

THE REPUBLIC OF KENYA



NORTHERN WATER WORKS DEVELOPMENT AGENCY

CONSULTANCY SERVICES FOR DETAILED DESIGN OF LOYAINGALANI TOWN WATER SUPPLY AND SANITATION PROJECT



RESETTLEMENT ACTION PLAN

Client / Employer: CHIEF EXECUTIVE OFFICER NORTHERN WATER WORKS DEVELOPMENT AGENCY Maji House, Kismayu Road GARISSA +254 711 559995 info@nwwda.go.ke

Consultant:



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JULY 2024

CONSULTANCY SERVICES FOR DETAILED DESIGN OF LOYAINGALANI TOWN WATER SUPPLY AND SANITATION PROJECT

RESETTLEMENT ACTION PLAN (RAP)

EMPLOYER:

CHIEF EXECUTIVE OFFICER NORTHERN WATER WORKS DEVELOPMENT AGENCY

DOCUMENT TITLE: RESETTLEMENT ACTION PLAN (RAP)

VERSION 01

Declaration

We, hereby declare that the information contained in this Resettlement Action Plan (RAP) Report for Loiyangalani Town Water Supply & Sanitation Project is accurate and complete to the best of our knowledge and belief. The methodologies employed in conducting the RAP have been diligently applied, and the results presented herein are reflective of the actual conditions and potential Resettlement impacts of the proposed Project.

This report has been prepared in accordance with the regulatory requirements and standards (Kenyan Legislation and African Development Bank Integrated Safeguards System and Operational Safeguards on Involuntary Resettlement, Land Acquisition, Population Displacement and Compensation)

Key Experts

Name	Designation	Signature
Eng. Damaris Oyaro	Team Leader/RAP expert	Duo
Godwin Sakwa	Environmental and social safeguards expert	Gama
Eng. Teresa Mbogo	Engineer	Recess
David Siriba	Surveyor	Diiba
National Land Commission	Valuer	See valuation report

On Behalf of the Client

Name: CPA Andrew Rage Eysimkele

Chief Executive Officer

Northern Water Works Development Agency

Signature:

Date:

DEFINITION OF TERMS

Compensation/Facilitation means payments made in cash in recognition of the loss of assets and Livelihoods resulting from impacts caused by planning and surveying.

Complete Displacement: means the displacement of a structure owner or institution PAP etc. from one parcel of land to a different parcel of land outside the settlement due to the planning and survey activities including demarcation of roads.

The cut-off date is the date of completion of the socio-economic survey/census and asset inventory of PAPs. Persons entering and/or occupying land in the project area after this date and not included in the inventory of PAPs will not be considered eligible for facilitation. Similarly, fixed assets such as structures, established after the cut-off date will not be compensated/facilitated.

Grievance: any dissatisfaction or sense of injustice or unfairness felt by a person in this respect a PAP or his/her representative in connection with his/her compensation entitlements, the RAP implementation process, the project, and other scenarios related to the project implementation.

Squatters are those who have extended their settlements into Government lands and have no formal right or claim to the portion of the lands.

Market rate: The selling price of a commodity in the open competitive market.

Project Affected Person(s) (PAPs) are persons, households, enterprises, and public or private institutions affected because they may lose, be denied, or be restricted access to economic assets; lose shelter, income sources, or means of livelihood. These persons are affected whether or not they must move to another location.

Public Participation is a facilitative process of strengthening the organizational and management capacities of people in such a way that they become self-reliant in solving their problems. It connotes the organized action of the people towards the resolution of issues or acquisition of what they desire and what may benefit them. This, then, requires that people, as a group, must have proper ownership of actions and a highly organized course of action.

Rehabilitation Assistance is the additional support, over and above compensation accorded to the vulnerable or at-risk members of the affected community during the implementation of the RAP e.g. labor support.

Relocation/Localized displacement means the displacement of a structure owner or institution PAP etc. from one parcel of land to a different parcel of land (within the settlement) due to the planning and survey activities including demarcation of roads.

Replacement cost means the replacement of assets with the same quality and quantity with an amount sufficient to cover the full cost of lost assets and related transaction costs and taxes. The cost is to be based on the Market rate (commercial rate) according to Kenyan law for the sale of land or

property, without depreciation in addition to other considerations such as (a) transporting building materials to the construction site; (b) any labor and contractors" fees; and (c) any registration costs.

Resettlement Action Plan Abbreviated Resettlement Action Plan (RAP) or Resettlement Action Plan (RAP) is a resettlement instrument (document) to be prepared when program locations are identified. In such cases, planning and survey activities including demarcation of roads lead to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods. RAPS or RAPs contain specific and legally binding requirements to resettle and compensate/facilitate the affected party before implementation of the project activities. According to E&S Operational Safeguard 5. Land Acquisition, Restrictions on Access to Land and Land Use, and Involuntary Resettlement. requires that a Resettlement Action Plan (RAP) be prepared under a development approach that addresses the livelihoods and living standards of displaced persons as well as compensation for loss of assets, using a participatory approach at all stages of project design and implementation.

Resettlement Assistance means the measures to ensure that Project Affected Persons who may require physical relocation are provided with assistance during relocation, such as moving/shifting allowances for ease of resettlement, residential housing or rentals, rental allowance whichever is feasible and as required, for ease of resettlement.

The Resettlement Policy Framework (RPF) has been prepared as an instrument to be used throughout the informal settlements improvement project implementation. The RPF was disclosed to set out the resettlement and compensation policy, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the project. The Resettlement Action Plans ("RAPs") for the project will be prepared in conformity with the provisions of this RPF.

Survey means a 100% field assessment carried out to identify and determine the number of Project Affected Persons (PAP).

Squatters are those who have occupied Government lands and have no legal rights

Vulnerable Groups include all those affected by the project who are below the poverty line, the elderly, women and children-headed households, the disabled, indigenous people, ethnic minorities, or other Project Affected Person who may not be protected through national land compensation legislation.

LIST OF ABBREVIATIONS AND ACRONYMS

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EXECUTIVE SUMMARY

E.1 Compensation Summary sheet

	Variables	Data
	A. General	
1.	County	Marsabit
2.	Sub county	Laisamis
3.	Village/suburb	Loiyangalani Town
4.	Activities that trigger resettlement	Construction of the water supply and
		sanitation project for Loiyangalani Town
5.	Project overall cost	Kshs 750,000,000
6.	Overall resettlement cost	Ksh 15,000,000
7.	Applied cut-off date	30/04/2024
8.	Dates of consultation with the people	23/06/2022, 21/02/2024, 29-30/04/2024
	affected by the project (PAP)	& 18/06/2024
9.	Dates of the negotiations of the	29/04/2024
	compensation rates/prices	
	B. Specific information	
10	Number of community parcels of land affected	4 parcels (not inhabited/ no structures or
		livelihood activities)
11	Number of persons affected by the project	0
	(PAP)	
12	Number of physically displaced	0
13	Number of Economically Displaced	0
14	Number of Affected Households	0
15	Number of Females Affected	0
16	Number of Vulnerable Affected	0
17	Number of Major PAP	0
18	Number of Minor PAP	0
19	Number of total right-owners and	0
	beneficiaries	
20	Number of households losing their	0
	shelters	
21	Total area of lost arable/productive	41.5 acres
	lands (ha)	
22	Number of households losing their	0
	crops and/or revenues	
23	Total areas of farmlands lost (ha)	0
24	Estimation of agricultural revenue lost	0
	(KES)	
25	Number of Buildings demolished totally	0
26	Number of Buildings demolished totally at 50%	0
27	Number of Buildings demolished totally at 25%	0
28	Number of tree crops lost	0
29	Number of commercial kiosks demolished	0
30	Number of ambulant/street sellers affected	0
31	Number of community level service	0
	intrastructure disturbed or dismantled	

32	Number	of	households	whose	livelihoods	0
	restoration is at risk					

E.2 Background Information

Tana Water Works Development Agency, in partnership with the Northern Water Works Development Agency (NWWDA), has engaged Kiri Consult Limited (referred to as Kiri or the Consultant) to conduct the "Detailed Design of the Loiyangalani Town Water Supply and Sanitation Project." This project aims to enhance water supply and sanitation services in Loiyangalani Town, which falls under the classification of arid and semi-arid areas.

This report presents the findings of the Resettlement Action Plan (RAP) developed for the Project Affected Persons (PAPs) in Loiyangalani Town who will be impacted by the proposed Water and Sanitation Project. The report outlines the applicable entitlements, compensation, and livelihood restoration measures for the PAPs, as mandated by Kenya's laws and regulations. The assessment also adheres to the African Development Bank's (AfDB) Operation Safeguard (OS 2) on Involuntary Resettlement, Land Acquisition, Population Displacement, and Compensation. It should be noted that the community members at Loiyangalani donated the community land free of charge to be used for the project. This RAP therefore documents the Voluntary Land Donation (VLD) process and the livelihood restoration measures.

E.3 Overview of the project area

Loiyangalani is a very remote town. Its residents are very poor people with low income. 94% of the Town consists mainly of low-class housing including grass huts, mud huts, and tin shacks.



Figure E.1: House building materials in Loiyangalani (Source – Socio-economic studies by Kiri in June 2022)



Figure E.2: Photo 1 showing houses in Loiyangalani Town

It is difficult to simulate the likelihood of rapid population growth or development as the **entire sub-location** did not grow significantly in the last 10 years. According to the 2009 Census, the Loiyangalani Sub location had a total population of 7251 people and in 2019, they were 7815 2019, a difference of only 564 persons in 10 years.

Year	Population (inhab.)
2009	7251(Loiyangalani Sub-location)
2019	7815(Loiyangalani Sub-location)

Table 1: Summary of recorded population per Census (1979 – 2019)

E.4 General Climate and Rainfall

Broadly, the immediate project area can be characterized as having a very arid and fairly hot climate, with desert scrub vegetation.

According to the Marsabit County Integrated Development Plan (CIDP) 2018-2022, most areas, including Loiyangalani, experience arid climatic conditions. The area receives annual rainfall estimated to be less than 250mm, with significant fluctuations ranging from a maximum of about 500mm to a minimum of about 25mm. Most of the rain falls between March and May.

The rainfall in the project area exhibits a distinct bimodal distribution pattern. The main wet season (long rains) typically begins in March/April and continues until May, while the short rains start in October/November and last until December.

In addition to the low rainfall, an important characteristic of the rainfall is its high variability, including monthly deviations from the mean and variability in altitude and spatial distribution. Although specific data for the project area is unavailable, it is evident that evaporation rates are very high, and the water requirement for crops exceeds the rainfall throughout the year.



Figure E3: The Shores of Lake Turkana on Loiyangalani Town Side



Figure E4: Part of Loiyangalani Town. Illustration of the aridity of the area

E.5 Population Projection

The design horizon for this project extends over 20 years from the initial year. For this study, the following critical years have been identified:

- 2025 as the initial year
- 2035 as the future year
- 2045 as the ultimate year

The population projection of Loiyangalani Town was done from previous Census data. In this study, a 2.75% growth rate has been adopted for Loiyangalani Town.

Place	Sub-location	Year	Urban	Rural	Total per area
Loiyangalani Town	Loiyangalani	2010	5,193	548	5,741
Komote Village	El Molo Bay	2019		306	306
Loiyangalani Town	Loiyangalani		5,483	579	6,061
Komote Village	El Molo Bay	2021	-	323	323
Loiyangalani Town	Loiyangalani		6,111	645	6,756
Komote Village	El Molo Bay	2025	-	360	360
Loiyangalani Town	Loiyangalani		8,015	846	8,861
Komote Village	El Molo Bay	2035	-	472	472
Loiyangalani Town	Loiyangalani		10,513	1,109	11,623
Komote Village	El Molo Bay	2045	-	620	620

Table 2:: Evolution of population for urban, peri-urban and rural area

E.6 Population Density

To understand the resettlement requirements and the possibility of having Project Affected Persons arising from displaced persons, it is imperative to consider population density. The population density is very low. There are no squatters. No one has encroached on road reserves as there is more land space than the population can occupy. There are no roadside kiosks or verandas. The above photo (E.2. is part of the Central Business District of the Town. It is a town unlike any other in Kenya.

The following Table shows relative densities in Loiyangalani Town per village. The highest is 55 persons/Ha in Kula Pesa/Achukule Village with the lowest (4 persons/Ha) in Nawapa Village based on 2019 population data. This is expected to increase to 84 persons/ha in 2035 in Kula Pesa/Achukule.

Village	Area(km2)	2019 Total Populat ion	2025	2035	2045	2019 pop densit y(pers on/ha)	2025 pop densit y(pers on/ha)	2035 pop densit y(pers on/ha)	2045 pop density (perso n/ha)
Dikilikimat	0.42	472	555	729	956	11	13	18	23
Kilimambog o	0.21	449	528	693	909	21	25	32	43
Kiwanja Ndege	0.8	471	554	727	954	6	7	9	12
Kula Mawe	0.69	668	786	1031	1352	10	11	15	20
Kula Pesa/Achuk	2.44	64.6	725	054	1217		~	~	
ule	0.11	616	725	951	1247	55	64	84	111
Kula Samaki	0.77	614	723	948	1243	8	9	12	16
Naagan	0.5	148	174	228	300	3	3	5	6
Nakwamek wi	0.81	451	531	696	913	6	7	9	11
Nawapa	1.00	421	495	650	852	4	5	6	9
Santur	1.00	355	418	548	719	4	4	5	7
Soweto/To wn	0.27	480	565	741	972	18	21	28	36
St.Martins	0.75	341	401	526	690	5	5	7	9
Komote	0.64	306	360	472	620	5	6	7	10

Table 3: Population densities in Loiyangalani Town

(Source: Consultant's work, based on KNBS 2019 Census populations data)

E.7 Project Components Description

The major components of the project are:

a) Water Component

Table 4: Summary of analyzed water supply options

Water Component	Details		
Abstraction and raw water	i. Seven boreholes in the vicinity of the Ngobeleng Spring site		
transmission and pumping	ii. Solar pumps		
facilities in the vicinity of the			
Ngobeleng Spring site			
Water treatment facilities	Disinfection: of the water by dosing of calcium hypochlorite		
	followed by adequate contact time to ensure that it is safe for		
	consumption. Automatic Chlorine Dosers for accurate in-line		
	injection of chlorine, installed directly on the raw water supply		
	line with a hydraulic motor pump that will use the water flow		
	its energy source		

Gravity Transmission Main	Supply and installation of OD315 HDPE pipes, valves, and				
Pipeline, Approx. 3km long:	fittings, including associated concrete and masonry works in				
	pipeline supports, valve chambers, washout drains, etc.				
Storage Tanks	i) One no. 500 m ³ ground water tank				
	ii) Three 100m ³ elevated tank.				
Distribution Network	Approximately 30 km total length of various diameter of HDPE				
	and steel pipes, valves, and fittings, including associated				
	concrete and masonry works in pipeline supports, valve				
	chambers, washout drains, etc. as shown in the bill of				
	Quantities and drawings				
Komote Village reverse	Two reverse Osmosis Units were considered to meet phase 1				
osmosis water treatment	demand with a capacity to treat 10m ³ /day consisting of the				
units	following:				
	 Pre-treatment sand and activated carbon 				
	Ion Exchange Resin				
	Cartridge Filter				
	Ultraviolet Disinfecting Unit				

- b) Sanitation Component
- On-site sanitation facilities have been proposed for Loiyangalani Town, together with a faecal sludge treatment plant, for phase 1 (2025-2035). The feasibility report provides the construction of 2no sludge drying beds each 1391m² in Loyaingalani town and a wetland (23.75m long by 12.5m wide as indicated below
 - A. Faecal Sludge Treatment Plant
 - a. Sludge Drying Bed
 - b. Vertical Flow Constructed Wetland
 - c. Solid Waste Incinerator
 - d. Operator Store
 - e. Site and Auxiliary Works
 - f. Guard House
 - B. Primary Schools Seven (7) Ablution Blocks Each With 13 Doors
 - C. Loiyangalani Secondary School Ablution Blocks -Two Blocks Each With 2 Doors
 - D. Commercial Places A. Kula mawe 11 doors latrines- 1 block
 - E. Bus stage 11 doors latrines 1 block
 - F. CKiwanja Ndege 11 doors latrines 1 block
 - G. Stadium
 - H. Health Centre
 - I. Cultural Centre
 - J. Market
 - K. Commercial Areas (2 no of places)
 - L. Catholic Dispensary
 - M. Police Station
- ii. It is proposed that for Phase 2 (2035 2045), a review be done on the population density and socio-economic characteristics in Loiyangalani town to establish if centralized water-borne sewerage will be appropriate for the Town at that stage.

Other Project components

The feasibility report presents other Project Components as summarized below in Table E-4

Table 5: Summary of analyzed water supply options

No	Interventions	Output
	Introduce gulper and Vaccutugs to	4 number of the Gulper/ vacuuming operators identified from among residents
	service the entire Loiyangalani	Procure 3 Gulpers
	town	Procure 1 Vaccutug
2	Define Standard Operating Procedures (SOPs) for pit emptying services	
3	Conduct training for pit emptiers and award certificates	
4.3	A licensing framework for Faecal Sludge Management (FSM) was developed and implemented	Develop licenses specific to FS handling and treatment

E.8 Resettlement Action Plan (RAP) Objectives

The aim of this Resettlement Action Plan (RAP) is to ensure that principles and procedures provided by the African Development Bank (AfDB) Operation Safeguard (OS 2) on Involuntary Resettlement Land Acquisition, Population Displacement, and Compensation are complied with. The specific Objectives of the RAP were to ensure that:

- (i) All types of losses are identified, clearly defined, and properly categorized to reflect the nature and scope of the loss.
- (ii) A standard or measure for defining eligibility and entitlement to have a fair basis for assessing compensation for the loss or impact suffered by the PAPs
- (iii) The affected persons will be compensated for their losses at full replacement cost and assisted with disturbance before the implementation of the proposed Water and Sanitation Project.
- (iv) A comprehensive database, based on which values are assessed, and validated in the event of disputes and, more importantly, serves as the database for monitoring and evaluation of the resettlement instrument.
- (v) A Grievance & Redress mechanism is established to acknowledge and resolve conflicts arising from Resettlement and Compensation.

E.9 Justification of Resettlement Action Plan (RAP)

The project will not displace any population along the proposed water supply pipeline alignment, as the routes have been carefully selected to avoid residential or business structures. Efforts have been made to keep the pipelines within available road reserves and river riparian areas. However, in cases where the pipeline must pass through communal land, approximately 6 acres of communal grazing land will be acquired as an easement for the 4km pipeline route from Ngobeleng to the distribution network.

A well-field in the vicinity of Ngobeleng Spring will require the acquisition of 15 acres of communal grazing land. Additionally, the construction of a new water management site to the east within the Loiyangalani sub-location will require the acquisition of approximately 10 acres of community

grazing land. This acquisition will be facilitated through voluntary land donation forms signed between community leaders and Marsabit County.

Similarly, the proposed site for the Faecal Sludge Treatment Plant (FSTP) will also require the acquisition of approximately 10 acres of community grazing land, which will be acquired through voluntary land donation forms.

The following table gives details of the land required to be acquired for various project facilities.

As per the African Development Bank's policy on Land Acquisition and Involuntary Resettlement (OS 2), a Resettlement Action Plan (RAP) is required to address direct economic and social impacts resulting from Bank-assisted investment projects. The Land Act 2012, under section 7, provides for systematic steps to be followed during land acquisition and compensation of Project Affected Persons (PAPs).

E.10 Resettlement Action Plan (RAP) Team

The RAP was prepared by a team of Social Safeguards and Land Economists as listed below

- (i) Dr. Eng Damaris Oyaro- Environment and WATSAN Engineer
- (ii) Mr Godwin Lidahuli Sakwa Environment and Social Safeguards Consultant
- (iii) Beatrice Githinji Wanjiru Sociologist
- (iv) Obra Mmaitsi Environment and Social Safeguards Consultant
- (v) Kefa Abok Nyamwanda Land Economist (Valuer)

E.11 Project Resettlement Impacts

The land requirement for Loiyangalani Water and Sanitation is as follows. This land has been procured for the project by the Voluntary Land Donation (VLD) by the Local Communities as included in the Appendices.

1. Water Supply Component

Water Component	Details	Land size required	Coordinates
i. Boreholes in	7 boreholes	15 acres in the vicinity of	X =
the vicinity of		Ngobeleng spring site	249800.061
the Ngobeleng		(towards Mt. Kulal)	Y =
Spring site			309239.980
ii. Water		The proposed new Water	X=249528.203
Management		Management site to the	Y=
Site at		East of the Loiyangalani	309166.998
Ngobeleng		sub-location will require the	
		acquisition of	
		approximately 10 acres of	
		land belonging to the	
		community as grazing land	
		to be acquired through	
		voluntary land donation	
		forms signed between the	
		community leaders and	
		Marsabit County	

111.	Gravity Transmission Main Pipeline, Approx. 3.5km long:	Traversing communal grazing land. From the existing elevated tank at Ngobeleng, along the existing road to the end of that road.	Wayleave only - Communal and private grazing - lands cumulated to a total of (6 acres for a 4km pipeline route from Ngobeleng to the distribution network) will be acquired as an easement in cases where the alignment of the pipeline traverses through private and communal land	
iv.	Storage Tanks	These will be at the Water Management site Site	No additional land above what is required for Water Management Site	
v.	Distribution Network	Approximately 30 km total length of various diameter of HDPE and steel pipes, valves, and fittings, including associated concrete and masonry works in pipeline supports, valve chambers, washout drains, etc. as shown in the bill of Quantities and drawings	These will be on the road reserve	
vi.	Komote Village reverse osmosis water treatment units	Elders identified the best location and confirmed the availability of land.	Half an acre	

2. Sanitation Component

Sanitation		Details	Land size required	Coordinates
Component				
A.	Faecal Sludge Treatment Plant		The proposed land for FSTP will also need to be acquired, approximately 10 acres of land belonging to the community as grazing land will be acquired through voluntary	X= 245081.70 Y = 311143.55
			land donation forms	
В.	Kiwanja Ndege	One Communal/public ablution block of latrines with 11 doors –	Eighth of an acre	X= 246883.92 Y=306502.01
C.	Bus Stage/ Market	One Communal/public ablution block of	Eighth of an acre	X= 246198.52 Y=305737.96

		latrines with 11 doors –		
D.	Kula Mawe	One Communal/public ablution block of latrines with 11 doors –	Eighth of an acre	X=247727.65 Y= 303771.37
E.	Two other ablution blocks in the commercial areas	Each place - One Communal/public ablution block of latrines with 11 doors –	Two-eighths of an acre	

E.11.1 Land for Water Management Site

The project will impact land at the proposed new Water Management and Service site, requiring 10 acres of land jointly owned by the local community.

E.11.2 Land Requirement for Easement for the Water Pipelines

The water pipelines will mostly follow road reserves and wayleaves, minimizing impact on Project Affected Persons (PAPs). However, a 4km pipeline section will traverse communal grazing land.

The map below shows the layout of the town that was used to ensure that pipelines were proposed to be laid only on road reserves.

The Town has a master plan prepared by Marsabit County, Energy, Land, and Urban Development Department as presented in the following Figures:

Legend:



Figure 1: Treated Water Transmission and Distribution System

E.11.3 PAPs losing Structures along pipeline Easement

As the water pipelines follow road reserves and wayleaves, no PAPs will lose structures.

