confirmed by: Samuel H. Huru

Designation: Project Environmentalist

Designation:

Signature:

Signature:

Project Name: 
Project Code: 
Date of meeting: 

GIBB International
CONSULTING · DESIGN · MANAGEMENT
Notes continued....

Question: Will I be allowed to use my land after the pipe has been laid?

Once the pipe has been laid, the temporary acquired land shall be regranted by the owner, but the description can fall outside of the owner's property, thus the use will be subject to the owner's description.

Question: How deep will the pipe be laid?

The pipe will be deep in some cases and above ground in some areas depending on the topography of the land. There is no standard depth that the pipe will be laid.

Question: When is the project start date?

The project is expected to start once the NEMP license has been issued for the project.

Notes drafted by: Newton Stower
Confirmed by: Samuel K. Thuo

Designation: Project Environmentalist
Signature: [Signature]

Designation: [Designation]
Signature: [Signature]

Project Name: ____________________________
Project Code: ____________________________
Date of meeting: _______/_____/2014
Notes for the meeting held with...

Notes continued...

Question: The dust that will come from the project will affect tea & coffee

The contractor shall use the EIS/MP in the project EIS/MP report to assess best management practices. The EIS/MP shall outline how the contractor propose potential impacts and what the contractor should do to minimize these effects.

Question: What will be the basis of crop valuation? Will the crops be valued the same?

The crops will be valued as per the government rates, each crop has a different value from the other, their values will be dependent of age, type and age of crop.

Question: Will the compensation be done before or after the project?

Ideally, the policy requires that the steps be compensated before project. However, the NABK shall be allowed to use the new policy guidelines when implementing the RAP.

Question: If the crops have special pests, what is required to be done?

In the contract, there are special pests that were acquired, it will proceed as outside the project for the additional budget and thus cancelled as changes by the contractor, who shall pay for the additional assets.

Notes drafted by: Newton Stower

Confirmed by: Samuel Kitur

Designation: Project Environmentalist

Signature:

Project Name: __________________________

Project Code: __________________________

Date of meeting: __________/________/2014
Notes for the meeting held with...

Notes continued...
The access road to the construction site will it be compacted?
for areas with very steep slopes
The contractor road to be used is outside the scope of the
project and time if a road is to be constructed the contractor
on ADEC shall control the property owner and agree
on the assets to be affected

Question: Will houses that are affected be compacted?

The project aims to avoid any destruction of houses,
public institutions or cultural religious grounds, therefore should any
of them be affected they shall be advised to follow the policy of compensation & also relocation of households.

Question: Will a road be constructed during the project?
Access road to the construction site might need to
be constructed but not outside the scope of
the EIA and AMP.

Question: If buildings that have low lying roofs will the roofs be
removed from the or left on the surface?
The contractor is supposed to remove all the
soil that he will have used, it is explained
in the project EIA report that the construction site
be restored to an earlier state or better.

Notes drafted by: Newton Stower
Confirmed by: Samuel H. Tikio

Designation: Project Environmentalist
Signature:

Designation: CHIEF
Signature:

Project Name: .........................................................
Project Code: ....................................................... 
Date of meeting: .../.../2014
Notes for the meeting held with...

Notes continued...

Question: Is the project affected two different properties or one?

Unsure acquisition and the other permanent.

All assets shall be valued at anywhere.

All land shall be valued and sold prior to the selling to two different people if shall be calculated to compensate to each person those of affected property.

Question: The soil erosion resulting from the construction process, how will it be managed?

Soil erosion protection measures such as terraces, gabions and planting of trees and vegetation shall be proposed in the EIA report and shall be used by the contractor to reduce the impact of soil erosion.

Question: Where the construction of the pipe passes above land will I be compensated. How will children be protected?

The lands shall be acquired and will help to assess. Their will allow for future operation and maintenance activities.

Question: If the pipe bursts later after the construction & destructs my crops will I be compensated? By whom?

The will hand over the people to notice after the completion plan for NCWEC shall be responsible for subsequent damages.

Notes drafted by: Newton Stower
Confirmed by: Samuel M. Tumu

Designation: Project Environmentalist
Signature: [Signature]

Project Name: .................................................................
Project Code: .................................................................
Date of meeting: ........................................... 2014
Notes for the meeting held with...

Notes continued....

**Question:** will get employment.

The project will source casual labour locally which mostly be casualised labour, as for skilled labour, the contractor shall interview persons from the area and pick one who is qualified. If the funds have qualified he shall source for the skilled labour elsewhere.

**Question:** Where the pipe passes, through a grave, will it be removed or will I be compensated?

The tap strives to avoid any special ground. Therefore, the first ground will be to redline the pipeline but if the design does allow then these shall come to an agreement on the assistance required to relocate the grave.

**Question:** How much information on the land parcel to be afforded?

This information shall be awaited during the survey exercise as the design will be put.