E.11.4 Land for Faecal Sludge Treatment Plant

The project will impact land at the proposed Faecal Sludge Treatment Plant (FSTP), requiring 10 acres of land jointly owned by the local community.

E.11.5 Land for the Borehole Areas

The project will impact land at the proposed borehole sites, requiring 15 acres of communal land.

E.11.6 PAPs Losing Crops and Woodlot Trees

The assessment found that no individual PAPs will lose crops or woodlot trees.

E.11.7 Impacts on Livelihood

The Resettlement Action Plan (RAP) has confirmed that none of the Project Affected Persons (PAPs) will lose their livelihood sources. This is primarily due to the thoughtful design of the main and distribution pipelines, which follow road reserves and wayleaves that are largely free from encroachment. Additionally, the placement of the boreholes, water management site, and Faecal Sludge Treatment Plant (FSTP) on communal land ensures minimal disruption to the residents' livelihoods.

Moreover, the abundance of land in Loiyangalani is not a significant asset to the residents, as the soil's harsh chemical composition prevents the growth of many types of plants. The desert climatic conditions, characterized by low rainfall and high evapotranspiration, further compound the barrenness of the land. Consequently, the land holds little value for the residents' livelihoods, as no food or cash crops can be cultivated. Instead, the residents rely on food donations and purchases from other parts of the country for sustenance.

E.12 Approach and Methodology

The methodology adopted during the preparation of this report was guided by the Land Act, 2012, and other relevant enabling Kenyan legislations. Reference was made to the African Development Bank (AfDB) Operation Safeguard (OS 2) on Involuntary Resettlement Land Acquisition, Population Displacement and Compensation.

Various methodologies and approaches were used, including literature review, stakeholder consultation and engagement, and socioeconomic surveys of the project-affected people (PAPs). The methodology for preparing the RAP broadly followed several stages, including document review, social screening, field activities such as surveys and stakeholder consultations, and finally, report preparation.

E.13 Legal &

The legal framework that guided the preparation of this RAP included the following:

- Constitution of Kenya 2010
- The Land Laws (Amendment) Act 2016
- The Land Act 2012 Laws of Kenya
- Land Registration Act, 2012
- National Land Commission Act 2012
- The Land Adjudication Act Chapter 95 Laws of Kenya
- The Valuers Act 532
- The Community Land Act (2016)
- The Land (Group Representatives) Act (2016)
- Matrimonial Property Act No 49 of 2013, Ownership of Matrimonial Property
- Public Participation Bill of 2016
- Physical Planning Act
- Environment and Land Court Act (2011)
- The Persons with Disabilities Act (2003)
- The Children Act (2001)
- The National Policy on Gender and Development (2019):
- The African Development Bank Integrated Safeguards System and its Operational Safeguards

Given that land acquisition for this Project was through Voluntary Land Donation, the RAP also complied with the AfDB requirements for land donation. The table below demonstrates how the Bank requirements were complied with.

No	AFDB Requirements on Voluntary	RAP Strategy in Ensuring the Requirements are Complied with
	Land Donation	
1	The potential donors/communities have been appropriately informed and consulted about the project and the choices available to them; informed of their rights; and provided with information concerning the environmental and economic, social and food security impacts of the proposed project.	 Stakeholder Identification: All potential donors and affected communities were identified early in the project planning process. Engagement Strategy: A clear strategy for engaging stakeholders, ensuring it is inclusive of all community segments, including vulnerable and marginalized groups was developed. Informed Consent: The proponent and RAP consultants ensured that consent was obtained without any form of coercion, manipulation, or pressure. Community donors were the given the rights to refuse or negotiate terms
2	The potential donors are aware that refusal is an option and have conformed in writing their willingness to proceed with the donation.	 Clear Communication: During consultation, Kiswahili & local languages and culturally appropriate communication methods were used to ensure that information is accessible and understandable.
3	The amount of and being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels.	 Comprehensive Information Packages: The Proponent & the Consultants provide detailed information about the project, including its objectives, benefits, and potential impacts (environmental, economic, social, and food security). Public Meetings: Public meetings, workshops, and information sessions were organized to explain the project and its
4	Transparent record of all the consultations and agreements reached with the affected communities.	 implications. Visual aids and other tools were used to facilitate understanding. Participatory Approaches: participatory methods such as focus
5	No household relocation is involved.	groups, community meetings, and participatory rural appraisals

G	The denor is expected to benefit from	1	were used to gether feedback and ensure community voices are
0	the project directly		heard
7	Concert of individual accurating or	•	Feedback Mechanisms: Mechanisms for receiving and
/	Consent of Individual occupying of		incorporating feedback from the community were established.
			This included suggestion boxes at the County, phone numbers of
8	Appropriate compensation, benefit		NWWDA and regular meetings with community representatives.
	sharing, and grievance mechanisms are	•	Rights Awareness: The community were informed about their
	put in place		rights regarding land donations, resettlement, and
			compensation. This includes legal rights, entitlements, and
			avenues for grievance redress.
		•	Options and Alternatives: The available choices were clearly
			presented to them, including the option to refuse to donate land
			and alternatives for compensation or relocation.
		•	Environmental Impact Assessment (EIA): A comprehensive EIA
			detailing potential environmental impacts and proposed
			mitigation measures.
		•	Social Impact Assessment (SIA): Social implications of the project
			was assessed, including effects on livelihoods, community
			structures, and social services, and findings shared with the
			community.
		•	Economic and Food Security Analysis: An analysis of the
			potential economic impacts and effects on food security,
			ensuring the community understands now the project might
			Desumentation of Consultations: Detailed records of all
		•	consultation activities including meeting minutes attendance
			lists, and feedback received has been maintained.
		•	Transparency : The team ensured that all processes and decisions
			are transparent. Community are regularly updated on project
			developments and how their input has been considered.
		•	Accessible Grievance Mechanisms: A clear, accessible, and
			responsive grievance redress mechanism to address any
			concerns or complaints from the community will be established
			during implementation as proposed in this RAP. However, the
			County officials and NW/WDA representatives for any grievances
		•	Resolution Process : The proponent will ensure that the process
			for resolving grievances is transparent, fair, and timely.
		•	Monitoring Plans: Monitoring plans will be developed and
			implemented to track the effectiveness of the RAP, including the
			consultation and information dissemination processes.
		•	Independent Monitoring: The Proponent will consider involving
			independent third parties to monitor and evaluate the RAP's
			implementation and its adherence to the principles of informed
			consent and community consultation.
1		1	

E.14 Public Consultations

The Land Act 2012 outlines the National Lands Commission (NLC) procedures for consultation with affected persons and grievance management procedures. Also, African Development Bank (AfDB) Operation Safeguard (OS 2) on Involuntary Resettlement Land Acquisition, Population Displacement

and Compensation

Also, per the Kenyan Constitutional requirement (Article 10 on Public Participation, it's a democratic right of every Kenyan to participate in public decisions and collaborate in Public Projects such as the proposed Water and Sanitation Project. Therefore, this phase involved consultations with stakeholders during planning and also during the RAP preparation phase within the Project area as detailed in **Chapter 4** of this report.

Stakeholder engagements and consultations with both the primary & secondary stakeholders were held on 23rd June 2022, 11th February 2024, 29th & 30th June 2024 and 18th June 2024 as summarized in the table below:

Date	Purpose of meeting	Composition of stakeholders
23/06/2022	Description of project and envisaged project sites	The meeting was at the chief hall and comprised 17 participants representing all villages and diverse groups
21/02/2024	To describe final The project components and project sites to find out if the sites have any developments since most land here is community land. To initiate land acquisition from the community	A meeting also held by the chief with the consultants was held at Palm Shade Resort with 30 participants. Stakeholders and residents went physically to the site and were able to establish the land was less than 1% of the total community land and they voluntarily agreed to give out the land considering the soils in the area do not support any vegetation and the area is rocky and no one had settled there or set up any business or livelihood promoting activity.
30/04/2024	Valuation of land - This was a meeting with the NLC team for land valuation and so the community leaders with the help of the consultant surveyor took the NLC officers to all the sites which were carefully accessed and remeasured to ensure precision on the values generated. The valuers generated the valuation report as attached in the Appendixes.	Chief, village Elders, land valuers from NLC, Marsabit county representative, and project engineer from NWWDA
18/06/2024	Disclosures on land valuation report from NLC and discuss further on the livelihood restoration program.	Meeting constituted by the Deputy County commissioner at Palm Shade Hotel and had in attendance various stakeholders who met and unanimously agreed to accept in-kind compensation totalling 10 million Kenyan Shillings, recognizing the community's pivotal role and support for enhancing healthcare services at Loiyangalani Health Centre. Building on this decision, a subsequent meeting convened

Stakeholder meetings

	on	24th	June	2024	reaffirmed	and
	exp	anded	upon tł	nese cor	nmitments	

In summary, the agreement and consensus in the meetings were that generally the *land was* community land, and they voluntarily donated it as the water and sanitation project would improve their livelihoods the land was of no great economic use for the community die to its alkali-type soils and also being very rocky.

E.15 Mitigation of Impacts

The Project Affected Persons (PAPs) irrespective of their tenure status are eligible for assistance or compensation if their assets or livelihood sources were affected by project activities before the cutoff date set as <u>30th April 2024</u>, these dates were adopted during the public meetings.

Mitigation measures for adverse social impacts identified were minimal and to address these effects a grievance redress mechanism has been placed and continuous engagement with stakeholders will mitigate any adverse effects.

E.16 Grievance Redress Mechanism

This RAP provides for a three-tier Grievances Redress Mechanism (GRM) at no cost to the PAPs/ community members as follows:

Tier 1: Community or Project Level

This is the first point of contact for grievances, where issues are addressed quickly and informally by community leaders, and the project staff and will entail the formation of a local committee for grievance handling aligned to the community grievance handling system. This ensures Resolving grievances as close to the source as possible, leveraging local knowledge and relationships to find swift solutions.

Tier 2: Local Grievance Committee

If the grievance cannot be resolved at the frontline level, it is escalated to a local grievance committee. This committee might include the chief, village elders, community representatives (land and water committee members), project staff from the implementing agency, and possibly county government officials. This committee will provide a more formal review and resolution process, ensuring a balanced and fair hearing of the grievance.

Tier 3: Project Management Level

Grievances that cannot be resolved at the local level are escalated to the project management team. This might involve senior project managers, technical experts, or specialized grievance officers. This is to address more complex grievances that require higher-level intervention and resources, ensuring consistency with project policies and commitments.

Independent or External Review

If the grievance remains unresolved, it can be escalated to an independent body or external mediator. This could involve an ombudsperson, an independent panel, or an external arbitration service. This is to provide an impartial review and resolution, ensuring that the grievance process is fair and transparent.

Tier 5: Legal or Judicial Review

As a last resort, if the grievance is still unresolved, the complainant can seek redress through formal legal channels or judicial review. This is to ensure access to justice and legal remedies, allowing grievances to be resolved through formal legal procedures if necessary

A grievance log will document all grievances and their status and will be used to monitor GRM progress.

E.17 Livelihood Restoration

On 18th June 2024, stakeholders met and unanimously agreed to accept in-kind compensation totalling 10 million Kenyan Shillings, recognizing the community's pivotal role and support for enhancing healthcare services at Loiyangalani Health Centre. Building on this decision, a subsequent meeting convened on 24th June 2024 reaffirmed and expanded upon these commitments. Chaired by Tobias Lenguro and attended by key stakeholders including community leaders and healthcare professionals, the meeting on 24th June 2024 focused on detailing the scope of works for upgrading the Loiyangalani Clinic. Discussions encompassed refurbishing existing infrastructure, expanding healthcare services, and upgrading medical facilities to elevate standards in Loiyangalani.

PAPs in the town of Loiyangalani agreed to voluntarily donate the land. Community members are all aware of these options. The land being donated was valued at Kshs 4,5 million and further considerations the value for livelihood restoration were put at Kshs 10 million. The community unanimously agreed during a stakeholder meeting that the preferred livelihood activity was infrastructural and included an upgrade of the Loiyangalani Health Centre.

Cost Breakdown

1. Renovation and Equipping of Maternity Wing

- o Comprehensive renovation and procurement of essential equipment.
- **Scope:** Detailed refurbishment to meet maternal and newborn healthcare needs.
- o Estimated Cost: 6 million Kenyan Shillings

2. General Ward Upgrades

- Acquisition of 10 hospital beds.
- **Scope:** Enhancing capacity and comfort for inpatient care.
- Estimated Cost: 1 million Kenyan Shillings

3. Power Supply (Solar Installation)

- o Installation of solar panels for sustainable energy provision.
- **Scope:** Reliable electricity to support healthcare operations.
- Estimated Cost: 2 million Kenyan Shillings

4. Solid Waste Incinerator

- Construction of a waste management facility.
- **Scope:** Ensuring environmental sustainability.
- Estimated Cost: 1 million Kenyan Shillings

In addition to financial investments, the project prioritizes offering employment opportunities to community members during construction. This initiative aims to promote local economic empowerment and ensure community participation in project implementation.

E.18 RAP Implementation Budget

The Project design has ensured that the project's pipelines will follow road reserves and existing stormwater channels. The land for the establishment of boreholes, water management sites, and fecal Sludge Treatment Plants belongs to the community for grazing and communal use which the community freely gave out for the project. There is no compensation budget for this project as there are no displacements of people or any loss of business, crops, or structures within the project area.

To improve livelihood, the value of land required has been valued at Ksh 10,000,0000 and the community as per the meeting held and a questionnaire filled suggests they would like to utilize the funds for the Loiyangalani clinic upgrade. The overall RAP implementation budget is **Ksh. 15,000,000** as per the table below:

	Activity	Cost Estimate (Kshs)
1.	Livelihood restoration.	10,000,000
2.	Grievance Redress mechanism	1,883,000
3.	Monitoring and completion of Audit	2,161,000
4.	Contingencies	956,000
	Total	15,000,000

RAP implementation Budget

E.19 Monitoring and Evaluation

The RAP monitoring and evaluation framework that has been adopted involves internal monitoring by NWWDA; external monitoring commissioned to specialized firms; and RAP Completion Audit as indicated in Chapter 11.

E.20 Conclusion

The project will not displace any population along the proposed pipeline alignment, boreholes, water management site, faecal sludge treatment plant, tanks, or public ablution blocks. This is because the proposed facilities are free from residential or business structures. The design has endeavored to confine the pipelines within available road reserves and wayleaves

The proposed new Water Management Site to the East within the Loiyangalani sub-location will require the acquisition of approximately 10 acres of land belonging to the community as grazing land will be acquired through voluntary land donation forms signed between the community leaders and Marsabit County as required by section (7) of the land Act 2020. The proposed land for FSTP will also need to be acquired, approximately 10 acres of land belonging to the community as grazing land will be acquired through voluntary land donation. The borehole sites require a cumulative area of 15 acres which again is community land and will be acquired through Voluntary land donation.

The perception of the Project Affected persons where the project's facilities will be sited is positive towards the Project. This was observed during the public meetings and the census survey.

E.21 Commitments

To facilitate the smooth implementation of the proposed Loiyangalani Water and Sanitation Project, the Northern Water Works Development Agency (NWWDA) and the Marsabit County Government, as project proponents have acquired the necessary land through voluntary donations by the community, as detailed in the appendices.

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1 BACKGROUND INFORMATION

1.1 Background Information

The Government of the Republic of Kenya (GoK) has mainstreamed its National Water Policy to envisage 100% access to safe water and sanitation facilities for the Country's population by the year 2030. To achieve this target, the GoK has been implementing a far-reaching sector reform program since 2002 aimed at harmonizing the Management of Water Resources and Water Supply and Sanitation (WSS) throughout the Country. This reform has been propelled by the Water Act (2002), which aims at harmonizing the Management of Water Resources and Water Supply and Sanitation Services.

In August 2010, Kenya enacted a new Constitution. A key benchmark of the new Constitution is stipulated under Chapter IV-BILL OF RIGHTS, paragraph 43(1)(b) and (d) which stipulates: "Every person has the right to (b)...... reasonable standards of sanitation and (d) clean and safe water in adequate quantities."

To strive towards achieving this benchmark, the Government of Kenya is seeking to finance the National Urban Water Supply and Sanitation Program. The program aims to contribute to the improvement of the quality of life and reduce poverty levels of the population of Kenya through the provision of water and sanitation services on a sustainable basis. The main objective of the program is to improve the access, availability, and sustainability of water supply and wastewater management services in multiple towns to catalyze commercial activities, drive economic growth, improve the quality of life of people, and build resilience against climate variability and change.

Tana Water Works Development Agency in collaboration with Northern Water Works Development Agency (NWWDA) commissioned Kiri Consult Limited (hereafter referred to as Kiri or the Consultant) to undertake the "Detailed Design of Loiyangalani Town Water Supply and Sanitation Project" to improve water supply and sanitation services in Loiyangalani Town which is classified as arid and semi-arid area.

1.2 Project location

The project is located in Loiyangalani Town Loiyangalani Sub County has an area of 11584.7 km². Loiyangalani is a small town located in the south. Marsabit County is one of the 47 Counties identified in the new Constitution which was promulgated in August; 2011. Loiyangalani sub-county of Marsabit County is headquartered in Loiyangalani town. The actual project components' locations are as shown in Appendix A.

Loiyangalani is one of the new sub-counties within Marsabit County. It is located southeast of Lake Turkana. The inhabitants are Rendille, Turkana, El molo, Lomoli, Burji, Borans and Gabras. The whole of the project area belongs to what is referred to as Agro-climatic Zone VII. This zone is characterized by very low rainfall (170-320mm per year) and /or very high evapotranspiration (2150-2280mm per year). Figure 1 shows the location of Loiyangalani.

Figure 1 Map showing the Location of Loiyangalani



1.3 Project Description

The major components are:

1.3.1 Water Component

Table 6: Summary of analyzed water supply options	Table 6: Summary	y of analyzed	water supply	options
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Water Component	Details		
Abstraction and raw water	iii. Seven boreholes in the vicinity of the Ngobeleng Spring site		
transmission and pumping	iv. Solar pumps		
facilities in the vicinity of the			
Ngobeleng Spring site			
Water treatment facilities	Disinfection: of the water by dosing of calcium hypochlorite		
	followed by adequate contact time to ensure that it is safe for		
	consumption. Automatic Chlorine Dosers for accurate in-line		
	injection of chlorine, installed directly on the raw water supply		
	line with a hydraulic motor pump that will use the water flow as		
	its energy source		
Gravity Transmission Main	Supply and installation of OD315 HDPE pipes, valves, and fittings,		
Pipeline, Approx. 3km long:	including associated concrete and masonry works in pipeline		
	supports, valve chambers, washout drains, etc.		
Storage Tanks	iii) One no. 500 m ³ ground water tank		
	iv) Three 100m ³ elevated tank.		
Distribution Network	Approximately 30 km total length of various diameter of HDPE		
	and steel pipes, valves, and fittings, including associated		
	concrete and masonry works in pipeline supports, valve		
	chambers, washout drains, etc. as shown in the bill of Quantities		
	and drawings		
Komote Village reverse	Two reverse Osmosis Units were considered to meet phase 1		
osmosis water treatment	demand with a capacity to treat 10m ³ /day consisting of the		
units	following:		
	 Pre-treatment sand and activated carbon 		
	Ion Exchange Resin		
	Cartridge Filter		
	Ultraviolet Disinfecting Unit		

1.3.2 Sanitation Component

- iii. On-site sanitation facilities have been proposed for Loiyangalani Town, together with a faecal sludge treatment plant, for phase 1 (2025-2035). The feasibility report provides the construction of 2no sludge drying beds each 1391m² in Loyaingalani town and a wetland (23.75m long by 12.5m wide as indicated below
 - A. Faecal Sludge Treatment Plant
 - a. Sludge Drying Bed
 - b. Vertical Flow Constructed Wetland
 - c. Solid Waste Incinerator
 - d. Operator Store
 - e. Site and Auxiliary Works
 - f. Guard House
 - B. Primary Schools Seven (7) Ablution Blocks Each With 13 Doors

- C. Loiyangalani Secondary School Ablution Blocks -Two Blocks Each With 2 Doors
- D. Commercial Places A. Kula mawe 11 doors latrines- 1 block
- E. Bus stage 11 doors latrines 1 block
- F. CKiwanja Ndege 11 doors latrines 1 block
- G. Stadium
- H. Health Centre
- I. Cultural Centre
- J. Market
- K. Commercial Areas (2 no of places)
- L. Catholic Dispensary
- M. Police Station
- iv. It is proposed that for Phase 2 (2035 2045), a review be done on the population density and socio-economic characteristics in Loiyangalani town to establish if centralized water-borne sewerage will be appropriate for the Town at that stage.

1.3.3 Other Project Components

The feasibility report presents other Project Components as summarized below in the following table. Table 7: Summary of analyzed water supply options

No	Interventions	Output
1	Introduce gulper and Vaccutugs to service the entire Loiyangalani town	4 number of the Gulper/ vacuuming operators identified from among residents
		Procure 3 Gulpers
		Procure 1 Vaccutug
2	Define Standard Operating Procedures (SOPs) for pit emptying services	
3	Conduct training for pit emptiers and award certificates	
4.3	A licensing framework for Faecal Sludge Management (FSM) was developed and implemented	Develop licenses specific to FS handling and treatment


Figure 2 Pipe layout

1.4 OBJECTIVES OF THE RAP

(RAP) is used to determine the extent of assets to be affected and land acquisition impacts associated with the proposed Water Supply and Sanitation Systems from the project as well as to put in place measures to mitigate those impacts, in line with national legislation and the African Development Bank (AfDB) regulations. The RAP was to identify the people to be affected by the project and plan for their resettlement after consideration of alternatives that would minimize or avoid displacement and would ensure that all affected parties are compensated and assisted in restoring their livelihoods. The overall objective of the RAP is to:

- Avoid or at least minimize involuntary resettlement and mitigate adverse social and economic impacts from land acquisition by providing compensation for loss of assets at replacement cost; and ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected and improve or at least restore the livelihoods and standards of living of affected people.
- Provide additional targeted livelihood assistance (e.g., training or job opportunities) and opportunities to improve or at least restore their income-earning capacity, production levels, and standards of living to economically displaced persons whose livelihoods or income levels are adversely affected.

1.5 SCOPE OF RAP

The RAP has been designed to include a participatory approach between project-affected people PAPs and NWWDA. The RAP will provide guidelines to stakeholders participating in the rehabilitation/ resettlement operations to ensure that PAPs are informed of the compensation options available to them, and their rights so that they are not impoverished by the adverse social impacts of the project. The process follows the country's legal framework and the African Development Bank resettlement policies.

The scope of the assignment involved the following:

- a. Develop RAP for the settlement in line with national legislations and African Development Bank Operational Safeguard Standards
- b. Study the Socio-economic reports undertaken during planning and surveying aimed at identifying data relevance, adequacy, and the gaps therein in preparation for the RAP.
- c. Develop innovative resettlement options (Legally sound, socially, economically, and environmentally sustainable) for the affected persons based on the existing situation and context of the settlement as well as best global resettlement practices.
- d. Conduct extensive and in-depth stakeholder consultations with all project stakeholders.
- e. Propose an acceptable entitlement matrix to guide compensation and other mitigation actions to Project Affected Persons (PAPs).
- f. Compile an accurate PAP and Asset register that is acceptable to stakeholders.