---

Notes drafted by: Newton Stower

Confirmed by: [Signature]

**Designation:** Project Environmentalist

**Designation:** CHIEF

**Signature:**

---

**Project Name:**

**Project Code:**

**Date of meeting:** .../.../2014
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

| DATE: 14th May 2015 | VENUE: NDUNYU CHEGE TEA BUYING CENTRE (NDUNYU CHEGESUB LOC) |

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Solomon Ngigi-M</td>
<td>AF CHIEF</td>
<td>0720757139</td>
<td></td>
</tr>
<tr>
<td>2. Samuel U. Tihia</td>
<td>AF CHIEF</td>
<td>0724609910</td>
<td></td>
</tr>
<tr>
<td>3. Paul M. Nganga</td>
<td>AF CHIEF</td>
<td>0735 704669</td>
<td></td>
</tr>
<tr>
<td>4. Miriam Mutua S.</td>
<td>Village Master</td>
<td>07423562366</td>
<td></td>
</tr>
<tr>
<td>5. James Njiru</td>
<td>Resident</td>
<td>0720085150</td>
<td></td>
</tr>
<tr>
<td>6. Margaret Waithera</td>
<td>Farmer</td>
<td>0720075405</td>
<td>Deregistered</td>
</tr>
<tr>
<td>7. Nania Njiru</td>
<td>Farmer</td>
<td>0715645144</td>
<td></td>
</tr>
<tr>
<td>8. Johanan Mwangi</td>
<td>Farmer</td>
<td>0726625044</td>
<td></td>
</tr>
<tr>
<td>9. Peter Njiru</td>
<td>Farmer</td>
<td>0722214516</td>
<td>HKO</td>
</tr>
<tr>
<td>10. HENNY K. Kebbe</td>
<td>Farmer</td>
<td>0720298086</td>
<td></td>
</tr>
</tbody>
</table>
PUBLIC CONSULTATION MEETING ATTENDANCE LIST

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE

DATE: 14/05/16   VENUE: NDUNYU CHEGE TEA BUYING CENTRE

<table>
<thead>
<tr>
<th></th>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Nakecho Maina Njoroge</td>
<td>Farmer</td>
<td>0722950699</td>
<td>Nakecho</td>
</tr>
<tr>
<td>2.</td>
<td>Peter Kamau Ngoro</td>
<td>Farmer</td>
<td>0722907358</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Henry Chege</td>
<td>Farmer</td>
<td>0722962696</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>John Muriuki</td>
<td>Farmer</td>
<td>0725257794</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Jane Njeri</td>
<td>Farmer</td>
<td>0729351563</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Jane Njeri Chege</td>
<td>Farmer</td>
<td>0728344056</td>
<td>Jane</td>
</tr>
<tr>
<td>7.</td>
<td>Isaac Ng'eng'a Chege</td>
<td>Farmer</td>
<td>0724498429</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Daniel Maina Chege</td>
<td>Farmer</td>
<td>0713685600</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Pascal Kiarie Chege</td>
<td>Farmer</td>
<td>0711320015</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Julius Ng'ou, Chege</td>
<td>Farmer</td>
<td>0720779755</td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Signature</td>
<td>Designation</td>
<td>Contact</td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------</td>
<td>---------------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td>Peter Mutua</td>
<td></td>
<td></td>
<td>0713410972</td>
<td></td>
</tr>
<tr>
<td>David Njogu</td>
<td></td>
<td>Former</td>
<td>0724184382</td>
<td></td>
</tr>
<tr>
<td>Grace Nja</td>
<td></td>
<td>Former</td>
<td>0720737846</td>
<td></td>
</tr>
<tr>
<td>James Ngaura</td>
<td></td>
<td>Former</td>
<td>0720737846</td>
<td></td>
</tr>
<tr>
<td>James Maching</td>
<td></td>
<td>Former</td>
<td>0723461132</td>
<td></td>
</tr>
<tr>
<td>James Ngaura</td>
<td></td>
<td>Former</td>
<td>0723461132</td>
<td></td>
</tr>
<tr>
<td>John Muriuki</td>
<td></td>
<td>Former</td>
<td>0711997390</td>
<td></td>
</tr>
<tr>
<td>John Muriuki</td>
<td></td>
<td>Former</td>
<td>0720503850</td>
<td></td>
</tr>
<tr>
<td>Manager, Malindi</td>
<td></td>
<td>Economic</td>
<td>0712351230</td>
<td></td>
</tr>
<tr>
<td>Manager, Malindi</td>
<td></td>
<td>Economic</td>
<td>0712351230</td>
<td></td>
</tr>
</tbody>
</table>

**Note:** The signature appears to be partially obscured by a covering object.
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE**

**DATE:** 14/05/15  **VENUE:** NDUNYU CHEGE TEA BUYING CENTRE.

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Peter Mwangi Kamau</td>
<td>Farmer</td>
<td>0720003210</td>
<td></td>
</tr>
<tr>
<td>2. Daniel M. Kamau</td>
<td>Farmer</td>
<td>0723389011</td>
<td></td>
</tr>
<tr>
<td>3. Ezra Gitau D. Kamau</td>
<td>Farmer</td>
<td></td>
<td>E. Gitau</td>
</tr>
<tr>
<td>4. Peter George Gitau</td>
<td>Farmer</td>
<td></td>
<td>P. George</td>
</tr>
<tr>
<td>5. Henry Mwangi Mathew</td>
<td>Farmer</td>
<td>0780692332</td>
<td></td>
</tr>
</tbody>
</table>

| 6.                           |             |                                  |           |
| 7.                           |             |                                  |           |
| 8.                           |             |                                  |           |
| 9.                           |             |                                  |           |
| 10.                          |             |                                  |           |

**CHIEF**

NDUNYU - CHEGE LOCATION
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE**

**DATE:** 04/05/2015  **VENUE:** KIRIA-INYI LOCATION

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. David M. Ngunga</td>
<td>Farmer</td>
<td>0702-683-685</td>
<td></td>
</tr>
<tr>
<td>2. Boniface M. Kamau</td>
<td></td>
<td>0711-326174</td>
<td></td>
</tr>
<tr>
<td>3. Stanley M. Kariuki</td>
<td></td>
<td>0727-426177</td>
<td></td>
</tr>
<tr>
<td>4. Elisha M. Kamau</td>
<td></td>
<td>0711-706091</td>
<td></td>
</tr>
<tr>
<td>5. Samuel M. Chiama</td>
<td></td>
<td>0716-054233</td>
<td></td>
</tr>
<tr>
<td>6. Wilson Kamau Tette</td>
<td></td>
<td>0710-746694</td>
<td></td>
</tr>
<tr>
<td>7. Eunice M. Mwaura</td>
<td></td>
<td>0711-680017</td>
<td></td>
</tr>
<tr>
<td>8. Teddy M. Mwaura</td>
<td></td>
<td>0728-617795</td>
<td></td>
</tr>
</tbody>
</table>

**CHIEF OF KIRIA-INYI LOCATION**

---

| 9. John C. Rubanda   |             | 0728-617795                       |           |
| 10. Eunice N. Mwaura|             | 0716-054233                       |           |

---
<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>CONTACTS</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. George</td>
<td>1. George</td>
<td>0722444393/1162</td>
<td></td>
</tr>
<tr>
<td>v. K. Kamap</td>
<td>v. K. Kamap</td>
<td>07282915278</td>
<td></td>
</tr>
<tr>
<td>2. Daniel</td>
<td>2. Daniel</td>
<td>0717566794</td>
<td></td>
</tr>
<tr>
<td>v. J. Haji</td>
<td>v. J. Haji</td>
<td>0725388162</td>
<td></td>
</tr>
<tr>
<td>v. K. M Marina</td>
<td>v. K. M Marina</td>
<td>0720875263</td>
<td></td>
</tr>
<tr>
<td>4. Alice</td>
<td>4. Alice</td>
<td>0700495825</td>
<td></td>
</tr>
<tr>
<td>v. K. W.</td>
<td>v. K. W.</td>
<td>0726318554</td>
<td></td>
</tr>
<tr>
<td>5. John</td>
<td>5. John</td>
<td>0726393066</td>
<td></td>
</tr>
<tr>
<td>v. N.</td>
<td>v. N.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Martin</td>
<td>6. Martin</td>
<td>0722444393/1162</td>
<td></td>
</tr>
<tr>
<td>v. K. M</td>
<td>v. K. M</td>
<td>0726318554</td>
<td></td>
</tr>
<tr>
<td>7. James</td>
<td>7. James</td>
<td>0726393066</td>
<td></td>
</tr>
<tr>
<td>v. K. M</td>
<td>v. K. M</td>
<td>0726318554</td>
<td></td>
</tr>
<tr>
<td>8. Edith</td>
<td>8. Edith</td>
<td>0726393066</td>
<td></td>
</tr>
</tbody>
</table>
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE**

**DATE:** 04/08/2015  
**VENUE:** KIAIAMU  
**LOCATION:**

<table>
<thead>
<tr>
<th></th>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Jackson Muriuki</td>
<td>Farmer</td>
<td>0713829760 1162 THIC</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Joseph Kiyanui Njoro</td>
<td></td>
<td>0728251330/1294645</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Stephen Ng’oroge</td>
<td></td>
<td>027538355 (1162 TUC)</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Julius Kamat</td>
<td></td>
<td>0713137548 (1162 TUK)</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Geoffrey Gotthor Ngugi</td>
<td></td>
<td>0728318868 (249 datsico)</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Jacob Ng’oruce</td>
<td></td>
<td>0727096495 (1162 TUK)</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Hezekiah Muiraka</td>
<td></td>
<td>0729813105 (1162 TUK)</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Anest Mugiari M</td>
<td></td>
<td>0704452507 (1162 TUK)</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Francisco Chege Jubodo</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Eligith Gaciru</td>
<td></td>
<td>0720665897</td>
<td></td>
</tr>
</tbody>
</table>

*Confirmed by N. Mwong’ CHIEF KIRIA-IN-LOCATION*
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE**

**DATE:** 4/5/2015  **VENUE:** KIRIA-INI  **LOCATION**

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts Telephone/ Email address</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Francis Nyoko</td>
<td>Farmers</td>
<td>1162 Thika</td>
<td></td>
</tr>
<tr>
<td>Samuel Nganga</td>
<td>Farmers</td>
<td>1162 Thika</td>
<td></td>
</tr>
<tr>
<td>Scram Kienge</td>
<td>Farmers</td>
<td>1162 Thika</td>
<td></td>
</tr>
<tr>
<td>Mr. David Kamau M</td>
<td>Farmers</td>
<td>1162 Thika</td>
<td></td>
</tr>
<tr>
<td>Samuel Maine Machiri</td>
<td>Farmer</td>
<td>1162 Thika</td>
<td></td>
</tr>
<tr>
<td>Partvik Karuuki Migai</td>
<td>Farmer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Samson Maina Moangi</td>
<td>Farmer</td>
<td>74 STAKA</td>
<td></td>
</tr>
<tr>
<td>David Chege</td>
<td>Farmer</td>
<td>1162 Thika</td>
<td></td>
</tr>
<tr>
<td>Allan Mwangi Maina</td>
<td>Farmer</td>
<td>072483478 Box 1162 THIKA</td>
<td></td>
</tr>
<tr>
<td>Frederick Ndiachu</td>
<td>Businessman</td>
<td>072531908 1162 ThK</td>
<td></td>
</tr>
</tbody>
</table>