1.6 Approach and Methodology

The methodology used in preparing this Resettlement Action Plan (RAP) adhered to the requirements of the Government of Kenya and the social safeguard policies of the African Development Bank, with a focus on the Operational Safeguard 2 on Involuntary Resettlement, Land Acquisition, Population Displacement and Compensation. To gather the necessary information for this RAP, a combination of qualitative and quantitative methods was employed.

Field and census surveys were conducted at the locations where the water and sanitation infrastructure will be constructed, including transmission lines, distribution lines, reservoirs, and the Water Management Site. These surveys aimed to collect information on affected households and properties. Social data was collected through questionnaires, interviews, focus group discussions, and meetings with affected communities and technical teams at the local government levels.

Surveying and valuation involved the inspection and referencing of land. The project area did not have any perennial crops, semi-permanent structures or permanent buildings. For the sake of livelihood restoration, the community parcels of land were assessed for full replacement costs as defined in the list of definitions under 'Replacement value'.

Various methodologies and approaches were used, including literature review, stakeholder consultation and engagement, and socioeconomic surveys of the project-affected people (PAPs). The methodology for preparing the RAP broadly followed several stages, including document review, social screening, field activities such as surveys and stakeholder consultations, and finally, report preparation.

- 1. Preliminary assessment and review of preliminary design of the projects, The study team conducted a desk review of relevant literature and a Scoping exercise. Key relevant documents and other already prepared documents on the project were reviewed which included the terms of reference, design report, Loiyangalani Socio-economic Profile, and the relevant legislations were reviewed for appropriate usage in RAP preparation. An assessment was Conducted to understand the potential impacts on affected communities and households, including their assets, livelihoods, and social structures.
- 2. Legal and Policy Framework Analysis: This involved a review of the relevant legal and policy frameworks at the national and international levels to understand the legal requirements and standards for resettlement. This includes laws, regulations, guidelines, and international standards.
- 3. **Stakeholder Engagement and Consultation**: Engaged with affected communities, local authorities, government agencies, civil society organizations, and other stakeholders to gather their input, concerns, and preferences regarding resettlement. Consultation should be meaningful, transparent, and inclusive, ensuring the participation of vulnerable and marginalized groups.
- 4. **Baseline Data Collection and Socioeconomic Surveys**: Collected baseline data and conducted socioeconomic surveys to assess the demographic, economic, social, and cultural characteristics of affected communities. This information will help identify the needs, assets, and vulnerabilities of affected households and inform the design of resettlement interventions.
- 5. **Impact Assessment and Planning**: Conducted a comprehensive impact assessment to identify the potential adverse impacts of the project on affected communities and households. Assess the magnitude, duration, and significance of these impacts and develop mitigation measures to minimize negative consequences. Based on the impact assessment, develop a detailed resettlement plan that outlines the objectives, strategies, actions, and timelines for resettlement.
- 6. **Resettlement Options Analysis**: Explored and evaluated various resettlement options and scenarios, considering factors such as land availability, housing options, livelihood opportunities, infrastructure, social services, and community preferences. Identify feasible and sustainable resettlement options that meet the needs and preferences of affected households and communities.

- 7. **Resettlement Implementation Framework**: Developed an implementation framework that outlines the roles, responsibilities, and coordination mechanisms of relevant stakeholders involved in resettlement. Establish monitoring and evaluation mechanisms to track the progress and effectiveness of resettlement activities and ensure compliance with legal and regulatory requirements.
- Community Participation and Capacity Building: Empowered the affected communities to actively participate in the resettlement process by providing them with information, training, and capacity-building support. Foster community ownership and leadership in decisionmaking and implementation to enhance the sustainability and success of resettlement initiatives.
- 9. A cut-off date is normally set by the valuation process to establish displaced or affected persons who are eligible to receive compensation and resettlement assistance by a project. The aim is to control deliberate development in anticipation of compensation. Any assets created or improvements done to existing assets, change in use or ownership, or potential newcomers within the project areas after this date will not be eligible for compensation or resettlement assistance. Fixed assets such as built structures, crops, fruit trees, and woodlots established after this date, or an alternative mutually agreed on date, will not be compensated and created consent and awareness during the public consultation. The standard practice procedure requires a census completion date used as the Cut Off date for the determination of PAPs eligible for compensation, and therefore census completion date was adopted as the cut-off date for this project as of **30th April 2024.** The concept of a cut-off date was explained during stakeholder engagement meetings.
- 10. Legal and Institutional Arrangements: Established legal and institutional arrangements to support the implementation of the RAP, including mechanisms for land acquisition, compensation, grievance redressal, and dispute resolution. Ensured that the rights of affected communities were protected throughout the resettlement process and that they had access to legal assistance and support if needed.
- 11. Monitoring, Evaluation, and Adaptive Management: Implemented a robust monitoring and evaluation system to track the progress and outcomes of resettlement activities. Collected feedback from affected communities and stakeholders to assess the effectiveness of interventions and make necessary adjustments as needed. Continuously learn from experiences and improve practices through adaptive management.
- 12. **Disclosure and RAP Preparation**: Data from the Census, and Socio-economic survey, were analyzed along with minutes of all meetings with communities and institutional stakeholders and were appropriately documented for usage in the report. The data compilation and its analysis and valuation of assets and finally prepared their settlement action plan (RAP) for disclosure and as guiding documents for compensation and resettlement management.

1.7 GUIDING PRINCIPLES

To ensure compliance with international best practices for resettlement, the principle implementing agent, NWWDA, commits to the following guiding principles:

1. Avoidance or Minimization of Resettlement

Action: Explore all viable alternatives to avoid physical displacement.

2. Genuine Consultation

Action: Prioritize the rights and interests of project-affected people (PAPs) by establishing local-level consultative forums, coordinated by NWWDA personnel.

3. Establishment of a Pre-Resettlement/Compensation Baseline Data

Action: Conduct activities, including inventorying landholdings and improvements, and collecting census data on household composition and socio-economic characteristics, to support successful reestablishment of affected property.

4. Availability of Relocation Assistance

Action: Guarantee the provision of necessary compensation for people whose structures have been affected or who experience disturbances to productive land associated with the project, in proportion to their loss.

5. Negotiation of Fair and Equitable Compensation Options

Action: Negotiate and pay compensation for affected structures, land, and trees according to set rates and internationally accepted procedures.

6. Resettlement as a Development that Benefits Project Affected People

Action: Make employment and subcontracting opportunities arising from the project available to the affected population where practical.

7. Specific Catering for Vulnerable Social Groups

Action: Ensure that vulnerable groups are considered in consultation and planning processes, and establish grievance procedures and protection measures to address their needs.

8. Resettlement as an Upfront Project Cost

Action: Allocate funds upfront to cover the costs of compensation and resettlement, to prevent under-budgeting and peripheral treatment.

9. Establishment of an Independent Monitoring and Grievance Procedure

Action: Implement an independent team for monitoring and establish accessible grievance procedures, particularly focused on vulnerable groups, with monitoring against pre-resettlement data.

10. Adherence to African Development Bank's Operational Safeguard 2

Action: Recognize and mitigate adverse impacts of project-related land acquisition, restrictions, and involuntary resettlement, ensuring genuine opportunities for affected communities to refuse land acquisition or restrictions.

2 POLICY AND LEGAL PROVISIONS

2.1 The Kenyan Constitution (2010)

The Constitution of Kenya, 2010, protects the sanctity of private property rights and states that no property can be compulsorily acquired by the Government except in accordance with law.1 Article 40(3) states:

"The State shall not deprive a person of property of any description, or of any interest in, or right over, property of any description, unless the deprivation–results from an acquisition of land or an interest in land or a conversion of an interest in land, or title to land, in accordance with Chapter Five; or is for a public purpose or in the public interest and is carried out in accordance with this Constitution and any Act of Parliament that –

(i) Requires prompt payment in full, of just compensation to the person; and

(ii) Allows any person who has an interest in or right over, that property a right of access to a court of law.²

The Constitution empowers the state to exercise the authority of compulsory acquisition. Land Act 2012 (LA) designates the National Land Commission (NLC) as the agency empowered to compulsorily acquire land.3 Article 40 of the Constitution provides that the state may deprive owners of property only if the deprivation is "for a public purpose or in the public interest," including public buildings, roads, way leaves, drainage, and irrigation canals. The state's exercise of this power is left at the discretion of NLC and requires the state to pay full and prompt "just compensation" and an opportunity for appeal to the court.

Article 40(3) (a) refers to the acquisition and conversion of all kinds of land in Kenya (private, public, community land and foreign interests in land). The Constitution further provides that compensation shall be paid to "occupants in good faith" of land acquired by the state who do not hold title for such land.4An occupant in good faith is a "bona fide" occupant. On the other hand, under the Kenyan Constitution, those who have acquired land illegally do not deserve any compensation. Therefore, the RAP implementation will follow the AfDB ISS which recognizes the rights of illegal land owners and will compensate them for loss of structure and livelihood/disturbance allowance.

In addition to Article 40, Chapter Five of the Constitution is relevant to compulsory acquisition. This chapter, titled "Land and Environment," is divided into two parts. Part 1 deals with land, and Part 2 deals with environment and natural resources. Part 1 of Chapter 5, articles 60 – 68, describes the principles of land policy. Land should be held, used and managed in a manner that is equitable, efficient, productive and sustainable and per security of land rights, sound conservation and protection of ecologically sensitive areas.5 These principles must be implemented through a national land policy reviewed regularly by the national government and through legislation.6

¹ Constitution of Kenya, art. 40.

² Id.

³ The Land Act, 2012 The Government of Kenya, Section 8.

⁴ Constitution of Kenya. Id. at art. 40(5).

2.2 Land Tenure and Rights in Kenya

Land tenure in Kenya is classified as public, community or private. Public land consists of government forests (other than those "lawfully held, managed or used by specific communities as a community forest, grazing areas or shrines"), government game reserves, water catchment areas, national parks, government animal sanctuaries and specially protected areas. The National Land Commission will manage public land. Community land is "lawfully held, managed or used by specific communities as community forest, grazing areas or shrines," and "ancestral lands and lands traditionally occupied by hunter-gatherer communities. Rights are also held through traditional African systems, and rights that derive from the English system are introduced and maintained through laws enacted by the colonial and then the national parliament. The former is loosely known as customary tenure bound through traditional rules (customary law). The latter body of law is the statutory tenure, secured and expressed through national law, in various Acts of parliament e.g. Land Act 2012, Land Registration Act, 2012, and Trust Land Act (cap 288) of the Laws of Kenya).

2.2.1 Customary Land Tenure

This refers to unwritten land ownership practices by certain communities under customary law. Kenya being a diverse country in terms of its ethnic composition has multiple customary tenure systems, which vary mainly due to different agricultural practices, climatic conditions and cultural practices. However, most customary tenure systems exhibit similar characteristics as individuals or groups by their membership in some social unit of production or political community have guaranteed rights of access to land and other natural resources. Individuals or families thus claim property rights by their affiliation to the group.

2.2.2 Freehold Tenure

This tenure confers the greatest interest in land called the absolute right of ownership or possession of land indefinitely, or in perpetuity. The Land Registration Act, 2012, governs freehold land. The Act provides that the registration of a person as the proprietor of the land vests in that person the absolute ownership of that land with all rights, and privileges relating thereto. A freehold title generally has no restriction as to the use and occupation in practice, there are conditional freeholds, which restrict the use for say agricultural or ranching purposes only. Land individualization was demanded by the colonial settlers who required legal guarantee for the private ownership of land without which they were reluctant to invest.

2.2.3 Leasehold Tenure

A leasehold is an interest in land for a definite term of years and may be granted by a freeholder usually subject to the payment of a fee or rent and is subject also to certain conditions which must be observed e.g. relating to developments and usage. Leases are also granted by the government for government land, the local authorities for trust land and by individuals or organizations owning freehold land. The maximum term of government leases granted in Kenya is 99 years for agricultural land and urban plots. There are few cases of 33 years leases granted by government in respect of urban trust lands. The local authorities have granted leases for 50 and 30 years as appropriate.

2.2.4 Public Tenure

This is where land owned by the Government for her own purpose, and which includes unutilized or unalienated government land reserved for future use by the Government itself or may be available to the general public for various uses. The land is administered under the Land Act 2012 (LA). These lands were vested in the president and who has, normally exercised this power through the Commissioner of Lands, to allocate or make grants of any estates, interests or rights in or over un-alienated government land. However, the new constitution grants those rights to the National Land Commission (NLC) which is governed by the National Land Commission Act, 2012 that specifies the role of NLC as:

- To identify public land, prepare and keep a database of all public land, which shall be georeferenced and authenticated by the statutory body responsible for survey;
- Evaluate all parcels of public land based on land capability classification, land resources mapping consideration, overall potential for use, and resource evaluation data for land use planning; and
- Acquire land for public purposes
- Solve land disputes and deal with historical land injustices
- Share data with the public and relevant institutions in order to discharge their respective functions and powers under this Act; or
- May require the land to be used for specified purposes and subject to such conditions, covenants, encumbrances or reservations as are specified in the relevant order or other instrument⁷.

Categories of government land include forest reserves, other government reserves, alienated and unalienated government land, national parks, townships and other urban centers and open water bodies.' The Lands Act does not contain any notion of trusteeship by government of the land to her people.

2.3 Legal Framework Overview

This Chapter sets out the legal operating environment for acquisition of land as anticipated in the implementation of the Project. It highlights major issues related to Kenyan land legislation with regards to involuntary resettlement in this RAP. It provides a brief overview of the Kenya Land Policy and the Kenya's Constitutional provisions related to land use, planning, acquisition, management, tenure and more specifically, the legislations related with land expropriation or acquisition, land valuation and land replacement. The Chapter also compares the Kenyan legislation with the African Development Bank Operation Safeguard Policy (AfDB OS 2) on resettlement, highlighting gaps and making recommendations to fill up the gaps.

The Table below summarizes the relevant legal framework in Kenya applicable to this project in regard to resettlement.

Legal Framework	Functional Relationship to Resettlement
Constitution of Kenya	Constitution of Kenya 2010 recognizes individuals' right to acquire and own
2010	property provided they are citizens of the Country in Article 40. However,
	Article 66 of the same Constitution provides for the State to regulate the
	manner in which these rights are curtailed for the benefit of the general
	public.

Table 8: Legal and Policy Provisions Related to RAP

⁷ National Land Commission Act, 2012, Section II, article 5(1)

Legal Framework	Functional Relationship to Resettlement			
The Land Laws	The Land Laws (Amendment) Act, 2016 (No. 28 of 2016) was assented to by			
(Amendment) Act	the President on 31 st August, 2016 and came into effect on 21 st September,			
2016	2016.			
	The Land Laws (Amendment) Act, 2016 revises the Land Act, 2012, the Land			
	Registration Act, 2012 and National Land Commission Act, 2012. It also sets			
	out regulations to give effect to Articles 67 (2) (e) and 68 (c) (i) of the			
	Constitution of Kenya which deal with the National Land Commission's			
	function of initiating investigations into present or historical land injustices			
	and reparation and prescribed minimum and maximum land holding acreages			
	for private land respectively. The following is a brief outline on the key			
	changes introduced by Land Laws (Amendment) Act to the Land Act, No. 6 of			
	2012.			
The Land Act 2012	It is the substantive law governing land in Kenya and provides legal regime			
Laws of Kenya	over administration of public and private lands. It also provides for the			
	acquisition of land for public benefit. The government has the powers under			
	this Act to acquire land for projects, which are intended to benefit the general			
	public. The projects requiring resettlement are under the provision of this Act.			
	Sten 1: Preliminary Notice			
	1 Cabinet Secretary submit a request for acquisition of public land to the			
	National Lands Commission to acquire the land on its behalf			
	2. National Lands Commission shall publish a notice to that effect in the			
	Gazette and shall deliver a copy of the notice to the Registrar and every			
	PAP			
	3. All land to be compulsorily acquired shall be geo- referenced and			
	authenticated by the office or authority responsible for survey at both the			
	national and county government			
	Step 2: power of entry to inspect land.			
	1. The Commission may authorizes inspection the land to ascertain			
	whether the land is suitable for the intended purpose			
	2. The Commission shall promptly pay in full, just compensation for any			
	damage resulting from the entry			
	Step 3: Inquiry as to compensation.			
	1. At least thirty days after publishing the notice of intention to acquire			
	of propriety and claims for componentian by percent interacted in the			
	land			
	2 cause notice of the inquiry to be published in the Gazette or county			
	Gazette at least fifteen davs before the inquiry			
	3. Serve a copy of the notice on every person who appears to the			
	Commission to be interested or who claims to be interested in the land.			
	Step 4: Award of compensation.			
	Upon the conclusion of the inquiry, the Commission shall prepare a written			
	award, in which the Commission shall make a separate award of			
	compensation for every person whom the Commission has determined to			
	have an interest in the land			
	Step 5: Notice of award			

Legal Framework	Functional Relationship to Resettlement
	 On making an award, the Commission shall serve on each person whom the Commission has determined to be interested in the land, a notice of the award and offer of compensation Upon acquisition of land, and prior to taking possession of the land, the Commission may agree with the person who owned that land that instead of receiving an award, the person shall receive a grant of land, not exceeding in value the amount of compensation which the Commission considers would have been awarded <u>Step 6: Payment of Compensation</u> After notice of an award has been served on all the persons determined to be
	interested in the land, the Commission shall, promptly pay compensation in accordance with the award to the persons entitled thereunder.
Land Registration	The law provides for the registration of absolute proprietorship interests over
Act, 2012	land (exclusive rights) that has been adjudicated or any other leasehold ownership interest on the land. Such land can be acquired by the state under the Land Act 2012 in the project area.
National Land Commission Act 2012	The act establishes the National Land Commission with the purpose of managing public land and carrying out compulsory acquisition of land for specified public purposes.
The Land Adjudication Act Chapter 95 Laws of Kenya	Provides for ascertainment of interests prior to land registrations under the Land Registration Act 2012 through an adjudication committee that works in liaison with adjudication officers.
The Valuers Act 532	Valuation of land is a critical aspect of compulsory acquisition practice and compensation. The National Land Commission based on land valuation determined by registered valuers will make compensation awards. Besides, the Valuers Act establishes the Valuers Registration Board, which regulates the activities and practice of registered valuers. All valuers must be registered with the Board to practice in Kenya. The Board shall keep and maintain the names of registered valuers, which shall include the date of entry in the register; the address of the person registered the qualification of the person and any other relevant particular that the Board may find necessary.
	The Valuers Act does not provide for a description of the valuation procedures and methods. The RAP has made use of the services of registered valuers who are approved by Valuers Registration Board.
The Community Land Act (2016)	This legislation provides for the recognition, protection, and registration of community land rights. It establishes mechanisms for the administration and management of community land, including the establishment of community land management committees.
The Land (Group Representatives) Act (2016)	This Act provides for the registration of group representatives for the purpose of holding community land in trust for the members of the community. It outlines the qualifications, duties, and powers of group representatives.
Matrimonial Property	Part III (Clause 7) states that subject to Section 6 (3), ownership of
Act No 49 of 2013,	matrimonial property vests in the spouses according to contributions of either spouse towards its acquisition and shall be divided between the spouses if

Legal Framework	l Framework Functional Relationship to Resettlement					
Ownership of	they divorce or their marriage is otherwise dissolved. This also includes assets					
Matrimonial Property	like land.					
Public Participation Bill of 2016	In complying with this policy provision, this RAP provides for equal right to information regarding compensation of affected structure and disbursement of compensation funds through a joint account opened by both spouse and with consent from children above the age of 18 years. The Bill is an Act of Parliament that provides a general framework for effective public participation and to give effect for the constitutional principles of democracy. The purpose of the Act is promotion of democracy and public participation of the people according to Article 10 of the Constitution, promote community ownership for public decisions and promote public participation and collaboration in governance processes. In adherence to the Bill, detailed stakeholder consultations were held in Loiyangalani as presented in chapter 4 of this report.					
Physical Planning Act	The Physical Planning Act deals with matters relating to preparation of all land					
	use plans, physical development plans and subdivisions. The powers of expropriation of land are vested in the Minister for Lands while the planning and surveys are vested in the Director of Lands and the Surveyor General respectively. The introduction of a devolved system of Government gives the function of County planning to the County while "General principles of land planning and the coordination of planning by Counties" remains a national function.					
Environment and	The Act gives effect to Article 162(2) (b) of the Constitution by establishing					
Land Court Act (2011)	the Environment and Land Court that has original and appellate jurisdiction. According to Section 4 (2) and (3), it is a court with the status of the High Court. It exercises jurisdiction throughout Kenya and pursuant to Section 26, is expected to ensure reasonable and equitable access to its services in every County. The principal objective of this Act is to enable the Court to facilitate a just, expeditious, proportionate and accessible resolution of disputes governed by the Act.					
	 The Court exercises its jurisdiction under Section 162 (2) (b) of the Constitution and has power to hear and determine disputes relating to: a) Environmental planning and protection, climate issues, land use planning, title, tenure, boundaries, rates, rents, valuations, mining, minerals and other natural resources; b) Compulsory acquisition of land; c) Land administration and management; d) Public, private and community land and contracts, choses in action or other instruments granting any enforceable interests in land; and e) Any other dispute relating to environment and land. 					
	Nothing in the Act precludes the Court from hearing and determining applications for redress of a denial, violation or infringement of, or threat to, rights or fundamental freedom relating to land and to a clean and healthy environment under Sections 42, 69 and 70 of the Constitution.					
The Resettlement Regulations (2014)	These regulations provide guidelines for the preparation and implementation of resettlement action plans in Kenya. They outline procedures for identifying affected persons and communities, conducting social impact assessments,					

Legal Framework	Functional Relationship to Resettlement
	and developing appropriate resettlement and compensation measures. The regulations emphasize the importance of ensuring the participation and consultation of affected communities, including vulnerable groups, in the resettlement process.
The National Policy on Resettlement and Compensation (2009)	This policy provides a framework for the resettlement and compensation of persons affected by development projects in Kenya. It emphasizes the importance of protecting the rights and interests of vulnerable groups, such as women, children, the elderly, and persons with disabilities, in the resettlement process. The policy outlines measures to ensure the inclusion, participation, and empowerment of vulnerable groups in decision-making and implementation processes.
The Persons with Disabilities Act (2003)	This legislation aims to promote and protect the rights of persons with disabilities in Kenya. It requires that development projects take into account the needs and concerns of persons with disabilities in resettlement planning and implementation. The act also prohibits discrimination against persons with disabilities and mandates the provision of accessible infrastructure and services.
The Children Act (2001)	This act provides for the protection and welfare of children in Kenya. It requires that development projects consider the best interests of children and ensure their protection and well-being in resettlement processes. The act also establishes procedures for the care and protection of vulnerable children affected by development projects.
The National Policy on Older Persons (2009)	This policy aims to promote the rights and well-being of older persons in Kenya. It emphasizes the importance of ensuring the protection and support of older persons affected by development projects, including access to healthcare, social services, and livelihood opportunities.
The National Policy on Gender and Development (2019):	This policy aims to promote gender equality and the empowerment of women in Kenya. It requires that development projects address gender disparities and ensure the inclusion and participation of women in resettlement planning and decision-making processes.

2.4 Institutional Responsibilities

The responsibility for ensuring that all aspects of resettlement and compensation planning and implementation are taken into consideration falls to project proponents or project implementation bodies. The main institutions involved in land management, compensation and resettlement are briefly described in the following Table:

No. Institution		Role	Capacity		
1.	Ministry of Water and Sanitation (MWS)	Handles policy matters relating to the project and more specifically RAP issues. The MWI will interface with the National Treasury on issues pertaining to RAP budget financing.	•The Ministry has the capacity for infrastructure improvement in the planned towns		

Table 9:RAP Implementing Institutions

No.	Institution	Role	Capacity		
2.	Ministry of Finance	 Financial management on behalf of the Borrower (GoK). Provision of counterpart funding – part of which is used to settle compensation 	Capacity exists and funds will be made available.		
3.	National Land Commission	 claims by PAPs. Notify landholders in writing of the intention to acquire land as well as publishing in the official Kenya gazette the intention to acquire the land. Assist in resolving disputes related to compensation. Undertake public consultation on intended acquisition. Undertake actual payment of entitlement awards to PAPs. 	The commission has the capacity to this mandate.		
4.	NWWDA	 Ensures that all PAP's are authentic Ensures that there is no encroachment or any new development after cutoff date and before compensation process is completed. 	NWWDA has a functional social development office that handle RAP implementation		
5.	Water Resources Authority	 To implement policies, laws, strategies and Government decisions related to the management of water resources; To advise Government, monitor and coordinate the implementation of strategies related to the management of natural water resources; To assist public and private institutions in charge of management of natural water resources in a bid to fight pollution and over extraction of the resources; To prepare appropriate sub catchment management plans to support Counties in the management of water resources; To assist in the establishment of standards and regulations relating to the management of water resources. To licence the abstraction of water both surface and ground water/ 	They have established subregional offices that can assist in managing the use of the ground water resources/		
6.	County Government of Marsabit	 Ensures that all PAP's are authentic Ensures that there is no encroachment or any new development after cutoff date and before compensation process is completed. 	Marsabit county has a functional lands department and county sociologist that will assist in implementing this RAP		

No.	Institution	Role	Capacity
<u>No.</u> 7.	Institution Local Authorities or leaders (chiefs, assistant chief, village elders, women leaders, PWD leaders and youth leaders}	 Review and sign off of all documentation (e.g. completed RAPs, grievance forms, consultation plans; Participation in the different consultation meetings that will be held; Participate in the census activities for the PAPs affected assets; Sign and approve the individual PAPs 	Capacity The community has established land management committee to manage the community land also a water Resources Users association group
		 list that indicates their affected assets for payment Following up and participate in resolving issues raised within the elected Grievance committees; 	should be established to run manage the water resources for the area.

2.5 African Development Bank Operation Safeguard 2 on Involuntary Resettlement, Land Acquisition, Population Displacement and Compensation

The Bank Group Involuntary Resettlement Policy has been developed to cover involuntary displacement and resettlement of people caused by a Bank financed project and it applies when a project results in relocation or loss of shelter by the persons residing in the project area to ensure that displaced people receive resettlement assistance, preferably under the project so that their standards of living, income earning capacity and production levels are improved.

The policy ensures that people affected are treated equitably and that they share in the benefits of the project that involves their resettlement. The policy provides that:

- (i) The disruption of displaced persons receive resettlement assistance so as to improve their living standards, the plan also addresses issues of the livelihood and living standards of the displaced person as well as compensation for loss of assets, using a participatory approach at all stages of project design and implementation.
- (ii) Compensation at the full replacement cost for loss of lands and other assets is paid prior to projects implementation with the view to improve the former living standards, income earning capacity and production levels of the affected population.
- (iii) The bank further notes that public consultation should involve broader consultations on all interested parties and not just specific institutions in a particular sector. PAPs with no recognizable legal property rights need to be involved and fully informed and effectively engaged in all stages of the project cycle. The implementation schedules included in the RAPs should be realistic and time-bound. There is a big discrepancy between the estimated and actual numbers of PAPs, and therefore between the estimated and actual costs of resettlement/compensation.
- (iv) There is a grievance mechanism to manage rising conflicts in the relocation. Monitoring and evaluation should also be addressed to ensure the affected people are well settled and their lives are improved after compensation and the project completion
- The table below shows how the RAP conducted has fulfilled the requirements by the bank.

Resettlements Action Plan (RAP)

No	AFDB Requirements	RAP	? strategy
1	The potential donors/communities have been appropriately informed and consulted about the	•	Stakeholder Identification : All potential donors and affected communities were identified early in the project planning process.
	project and the choices available to them; informed of	•	Engagement Strategy: A clear strategy for engaging stakeholders, ensuring it is
	their rights; and provided with information concerning the environmental and economic, social and food		inclusive of all community segments, including vulnerable and marginalized groups was developed.
	security impacts of the proposed project.	•	Informed Consent : The proponent and RAP consultants ensured that consent was
2	The potential donors are aware that refusal is an option, and have conformed in writing their willingness to proceed with the donation.	•	obtained without any form of coercion, manipulation, or pressure. Community donors were the given the rights to refuse or negotiate terms. Clear Communication : During consultation, Kiswahili & local languages and culturally
3	The amount of and being donated is minor and will not reduce the donor's remaining land area below that		appropriate communication methods were used to ensure that information is accessible and understandable.
	required to maintain the donor's livelihood at current levels.	•	Comprehensive Information Packages : The Proponent & the Consultants provide detailed information about the project, including its objectives, benefits, and
4	Transparent record of all the consultations and agreements reached with the affected communities.	•	potential impacts (environmental, economic, social, and food security). Public Meetings: Public meetings, workshops, and information sessions were
5	No household relocation is involved.		organized to explain the project and its implications. Visual aids and other tools were
6	The donor is expected to benefit from the project		used to facilitate understanding.
	directly	•	Participatory Approaches: participatory methods such as focus groups, community
7	Consent of individual occupying or using the community land is sought		ensure community voices are heard.
8	Appropriate compensation, benefit sharing, and grievance mechanisms are put in place	•	 Feedback Mechanisms: Mechanisms for receiving and incorporating feedback from the community were established. This included suggestion boxes at the County, phone numbers of NWWDA and regular meetings with community representatives. Rights Awareness: The community were informed about their rights regarding land donations, resettlement, and compensation. This includes legal rights, entitlements, and avenues for grievance redress. Options and Alternatives: The available choices were clearly presented to them, including the option to refuse to donate land and alternatives for compensation or relocation. Environmental Impact Assessment (EIA): A comprehensive EIA was conducted, and the findings shared with the community, detailing potential environmental impacts
			and proposed mitigation measures.

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Resettlements Action Plan (RAP)

-		
	•	Social Impact Assessment (SIA) : Social implications of the project was assessed, including effects on livelihoods, community structures, and social services, and findings shared with the community.
	•	Economic and Food Security Analysis : An analysis of the potential economic impacts and effects on food security, ensuring the community understands how the project might affect their economic activities and access to food.
	•	Documentation of Consultations : Detailed records of all consultation activities, including meeting minutes, attendance lists, and feedback received has been maintained.
	•	Transparency : The team ensured that all processes and decisions are transparent. Community are regularly updated on project developments and how their input has been considered.
	•	Accessible Grievance Mechanisms: A clear, accessible, and responsive grievance redress mechanism to address any concerns or complaints from the community will be established during implementation as proposed in this RAP. However, the community still have access to the representatives, Marsabit County officials and NWWDA representatives for any grievances.
	•	Resolution Process: The proponent will ensure that the process for resolving grievances is transparent, fair, and timely.
	•	Monitoring Plans : Monitoring plans will be developed and implemented to track the effectiveness of the RAP, including the consultation and information dissemination processes.
	•	Independent Monitoring : The Proponent will consider involving independent third parties to monitor and evaluate the RAP's implementation and its adherence to the principles of informed consent and community consultation.
1		

2.6 African Development Bank Requirements and Policies on Voluntary Land Donations

The African Development Bank (AfDB) has comprehensive policies to ensure that voluntary land donations for development projects are conducted ethically, transparently, and with respect for the rights and livelihoods of affected individuals and communities. These policies are designed to align with international best practices and standards. Below are the key components of AfDB policies regarding voluntary land donations:

2.6.1 Free, Prior, and Informed Consent (FPIC)

- Voluntary Decision-Making: The decision to donate land must be made freely, without any form of coercion or undue pressure.
- **Informed Consent**: Donors must be fully informed about the project, including its purpose, benefits, and potential impacts, before agreeing to the donation.
- **Consultation Process**: A thorough and inclusive consultation process must be conducted to ensure all stakeholders, particularly the affected landowners and communities, are engaged and the concerns addressed.

2.6.2 Documentation and Transparency

- Written Agreement: Voluntary land donations should be formalized through a written agreement that outlines the terms and conditions of the donation.
- **Disclosure**: The details of the donation process, including the agreement and any related documentation, should be transparent and accessible to relevant stakeholders.
- **Independent Verification**: Where necessary, third-party verification may be required to confirm that donations are voluntary and informed.

2.6.3 Legal Compliance

- Legal Procedures: The donation process must adhere to local, national, and international laws regarding land ownership and transfer.
- Verification of Ownership: Proper verification of land ownership and rights must be conducted to ensure donors have the legal authority to donate the land.

2.6.4 Socio-Economic Impact Assessment

- **Impact Analysis**: An assessment of the potential socio-economic impacts on the donors and their communities must be conducted.
- **Mitigation Measures**: If negative impacts are identified, appropriate measures should be implemented to mitigate these effects.

2.6.5 Beneficiary Identification

• **Clear Identification**: The individuals or groups who will benefit from the donation should be clearly identified, and their consent and understanding of the donation must be documented.

2.6.6 Grievance Redress Mechanism

- **Grievance Procedures**: Establish a clear mechanism for addressing grievances and disputes that may arise from the land donation process.
- Accessibility: The grievance mechanism should be accessible to all affected parties and capable of providing timely and fair resolutions.

2.6.7 Monitoring and Evaluation

- **Ongoing Monitoring**: Continuous monitoring of the donation process and its impacts to ensure compliance with the agreed terms and to address any emerging issues.
- **Periodic Evaluation**: Regular evaluations to assess the effectiveness of the donation process and the long-term impacts on donors and beneficiaries.

Compensation and Support

- **Compensation**: In cases where donors experience significant losses or adverse effects due to the donation, appropriate compensation or support mechanisms should be provided.
- **Support Services**: Provision of support services to assist donors in adjusting to any changes resulting from the land donation.

2.6.8 Policy Integration

- Alignment with AfDB Safeguards: Voluntary land donations must align with the AfDB's Integrated Safeguards System (ISS) and other relevant policies to ensure environmental and social sustainability.
- **Consistency with Development Goals**: The donation process should contribute to the broader development goals of the AfDB, promoting sustainable and inclusive growth.

The AfDB's policies on voluntary land donations are designed to ensure that such donations are conducted ethically, legally, and transparently, with full respect for the rights of landowners and affected communities. By emphasizing free, prior, and informed consent, thorough documentation, legal compliance, socio-economic impact assessment, and robust grievance mechanisms, the AfDB aims to facilitate land donations that contribute positively to development projects while safeguarding the interests of all stakeholders involved.

The African Development Bank (AfDB) has several policies and standards that refer to or encompass guidelines related to voluntary land donations. These policies are part of the AfDB's broader framework for ensuring responsible and sustainable development. Key among these are:

1. Integrated Safeguards System (ISS)

The ISS outlines the Bank's commitment to sustainability and social responsibility. It provides a structured approach to identifying and managing environmental and social risks and impacts. The key components of the ISS relevant to voluntary land donations include:

• Operational Safeguard 1 (OS1): Environmental and Social Assessment

- Ensures comprehensive environmental and social impact assessments are conducted for all projects.
- Requires consultation with affected communities and obtaining their free, prior, and informed consent (FPIC).

- Operational Safeguard 2 (OS2): Involuntary Resettlement: Land Acquisition, Population Displacement and Compensation
 - Though primarily focused on involuntary resettlement, OS2 includes provisions ensuring voluntary land donations are genuinely voluntary and well-documented.
 - Requires the establishment of grievance mechanisms and proper documentation of land donation agreements.

2. African Development Bank Group Policy on Disclosure and Access to Information

This policy emphasizes transparency and accountability in all AfDB operations. It requires that information about project impacts and land transactions be disclosed to the public and stakeholders in an accessible and timely manner, ensuring that all parties are well-informed about the implications of land donations.

3. The AfDB's Environmental and Social Assessment Procedures (ESAP)

ESAP provides detailed procedures for conducting environmental and social assessments for projects financed by the AfDB. Relevant sections for voluntary land donations include:

- **Stakeholder Engagement**: Emphasizes the importance of engaging with stakeholders, particularly those who are directly affected by land donations, to ensure their views and concerns are considered.
- **Documentation and Monitoring**: Requires thorough documentation of the land donation process and regular monitoring to ensure compliance with agreed terms and conditions.

4. The AfDB's Guidelines for Compensation and Resettlement in Development Projects

While focused on compensation and resettlement, these guidelines also apply to situations involving voluntary land donations. They ensure that:

- Voluntary Nature: Donations are made without coercion and with full understanding of the consequences.
- Fair Compensation: Even in voluntary donations, if donors are adversely affected, fair compensation or alternative support measures should be provided.

5. AfDB's Operational Manual

The manual includes various operational procedures and guidelines that ensure ethical and legal compliance in all operations, including land donations. Key aspects include:

- Legal Compliance: Ensuring all land transactions comply with national and international legal standards.
- **Socio-Economic Impact Assessment**: Assessing the potential impacts of land donations on the socio-economic conditions of affected individuals and communities.

The AfDB's policies and standards ensure that voluntary land donations are conducted in an ethical, transparent, and legally compliant manner. Key documents such as the Integrated Safeguards System (ISS), Environmental and Social Assessment Procedures (ESAP), and guidelines on compensation and resettlement provide a comprehensive framework to manage and document voluntary land donations, ensuring they contribute positively to development projects while safeguarding the rights and interests of donors and affected communities.

2.7 Differences between Kenya Laws and AfDB Policy (OS 2)

There are some differences between the African Development Bank Policy (AfDB OS 2) and the Laws of Kenya on resettlement and compensation. **The following tables** outline the AfDB OS 2 Policy on involuntary resettlement and compare them to the Kenyan legislation on the same.

Recommendations are made on the existing gaps of the Kenyan Laws. In general, where there is a difference between Kenyan Law and AfDB OS 2, the stricter Law shall prevail.

I	AfDB OS 2	Kenyan Legislation	Comparison	Recommendation to Address	
				Gap	
	General Requirements-Afdb ObjectivesInvoluntary Resettlement should	According to Kenyan	The Land Act stipulate that	• For RAP, ensure that	
	be avoided wherever possible, or minimized Exploring all alternatives.	Legislation, involuntary resettlement may occur as a result of projects implemented in public interest.	resettlement should be avoided wherever possible; on the contrar as long as a project is for public interest, involuntary resettlement considered to be inevitable.	y, considered at the design stage of the project in order is to avoid/ minimize resettlement.	
	 Displaced persons should be assisted in improving livelihoods etc., or at least restoring them to previous levels. 	 The Land Act 2012 guarantees the right to fair and just compensation in case of relocation. 	 Just and fair compensation as outlined in the Land Act 2012 is no clear and can only be determined NLC, which can be subjective. It is does not talk about improving livelihood or restoring them to pro project status. 	 Implement AfDB OS 2 - displaced persons should be assisted in improving their livelihood to pre-project status. 	
	 Measures: Preference should be given to land based resettlement strategies for displaced persons whose livelihoods are land-based. Cash based compensation should 	 Legislation provides for land for land compensation but the Land Act 2012 does not state whether preference should granted to land or to land compensation 	 Land for Land provided for in the Land Act based on agreement by PAP. 	he	
	only be made where (a) land taken for the project is a small fraction of the affected asset and the residual is economically viable; (b) active markets for lost assets exist and there is sufficient supply of land and housing; or (c) livelihoods are not land-based.	 Land Act 2012 appears to prefer mode of compensation by the Government to the affected population. 	 Cash based compensation seems be the preferred mode of awardir compensation to the affected population by Government of Ker 	 Ensure that all alternative options are considered before providing cash compensation 	

Table 10:Comparative Analysis of AfDB OS 2 and Government of Kenya Requirements including Measures to Address Gaps

Consultancy Services for Detailed Design of Loiyangalani Town Water Supply and Sanitation Project

Resettlements Action Plan (RAP)

AfDB OS 2		Kenyan Legislation	Comparison		Recommendation to Address		
					Gap		
•	The policy requires that displaced persons are provided with prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project. If physical relocation is an	 Land Act talks of prompt, just compensation before the acquisition of land. However, interpretation of 'just compensation' is yet to be clearly outlined through a 	• 'Ju th de	ust compensation' as stipulated in e Land Act not yet specifically fined.	•	Use AfDB OS 2procedures in determining form of compensation	
	impact, displaced persons must be provided with assistance during relocation and residential housing, housing sites and/or	specific schedule defining just compensation has not been put in place.			•	Implement prompt and effective compensation at full replacement cost for the losses of the assets.	
	agricultural sites to at least equivalent standards as the previous site. Replacement cost does not take depreciation into account. In terms of valuing assets, if the residual of the asset being taken is not economically viable, compensation and assistance must be provided as if	 Attorney's fees, cost of obtaining advice or cost incurred in preparing and making written claim not in the Land Act other than 'just compensation' 	• Af tra on	DB OS 2provides related land ansaction fees. Land Act not clear a this.			
•	the entire asset had been taken. Compensation and other assistance required for relocation should be determined prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required	 The Act does not rightly stipulate assistance for relocation but we can interpret that relocation cost will be included in 'just compensation' 	• Af dis all re: mo	DB OS 2requires that splacement must not occur before necessary measures for settlement are in place, i.e., easures over and above simple impensation	•	Ensure that ALL resettlement options are agreed on with PAPs and put in place BEFORE displacement of affected persons.	

Consultancy Services for Detailed Design of Loiyangalani Town Water Supply and Sanitation Project

AfDB OS 2	Kenyan Legislation	Comparison	Recommendation to Address	
			Gap	
Valuation: With regard to land and				
structures, "replacement cost" is				
defined as follows:				
• For agricultural land, it is the pre-	 Valuation is covered by the 	• Though one could argue that there	 Apply AfDB OS 2 on 	
project or pre-displacement,	Land Act 2012 and stipulates,	is some form of Consistency	valuation and	
whichever is higher, market value	as already mentioned, that	between the Kenyan Law and AfDB	compensation measures.	
of land of equal productive	the affected person receive	OS 2, interpretation of 'just		
potential or use located in the	just compensation from NLC,	compensation' has not been		
vicinity of the affected land, plus	as determined by National	defined.		
the cost of preparing the land to	Land Commission. Valuers Act			
levels similar to those of the	stipulates that a residual			
affected land, plus the cost of any	amount of 0.5% of the total			
registration and transfer taxes.	valuation of an asset is			
• For houses and other structures,	expected to pay the valuer.			
it is the market cost of the	 Land Act 2012 talks of just 			
materials to build a replacement	compensation for the lost			
structure with an area and quality	assets but it is not specific of			
similar to or better than those of	the exact amount or			
the affected structure, or to	procedures on the same.			
repair a partially affected				
structure, plus the cost of	The Land Act 2012 stipulates			
transporting building materials to	just compensation.			
the construction site, plus the				
cost of any labor and contractors'				
fees, plus the cost of any				
registration and transfer taxes.				

3.1 Background

Northern Water Works Development Agency (NWWDA) in partnership with the Tana Water Works Development Agency, has engaged Kiri Consult Limited (referred to as Kiri or the Consultant) to conduct the "Detailed Design of the Loiyangalani Town Water Supply and Sanitation Project." This project aims to enhance water supply and sanitation services in Loiyangalani Town, which falls under the classification of arid and semi-arid areas.

Loiyangalani is one of the new sub-counties within Marsabit County. It is located southeast of Lake Turkana. Marsabet West Sub-County is headquartered in Loiyangalani Town. The inhabitants are Rendille, Turkana, El Molo, Lomoli, Burji, Borans, and Gabras. The town has great potential for growth due to its location as a sub-county headquarters and also due to its proximity to the Lake. It is a tourist destination and hosts several attractive sites and hotels. In addition to the daily fishing activities, Culture is the main economic activity attracting tourists. There is an organized cultural week every year when the town bursts with pomp, color, and unusual business and profits.

The land around Loiyangalani is mostly barren and stony. Lake Turkana runs from near the southern tip of Loiyangalani to southwestern Ethiopia. Loiyangalani Town is designed as an Urban Centre in the hierarchy of Service Centres. The Town consists mainly of low-class housing including grass huts, mud huts, and tin shacks. It also features the following facilities: a police station, schools, churches, modern lodges, Airstrip, Cultural Centre, Stadium, etc. According to the 2019 Census, Loiyangalani Town had a population of 5741 people.

3.2 Location

Loiyangalani is located over 250km away from Marsabit town in a zone classified as an oasis near the eastern shows of Lake Turkana. It sits between 2010' and 20 40' North of Equator and between 360 10' E of Greenwich meridian and the Lake Turkana shore, at an altitude of about 370m above sea level. Loiyangalani is located in Laisamis Constituency.



Figure 2: Location of Loiyangalani Town in Kenya.

3.3 Population Projection

The design horizon for this project extends over a 20-year period from the initial year. For this study, the following critical years have been identified:

- 2025 as the initial year
- 2035 as the future year
- 2045 as the ultimate year

The population projection of Loiyangalani Town was done from previous Census data. In this Study, a 2.75% growth rate has been adopted for Loiyangalani Town.

Place	Sub-location	Year	Urban	Rural	Total per area
Loiyangalani Town	Loiyangalani	2010	5,193	548	5,741
Komote Village	El Molo Bay	2019		306	306
Loiyangalani Town	Loiyangalani		5,483	579	6,061
Komote Village	El Molo Bay	2021	-	323	323
Loiyangalani Town	Loiyangalani		6,111	645	6,756
Komote Village	El Molo Bay	2025	-	360	360
Loiyangalani Town	Loiyangalani		8,015	846	8,861
Komote Village	El Molo Bay	2035	-	472	472
Loiyangalani Town	Loiyangalani		10,513	1,109	11,623
Komote Village	El Molo Bay	2045	-	620	620

Table 11: Evolution of population for urban, peri-urban and rural area

3.3.1 Population Density

To understand the resettlement requirements and possibility of having Project Affected Persons arising from displaced persons, it is imperative to consider population density. The population density is very low. There are no squatters. No one has encroached on road reserves as there is more land space than the population can occupy. There are no road-side kiosks or vibandas. The above photo (E.2. is part of Central Business District of the Town. It is a town than no other in Kenya.

The following Table shows relative densities in Loiyangalani Town per village. The highest is 55 persons/Ha in Kula Pesa/Achukule Village with the lowest (4 persons/Ha) in Nawapa Village based on 2019 population data. This is expected to increase to 84persons/ha in 2035 in Kula Pesa/Achukule.