**CHIEF KIRIA-INI LOCATION**
# PUBLIC CONSULTATION MEETING ATTENDANCE LIST

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE**

**DATE:** 04/05/2016  
**VENUE:** KIRIA-INI  
**LOCATION:**  

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ALICE M. KURIA</strong></td>
<td>FARMER</td>
<td>0723 454053</td>
<td>Alice M. Kinuthya</td>
</tr>
<tr>
<td><strong>JOHN N. MWAURA</strong></td>
<td>ADMINISTRATOR</td>
<td>0720843626</td>
<td></td>
</tr>
<tr>
<td><strong>JOSEPH MUNGU</strong></td>
<td>ENVIRONMENTAL</td>
<td>0720843626</td>
<td></td>
</tr>
<tr>
<td><strong>RESCILA W. NYANDU</strong></td>
<td>ADMINISTRATOR</td>
<td>0725264789</td>
<td></td>
</tr>
<tr>
<td><strong>Rachel Nai Gorge</strong></td>
<td>FARMER</td>
<td>0725307050</td>
<td></td>
</tr>
<tr>
<td><strong>Daniel Mwaiqale</strong></td>
<td>FARMER</td>
<td>0714188008</td>
<td></td>
</tr>
<tr>
<td><strong>Peter Mwikagha</strong></td>
<td>FARMER</td>
<td>0705096108</td>
<td></td>
</tr>
<tr>
<td><strong>JNC Mwaiqale</strong></td>
<td>ASSISTANT CHIEF</td>
<td>0721-69365</td>
<td></td>
</tr>
<tr>
<td><strong>9.</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>10.</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Kiambu County
Notes for the meeting held with...number of the public in Mutwa to discuss potential impacts of the Juba - Ikagar - Kolah pipeline

Attendance
1. Peter Hawton (Gibbon)
2. Anthony Ngaya
3. Members of the public
4. 
5. 
6. 
7. 
8. 

Agenda
1. To discuss the possible positive and negative impacts of the proposed pipeline to the bio-physical environment and socio environment.

Notes
The meeting started with a word of prayer from the chief who later invited the members of the public to the meeting.
He thanked the audience for being patient even after the meeting started late. The chief told the audience that the GIBB team will communicate in English and afterwards he will translate the message to the locals who do not understand English well.

The chief invited the GIBB team to address the audience and give the public the description of the project.

The GIBB Environmentalist told the audience of the proposed 12" pipe line from Juba to Ikagar to Tovohok all the way to Koloche. He indicated that the proposed project is expected to have a number of environmental impacts both negative and positive and encourage the audience to ask as many

Notes drafted by: Newton Stower
Confirmed by: MDC

Designation: Project Environmentalist
Signature: 

Designation: 
Signature: 

Project Name: ...........................................
Project Code: .........................................
Date of meeting: ........../..../2014
Notes for the meeting held with...

Notes continued....

Questions as they ran. Depending on indicated that he thought the project will require about 6-16 in all of which a meter will be acquired on permanent basis. He stated that some will be acquired either on a permanent or a temporary basis. He explained that a cut-off date is where all affected assets and persons are recorded in a census and any other developments or migration of persons in the project zone is ignored. The date is not considered eligible for compensation. He set the cut-off date on the first day of acquisition.

After explaining the project details, the GIBB personnel invited questions from the audience. The chief gave a translation of what had been said and asked members of the public to ask questions.

Question: When acquiring the land, I'd like to be paid on a per-foot basis. Will all the land be consolidated?

The land to be acquired will be paid in full as for the acreage to be acquired. If one owns more than one parcel, each parcel will be valued separately and the total land value shall be calculated.

Notes drafted by: Newton Stower
Confirmed by: [Signature]

Designation: Project Environmentalist
Designation: [Signature]

Project Name: 
Project Code: 
Date of meeting: 1/1/2014
Note: for the meeting held with...

Notes continued....

Question: If you take 6m temporarily for construction, will we be paid for compensation during maintenance?
- Currently, the peri team is working on a confined toe to acquire 3m permanent and 6m for construction during the construction phase. During maintenance, the client shall organize to meet the land owners to discuss how the matter will be handled. During this whole crop growing along the construction wayhave shall be included and presented to the client (attached).

Question: When the surveyors are on site we want the be involved during the exercise.
- During the survey work, the surveyors will be accompanied by village elders appointed by the chief. The same shall also be done during valuation except that during valuation, the elders will require the land owner to be present or at least have his representative present to give the land details.

Question: The previous lines have caused landslides, after rainfall will increase Isho of arable land?
- During the construction process works, the contractor will be required to carry out soil conservation measures as proposed in the mitigation measure for massive soil.