Village	Area(km2)	2019 Total Populat ion	2025	2035	2045	2019 pop densit y(pers on/ha)	2025 pop densit y(pers on/ha)	2035 pop densit y(pers on/ha)	2045 pop density (perso n/ha)
Dikilikimat	0.42	472	555	729	956	11	13	18	23
Kilimambog o	0.21	449	528	693	909	21	25	32	43
Kiwanja Ndege	0.8	471	554	727	954	6	7	9	12
Kula Mawe	0.69	668	786	1031	1352	10	11	15	20
Kula Pesa/Achuk									
ule	0.11	616	725	951	1247	55	64	84	111
Kula Samaki	0.77	614	723	948	1243	8	9	12	16
Naagan	0.5	148	174	228	300	3	3	5	6
Nakwamek wi	0.81	451	531	696	913	6	7	9	11
Nawapa	1.00	421	495	650	852	4	5	6	9
Santur	1.00	355	418	548	719	4	4	5	7
Soweto/To wn	0.27	480	565	741	972	18	21	28	36
St.Martins	0.75	341	401	526	690	5	5	7	9
Komote	0.64	306	360	472	620	5	6	7	10

Table 12: Population densities in Loiyangalani Town

(Source: Consultant's own work, based on KNBS 2019 Census populations data)

3.4 Climate and vegetation

Broadly, the immediate project area may be described as having a very arid and fairly hot climate with desert scrub vegetation. This however does not present the full picture of the highly varied climate in the larger area which was studied in some great detail by the Integrated Project in Arid Lands (IPAL) project in the late 70's to early '80's. IPAL conducted a detailed rainfall data collection program in the Mt Kulal area between 1976 and 1980. The objective was to generate data for climate studies in an area that suffered paucity of climatic data. To date, this work remains the most detailed climatic data set. There are stations at Gatab (Kenya Meteorological Department Station No. 8736004), Ngurnit (No. 8837002), Korr (No. 8737007), South Horr (No. 8736000), Tuum (No. 8736001) and Loiyangalani (No. 8736002.

Data was collected for a period of 2 years and then used to develop a relationship between rainfall and altitude. The IPAL study found a positive relationship between rainfall and altitude thus:-

Rainfall = 0.84*altitude - 178.3(1-1)The correlation coefficient was quite tight, with R2=0.93. It is important to note that on this highly
variable arid environment, the slope of the line is likely to change from season to season and from
year to year.

According to Marsabit County Integrated Development Plan (CIDP 2018-2022) most areas including Loiyangalani has arid climatic condition with the exception of the areas around Mt. Marsabit, Mt. Kulal, Hurri Hills and the Moyale-Sololo escarpment which represent typical semi-arid condition.

3.4.1 Ecological Conditions

Four main ecological zones, namely, sub-humid, semi-arid (mainly woodlands), arid (predominantly bushlands) and very arid (scrublands) characterises the regional project area.

Sub-Humid/Forest Zones - Ecological Zone II

Sub-humid zone which includes Mt. Kulal (1,700m a.s.l) supports dense evergreen forests and is characterized by high rainfall averaging to 800mm per annum, low evapo-transpiration. This zone mainly supports agro-pastoral livelihood systems and has soils that are suitable for rain-fed agriculture. It is also an important water catchment area.

Semi-Arid areas/Woodland Zone - Ecological zone IV

The semi-arid area has a medium potential for supporting both pastoralism and agriculture. These comprise areas that constitutes the middle slopes of Mt. Kulal

Arid areas/Bushland Zone - Ecological zone V

The arid area includes the lower slopes of volcanic piles lying between 700m and 1,000m above sea level. The soils are shallow and stony clay loams with rock outcrops while the flatter areas are covered by grass. The zone consists of the plains and lower parts of Mount Kulal. These areas are characterized by steeper slopes which favors greater surface run-off and hence exposed to greater sheet erosion.

Very Arid/Dwarf Scrubland Zone - Ecological Zone VI

This zone comprises the most extensive in the area and major parts of Marsabit County; it includes all the hills and plains below 700m above sea level. The typical vegetation is dwarf-shrub grassland or a very dry form of bushy grassland. These areas have extremely short grazing season, mostly lasting not more than two months after the rain seasons. In extreme period of rainfall failure, the only vegetation available in this area is dwarf-shrub, which mainly supports goats and camels.

3.4.2 Rainfall

The area is arid and annual rainfall is estimated to less than 250mm. However, the annual rainfall fluctuates widely with a maximum of about 500mm to a minimum of about 25mm, with most rain falling between March and May.

The rainfall of the project area shows a distinct bimodal distribution pattern. The main wet

season (long rains) normally starts in March/April and lasts until May. The short rains start in

October/November and last until December. In addition to the low rainfall received in the project area, an important characteristic of the rainfall received is the high variability. This includes monthly rainfall variability or deviations from the mean as well as variability in altitude and spatial distribution. Although no data is available for the project area, it is evident that evaporation is very high and the crop water requirement exceeds rainfall in all months of the year.

3.4.3 Vegetation

Within the immediate project area, Acacia tortilis and Salvadora persica ("toothbrush tree") shrubs dot the ephemeral river channels; on the wider open lava plains there are mainly patches of annual grasses and clumps of dwarf shrubs and herbaceous Aloe species. Other shrubs include occasional lone Tamarindus. Vegetation in the larger Marsabit County varies from tropical montane forests on Mt Kulal and Ol Doinyo Nyiru through semi-arid thorny scrubland indica. The tortilis and persica species are good indicators of zones likely to have shallow to medium-deep groundwater in arid environments. However, they are also associated with clayey alluvial material.

3.4.4 Physical and Topographic Features

Major physical features in the project area include Lake Turkana to the East, Mount Kulal (2,235m above sea level) to the West. Other minor features include the plain which is broken by volcanic cones and calderas. Others include depressions as a result of the faulting activities that seats within the Great Rift Valley. There are no major Rivers in the project area but only seasonal rivers (Laghas) that drain from Mount Kulal into Lake Turkana.

3.4.5 Wind

Compared to the rest of Kenya, winds in the project area are very strong. The winds are generated by a low-level jet called the Turkana Channel jet. The jet stream (discovered in 1981 by J. Kinuthia of the Kenyan Meteorological Department), is caused by the much larger East African low-level jet. The Turkana Channel jet blows all year round from the South East through the valley between the East African and the Ethiopian Highlands stretching from the Ocean to the deserts in Sudan.

The wind is accelerated locally between Mt. Kulal (2300m asl) and the Mt Nyiru Range (2750m asl). Due to thermal effects the wind slows down during midday and is at full force during the night.

Lake Turkana Wind Power Project has been measuring wind speeds and frequency in the project area. The average wind speed in the project area has been recorded to be 11 metres per second. These are among the highest wind speed averages recorded in the world.

The Lake Turkana Wind Power Project (i.e. 'the Wind Farm') is located in Loiyangalani District, Marsabit County, Kenya. It comprises 365 wind turbines - each with a capacity of 850kW, and a high voltage substation. The Wind Farm is connected to the Kenyan national grid through a 435km associated transmission line; constructed by the Government of Kenya through the Kenya Electricity Transmission Company (KETRACO).

3.4.6 Temperature

Generally, temperatures of the project area are high. The temperature patterns usually follow the general trends in the tropics where diurnal changes are greater than annual temperatures. The mean monthly temperature of the project area is in the range of $27 - 29^{\circ}$ C, the mean minimal lie around $13 - 20^{\circ}$ C while the mean maxima are $26 - 35^{\circ}$ C, though some areas in Loiyangalani record

as high as 40°C. The coolest months are July and August while February, March and October are the hottest months.

3.5 Topography

Around Loiyangalani Township and bordering Lake Turkana the topographical features are mainly dissected lacustrine plain, floodplain and piedmont plains. The plains have a relief intensity of 5-20 and slopes of 0-8%. The relief of the plains ranges from flat to very gently undulating, gently undulating and undulating.

3.6 Geology

3.6.1 Geology and Geologic History of the Investigated Area

From the geological map of Kenya Figure 3, the investigated area is covered by the following geological formations:

- ✓ Tms:- Clays, Ashes, Marls, Silts, sandstones, conglomerates and volcanic conglomerates (Loiyangalani Formation)
- ✓ Qrs:- Alluvium
- ✓ Czk:- Colluvium
- ✓ Qsc:- Limestones
- ✓ DI:- Dolerite sheets and plugs (Intrusives)
- ✓ Tpvb^k:- Basalts
- ✓ Tmvb^p:-Phonolotes and Tephrites

The investigated area is thus covered by volcanic rocks of Cenozoic era and sedimentary rocks of sub-volcanic Cretaceous-Miocene sediments. The volcanics are mainly flood lavas which wedge off eastwards and include the Longipi basalts which overlie unconformably the metamorphic basements the highly faulted Longipi and Tirr Tirr basalts and the massive lyuk rhyolites and agglomerates. Renewed volcanicity produced the Mt. Kulal shield comprising two major basalt units. Later activities culminated in explosive volcanicity to produce ash deposits from the numerous parasitic cones on the slopes of Mt. Kulal and over the younger lavas east of the Longipi Shield

A variety of intrusive rocks, dykes, plugs and/or sills occurs on the western shoulder of the rift showing cross-cutting relationships with the surrounding volcanic rocks. The majority of these intrusive are alkaline and are closely related to centres of Middle Miocene to Pliocene age volcanicity. Such Cenozoic intrusive includes foyaites and nepheline syenites, tephrites, theralites, trachytes, dolerites and basaltic rocks.

Numerous Basement inliers are found in the volcanic lavas overspreading the area, most resembling kopjes (especially because of the directional orientation and small size). A few rise to form proper inselbergs,

Further, many of the would-be inliers are covered by a thin mantle of Tertiary (Miocene) basalts or Quaternary basalts. Given this occurrence, it may be expected that there should be thick basalt infill of synclinal valleys: this is not necessarily the case. The volcanics in the immediate study area ride on the back of the northern subdued extension of the main Mt Nyiru anticlinal complex. Due to the uptight nature of the folding, the secondary synclinal valleys are narrow resulting to minimal volcanic infill, with only occasional exceptions

The volcanic-metamorphic contact is discordant, with a thin layer of clastic sub-volcanic sediments in between The sediments in the outcrop are largely poorly sorted and impregnated with reddish clay; it is not certain whether this is the general character of these sub-volcanic sediments in the area.

In some ephemeral river valleys, it is common to find narrow outcrops of Basement on the river bed, covered by alluvial sediments and lava on the banks and into the lava plain. Such features are important for determining the course of the stream channel seepage into the groundwater zone.

3.6.2 Regional Geology

Metamorphic Rocks

These rocks outcrop in isolated areas as inliers in the volcanics for instance the El Molo Bay area. These rocks form a sequence of metasedimentary units of politic (graphite gneisses and marbles) and psammitic types (biotite-gneisses, biotite-hornblende gneisses and granulitic gneisses)

Precambrian Intrusive

The intrussive rocks include the pre-metamorphic ultrabasics, and the anatectic rocks like granites, aplites and pegmatites also microveins of quartz and or feldspar cross cut all other Precambrian rocks in the area.

Sedimentary Rocks

Three sedimentary rock sequences have been identified

- Sub-volcanic Cretaceous-Miocene sediments covering much of the Lake Turkana eastern shores, locally described as the Loiyangalani sediments which are analogous to the Kajong sediments and contain mammalian and molluscan fossils of Miocene age.
- The intervocalic sediments, mainly of Pliocene age, include fluvial-lacustrine and fluvial deltaic sedimentary sequences whose deposition has been influenced by repeated domal uplift with complementary down warping, associated with volcanism.
- Post-volcanic sediments of the Holocene age consist of superficial i.e soils, slope screen, wind blow, and desert deposits.

3.6.3 Structure and Metamorphism

The metamorphic basement system rocks have suffered intense regional metamorphism of the arenaceous, argillaceous, and calcareous sediments with intercalated volcanic. The tectonothermal effects of these rocks have produced various politic, psammitic and amphibolitic rocks and marbles whose metamorphic grade falls within the upper amphibolite facies: there is local attainment of granulite facies. Metamorphism was progressive and culminated in local anatexis to produce complex structures i.e overturned folds and production of complex nappe structures

The Gregory Rift valley section has a very dense network of NNE trending normal faults which has produced a horst graben system bounded on both sides by the shoulders of Miocene volcanics which are down-faulted towards the rift floor. The dip of stratification of lavas on both sides of the rift is towards the median graben. Some subsidiary faults are oblique to the major rift fault trends (NNE or NW). The presence of NW and NE trending dyke swarms on the Western shoulder suggests conjugate sets related to tensional forces during the Miocene.

The straight uniform Suguta Valley section continues into the south end of Lake Turkana: but beyond South Island, its continuity is lost under the lake. The extensional stresses in this area appear to have affected echelon displacement partly to the northeast on the Loiyangalani platform, in the association with development of the Kulal and Longipi shield volcanoes, possibly also as a major downward flexure in this section of the rift, continuing northwest along the axis of the lake itself.

3.7 Hydrology

The occurrence is very rare in the project area. Only after heavy rains, shallow pools and seasonal water courses may be filled with water for a few and probably up to a maximum of a few weeks. The drainage ways in the project area are dry river beds referred to as laggas. These drainage ways have boulders and stony riverbeds. Many laggas in the project area seem to be too wide for the existing climatic conditions. They have wide beds with braided characteristics and changing stream channels. Sometimes, once in every 5 to 10 years, the laggas are filled up completely.

There are a variety of sources of water for the population and livestock in the project area. They consist of permanent springs and boreholes. An important source of permanent water is Loiyangalani Springs which provides water for the community and livestock around this area. Permanent surface water is found in Mt. Kulal but this source of water is outside the project area.

Lake Turkana (6,750 km2) is the largest body of water in the project area. This lake has been in existence since at least the early Miocene but has varied in size since then. It was this temporary connection that permitted the ingress of a Nilotic fauna to the lake. The lake is fed by 12 principal rivers of which the largest affluent is the Omo River. This river originates from the Ethiopian highlands, flows south down the Rift Valley, and enters the northern extremity of Lake Turkana through a large and swampy delta. The Omo River contributes more than 90% of the total riverine inflow of the lake. The Kerio and Turkwell Rivers, although perennial rivers in the upper reach, both discharge into the lake for a few months each year.

3.8 Road Network and Transport System

The road network is poorly, developed and maintained. The ragged terrain between Loiyangalani and South Horr is served by dry weather EARTH road that is very stony and in poor condition. These roads are prone to seasonal floods making them impassable when it rains. Communities at El molo bay lack means of transport and normally walk long distances to access services at Loiyangalani.

3.9 Power

Electricity is not available in Loiyagalani. There is a project on Wind farm (Turkana Wind Power) in the area that produces power to be fed to the national grid line. It is hoped that Loiyangalani Town will be connected to this power source soon

3.10 Communication Modes

Loiyangalani had a post office which was un-operational when we first visited the Town in April 2021 the situation is still the same as of April 2024. One can access Safaricom cell phone network, good radio network and television network

3.11 Commercial and Economic Activities

Commercial activities involving exchange of goods and services are carried out mainly in Loiyangalani market centre. There are several traders in the market selling a wide range of products including foodstuff, clothes, beverages and household goods among other products.

Although livestock rearing is the main economic activity of the project area, the off take of livestock is low. Many pastoralists are reluctant to sell their stock since the numbers of livestock is a measure of wealth and status among the local community of the area. However, there are some livestock traders involved in selling stock out of the project area for the local consumption of meat and to larger markets in Marsabit and other outlets. As a whole there are a number of constraints to effective market flow of livestock from the project area including:

- Lack of stable terminal markets;
- Poor roads;
- Difficulties associated with long hours of livestock trekking;
- Frequent quarantine restrictions;
- Lack of reliable market information;
- Scarcity of handling facilities; and

• Poor terms of trade for pastoral procedures.

Loiyangalani has lodges which include:

- Oasis Lodge
- Turkana Elmolo lodges
- Malabo
- Palm shade
- Sailo bandas Mpasso

The town lies on the eastern shores of Lake Turkana and is inhabited by people of diverse cultural backgrounds. The ELMOSARETU – an acronym that stands for Elmolo, Samburu, Rendile and Turkana – is the main ethnic group in Loiyangalani. The ELMOSARETU are largely pastoralists with a few being fishermen. A few Meru and Somali people run most of the businesses in the town.

Loiyangalani is a unique magical place where all these different ethnic groups coexist with minimal conflict. It is intriguing to see people from different ethnic backgrounds switch from one language to the other during conversations. The people clearly share more than language.

Loiyangalani has the potential to attract local and foreign tourists as it is endowed with a rich heritage, rugged scenery and the lake. Between the 1980s and mid 2000s, tourism flourished in Loiyangalani with tour operators like the Turkana Bus and Game-trackers Safaris organizing tours. Air Kenya's Sunbird also operated regular flights from Nairobi to Loiyangalani's Oasis Lodge.

These tourism activities became a source of income especially for the Elmolo – one of the smallest tribes in Kenya. Tourism also spurned the growth of the cottage industry with locals producing handicrafts to sell to tourists and job opportunities such as local guiding sprouted. Tourism in this Town is however not as vibrant as it used to be. Insecurity, political instability and the global recession are seen as the main contributors to the decline of tourism in Loiyangalani.

Lake Turkana is an important source of livelihood and supports the economy of the town. Most villagers are involved in the fish trade. They mostly trade in dried fish from the lake.

The fish industry has the potential to boost the local economy and by extension the living standards if properly harnessed. Poor management of fish marketing cooperatives, such as the Loiyangalani Fishermen Cooperative Society has been an impediment that needs to be addressed.

Loiyangalani is also attracting energy investments. The largest investment so far is the giant wind farm, the Lake Turkana Wind Project.

3.12 Poverty situation

Loiyangalani poverty level is high. Marsabit County is one of the poorest counties in Kenya according to Kenya National Bureau of Statistics' Poverty report (Based on the 2021 Kenya Continuous Household Survey).

3.13 Development strategies in the project area

The Town has a master plan prepared by Marsabit County, Energy, Land and Urban Development Department. In accordance to the County Integrated Development Plan (2018-2022) several priority areas for development have been proposed for Loiyangalani which in many ways represents the project area. Priority areas for development include fisheries and development of natural resources and cooperatives.

The county boasts of harbouring the only desert museum in East Africa at Loiyangalani and a heritage and cultural site in Loiyangalani. These sites are where community cultural festivals and Arts exhibitions are held.

Some of the sub-county's transformative projects include, Lake Turkana Wind Power and Loiyangalani Resort City, which are viewed as potential drivers of the county and region's economy.

Fisheries improvement

There are plans to put up a fish-processing industry in Loiyangalani with support of EU to harness the untapped potential of Lake Turkana.

Recently, the county constructed fish cold storage facilities in Loiyangalani. These new developments will reduce post-harvest losses through improved preservation of fish products that are not instantly sold. The county government has acquired two motor boats for monitoring fishing activities and to fight against illegal fishing.

Currently the fisheries sector of the project area is fraught with many constraints including lack of patrol boats and vehicles for effective management of lake resources, inaccessibility to credit facilities by the fishing community/groups, inadequate technical personnel, very poor access roads, absence of promotional schemes for fish and fish products, inadequate capacity building for all resource users, negative cultural altitudes of some of the pastoralists with regard to fish eating, insecurity and lack of fishing equipments. There is therefore a need to put in place strategies to improve sustainable exploitation of fish resources as outlined below:

- Improvement of the supervision/management of lake resources and revenue collection;
- Improvement of fish harvesting efficiency in order to increase income and revenue;
- Improvement of technical services closer to the fishing communities;
- Improvement of shelf life of fish/ fish products on shore and en-route to distant markets;
- Training of fishermen and fish traders on sustainable fishing methods, water safety (boating) gear technology, preservation in stores and transport; and
- Development of physical access to the lake and markets.

Environmental conservation and development of natural resources

The project area suffers from inadequate physical structures leading to low sectoral performance. In addition, there is public ignorance in conservation aspects and unsustainable exploitation natural resources. There is a need therefore to improve natural resources utilization and management. This can be achieved through promotion of natural resources conservation, provision of adequate personnel to enforce protection of forest resources, create awareness in conservation needs and extend rural afforestation.

Promotion of cooperatives

Some of the factors that affect cooperative movement in Loiyangalani sub-county include expensive transportation costs, mismanagements and low market prices. In order to promote cooperative movement in the project area, there is a need to improve relevant marketing avenues and enhance natural resources production. There is also a need to mobilize and conduct training to cooperative members on several aspects

3.14 Project Components Description

The major components of the project are:

c) Water Component

Water Component	Details
Abstraction and raw water transmission and pumping	v. Seven (7) boreholes in the vicinity of Ngobeleng spring site vi. Solar pumps
Ngobeleng Spring site	
Water treatment facilities	Disinfection: of the water by dosing of calcium hypochlorite
	followed by adequate contact time to ensure that it is safe for

Table 13:Summary of analyzed water supply options

	concumption Automatic Chloring Decore for accurate in line		
	consumption. Automatic chiorine Dosers for accurate minine		
	injection of chlorine, installed directly on the raw water supply		
	line with a hydraulic motor pump that will use the water flow as		
	its energy source		
Gravity Transmission Main	Supply and installation of OD315 HDPE pipes, valves and		
Pipeline, Approx. 3km long:	fittings, including associated concrete and masonry works in		
	pipeline supports, valve chambers, washout drains, etc.		
Storage Tanks	v) One no. 500 m ³ ground water tank		
	vi) Three 100m ³ elevated tank.		
Distribution Network	Approximately 30 km total length of various diameter of HDPE		
	and steel pipes, valves and fittings, including associated		
	concrete and masonry works in pipeline supports, valve		
	chambers, washout drains, etc. as shown in the bill of		
	Quantities and drawings		
Komote village reverse	Two reverse Osmosis Units were considered to meet phase 1		
osmosis water treatment	demand with a capacity to treat 10m ³ /day consisting of the		
units	following:		
	 Pre-treatment sand and activated carbon 		
	Ion Exchange Resin		
	Catridge Filter		
	 Ultraviolet Disinfecting Unit 		



Figure 3: Boreholes and water management site layout. All boreholes in one area

- d) Sanitation Component
- v. On-site sanitation facilities have been proposed for Loiyangalani Town, together with faecal sludge treatment plant, for phase 1 (2025-2035). The feasibility report provides the construction of 2no sludge drying beds each 1391m² in Loyaingalani town and a wetland (23.75m long by 12.5m wide as indicated below
 - N. Faecal Sludge Treatment Plant
 - a. Sludge Drying Bed
 - b. Vertical Flow Constructed Wetland
 - c. Solid Waste Incinerator
 - d. Operator Store
 - e. Site and Auxiliary Works
 - f. Guard House
 - O. Primary Schools Seven (7) Ablution Blocks Each With 13 Doors
 - P. Loiyangalani Secondary School Ablution Blocks -Two Blocks Each With 2 Doors
 - Q. Commercial Places A. Kula mawe 11 doors latrines- 1 block
 - R. Bus stage 11 doors latrines 1 block
 - S. CKiwanja Ndege 11 doors latrines 1 block
 - T. Stadium
 - U. Health Centre
 - V. Cultural Centre
 - W. Market
 - X. Commercial Areas (2 no of places)
 - Y. Catholic Dispensary
 - Z. Police Station
- vi. It is proposed that for Phase 2 (2035 2045), a review be done on the population density and socio-economic characteristics in Loiyangalani town to establish if a centralized water-borne sewerage will be appropriate for the Town at that stage.

Other Project components

The feasibility report presents other Project Components as summarized below:

Table 14:Summary of analyzed water supply options

No	Interventions	Output
1	Introduce gulper and Vaccutugs to service the entire Loiyangalani town	4 number of Gulper/vacuutug operators identified from among local residents Procure 3 Gulpers Procure 1 Vacuutug
2	Define Standard Operating Procedures (SOPs) for pit emptying services	
3	Conduct trainings for pit emptiers and award certificates	
4.3	A licensing framework for Faecal Sludge Management (FSM) developed and implemented	Develop licenses specific to FS handling and treatment
3.15 Land Requirement for Easement for the Water Pipelines

The water pipelines will mostly follow road reserves and wayleaves, minimizing impact on Project Affected Persons (PAPs). However, a 4km pipeline section will traverse communal grazing land which is not inhabited and does not have any structure.

3.16 Resources required during implementation

For a water supply and sanitation project involving construction of pipelines, reinforced concrete tanks, boreholes, solar pumps, houses, and a faecal sludge treatment plant, the following resources, equipment, machinery, and raw materials will be required during various project phases:

1) Resources:

- Skilled and unskilled labor for construction and operation.
- Project management and supervision staff.
- Administrative staff for documentation and reporting.
- Financial resources for procurement of materials and equipment.

2) Equipment and Machinery:

- Excavators, bulldozers, and graders for earthmoving and site preparation.
- Trucks and trailers for transportation of materials.
- Concrete mixers and batching plants for concrete works.
- Drilling rigs and equipment for borehole construction.
- Solar pumps and related equipment for water pumping.
- Construction vehicles for personnel transportation and material handling.

3) Raw Materials:

- Cement, aggregates, and reinforcement bars for concrete works.
- Pipes, valves, and fittings for pipeline construction.
- Steel sheets and bars for tank construction.
- Electrical components for solar pump installation.
- Building materials for house construction.
- Chemicals and materials for faecal sludge treatment plant construction.

4) Utilities:

- Water for construction purposes.
- Electricity for machinery and equipment operation.

5) Safety and Protective Gear:

- Personal protective equipment (PPE) for workers.
- Safety signage and barriers for construction sites.
- Fire extinguishers and first aid kits.

6) Transportation:

• Vehicles for transportation of personnel and materials to and from the construction site.

7) Miscellaneous:

- Surveying and measurement tools for site layout and construction.
- Office equipment for project management and administration.

8) Consultancy and Services:

- Engineering and architectural consultancy services.
- Testing and quality assurance services for materials and construction works.

Overall, the successful implementation of the water supply and sanitation project will depend on the availability and efficient utilization of these resources, equipment, machinery, and raw materials throughout the project phases.

3.17 Activities for various phases

During the implementation of a water supply and sanitation project, several activities will be undertaken across different phases to ensure the successful completion of the project. The activities can be broadly categorized into the following phases:

1) Construction Phase:

- Site clearing and preparation.
- Excavation and earthworks for pipeline trenches, tank foundations, and borehole sites.
- Construction of pipelines, including laying, jointing, and testing.
- Installation of reinforced concrete tanks and other storage facilities.
- Drilling and installation of boreholes and installation of solar pumps.
- Construction of houses for project staff and workers.
- Installation of faecal sludge treatment plant components.
- Implementation of environmental and social mitigation measures.
- Quality control and assurance of construction works.
- Health and safety management on the construction site.
- Monitoring and reporting progress to project management.

2) Post-construction Phase:

- Testing and commissioning of water supply and sanitation facilities.
- Training of local communities on the operation and maintenance of facilities.
- Handover of the project to the local authorities or operators.
- Monitoring and evaluation of the project's performance.
- Implementation of operation and maintenance plans.
- Addressing any defects or issues identified during the post-construction phase.

Throughout these phases, effective project management, stakeholder engagement, and monitoring are essential to ensure that the project is delivered on time, within budget, and meets the required quality standards.

3.18 Summary Costs for the various project components

The budget is as summarized in the table below

Intervention	Scope	Estimated Budget
Pit Latrine	 Short term: 48 lined pit latrines potential owners receive Ksh. 20,000 per latrine annually Medium term:41 lined pit latrines 	8,900,000
	1. Medium term: 28 standard toilets potential owners receive Ksh. 40,000 per toilet+septic tank annually Ksh. 20,000 per toilet and Ksh. 20000 subsidy per septic tank	15,600,000

	2. Long term: 25 toilets and septic tanks	
	 Short term: 48 lined pit latrines Medium term:41 lined pit latrines 	18,597,440
	 Medium term: 28 standard toilets p septic tank Long term: 25 toilets and septic tanks 	40,509,300
Sub Total 1	Pit Latrines	83,660,704
Ablution blocks at open defecation hotspots commissioned and operational	Construct 3 Ablution blocks: 1. Near the current bus stage 2. In Kiwanja Ndege to prevent open defecation in the Oasis hosting Maji Moto Springs 3. One in Kula mawe to be used by the population around that area	2,310,000
	2 additional ablution blocks commisioned and operational in Town Centre	1,540,000
	5 Ablution blocks contracted to service providers and operational	770,000
Ablution blocks in Schools constructed, commissioned and operational	Construct Ablution blocks:Existing loiyangalani Primary Existing Loiyangalani Secondary Secondary, Existing Titus Ngoyoni primary school Existing Santur Primary school	16,310,000
Ablution blocks in other public places constructed, commissioned and operational	Construct Ablution blocks:Existing cultural siteHealthCentreLoiyangalaniStadiumBarazaPark, ExistingPoliceStation	7,722,123
Sub Total 2	Ablution Blocks	28,652,123.00
Construction and commissioning of Faecal Sludge Treatment Plant	Construction of 1090m3/year FSTP	13,602,371
	Land for FSTP	25,000,000
	Operation and maintenance of Faecal Sludge Treatment Plant	18,812,256
Sludge emptying, subsidy is 50% of average price of pit emptier		10,900,000
Gazzetted Tarriff and Optimized payments methodology	Develop the tariffs and methodology for management of payments to minimize loss and lateness	600,000
Sub Total 3	Faecal Sludge Treatment	68,914,627.00
GRAND TOTAL		181,227,454.00

Other Project components The feasibility report presents other Project Components as summarized below

Summa	ry of	anal	lyzed	water	supply	ор	tions

No	Interventions	Output	Projected Cost (Kshs)
1	Introduce gulper and Vaccutugs to service the	4 number of Gulper/ vacuutug operators identified from among local residents	50,000
	entire Loiyangalani town	Procure 3 Gulpers	318,600
		Procure 1 Vaccutug	1,805,400
2	Define Standard Operating Procedures (SOPs) for pit emptying services		To be provided
3	Conduct training for pit emptiers and award certificates		1,000,000
4.3	A licensing framework for Faecal Sludge Management (FSM) developed and implemented	Develop licences specific to FS handling and treatment	To be provided

4 SOCIO-ECONOMIC BASELINE SURVEY

4.1 Introduction

The socio-economic survey was conducted in Loiyangalani from 2021 and 2022, and later updated in 2024. The survey targeted household heads within 14 villages in Loiyangalani Sub-Location and 1 village in El Molo.

Komote Village is an Island in Lake Turkana approximately 7km from Loiyangalani town. Its people are greatly affected by the water from the Lake which isn't safe for human consumption without treatment. The place also is the habitat of the El-Molo people who are a tourist attraction being the among the smallest tribe in the Kenya

The socioeconomic survey undertaken within Loiyangalani Town and Komote village was guided by the following objectives:

- To understand key social economic conditions of households living within Loiyangalani town.
- To provide socio economic data that is required to inform the design of the proposed water and sanitation interventions under the Project.
- To understand the expectations and concerns of the various stakeholders within the project area and include them in Project formulation.
- To benchmark social economic indicators that will enable Northern Water Works Development Agency (NWWDA) to improve provision of water and sanitation services in the town

For ease of analysis, the villages were categorized into 3 regions as summarized below.

S/N	Region 1	Samples	Region 2	Samples	Region 3	Samples
1	Achu Kule	14	Kula Mawe	14	Nawapa	14
2	Dikilkimat	14	Kulapesa	14	Nawoitorong	14
3	El Molo	16	Kulasamaki	14	Soweto	14
4	Kilimambogo	14	Nahagan	14	St Martin Village	14
5	Kiwanja	14	Nakwamekwi	14	Township	14
	Total	72		70		70

Table 15: Classification of socio-economic Data

4.2 **Population of the Settlement**

Loiyangalani Town and Komote Village, the target of this assessment is located within Loiyangalani Sub County, Loiyangalani Location. The Town is divided into 14 villages with approximate population⁸ of 5,741 persons and Komote village with an approximate population of 306 persons. This number maybe untrue reflection of the actual population size as some of the people here practice pastoralism and they shift places of residence to look for greener pastures when there's drought and famine.

The fourteen villages of Loiyangalani Town include Dikilkimat, Kilimambogo, Kiwanja Ndege, Kula Mawe, Kula Pesa, Kula Samaki, Nahagan, Nakwamekwi, Nawapa, Soweto, Town, Achukule, Nawaitorong and Komote Village in El-Molo Sub location.

⁸ Source: Second Marsabit County Integrated Development Plan (CIDP 2018-2022)

4.3 Land Ownership and Settlements Patterns

Most of the land in the county is owned communally except a few adjudicated sections in Saku and Moyale constituency. The mean holding size of adjudicated sections is 0.8ha, which is slightly low compared to the national mean holding of 0.97ha per household. Land adjudication has started in some areas and plans are underway to roll out the adjudication exercise countywide. The transition to a sedentary livelihood away from pastoral systems has created pressure on grazing land. In the recent past, there is also an increase in the numbers of conservancies, which may significantly change the land use going forward.

The nature of these settlements imply that the cost of social service and infrastructure provisions are very high. Settlement patterns across the county are predominantly rural with some few settlements in two major towns of Marsabit and Moyale. Emerging urban centres include Nana, Godoma, Dabel, Loiyangalani, Korr, Kargi, North Horr and Chalbi and centres along the Isiolo - Moyale highway like Merille, Laisamis, Logologo, Karare, Manyatta Jillo, Turbi and Sololo, among others.



Figure 4: Photograph of settlements in Loiyangalani

4.4 Existing Heath Facilities

The town has two main health care facilities that is the Loiayangalani Health Centre, which is a public facility and Catholic Mission Health Centre. On your way to El-Molo Bay there exist a small dispensary serving the people of Komote Village. However, there are also chemists and small clinics within the town which also offer medical help and provide alternative facilities to residents seeking treatment of minor illness.

4.5 Road Infrastructure

The town has poor road network which mostly become impassable when it rains heavily, However, within some areas are partly upgraded to marram by Marsabit County Government while other are not. Way-leave reserves for these roads will provide land upon which the water lines will be constructed.

4.6 Education Facilities

Loiyangalani Town has 5 public primary schools, 2 secondary public school and 1 public primary school in Komote village in Elmolo Bay as discussed be sub sections below.

- Santur Primary School
- Loiyangalani Primary School
- Titus Ngoyoni Primary School
- Loiyangalani Secondary School
- Loiyangalani Vocational Training Centre
- Elmolo bay primary and nursery school.
- Titus Ngoyoni primary and
- Loisek Secondary School
- Consolata nursery school.
- Kiwanja nursery school.
- Laiyeni nursery school.
- Komote nursery school.
- Nawoitorong Nursery school

4.7 Water Supply Baseline

Springs

The current water supply depends on uncoordinated spring intakes developed in the upper areas of the town.

These include:

- Maji Moto
- Kiwanja and
- Nawapa source.

Boreholes:

Several Boreholes exist in Town. During the reconnaissance visit, on 28th January 2021, we were able to confirm the following boreholes:

- Malabo hotel
- El-Molo Lodge
- An additional borehole by AIC missionaries for supplying water to Kiwanja village and Ngoyoni Primary school.

Water from Lake Turkana

Lake Turkana water has high concentrations of total dissolved solids (2381Mg/l) and high pH values (9.56).

Water tanks

There are several tanks in the Town. African Inland Church (AIC) Missionaries have 2 tanks for their own use. They have also constructed a tank of approx. 10,000 litres for use by the Kiwanja village residents.

Community Water Points

There are three community water points in Loiyangalani:

- Kula Samaki
- Kula Pesa
- Kiwanja

4.8 Household Characteristics

The town is a high-density area with a household's size of an average of 4 persons, with a minimum of 1 person and a maximum of 6 persons. The Socio-Economic Survey was done in 15 villages in 2 sub locations, the villages were then divided in to 3 regions as summarized below.

- Region 1: Achu Kule, Dikilkimat, El Molo, Kilimambogo, Kiwanja.
- Region 2: Kula Mawe, Kulapesa, Kulasamaki, Nahagan, Nakwamekwi.
- Region 3: Nawapa, Nawoitorong, Soweto, St. Martin and Town.

4.8.1 Gender of Respondents

Questionnaires were distributed in various villages. The questionnaires were responded to by male household heads at 38.9% and female household heads at 59.7% in region 1, in region 2 the females were 65.7% while the men were 34.3%. The 3rd region also had women leading with 72.9% and men with 22.9%. Type of House Ownership.

Majority of residents in all three regions built their own homes at 88.9%, 88.6% and 67.1% in region 1, 2, and 3 respectively.

4.8.2 Number of Rooms

The two roomed houses are the majority in regions 1 & 2at 55.6% and 43% respectively. In region 3, single roomed houses are the majority with 48.6%. The least number of rooms per structure was 5 rooms responded to by only 1.4% of respondents. Majority of structures are mainly made of makuti, and they are called Manyatta's. Few homes and business structures along the roads are made of masonry stone walls, while some use the volcanic stones to build walls

4.8.3 Household Size

Most households had more than 3 members living within the same house in region 1 while the other regions had 2 or 3 members. The average household size was 5 persons. Region 3 had 27.1% living alone, recording the highest number. The least percentage was households with more than 10 persons per household translating to about 1.4%.

Most of the homestead are owned by the household heads or inherited from family hence not much rental properties apart from the shops in the town. The rent is not inclusive of monthly expenses such as water and electricity.

4.8.4 Education Level of Household Head

The literacy level of persons within the area was reported to be below average. The highest education level attained by 7.1% of the household heads was post-secondary school in region 2 comprising of Kula mawe, Kulapesa, Kulasamaki and Nahagan. Most household heads involved in the survey did not get any education.

4.8.5 Occupation of Household Members

The main occupation activities people of Loiyangalani engage in is pastoralism at 41.7% and fishing at 20.8%. Most of the women are housewives who remain at home to take care of the family while the husband works. Household Income

The average income of the household head in the town was at an average of ksh 10,000- 20,000 per month.

4.8.6 Household Expenditure

The following below indicates how household income is expensed under the listed house hold activities.

Monthly Recurring Expenditure			
	Region 1	Region 2	Region 3
	Month	Month	Month
Food	3,336	4,300	4,055
Clothes/Shoes	1,638	4,389	2,989
Groceries	740	879	686
Transport	2,318	2,339	2,276
Fuel (Cooking/lighting)	1,100	1,135	908
Electricity	-	-	
Rent	-		
Water	-	450	450
sanitation services	961	800	800
telephone	1,038	564	980
others	-	-	
Total average	11,131	14,856	13,144

Table 16: Household Expenditure

4.9 Water Supply Characteristics

There's no water service provider in the town, residents depend on natural springs to get their water all year long. Most hotels in the area have connected their pipes from the springs directly with the villagers also fetching their supply directly from the many springs around the village and Community Water Points. A small percentage of the town's residents are connected to piped water. However, the survey found out that Komote village does not have a reliable water source as the pipes from the source (Ngoboleng springs) have been damaged for a long time.

4.9.1 Connection to Water Supply

From the survey, 100% of the respondents in all villages in Region 2 and 3 are not connected to the piped water supply system while 16.7% in region 1 are connected water supply from protected natural springs owned and managed by community. The alternative water sources for the non-connected categories in region 2 and 3 is rain water and shallow wells.

There's no water service provider in the town as they rely on the spring water or borehole water or the Lake water which is unsafe for consumption without treatment. The 16.7% households connected to the communal springs have individual non metered connections. The other villages where households are not connected get water from community water point designated for that purpose,

4.9.2 Alternative Water Supply

The households with no water connection have to walk for many kilometers to access the fresh water from the next village which has a natural spring. They also depend on rain water when it does rain as the area generally is a dry place.

Respondents that are not connected to any water supply cited various reason for not connecting to the water supply network. The reasons included; their area not having the network, the supply being unreliable and finally lack of formal water service provider in the area.

4.9.3 Water Supply Reliability

The frequency of water supply is reliable for most of the households who have connected directly from the natural springs. However, the households who have to fetch from the nearest water point cited challenges associated with water transportation.

4.9.4 Water Collection for the Household

The burden of drawing water for households not connected to the piped water supply system in Loiyangalani and Komote rests more on adult female and children. Female head led in both regions with 72.3% while children was at 34.7%

4.9.5 Water source distance, time and transportation

Distance is therefore a major challenge towards access especially among residents. Residents waste a lot of man hours which would have been used for other economic activities

Water quantity consumed at household level is primarily dependent on access as determined by distance and/or time taken to collect the water. Across the households, the average distance to the primary water sources was approximately 3kms

Across the areas covered by the survey, the time taken to collect water including waiting at the source was analysed in terms of minutes and hours. On average 70% of the respondents in region 1 take less than 30minutes to access water in times of unreliable supply, while 18.6% in the same region take 1hr to 1.5hrs to fetch water respectively.

Transportation of water to homes is mostly done by self or using donkeys, a huge number also involve the children to carry the water from the fetching points.

4.10 Preferred Water Supply

4.10.1 Preferred Water Supply

The survey findings were that residents of Loiyangalani Town prefer to have an individual home connection at 45.7% of respondents in region 3. Households living in a structure that accommodate multiple units preferred a communal connection at 41.4% of respondents in region 2.

4.10.2 Willingness to Pay for Improved Water Supply

The survey finding was that residents of Komote and Loiyangalani Town are willing to pay for improved water services. 90% of the respondents are willing to pay an extra amount on their bills between Kshs 100- 500 in region 2 and 65.7% in region 3 and 59.7% in region 1.

4.10.3 Willingness to Pay for Water Services Extension

If investment for water infrastructure extension is required, 78.9% of the respondents are willing to pay Ksh 1500 for the services in region one, 64.4% in region three and 57.1% in region two. A smaller percentage was willing to pay upto Kshs. 5000. This information is presented in the following figure. The payments for water services infrastructure extension were reported by respondents as the own cost of domestic pipeline extension and associated fittings.

4.10.4 Sanitation Excretion Disposal

The survey findings were that Loiyangalani Town does not have a reticulated sewer system, majority of households depend on pit latrines. This means that the town greatly needs improved sanitation facilities. Only 1% use septic tanks in the whole sub-location, and this is mainly the hotels, 84% use pit latrines in region 2 while 7% use buckets.

4.11 Preferred Sanitation Excretion Disposal

The survey sought to find out preferred mode of sanitation excretion disposal preferred by residents of Loiyangalani and El-Molo village. Most respondents preferred pit latrines as a means of waste disposal rather than a conventional sewerage infrastructure.

4.11.1 Sanitation Services Cost

The cost of sanitation services was perceived to be free for residents who use pit latrines and when they get filled up, they close it and dig another one within the compound. However, in educational and health facilities, these pit latrines fill up at least twice in a year and would require emptying by manual pit latrine emptier. Exhauster services are not available in the town.

4.11.2 Sanitation Services Accessibility and sharing

The survey findings indicate that majority of respondents at 100% in region 3 *that is Nawapa, Soweto, and Town* access the sanitation facilities within less than 100m. For *Komote, Achukule and Kiwanja* some villagers go for more than 500m.

4.11.3 Households Sharing Sanitation Facilities

The number of households sharing the sanitation facilities was 1-3 households sharing at 64.3% in region 3 and 34.3% in *region 2*. The situation was worse in region 3 with 21.4% sharing more than 10 households. No response was at 25.7%.

4.11.4 Health and Hygiene

Wastewater management, solid waste management, urban drainage and other environmental and sanitary services have a great influence on the water supply system and health and hygiene in any given area. Majority of respondents had suffered from water related illness due to water and sanitation conditions occasioned by the lack of sufficient sanitation facilities in the village.

4.12 Socio Economic Survey Conclusions

There's no water service provider in the tow. Residents depend on natural springs to get their water all year long. Most hotels, institutions and some individual in the area have connected their pipes from the springs directly. The other non-connected households fetch water directly from the springs or communal water points. Further, Loiyangalani Town does not have a sewer system. Majority of households depend on pit latrines

The residents of Loiyangalani Town prefer to have an individual home connection at for individual households while multiple plot dwellings prefer communal water points. Further residents of Komote and Loiyangalani Town are willing to pay for improved water services

The water delivery points are open ended and so the water keeps flowing to wastage without control. There is need to establish an authority in the Town to ensure water resource is well utilized and also there is need to improve infrastructure through improvement of the existing community water supply schemes and establishment of storage facilities

5 PUBLIC CONSULTATION AND PARTICIPATION

5.1 Public Participation Overview

The RAP team undertook public consultations to ensure that the Project activities and the likely impacts on the local people and their livelihoods were explained and openly discussed. Consultation meetings with the affected communities and individuals are a key element of the RAP preparation and implementation process. The attendance in the meetings by both males and females was satisfactory, All parties contributed to the consultation by giving ideas and approving that they were happy with the proposed project and acknowledging the project purely aimed to empower them economically. They attested that they could benefit from job opportunities to be presented by the project and that they should be given priority in employment.

5.2 Objectives of Stakeholder Consultations

Public consultations aimed to identify the interests of the different stakeholders and draw consensus. Public participation is also a constitutional requirement. The objectives of the stakeholder consultations were:

- To sensitize the community about the project and its potential impacts on people and livelihoods.
- Provide a platform for the community to air views and concerns that are relevant to the RAP and which must be resolved.
- Involve them in key processes of the census and the undertaking of the affected asset inventory,
- Provide an opportunity for the community to themselves propose the most appropriate mitigation measures for asset and livelihood losses.
- To seek support from the community and other all relevant stakeholders in the preparation and implementation of the RAP.
- To discuss the RAP report and its recommendations.

5.3 Stakeholder Mapping

This was done to ensure that all the stakeholders likely to be affected or influenced by the Project were identified engaged and consulted. Stakeholder identification was done in order to determine all organizations and individuals who may be directly or indirectly (positively or negatively) affected by the proposed Loiyangalani Town Water Supply and Sanitation Project. All identified stakeholders were consulted with the motive of collecting their views as regards the project and associated beneficial and adverse impacts. In summary, the objectives of the stakeholder identification were:

- To identify all the directly impacted stakeholders by the project and its associated facilities;
- To identify the stakeholder groups that are likely to be indirectly impacted by the project activities;
- To identify stakeholder groups whose interests might be impacted by the Project
- To identify any other stakeholder group that might have an influence on the project.