Notes drafted by: Newton Stower
Confirmed by: Anthony Nkoko

Designation: Project Environmentalist
Signature:

Designation: CHIEF OFFICE
Signature:

Project Name: ...........................................................
Project Code: ...........................................................
Date of meeting: .............................. / 2014

GIBB Internation
CONSULTING DESIGN MANAGEMENT
Notes for the meeting held with...

Notes continued...

movement. After contract execution, monitoring and reclamation will be done to ensure the project zone of influence has been restored to its initial state or a much improved state. Areas that have been left out should be reported to the Resident Engineer for appropriate action.

Question: We lost springs during construction phase, and now we don't have water. During the environmental study, all the springs along the project footprint will be mapped and the contract drawings brought to the attention of these locations so as to avoid damaging the eye of the springs.

Question: How will we be compensated for loss of income from crops?

The project will be implemented and the affected areas will be valued by the valuer who will ensure that his rates are not below the government issued rate of prorated rates. The valuer will either be equal to the government issued rate or slightly higher depending on a number of factors that apply to each variation.

Notes drafted by: Newton Stower

Confirmed by: Antony Wondo

Designation: Project Environmentalist
Signature:

Designation: [Signature]

Project Name: ..........................................................
Project Code: ..........................................................
Date of meeting: .......... / ....... / 2014
Question: How will the issue of soil destroying crops be handled?

The contractor shall implement the BMP in the 5% contour to ensure that the impacts on soil & crops will be reduced. This will be by restricting the construction work to the contractor's yard so to ensure no additional assets are affected.

Question: Will we get water?

Advising only [redacted] be held. Supply and provision of the infrastructure but supply is from the water companies. The water supply company has supplied water but most people are reluctant to pay for connection. Eventing difficulties in the water supply line will lead to water losses and pressure loss.

Question: Will we get employment?

The contractor must be advised to secure for unskilled labor locally and give priority to any skilled laborer within the project area. If no skilled laborer.

Notes drafted by: Newton Stower

Confirmed by: Anthony Hodge

Designation: Project Environmentalist
Signature:

Designation: [redacted]
Signature: [redacted]

Project Name: .................................................................
Project Code: .................................................................
Date of meeting: ....../...../2014
Notes for the meeting held with...

Notes continued...

"Availab... is the area than they will be covered here also...".

"Question: Who will be responsible for the expenses incurred during the administration of the titles. The cost of surveying the titles will be proposed and include in the distributive allowance. This will help reduce the cost of surveying the titles and getting the title deeds.".

"Question: This project has been slowly taking my land. We suggest that you buy the entire land. The committee shall be informed of your proposal and the procedure process shall be communicated to the press through the church..."

Notes drafted by: Newton Stower
Confirmed by: Antony

Designation: Project Environmentalist
Signature: 

Designation: 
Signature: 

Project Name:.................................
Project Code:.................................
Date of meeting: ....../....../2014
# Public Consultation Meeting Attendance List

**Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan for Proposed Thika-Kabete Raw and Treated Water Pipeline**

**Date:** 19.05.2015  **Venue:** Ngethu Social Hall

<table>
<thead>
<tr>
<th>Name</th>
<th>Designation</th>
<th>Contacts Telephone/ Email address</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Gathungo Chege</td>
<td>Farmer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Solomon Munyani</td>
<td>Nduyu</td>
<td>0727782697</td>
<td></td>
</tr>
<tr>
<td>3. Peter Mwahambu</td>
<td>Farmer</td>
<td>0724638289</td>
<td></td>
</tr>
<tr>
<td>4. Peter Nduyu</td>
<td>Farmer</td>
<td>0705506363</td>
<td></td>
</tr>
<tr>
<td>5. John Kamau</td>
<td>Farmer</td>
<td>0725552320</td>
<td></td>
</tr>
<tr>
<td>6. George Nduyu</td>
<td>Farmer</td>
<td>0728406288</td>
<td></td>
</tr>
<tr>
<td>7. Michael Kimani</td>
<td>Farmer</td>
<td>072668270</td>
<td></td>
</tr>
<tr>
<td>8. Stephen Mwaera</td>
<td>Farmer</td>
<td>0701088319</td>
<td></td>
</tr>
<tr>
<td>9. John Givu Mwita</td>
<td>Farmer</td>
<td>072355503</td>
<td></td>
</tr>
<tr>
<td>10. Jane Wanjir Njuki</td>
<td>Farmer</td>
<td>0723407189</td>
<td></td>
</tr>
</tbody>
</table>
## PUBLIC CONSULTATION MEETING ATTENDANCE LIST

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND RESETTLEMENT ACTION PLAN FOR PROPOSED THIKA-KABETE RAW AND TREATED WATER PIPELINE**

**DATE: 19/05/2015 VENUE: NGETHU SOCIAL HALL**

<table>
<thead>
<tr>
<th></th>
<th>NAME</th>
<th>DESIGNATION</th>
<th>Contacts</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Robert Njuguna Nyirike</td>
<td>Farmer</td>
<td>0726135411</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Mary Wangai Mutingi</td>
<td>Farmer</td>
<td>0726585631</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Maria Nyeri Njoroge</td>
<td>Farmer</td>
<td>0727444064</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Teresia Wongari Gakuri</td>
<td>Farmer</td>
<td>0728111405</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Martha N. Njoroge</td>
<td>Farmer</td>
<td>0720329888</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Faith Wanjiru</td>
<td>Farmer</td>
<td>0712110129</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Ruth Wanjiru</td>
<td>Farmer</td>
<td>0707112425D</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Danson Kimani Gakiga</td>
<td></td>
<td>110 2253980</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Stephen Kipkorir</td>
<td>Farmer</td>
<td>0725773799</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>James Mughia</td>
<td>Farmer</td>
<td>0761771797</td>
<td></td>
</tr>
</tbody>
</table>