In the end, the stakeholders were grouped into two main categories depending on their various needs, interest, and potential influence to the project as follows:

Primary Stakeholders: These are stakeholders directly affected by the project such as the local

community within Loiyangalani Town and El- Molo village.

Secondary Stakeholders: These are stakeholders indirectly affected by the project but influence development through Project implementation. These include but are not limited to: National Government and Marsabit County Government. The inventory of institutions relevant to the scope of works in Loyaingalani are listed in the following Table.

Institution	STAKEHOLDER
Primary Stakeholders	
Community Members	 Community members from Loiyangalani who are the Project Affected People Community representatives/leaders from Loiyangalani who manage land on behalf of the community
Learning institutions	 Loiyangalani primary Elmolo bay primary and nursery school. Santur primary and nursery school. Titus Ngoyoni primary and Loiyangalani secondary school Consolata nursery school. Kiwanja nursery school. Laiyeni nursery school. Komote nursery school
Health facilities	 Loiyangalani health centre Loiyangalani mission hospital
Other Interested Parties	 Water Resource Users Association - Loiyangalani Business Community Loiyangalani Town Traders within Loiyangalani Town Hotel owners within Loiyangalani town. Non-Governmental Organizations and Community Based Organization
Secondary Stakeholders	
Marsabit County Government National Government	 Marsabit County Executive Committee Member for Environment Marsabit County Executive Committee Member for Lands and Urban Planning Marsabit County Secretary Marsabit County Statistics Officer MD MarWASCO Loiyangalani Town Administrator County Public Health Officer Deputy County Commissioner Loiyangalani Town Sub County Local Administration (Chiefs and Village Elders) Marsabit Sub Region Manager Water Resources Authority (WRA)
Development Partners	 National Environment Management Authority (NEMA) AfdB -African Development Bank

Table 17: Stakeholder Inventory

5.4 Stakeholder Engagement

5.4.1 Consultation at Scoping Stage

The RAP stakeholder engagement has involved four public meetings organized by the Loiyangalani Chief in conjunction with the County government of Marsabit. The specific purpose of the meetings is as outlined below:

Date	Purpose of meeting	Composition of stakeholders
23/06/2022	Description of project and envisaged project sites	The meeting was at the chief hall and comprised 17 participants representing all villages and diverse groups
21/02/2024	To describe final The project components and project sites to find out if the sites have any developments since most land here is community land. To initiate land acquisition from the community Valuation of land	A meeting also held by the chief with the consultants was held at Palm Shade Resort with 30 participants Chief, village Elders, land
		valuers from NLC, Marsabit county representative, and project engineer from NWWDA
18/06/2024	Disclosures on land valuation report from NLC and discuss further on the livelihood restoration program.	Meeting constituted by the Deputy County commissioner at Palm Shade Hotel and had in attendance various

Table 18: Stakeholder meetings

On the 23rd of June 2022 at the Chiefs Hall where 17 participants attended and Questionnaires were administered at the household level with a sample of 14 households per village, for all 14 villages. At the scoping stage, stakeholder engagement was done through key informant Interviews (KII) during socio-economic surveys. The socio-economic survey was conducted in Loiyangalani between 2021 and June 2022, and later updated in April 2024. The survey targeted household heads within 14 villages in the Loiyangalani Location and 1 village in El Molo. In the meeting, the objective of the survey was discussed and the dates of the actual field survey were confirmed. The main focus was a discussion on water and sanitation challenges. Further, the sample frame was derived from the household heads who attended the meeting as indicated in **the following table**.

Village	Location	Household Heads
Nahagan	Loiyangalani	14
Kiwanja	Loiyangalani	14
Kula Mawe	Loiyangalani	14
Kula Pesa	Loiyangalani	14
St.Martin	Loiyangalani	14

Table 19: Distribution of Households Heads

Kula Samaki	Loiyangalani	14
Kilimambogo	Loiyangalani	14
Soweto	Loiyangalani	14
Town	Loiyangalani	14
Dikilkimat	Loiyangalani	14
Nawapa	Loiyangalani	14
Nakwamekwi	Loiyangalani	14
Achukule	Loiyangalani	14
Nawoitorong	Loiyangalani	14
Komote	El-Molo	16
Total		212

5.4.2 Public Meeting on 23/06/2022

A public meeting was organized by the Loiyangalani Chief on the 23rd of June 2022 at the Chiefs Hall where 17 participants attended. The minutes are attached in Appendix C. This meeting was to reveal to the team the project description, the land requirements and to bring in any suggestions from the community.

Suggestion / Question	Response
Stakeholders wanted to know	The meeting was informed that this time the project design has
if at all water will be available	been done properly which includes the expansion of the
this time since pipes were laid	treatment plant to treat an additional 2000 cubic meters of water
previously by other projects	per day. This additional volume will ensure water is available to all
but water has never flowed.	residents within the project area.
Residents wanted to know if	The meeting was informed that the Government aims to bring
there will be household	services closer to the people. The water line will be brought as
connections done under the	close as possible to residents. However, residents will be expected
project.	to apply through Marsabit Water and Sanitation Company to get
	a connection.
	The county government of Marsabit should also come on board
	and ensure distribution lines are extended progressively to
	residents who will be far away from the main line.
	It was also agreed that residents can be pooled together into
	villages and a T-junction provided to supply them with water.
Residents also wanted to be	Stakeholders were assured that a borehole would be drilled so as
informed about what can be	to try and conserve the water from Springs.
done to protect their natural	The chief also suggested an untapped source called Mowolkiteng
springs that are being	source which had great potentials.
destroyed by private	
developers.	
Residents wanted to know if	Residents were informed that all unskilled labour and some skilled
the contractor will source for	will be sourced from the local community. Youths were
workforce within the	encouraged to organize themselves into groups and avail
community where the works	themselves for consideration.
will be implemented.	

Table 20: Summary of Stakeholders Concerns

Sample Photographs of Public Barasa forums





Figure 5: Stakeholders following keenly the meeting

Figure 6: An elder raising concern

The agreement and consensus at the meeting was that generally the *land was community land and they voluntarily donated it as the water and sanitation project would improve their livelihoods the land was of no great economic use for the community die to its alkali-type soils and also being very rocky*.

5.4.3 Public Meeting on 21/02/2024

A subsequent public barasa was conducted on 22nd February 2024 to establish the sentiments of the community on the land donation for the project. Appendix D has the minutes attached and Table 18 below presents a summary of Stakeholder Concerns that were discussed in the public meeting on the 21st of February 2024 at Palm Resort Loiyangalani. A subsequent meeting was held on 30/04/2024 to value the land and also complete the process of livelihoods compensation. Data was also collected in the form of questionnaires from their meeting

Table 21. Juliniary of Stakenoiders Concerns		
Suggestion / Question	Response	
There was a question on the	The meeting was informed that this time the project design has	
sustainability of the project.	been done properly which includes the expansion of the	
	treatment plant to treat an additional 2000 cubic meters of water	
	per day. This additional volume will ensure water is available to all	
	residents within the project area. They were informed the project	
	will also be operated and maintained by the county of Marsabit.	
There was also a question on	The meeting was informed that the long-awaited project will soon	
why the project	commence after some procedures are fully completed to ensure	
implementation has not begun	a sustainable project.	
as they eagerly await for the		
water so as to improve their		
livelihoods as time spent		
looking for water will be		

Table	21.	Summary	of Stakeholder	s Concerns
Iable	Z I.	Juilliary	UI Stakenoluei	3 CONCEINS

minised and used for other	
activites.	
Residents also wanted to see	Stakeholders and residents went physically to the site and were
the size of land donation	able to establish the land was less than 1% of the total community
before they agree to donate it	land and they voluntarily agreed to give out the land considering
	the soils in the area do not support any vegetation and the area is
	rocky and no one had settled there or set up any business or
	livelihood promoting activity.

Other deliberations that the meeting was informed that were in addition to the original project so as to improve the living standards included :-

1) Water Treatment Units for Komote Village

The participants were informed that the project also proposed purchasing some reverse Osmosis Units for water treatment for the residents of Komote Island (El-molo Bay). The meeting was told that the community requires consent on the project's implementation, including confirmation of the availability of land for setting up the treatment units, which was specified as half an acre.

The El-Molo Bay representatives informed the meeting that the community will require assurance that the county government will maintain the treatment units in good working condition after the establishment and completion of the project.

The Bay's representative also informed the meeting that there is an ongoing reverse osmosis project currently in Elmolo, and they are worried about duplication of projects in the same area. After discussing the issue with the members and hearing their suggestions, they decided that the Elmolo community requires additional treatment units, and the site for the osmosis unit was to be communicated as early as possible upon identification.

2) Ablution Blocks

It was noted that the issue of hygiene and cleanliness in Loiyangalani Town needed collective responsibility from all town dwellers. There is a need to campaign and sensitize the community members on the importance of cleanliness and proper disposal of faecal matter and waste to prevent outbreaks of diseases like cholera and typhoid, especially during the rainy season. The community's representatives were happy to hear that ablution blocks will be provided in public places. They affirmed their willingness to donate land for the public ablution blocks wherever the project proposed to locate them.

They requested that all public institutions be given priority on water distributions and ablution blocks, including schools, health facilities, polytechnic facilities, police stations, slaughterhouses, and any other institutions.

They proposed that the ablution blocks be constructed to be flushable toilets with proper lighting systems as this will reduce the filling up of the toilets.

3) Community Expectations

The Community representatives listed their expectations upon commencement and completion of the project as follows:

- Clean and sufficient water for human consumption
- Reduction of waterborne diseases

- Bigger population benefits and access to water easily
- Standardized faecal disposal system
- Better infrastructure(roads, schools, markets)
- Proper piping(quality pipes) to prevent breakages and leakages

4) Other Clarifications

- The meeting was informed that cattle troughs will be provided through this project.
- They were also informed that the County Government of Marsabit will operate and maintain the water and sanitation facilities.
 - They were informed that the financing model for the Operation and Maintenance phase will depend on the financing model for the project's construction.

The voluntary land donation form for the whole land 41 acres was signed then as attached in Appendix B.

5.4.4 Public consultation on 30/04/2024

This was a meeting with the NLC team for land valuation and so the community leaders with the help of the consultant surveyor took the NLC officers to all the sites which were carefully accessed and remeasured to ensure precision on the values generated. The valuers generated the valuation report as attached in the Appendixes/

5.4.5 public meeting on 18/06/2024

The meeting was convened by Marsabit county administrators on 18th June 2024 at Palmshade Camp and Resort with 29 members including officials from various sectors such as county administration, land management, peacekeeping, religious institutions, and community representatives. The consultants were present both physically and virtually. One secondary stakeholder from the African Development Bank also joined in the meeting to indeed confirm that the community had agreed to voluntary donate the land for the project.

The meeting was opened with a prayer, and the Assistant County Commissioner emphasized stakeholder coordination and the importance of water conservation. The Chief outlined the project's aim to address water scarcity in Loiyangalani. Stakeholders expressed support. CIPU Commander stressed the need for good infrastructure, security, and network coverage. During this meeting, Assurance of land availability for the project was given by community representatives and stakeholders, who also encouraged public awareness about the project's benefits.

The Deputy Sub-County Administrator explained the land donation process. The *interim land committee, composed of six representatives, oversees land matters*. Participants agreed to donate land voluntarily and sign necessary documents. The land valuation report was presented and accepted as accurate. Participants requested a soft copy for community sensitization. The community agreed on in-kind compensation worth 10 million for previous projects. Plans for upgrading Loiyangalani Clinic were discussed, and a grievance committee was proposed for project oversight.

Cultural Systems of Conflict Resolution and Grievance Management within the community was also discussed in length and Conflicts are resolved by the council of elders and administrative committees

through dialogue. A list of conflict resolution committee members will be shared by the peace committee chairperson.

The Recognized committees in Loiyangalani included the Ward Planning Committee, Land Committee, Development Committee, Environmental Conservation Committee, Peacekeeping Committee, Shalom Committee, Businessmen Committee, and Water Users Committee. The meeting successfully addressed the project's goals, land issues, and community support mechanisms, highlighting the importance of coordination among stakeholders for the project's success.

This meeting reaffirmed the voluntary land donations and were able to fill out the voluntary forms for each site as attached in the appendix.



Figure 7: Stakeholders following keenly the meeting



Figure 8: Stakeholders at one of the sites before the meeting session



Figure 9: Stakeholders at another site during the site visit before the meeting

6 **PROJECT RESSETTLEMENT IMPACTS**

6.4 **Positive Impacts**

The Project's main objective is to improve the quality of life of people within Loiyangalani Town through the provision of improved water and sanitation services. The positive impacts associated with the Project operation phase are summarized below:

- Reduce cases of waterborne diseases associated with pollution of water resources
- Improve the Health and Sanitation status of Loiyangalani Town.
- Trigger development of modern infrastructure within Loiyangalani Town due to the availability of water and sanitation infrastructure
- Reduce distances covered to collect water from water kiosks.

The resettlement planning process must arrive at a detailed understanding of the likely impacts that the Project will have on those subjected to physical and/ or economic displacement. This enables the development of appropriate compensation and livelihood restoration plans, which in turn ensure that the affected people are provided with the support needed to re-establish their homes, lives and means of existence post-resettlement, mitigating the impacts that resettlement may cause. This chapter draws upon:

- The affected people baseline outlined in this RAP;
- additional information gathered through the socio-economic fieldwork, engagement and consultation process to date; and
- The asset inventory work conducted to inform the entitlement requirements of each eligible PAH. This section seeks to identify and describe the key displacement impacts that the affected people may experience, the predicted scale of these impacts, and the measures to mitigate these impacts and ensure that the resettlement process is transformed into a mechanism for social development.
- More specifically, this chapter includes the following:
- An overview of the Project's key displacement impacts to the affected population and the relative magnitude of these impacts;
- A more detailed elaboration of each of these displacement impacts, concerning appropriate sections of the RAP indicates the general form that appropriate compensation /mitigation/livelihood restoration measures should take, to ensure Project adherence to the requirements of international best practice.

6.5 Project Resettlement Impacts

There are no PAPS as most of the land required is communal land and has been voluntarily donated to the project by the community as they are in need of water and sanitation facilities. The community land of 41.5 acres has been donated by the community for the project and there will be a livelihood restoration activity worth Kshs 10 million.

6.5.5 Land for Water Management Site

The project impact on land will be triggered at the proposed new site for the Water management site at Ngobeleng. The Water Management Site will require 10 acres of land that belongs to the local

community jointly, thus the community has agreed to donate the land voluntarily to the project. As shown in the picture below.

6.5.6 Land Requirement for Easement for the Water Pipelines.

The water pipelines will traverse through road reserves and way leaves hence no PAPS, except for the 4km pipeline that will traverse communal grazing land. The community has agreed to voluntarily donate the land for the project. As shown in the picture below.



6.5.7 PAPs losing Structures along pipeline Easement

The water pipelines will traverse through road reserves and way leaves hence no PAPS as shown in the picture below:



6.5.8 Land for Faecal Sludge Treatment Plant

The project impact on land will be triggered at the proposed Faecal sludge treatment plant (FSTP) and will require 10 acres of land belonging to the local community jointly as grazing land. The area for the FSTP is as shown below



6.5.9 Land for the Borehole Areas

The project impact of land will be triggered at the sites of the proposed boreholes and will require 15 acres of land. This land is communal grazing land as indicated below:



6.5.10 PAPs Losing Crops and Woodlot Trees

The assessment identified that no individual PAPs will lose crops or trees as shown in the picture below.



6.5.11 Impacts on Livelihood

The RAP identified that no PAP will lose livelihood sources among the PAPs, this is because the Main and distribution pipelines have been designed to follow road reserves /wayleaves that are majorly free from encroachment. The WATER MANAGEMENT SITE and FSTP also will be on communal land which is rocky and has basic soils. To restore livelihood the community has settled on Upgrade on the main health facility for Loiyangalani Town.



Figure 10: Sample of areas where infrastructure will be constructed.

7 LIVELIHOOD RESTORATION PLAN

7.1 INTRODUCTION

The affected persons, irrespective of their tenure status, are eligible for assistance if their assets will be affected by the projector engaged in any livelihood income-generating activity in the settlement before the entitlement 'cut-off date' which has been set as 30th April 2024. The entitlement 'cut-off' date refers to the time when the census and assessment of PAPs and their property in the project area began. This was explained to the community members during community consultations. In the case of the Loiyangalani projects community land has not triggered any PAPS, affected businesses or buildings, or any agricultural activities. The community has agreed to voluntarily donate the land as shown in the appendix their main wish is to get water for the benefit of good health and improved livelihoods.

On 18th June 2024, stakeholders met and unanimously agreed to accept in-kind compensation totalling 10 million Kenyan Shillings, recognizing the community's pivotal role and support for enhancing healthcare services at Loiyangalani Health Centre. Building on this decision, a subsequent meeting convened on 24th June 2024 reaffirmed and expanded upon these commitments.

Chaired by Tobias Lenguro and attended by key stakeholders including community leaders and healthcare professionals, the meeting on 24th June 2024 focused on detailing the scope of works for upgrading the Loiyangalani Clinic. Discussions encompassed refurbishing existing infrastructure, expanding healthcare services, and upgrading medical facilities to elevate standards in Loiyangalani. Additionally, participants were informed that the project's bill of quantities, includes essential components such as cattle troughs as part of the livelihood restoration plan. These decisions underscore the project's commitment to holistic community development and sustainable healthcare delivery.

The formation of a grievance committee comprising representatives from the community, County Government, water committee, and land committee further emphasizes transparency and accountability throughout project implementation, ensuring that community concerns are addressed promptly.

7.2 Preferred livelihood improvement activities

The resettlement measures and strategies have been developed in close consultation with community members, the PAPs, institutional stakeholders the national legal regime, and the AfDB operational standards. PAPs in the town of Loiyangalani agreed to voluntarily donate the land. Community members are all aware of these options. The land being donated was valued at Kshs 4,5 million and further considerations the value for livelihood restoration were put at Kshs 10 million. The valuation report is attached at the appendix. The community unanimously agreed during a stakeholder meeting that the preferred livelihood activity was infrastructural and included an upgrade of the Loiyangalani Health Centre.

The Loiyangalani Health Centre is the main government facility in the area. Its Primary healthcare services are maternal and child health, immunizations, basic outpatient services, and treatment of common illnesses. The health centre has a limited number of consultation rooms, a small pharmacy, and a basic maternity ward. However, the infrastructure is outdated and in need of renovation. The

facility is understaffed, with a few nurses, clinical officers, and support staff. There is a lack of specialized medical personnel, such as doctors and specialists. The health center lacks essential medical equipment and faces frequent shortages of medicines and supplies. The water supply is unreliable, and the sanitation facilities are inadequate, affecting hygiene and patient care

Thus the proposed plan is to Renovate and expand existing health facilities to provide more space and better services, Improve water and sanitation facilities to ensure a clean and hygienic environment for patients and staff and also equip the facility with modern equipment. The County government of Marsabit on their part will be able to provide personnel to run, operate and maintain the facility so as to achieve better health care services in the area, This will include Recruit additional healthcare providers, including doctors, nurses, and specialist, Provide ongoing training and professional development opportunities for existing staff, Invest in modern medical equipment and ensure a consistent supply of essential medicines and supplies, Establish a reliable supply chain to prevent shortage, Enhance the capacity of mobile clinics to reach remote and nomadic populations, Conduct regular health education and promotion activities to improve community health awareness. And Collaborate with government agencies, NGOs, and community organizations to support healthcare initiatives.

7.3 Budget for the Health Centre Upgrade

The community met on 24/06/2024 and deliberated on the upgrade program together with experts from the region and county government and the proposed activities and budget lines are as shown below the minutes of this meeting are as attached in the appendix.

The decisions made in both meetings collectively emphasize a community-driven approach to healthcare enhancement, integrating local expertise and prioritizing sustainable development goals. This comprehensive strategy aims not only to meet immediate healthcare needs but also to empower the community and foster long-term well-being in Loiyangalani.

Cost Breakdown

5. Renovation and Equipping of Maternity Wing

- o Comprehensive renovation and procurement of essential equipment.
- **Scope:** Detailed refurbishment to meet maternal and newborn healthcare needs.
- Estimated Cost: 6 Million Kenyan Shillings

6. General Ward Upgrades

- Acquisition of 10 hospital beds.
- **Scope:** Enhancing capacity and comfort for inpatient care.
- Estimated Cost: 1 Million Kenyan Shillings

7. Power Supply (Solar Installation)

- \circ $\;$ Installation of solar panels for sustainable energy provision.
- **Scope:** Reliable electricity to support healthcare operations.
- o Estimated Cost: 2 Million Kenyan Shillings
- 8. Solid Waste Incinerator
 - Construction of a waste management facility.
 - **Scope:** Ensuring environmental sustainability.
 - Estimated Cost: 1 Million Kenyan Shillings

The summarized budget is as shown in Table

	Activity	Cost Estimate (Kshs)
1.	Renovation of the complete maternity wing, equipping of the delivery room that include two delivery beds, oxygen concentration and its accessories, AC, suction machine, Adult and newborn resuscitation kit and maternal emergency tray and one newborn incubator.	6,000,000
2.	10 beds at general wards	1,000,000
3.	Solar power supply	2,000,000
4.	Solid waste incinerator	1,000 000
	Total	10,000,000

7.4 NON-FINANCIAL ACTIVITIES

In addition to financial investments, the project prioritizes offering employment opportunities to community members during construction. This initiative aims to promote local economic empowerment and ensure community participation in project implementation.

7.5 Sustainability of Restoration Program

This comprehensive livelihood restoration plan represents a significant milestone in enhancing healthcare services at Loiyangalani Health Centre while supporting community development. The decision to invest 10 million Kenyan Shillings in upgrading the clinic reflects a generous commitment by the client, Northern Water Works Development Agency, particularly noteworthy considering that the land donated by the community for the construction of the Loiyangalani Water and Sanitation Project was valued at Kenya Shillings 4.5 million.

By prioritizing refurbishments, equipment procurement, and sustainable infrastructure improvements, the project not only addresses immediate healthcare needs but also contributes to long-term community welfare and economic empowerment. The inclusion of cattle troughs and employment opportunities further underscores the project's holistic approach to livelihood restoration and local participation.

Moving forward, ongoing stakeholder consultations, transparent governance, and meticulous project management will ensure the effective implementation and sustainability of these initiatives. This commitment to inclusive development exemplifies a collaborative effort to improve healthcare standards and foster community resilience in Loiyangalani.

8 GRIEVANCE REDRESS MECHANISM

8.1 INTRODUCTION

During the implementation of the project activities, likely, disputes/disagreements between the project implementers and the community mostly on the level of services expected from the health center or even the water supply distribution. It will therefore be necessary to establish channels through which aggrieved people could file their complaints to ensure successful project development and implementation. There will be a five-tier grievance redress mechanism to ensure satisfaction for all community members and project implementation team. The project RAP team to be established by NWWDA sociologists and the County Government sociologists will establish grievance redress mechanisms this will be third tier grievance redress team.

The grievance redress procedures will have to provide an opportunity for the community to settle their complaints and grievances amicably. The procedure to be adopted will allow aggrieved members not to lose time and resources from going through lengthy administrative and legal procedures. This may be set up through Local Authorities, including a Resettlement Committee, and through community leaders.