*Signature: [Assist. Chief Officer, Ngethu Sub Location]*
# Public Consultation Meeting Attendance List

**Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan for Proposed Thika-Kabete Raw and Treated Water Pipeline**

**Date:** 19\text{th} \text{October} 2015  **Venue:** Ngethu Social Hall

<table>
<thead>
<tr>
<th>Name</th>
<th>Designation</th>
<th>Contacts</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petor</td>
<td>Doctor</td>
<td>0728782472</td>
<td></td>
</tr>
<tr>
<td>Agatha Myahooma</td>
<td>Teacher</td>
<td>0711588380</td>
<td>Agatha</td>
</tr>
<tr>
<td>Alex N. Wee</td>
<td></td>
<td>0716975531</td>
<td></td>
</tr>
<tr>
<td>Gabriel Sachiri</td>
<td>Farming</td>
<td>0726263405</td>
<td></td>
</tr>
<tr>
<td>Patricia Waititu</td>
<td>Farmer</td>
<td>0723961699</td>
<td></td>
</tr>
<tr>
<td>Philaphine Mukura</td>
<td>Farmer</td>
<td>0723961699</td>
<td></td>
</tr>
<tr>
<td>Enicse M. Ser</td>
<td>Farmer</td>
<td>0716108572</td>
<td></td>
</tr>
<tr>
<td>Martha Wanjiku</td>
<td>Farmer</td>
<td>0720329888</td>
<td></td>
</tr>
<tr>
<td>Peter Wamu</td>
<td>Farmer</td>
<td>0720329888</td>
<td></td>
</tr>
</tbody>
</table>

---

Assistant Chief Officer

Ngethu Sub-location
Appendix 3: Template of Household Survey Form
"Hallo, My name is __________. I am part of a team from GIBB International, who are conducting an Environmental and Social Impact Assessment (ESIA) study for the development of Thika Dam – Kigoro – Gigiri – Kabete Pipelines in Murang’a, Kiambu and Nairobi Counties. The study will be collecting household baseline socio-economic data along and within the pipeline site to assist us determine the impacts of the project. In the event the results of the air and noise modelling studies show that you will be grievously affected, you are likely to be resettled. If the above is the case, you will be informed in the future during the study. Your participation in answering these questions is very much appreciated. Your participation is completely voluntary, and you do not need to answer any questions you do not want to. Your responses will be COMPLETELY CONFIDENTIAL. Your responses will be added to those of other households and analysed together.

FOR OFFICIAL USE

<table>
<thead>
<tr>
<th>Qno:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date:</td>
<td>Start Time:</td>
</tr>
<tr>
<td>Name of Enumerator:</td>
<td>Initials:</td>
</tr>
<tr>
<td>Checked by Supervisor:</td>
<td>Sign:</td>
</tr>
</tbody>
</table>

1.0 IDENTIFICATION

<table>
<thead>
<tr>
<th>1.1</th>
<th>Settlement / Estate / Village:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.2</td>
<td>Sub-location:</td>
</tr>
<tr>
<td>1.3</td>
<td>Location:</td>
</tr>
<tr>
<td>1.4</td>
<td>Sub-county</td>
</tr>
<tr>
<td>1.5</td>
<td>County:</td>
</tr>
<tr>
<td>1.6</td>
<td>Name of Respondent:</td>
</tr>
<tr>
<td>1.7</td>
<td>Telephone contact:</td>
</tr>
<tr>
<td>1.8</td>
<td>Relation to HH head:</td>
</tr>
</tbody>
</table>
### 3.0a HOUSEHOLD EXPENDITURE

<table>
<thead>
<tr>
<th>Item</th>
<th>Per month in KES</th>
<th>Last year in KES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School expenses, uniforms, books</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Travel and transport</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agricultural inputs incl. animal care</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical expenses (hospital, drugs)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Savings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communication</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreational and culture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fuel (Kerosene, firewood, gas, charcoal)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miscellaneous good and services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other unclassified expenses</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3.2 How easy is it for your household to get three meals per day?

1. Very easy
2. Easy
3. Not Easy

### 4.0 HOUSE INFORMATION

4.1 Type of the House or the Residence of the Respondent:

#### 4.1.1 Roofing:

1. Thatched
2. Corrugated Iron Sheets
3. Tiles
4. Other

#### 4.1.2 Walls:

1. Mud
2. Stone
3. Bricks
4. Other

#### 4.1.3 Floor

1. Earth
2. Cement
3. Wooden
4. Others

4.2 What is your source of energy for...

#### 4.2.1 Cooking

1. Firewood
2. Charcoal
3. Kerosene
4. Liquid Petroleum Gas (LPG)
5. Electric Cooker
6. Other

#### 4.2.2 Lighting

1. None
2. Battery Lamp
3. Kerosene Lamp
4. LPG Lamp
5. Electricity
6. Other

4.3 What is the distance from this homestead to the nearest:

1. Trading centre
2. Health centre/dispensary?
3. Primary School
4. Other

4.4 What are the sources of drinking-water for members of your household? (Mark all that apply)

1. Springs
2. Borehole
3. Shallow well
4. Rainwater collection
5. Water pan
6. River
7. Other
8. PW to homestead
9. PW to community
10. Water Vender

PW = Piped water
6.0 LAND TENURE AND OWNERSHIP

Land Tenure System
(Mark with ✓ Where Applicable)

- Private Land (Freehold)
- Private Land (Leasehold)
- Trust Land
- Government Land

Please Define the nature of the Government Land

6.2 What category do you fall in?
1. Land owner
2. Tenant
   - Squatter
   - Other

6.3 Do you intend or plan to subdivide the land in this area in the near future?
1. Yes
2. No

6.4 What are the Land Uses on Site (Multiple answers applicable)

- Residential Uses
- Cash Crop Farming (including cash crops / trees-fruits, timber, wood fuels)
- Subsistence Farming
- Business premises
- Pastures / Fodder / Grazing Ground
- Graves / burial sites
- Other (Specify)

7.2 Did you find the amount of food produced enough for your household food needs?
1. Not enough
2. Enough
3. More than enough
4. Don’t know

8.0 LIVESTOCK INVENTORY

8.1 Kindly provide the number of livestock that you keep.

- 1. Bulls
- 2. Oxen (draught)
- 3. Cows (Adult)
- 4. Calves
- 5. Goats
- 6. Poultry
- 7. Pigs
- 8. Rabbits
- 9. Beehives
- Sheep
- 1. Meat production
- 2. Milk production
- 3. Manure production
- 4. Savings
- others

8.2 What are the main reasons for keeping the livestock?

- Cattle
  1. Meat production
  2. Milk production
  3. Manure production
  4. Savings
  5. Draught power

8.3 Where do you take your livestock to graze?

9.0 ACCESS TO BANKING SERVICES

9.1 Do you have a bank account?
1. Yes
2. No

9.1a If yes
Appendix 4: Template of Land and Asset Inventory Form
<table>
<thead>
<tr>
<th>Thika Dam-Kigoro-Gigiri-Kabete Pipelines</th>
<th>Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village/Area</td>
<td></td>
</tr>
<tr>
<td>Land Owner</td>
<td></td>
</tr>
<tr>
<td><strong>Title Details</strong></td>
<td><strong>Description of the Improvements</strong></td>
</tr>
<tr>
<td>Title No.</td>
<td>Type of improvements</td>
</tr>
<tr>
<td>Size of Land:</td>
<td></td>
</tr>
</tbody>
</table>

**Registered Owner’s Details:**

Name: 

ID No: 

Phone: 

Photo Details: 

PAP’s Code: 

Improvements’ Code: 

PAP’s Signature:
Appendix 5: Sample of Complaint Registration Form
**COMPLAINT REGISTRATION FORM**

**REFERENCE**

**SECTION A**

You are filling in this form because you want the Organization Responsible to look at your complaint. Phone us on +254.................. if you need help to complete the form.

Tell us about yourself:

<table>
<thead>
<tr>
<th>Surname</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>First name(s)</td>
<td></td>
</tr>
<tr>
<td>Occupation</td>
<td></td>
</tr>
<tr>
<td>Identity Number</td>
<td></td>
</tr>
<tr>
<td>Address to which we may send your letter</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Telephone daytime</th>
<th>Cell</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fax</td>
<td>E-mail</td>
</tr>
</tbody>
</table>

Details of anyone complaining with you:

<table>
<thead>
<tr>
<th>Surname</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>First name(s)</td>
<td></td>
</tr>
<tr>
<td>Occupation</td>
<td></td>
</tr>
<tr>
<td>Identity Number</td>
<td></td>
</tr>
<tr>
<td>Address to which we may send your letter</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Telephone daytime</th>
<th>Cell</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fax</td>
<td>E-mail</td>
</tr>
</tbody>
</table>
SECTION B

Details of the person against whom you are complaining:

Name of person or company

Their address

Phone number

Fax

Your policy number

SECTION C

Please tell us what your complaint is about:

First tell us in just a few words what your complaint is about and then give us the background.

Remember

We do not know anything about your complaint so please give us all the details.

Please list in date order phone calls, meetings, or letters you have received or exchanged with the person against whom you are complaining. If you have letters, please enclose them.
### SECTION D

**How would you like your complaint to be resolved? (Outcome expected)**

Your permission for us to go ahead:

I would like the Organization responsible to investigate my complaint.

I understand that the Organization receiving my Complaint or his/her staff may need to exchange information about my complaint with other relevant organizations (for example to find out important information about my case).

May publish examples of where things can go wrong, based on real cases but will always respect my privacy and keep my personal information confidential.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COMPLAINANT</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>WITNESS</strong></td>
<td></td>
</tr>
</tbody>
</table>
PLEASE POST THIS FORM TO:

Athi Water Services Board
3rd Floor, Africa Re Centre
Hospital Rd-Upper Hill,
P.O. Box 45283-00100,
Nairobi, Kenya

✓ included everything you want to tell us about your complaint?

✓ enclosed a copy of the company's final response letter?
✓ enclosed copies of relevant documents?

Phone:

For security and training purposes, we may monitor or record phone calls

Fax:

Email:

Website:

FOR OFFICE USE

<table>
<thead>
<tr>
<th>DATE RECEIVED</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>FILE NUMBER</td>
<td></td>
</tr>
<tr>
<td>CAPTURED BY</td>
<td></td>
</tr>
<tr>
<td>OFFICIAL RESPONSIBLE</td>
<td></td>
</tr>
</tbody>
</table>
Appendix 6: Sample of Grievance Resolution Form
SAMPLE GRIEVANCE RESOLUTION FORM

Date of Conciliation Session: ____________________________

Was Filer Present? : No

Was field verification of complaint conducted? No

Signatures of Investigators / Verifiers

Aspect of verification / investigation

<table>
<thead>
<tr>
<th>Investigator</th>
<th>Role in Grievance Management System</th>
<th>National Identification Number</th>
<th>Telephone Number</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Aspect of verification / investigation

<table>
<thead>
<tr>
<th>Investigator</th>
<th>Role in Grievance Management System</th>
<th>National Identification Number</th>
<th>Telephone Number</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Aspect of verification / investigation

<table>
<thead>
<tr>
<th>Investigator</th>
<th>Role in Grievance Management System</th>
<th>National Identification Number</th>
<th>Telephone Number</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Summary Findings of verification exercise/investigations:

<table>
<thead>
<tr>
<th>Aspect</th>
<th>Summary of Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION:


Sign: ____________________________    Sign: ____________________________
Name: ____________________________    Name: ____________________________
Title: [Grievance Management Level] Chairperson    Title: [Grievance Management Level] Secretary
Date: ____________________________    Date: ____________________________

DECLARATIONS

I ______ [insert name] ________ of ID Number____________________ hereby accept / disagree with the resolution made.

Sign: __________________________________________
Name: __________________________________________
Title: Aggrieved Person

Witnessed by:

Sign: __________________________________________
Name: __________________________________________
Title: Independent Observer
Appendix 7: Sample of Complaints Log
<table>
<thead>
<tr>
<th>No</th>
<th>Issue Title</th>
<th>Priority</th>
<th>Receipt Date</th>
<th>Assigned To</th>
<th>Resolution Date</th>
<th>Closing Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**DOCUMENT CONTROL SHEET**

**CLIENT:** ATHI WATER SERVICES BOARD

**PROJECT:** THIKA-DAM-KIGORO-GIGIRI-KABETE PIPELINE

**JOB NO:** 000987

**TITLE:** RESETTLEMENT ACTION PLAN DRAFT REPORT–KIGORO-NGETHU SECTION

<table>
<thead>
<tr>
<th>ORIGINAL</th>
<th>Reviewed by</th>
<th>Approved by</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME</td>
<td>NAME</td>
<td>NAME</td>
</tr>
<tr>
<td>Allan Ochieng</td>
<td>Aggrey Kwadha</td>
<td>Anastasia Ngatti</td>
</tr>
<tr>
<td>DATE</td>
<td>SIGNATURE</td>
<td>SIGNATURE</td>
</tr>
<tr>
<td>23 Jan 2018</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**REVISION**

| NAME     | NAME        | NAME        |
| DATE     | SIGNATURE   | SIGNATURE   |

**REVISION**

| NAME     | NAME        | NAME        |
| DATE     | SIGNATURE   | SIGNATURE   |

| NAME     | NAME        | NAME        |
| DATE     | SIGNATURE   | SIGNATURE   |

---

This report, and information or advice that it contains, is provided by GIBB Africa Ltd solely for internal use and reliance by its Client in performance of GIBB Africa Ltd duties and liabilities under the contract with the Client. Any advice, opinions, or recommendations within this report should be read and relied upon only in the context of the report as a whole. The advice and opinions in this report are based upon the information made available to GIBB Africa Ltd at the date of this report and on current international standards, codes, technology and construction practices at the date of this report. Following final delivery of this report to the Client, GIBB Africa Ltd will have no further obligations or duty to advise the Client on any matters, including development affecting the information or advice provided in this report. This report has been prepared by GIBB Africa Ltd in their professional capacity as Consulting Engineers. The contents of the report do not, in any way, purport to include any manner of legal advice or opinion. This report is prepared in accordance with the terms and conditions of the GIBB Africa Ltd contract with the Client. Readers should be aware of these terms and conditions when considering any reliance upon this report. Should the Client wish to release this report to a third party for that third party’s reliance, GIBB Africa Ltd may, at its discretion, agree to such release provided that:

(a) GIBB Africa Ltd written agreement is obtained prior to such release; and

(b) the release of the report to the Third Party, that Third Party does not acquire any rights, contractual or otherwise, whatsoever against GIBB Africa Ltd and GIBB Africa Ltd accordingly, assume no duties, liabilities or obligations to that Third Party, and

(c) GIBB Africa Ltd accepts no responsibility for any loss or damage incurred by the Client or any conflict of GIBB Africa Ltd interests arising out of the Client’s release of this report to the Third Party.

1st Floor, Kaka House
Maua Close, off Parklands Road
Westlands
P O Box 30020
Nairobi GPO 00100
KENYA
Tel: +254 (02) 3245000 / 2250577 / 2251880
Cellphones: +254 (0) 722 206876 / +254 (0) 733 333024

Fax +254 (02) 2210694 / 2244493
Dropping Zone Box No. 47 (Revlon Plaza - 2nd Floor, Tubman Road)