Implementing a well-structured GRM in the RAP can significantly enhance community relations, ensure fair and transparent handling of grievances, and contribute to the overall success and sustainability of the clinic and livelihood restoration initiatives in Loiyangalani The grievance redress mechanisms should:

- Provide an effective avenue for expressing concerns and achieving remedies for communities
- Promote a mutually constructive relationship between the project and the community or PAPs.
- Ensure that the GRM respects and incorporates local customs and traditions in Loiyangalani, fostering trust and acceptance among community members
- The GRM should maintain a register for recording the grievances and also the resolutions should be well communicated to all parties to ensure transparency.
- Focus on grievances related to the livelihood restoration plan, ensuring that community members feel the clinic is meeting their healthcare needs and contributing positively to their well-being and livelihoods.

8.2 Grievance Redress Mechanism

Implementing a well-structured GRM in the RAP can significantly enhance community relations, ensure fair and transparent handling of grievances, and contribute to the overall success and sustainability of the clinic and livelihood restoration initiatives in Loiyangalani.

The loiyangalani GRM procedures will entail

- 1. Grievance Receipt and Registration:
 - Accessibility: Ensure that the GRM is easily accessible to all community members, including vulnerable groups, with clear information on how grievances can be lodged.
 - **Multiple Channels:** Provide multiple channels for submitting grievances, such as inperson at the clinic, via a dedicated phone line, email, or through community representatives.

- **Documentation:** Maintain a grievance register to document all received complaints, including the date, nature of the grievance, and the complainant's details.
- 2. Grievance Assessment and Classification:
 - **Initial Screening:** Assess the grievances to determine their validity and classify them based on severity and urgency.
 - **Referral:** Refer grievances that fall outside the RAP's scope to appropriate authorities or other relevant bodies.
- 3. Grievance Resolution Process:
 - **Investigation:** Conduct a thorough investigation of valid grievances, involving relevant stakeholders and experts as needed.
 - **Response:** Develop a response or action plan to address the grievance, which may include mitigation measures, compensation, or other appropriate remedies.
 - **Communication:** Communicate the proposed resolution to the complainant, ensuring clarity and transparency.

4. Resolution and Implementation:

- Implementation: Implement the agreed resolution in a timely manner.
- **Monitoring:** Monitor the implementation of the resolution to ensure that it effectively addresses the grievance.

5. Feedback and Follow-up:

- **Feedback Mechanism:** Provide a mechanism for complainants to give feedback on the grievance resolution process and its outcome.
- **Follow-up:** Follow up with complainants to ensure that they are satisfied with the resolution and that no further issues have arisen.

6. Appeal Process:

- **Appeal Channels:** Establish clear channels for complainants to appeal if they are dissatisfied with the resolution.
- **Independent Review:** Facilitate an independent review of the grievance and the resolution process by a neutral party if necessary.
- 7. Capacity Building and Training:
 - **Training:** Provide training to staff and community representatives on the GRM process, conflict resolution, and effective communication.
 - **Awareness Campaigns:** Conduct awareness campaigns within the community to inform them about the GRM, their rights, and how to lodge grievances.

8. Monitoring and Reporting:

- **Regular Monitoring:** Monitor the overall effectiveness of the GRM, including the number and types of grievances received, resolved, and pending.
- **Reporting:** Regularly report on the GRM's performance to stakeholders, including the community, project proponents, and relevant authorities.

9. Continuous Improvement:

- **Review Mechanism:** Periodically review and assess the GRM to identify areas for improvement.
- **Adaptation:** Make necessary adjustments to the GRM based on feedback and lessons learned to enhance its effectiveness.

8.3 Tiers of GRM for the livelihood restoration plan

The tiers of a Grievance Redress Mechanism (GRM) refer to the different levels or stages through which a grievance can be escalated if it is not resolved at the initial stage. These tiers provide a structured approach to address grievances progressively, ensuring that all complaints are adequately handled and that complainants have multiple opportunities to seek redress. Here is an outline of the typical tiers in a GRM:

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8.3.1 Tier 1: Community or Project Level

This is the first point of contact for grievances, where issues are addressed quickly and informally by community leaders, and the project staff and will entail the formation of a local committee for grievance handling aligned to the community grievance handling system. This ensures Resolving grievances as close to the source as possible, leveraging local knowledge and relationships to find swift solutions.

8.3.2 Tier 2: Local Grievance Committee

If the grievance cannot be resolved at the frontline level, it is escalated to a local grievance committee. This committee might include the chief, village elders, community representatives (land and water committee members), project staff from the implementing agency, and possibly county government officials. This committee will provide a more formal review and resolution process, ensuring a balanced and fair hearing of the grievance.

8.3.3 Tier 3: Project Management Level

Grievances that cannot be resolved at the local level are escalated to the project management team. This might involve senior project managers, technical experts, or specialized grievance officers. This is to address more complex grievances that require higher-level intervention and resources, ensuring consistency with project policies and commitments.

8.3.4 Tier 4: Independent or External Review

If the grievance remains unresolved, it can be escalated to an independent body or external mediator. This could involve an ombudsperson, an independent panel, or an external arbitration service. This is to provide an impartial review and resolution, ensuring that the grievance process is fair and transparent.

8.3.5 Tier 5: Legal or Judicial Review

As a last resort, if the grievance is still unresolved, the complainant can seek redress through formal legal channels or judicial review. This is to ensure access to justice and legal remedies, allowing grievances to be resolved through formal legal procedures if necessary.

8.3.6 Practical Steps in Each Tier

- 1. **Grievance Receipt and Acknowledgment:** At each tier, grievances are formally received and acknowledged, with clear documentation and communication to the complainant.
- 2. **Investigation and Assessment:** Each tier involves a more thorough investigation and assessment process, appropriate to the level of escalation. This might include gathering additional evidence, consulting experts, and involving more stakeholders.
- 3. **Decision and Communication:** Decisions are made at each tier regarding the appropriate resolution. These decisions are then communicated clearly to the complainant, outlining the rationale and next steps.
- 4. **Implementation of Resolution:** Agreed resolutions are implemented promptly, with monitoring to ensure effectiveness and compliance.
- 5. **Feedback and Appeal:** At each tier, mechanisms are in place for the complainant to provide feedback on the process and appeal the decision if they are unsatisfied, prompting escalation to the next tier.

8.3.7 Benefits of a Tiered Approach

These benefits include:

- **Structured Escalation:** Provides a clear, step-by-step process for addressing grievances, ensuring that issues are resolved at the appropriate level.
- Accessibility and Fairness: Ensures that all community members have access to redress mechanisms and that grievances are handled impartially.
- **Transparency and Accountability:** Enhances the transparency of the grievance process, holding project staff and management accountable for resolving issues.
- Efficiency and Effectiveness: Aims to resolve grievances efficiently at the lowest possible level, reducing the need for more formal and costly procedures.

8.4 MONITORING COMPLAINTS

In addition to the Grievance Resolution Form, a Grievance Log will be kept by the project implementers indicating the date the complaint was lodged, actions to be taken and personnel or team responsible for the complaint. A Project Liaison Officer or Resettlement Expert for the project will monitor and document the progress of all complaints through weekly or monthly.

Monitoring the Grievance Redress Mechanism (GRM) in a livelihood resettlement plan involves tracking various indicators to ensure the mechanism's effectiveness, efficiency, and fairness. Here are the main indicators to monitor:

1. Grievance Registration and Acknowledgment

- Number of Grievances Received: Total count of grievances submitted by the community.
- Grievance Acknowledgment Time: Average time taken to acknowledge receipt of grievances.
- 2. Grievance Types and Categories
 - **Grievance Classification:** Breakdown of grievances by type (e.g., service quality, staff behavior, access issues).
 - Severity of Grievances: Categorization of grievances based on severity (minor, moderate, severe).
- **3.** Resolution Time and Efficiency
 - Average Resolution Time: Average time taken to resolve grievances.
 - **Resolution Time by Tier:** Average time taken to resolve grievances at each tier (e.g., frontline, committee, management).
- 4. Resolution Outcomes
 - **Grievances Resolved:** Number and percentage of grievances resolved at each tier.
 - Unresolved Grievances: The number and percentage of grievances escalated to higher tiers.
- 5. Stakeholder Satisfaction
 - **Complainant Satisfaction:** Survey results or feedback from complainants on their satisfaction with the grievance handling process and outcome.
 - Follow-up Actions: Number of follow-up actions taken to ensure resolution satisfaction.
- 6. Transparency and Communication
 - **Communication Effectiveness:** Effectiveness of communication with complainants regarding the status and outcomes of their grievances.
 - Information Accessibility: Availability and accessibility of information about the GRM to the community.
- 7. Grievance Trends and Analysis
 - Trend Analysis: Analysis of trends in the types and frequency of grievances over time.
 - Root Cause Analysis: Identification of recurring issues or root causes of grievances.
- 8. Capacity and Training
 - **Staff Training:** Number of training sessions conducted for GRM staff and community representatives.
 - Capacity Building: Assessments of staff capacity to handle grievances effectively.

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9. Reporting and Documentation

- **Grievance Documentation:** Completeness and accuracy of grievance records and documentation.
- **Regular Reporting:** Frequency and quality of GRM performance reports shared with stakeholders.
- **10. Feedback Mechanisms**
 - **Feedback Collection:** Number and quality of feedback collected from community members regarding the GRM process.
 - Feedback Utilization: How feedback is used to improve the GRM.
- **11. Compliance and Accountability**
 - Compliance with GRM Procedures: Adherence to established GRM procedures and timelines.
 - Accountability Mechanisms: Measures in place to hold GRM staff accountable for their performance.

The monitoring system to be adapted for the GRM implementation is summarized in the Table .

Indicator	Measurement	Frequency
Grievances Received	Total number of grievances	Monthly
Acknowledgment Time	Average time to acknowledge grievances	Monthly
Grievance Types	Breakdown by type	Monthly
Resolution Time	Average time to resolve grievances	Monthly
Resolved Grievances	Percentage of grievances resolved	Monthly
Satisfaction Survey	Complainant satisfaction ratings	Quarterly
Communication Effectiveness	Survey results on communication effectiveness	Quarterly
Training Sessions	Number of training sessions for GRM staff	Quarterly
Trend Analysis	Analysis of grievance trends	Quarterly
Feedback Collection	Number of feedback submissions	Quarterly
Compliance Assessment	Assessment of adherence to GRM procedures	Quarterly

Monitoring these indicators ensures that the GRM in the livelihood resettlement plan is functioning effectively, providing timely and fair resolutions, and continuously improving based on feedback and trends.

8.5 Grievance redress Mechanism Budget

Category	Description	Unit Cost (Kshs)	Quantity	Total Cost (kshs)
Personnel Costs				
GRM Officer Salary	Monthly salary for 1 officer	50000	6 months	300000
GRM Assistants Salaries	Monthly salary for 2 assistants	30000	6months	360000
Training and Capacity Building				
Training for GRM Staff	Training sessions (including materials and facilitators)	50000	1 sessions	50000

Category	Description	Unit Cost (Kshs)	Quantity	Total Cost (kshs)
Community Awareness Programs	Workshops and informational sessions	50000	2 sessions	100000
Communication and Outreach				
Information Materials	Printing brochures, flyers, posters	10000	2 rounds	20000
Community Meetings	Organizing regular community meetings	30000	2 meetings	60000
Hotline Setup and Maintenance	Establishing and maintaining a dedicated phone line	5000	6 months	30000
Office and Equipment				
Office Space Rental	Renting office space	7000	6months	42000
Office Supplies	Stationery, computers, furniture	300000	1 batch	300000
Transportation	Vehicles or allowances for field visits	20000	6 months	120000
Grievance Handling Costs				
Grievance Documentation	Recording and tracking grievances	5000	6 months	30000
Investigation Costs	Field visits and data collection for investigations	30000	6 months	180000
Reporting and Monitoring				
Progress Reports	Preparing and distributing reports	20000	3reports	60000
Monitoring and Evaluation	Independent assessments of GRM effectiveness	30000	2 evaluations	60000
Contingency	Unexpected Costs @ 10%			171200
Total Estimated Budget				1,883,200

9 INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENTS

The preparation and implementation of the livelihood restoration strategies will require the participation of several institutions at different levels. Coordination of the participating institutions is a critical requirement for a successful Restoration program. It is always preferred to have this addressed early into the project cycle, to inform them about their roles and responsibilities, lines of reporting, communication channels, expectations, and responsibility limits.

In this perspective, the overall coordination of the project will be managed by the NWWDA which will be responsible for the overall technical and financial management of the project, and this includes getting the necessary contractors and suppliers to achieve the upgrade of the health center.

NWWDA will oversee the compensation and resettlement planning and coordinate issues relating to implementation of the proposed livelihood restoration plan. Given the importance of the activities under the various sub-projects. NWWDA will collaborate with Local Government Authorities falling within the subproject area in coordination and implementation

The implementation arrangements of the LRP (livelihood Restoration Plan) build on:

- The implementation arrangements for the overall compensation and resettlement process
- Ensure proper coordination between concerned agencies at the National, County Government of Marsabit, and Local levels; and
- The implementation arrangements for the LRP activities in line with the Kenyan legislation and that of the AfDB OS.

Actors involved in both these sets of institutional arrangements need to be considered in the implementation of this RAP. This section describes the optimal arrangements that are built on already existing in the local administrative institutions and structures in place to ensure that laws, regulations and principles of compensation and resettlement are respected.

9.3 Livelihood Restoration Implementation Institutions

This RAP will be implemented within a period of not more than 2 years upon approval of the RAP by the African Development Bank. At the implementation phase, NWWDA and Marsabit County will ensure the community members are adequately appraised and sensitized on the project and the LRP before the commencement of Project civil activities. **The following table** indicates the County and National Government Institutions and their role in this RAP implementation:

No.	Institution	Role	Capacity	
1.	Ministry of Water and Sanitation (MWS)	Handles policy matters relating to the project and more specifically RAP issues. The MWS will interface with the National Treasury on issues of RAP budget financing.	•The Ministry has the capacity for infrastructure improvement in the planned towns	
2.	Ministry of Finance	•Financial management on behalf of the Borrower (GoK).	Capacity exists and funds will be made available.	

Table 22: RAF	¹ Implementing	Institutions
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No.	Institution	Role	Capacity
		 Provision of counterpart funding – part of which is used to settle 	
		compensation/ livelihood restoration plan	
3.	National Land	 This is to facilitate the conversion of 	The commission has the
	Commission	community land to Public land	capacity to this mandate.
4.	NWWDA	 Ensures that there is no re- 	NWWDA has a
		encroachment or any new	functional social
		development after the cut-off date.	development office
			that handles RAP
			implementation
5.	Construction	Fair compensation of assets damaged	A competent
	Contractor	during construction. This	contractor will be nired
		be affected, which belong outside	
		the corridor	
		Equitably distribute jobs to both	
		women and men and prioritize	
		vulnerable households and impacted	
		household	
		Disseminate sufficient information	
		about the dangers of communicable	
		diseases including HIV/ AIDS	
		Provide codes of conduct for workers	
		and communities regarding antisocial behavior	
		 Solicit services of an archaeologist for 	
		identification of any finds during	
		construction of pylon foundation	
		Restore all temporary construction	
		works upon completion of the project	
6.	Grievance redress	Public Awareness	A competent GRM
	committee at the	Implementation of RAP including	committee will be
	project level	assistance during	established
		resettlement, effective consultation	
		Eacilitate coordination of	
		information collation activities (such	
		as surveys, and signs-off) for	
		monitoring purposes, per procedures	
		put in place by the local authorities	
		• Elect a representative of the	
		committee to act as Project Liaison	
		officer participation and grievance	
		mechanisms	
		 To participate in complaints 	
		resolution	
9.4 Resettlement Implementation Committees

The overall responsibility of implementation and monitoring of the RAP including the livelihood restoration plan with NWWDA Project Implementation Unit (PIC). NWWDA – PIU will employ a team of project specialists at the project level who will be responsible for the implementation of the RAP. The team of NWWDA–PIU at the project level will include, A Civil Engineer, Sociologists, Environmentalist, and a surveyor. They will also be backed up by a supervision consultant who will have the same experts all who will be responsible for implementing the RAP including monitoring.

The tasks of the NIB-PIU will include among others;

- a. Civil Engineers- follow-up on the design, route alignment and construction supervision and the livelihood restoration plan
- b. Sociologist follow-up on implementation of RAP as well as social issues within the project.
- c. Surveyors confirm the routes and sites for project implementation

This RAP will be implemented within a period of about 6 months upon approval from the African Development Bank. At implementation phase, NWWDA will ensure that the livelihood restoration is implemented according to the provisions of this RAP before construction of the project components.

The officers will be responsible under this RAP to do quality checks and review the RAP reports before forwarding them to the AfDB safeguards specialist. The officer is in charge of the actual implementation of the RAP with the help of the Project Implementation Unit constituted for the project.

9.5 RAP Implementation Schedule

The implementation schedule for this RAP covers the period from the preparation of the RAP to the conclusion of the envisaged projects. It should be noted that the procedure followed in the schedule starting from notification of the PAPs/community members through to compensation and implementation of the livelihood restoration will be done in phases to synchronize with the various phases of the project.

The RAP Implementation schedule defines the duration and timing of the key milestones and tasks. The major component tasks for the schedule include:

- Disclosure of RAP: Meetings will be organized at the project site level and coordinated by the NWWDA and NLC. The meetings will disclose information related to the main RAP findings and recommendations.
- The RAP will be made available on the NWWDA website. Copies of the report will also be made available to the Local sub-county offices and the County offices.
- This RAP will also be translated appropriately to ensure all PAPs are aware of the RAP implementation process.
- Notification and sensitization of community prior to the commencement of the activities that will affect them.
- Implementation of livelihood restoration activities
- Monitoring and Evaluation, including baseline information updates.

Generally, this RAP study assesses the potential positive and negative social impacts of the proposed water supply project as per the design that could in effect minimize the resettlement and resultant

impacts. The RAP anticipates that the project implementation schedule will consist of three phases namely preparation, implementation, and post-implementation.

9.6 TIME SCHEDULE

The Resettlement Action Plan (RAP) outlines the phased implementation schedule for upgrading the Loiyangalani Health Centre, focusing on enhancing healthcare infrastructure and promoting sustainable development in the community.

Key Meetings and Commitments

- **18th June 2024:** Stakeholders unanimously accepted in-kind compensation of 10 million Kenyan Shillings for land donated to support healthcare enhancement.
- **24th June 2024:** Detailed discussions chaired by Tobias Lenguro outlined the scope of works, including refurbishment, expansion of healthcare facilities, and integration of sustainable practices.

Project Components and Timeline Justification

1. Renovation and Equipping of Maternity Wing

- **Scope:** Comprehensive refurbishment to meet maternal and newborn healthcare needs.
- Estimated Cost: 6 Million Kenyan Shillings
- **Timeline:** October 2024 January 2025
 - Justification: Renovation of the maternity wing requires thorough planning, procurement of specialized equipment, and adherence to construction standards. Starting in October 2024 allows adequate time for detailed planning, stakeholder consultations, and completion by January 2025 to ensure minimal disruption to healthcare services. *Disclaimer: These timelines assume that funding for the project will be approved by the African Bank before implementation can commence.*

2. General Ward Upgrades

- **Scope:** Acquisition and installation of 10 hospital beds.
- Estimated Cost: 1 Million Kenyan Shillings
- Timeline: November 2024 December 2024
 - Justification: General ward upgrades are less complex than the maternity wing renovation. Starting in November 2024 allows for procurement and installation of hospital beds within two months, ensuring timely enhancement of inpatient care facilities.
- 3. Power Supply (Solar Installation)
 - **Scope:** Installation of solar panels for sustainable energy provision.
 - Estimated Cost: 2 Million Kenyan Shillings
 - Timeline: December 2024 February 2025
 - Justification: Solar panel installation requires favorable weather conditions and technical expertise. Starting in December 2024 allows completion by February 2025, ensuring reliable energy provision for healthcare operations.
- 4. Solid Waste Incinerator

- **Scope:** Construction of a waste management facility for environmental sustainability.
- Estimated Cost: 1 Million Kenyan Shillings
- **Timeline:** January 2025 March 2025
 - Justification: Construction of the waste incinerator will commence in January 2025 to coincide with the completion of other infrastructure upgrades. This timeline allows for sequential project management and ensures environmental compliance by March 2025.

Non-Financial Activities

• **Employment Opportunities:** Community members will be engaged in construction activities throughout the project, promoting local economic empowerment and ensuring community participation.

The phased implementation schedule outlined in the Resettlement Action Plan reflects a commitment to enhancing healthcare services at the Loiyangalani Health Centre while supporting sustainable development goals. By prioritizing infrastructure upgrades and community involvement, the plan aims to improve healthcare delivery and foster long-term community wellbeing. Ongoing stakeholder engagement and transparent project management will be essential to achieving successful outcomes and ensuring sustainable development in Loiyangalani.

10 MONITORING AND EVALUATION

10.1 Introduction

RAP implementation is closely monitored through both internal and external monitoring arrangements, to assess resettlement progress and identify potential difficulties and problems. Internal monitoring is undertaken by the program staff within the NWWDA SPIU. The extent of monitoring activities, including their scope and periodicity, is commensurate with the Project's risks and impacts. NWWDA is required to implement safeguard measures and relevant safeguards plans, as provided in the legal agreements and to submit periodic monitoring reports on their implementation performance.

NWWDA will monitor and report on the effectiveness of RAP implementation. The objective should be to provide to the Project with feedback and to identify problems and successes as early as possible to allow timely adjustment to implementation arrangements. Monitoring and evaluation activities should be integrated into the overall project management process and the RAP must provide a coherent monitoring plan that identifies the organizational responsibilities, methodology, and the schedule for monitoring and reporting.

The purpose of monitoring and evaluation is to provide Project Management and directly affected persons, households and communities with timely, concise, indicative information on whether implementation of the livelihood restoration activities and other impact mitigation measures are on track to achieve sustainable restoration and improvement in the welfare of the affected people, or that adjustments are needed.

Monitoring and evaluation verify that:

- Actions and commitments for compensation, livelihood restoration, land access, and development in the RAP are implemented fully and on time.
- Compensation and livelihood investments are achieving sustainable restoration and improvement in the welfare of Project-Affected Persons, households, and communities.
- Complaints and grievances are followed up with appropriate corrective action.
- Vulnerable persons are tracked and assisted as necessary.
- Gender balance is considered during job recruitment.

In brief, monitoring answers the question: Are Project compensation, resettlement and other impact mitigation measures on time and having the intended effects. Monitoring will consist of (a) internal monitoring by NWWDA as an integral part of management, working with the impacted communities; and (b) external monitoring and evaluation by consultants, working with the impacted communities.

Monitoring will be done by:

- i. Audit,
- ii. Conventional sample surveys,
- iii. Community participation

10.2 Monitoring and Evaluation Framework

10.2.1 RAP Monitoring Plan

The Project will conduct monitoring and evaluation to track the Resettlement Action Plan Implementation with due diligence. The monitoring and evaluation will give particular attention to the project-affected communities, especially vulnerable groups, including female-headed households and orphan-headed households. Monitoring and evaluation have the following general objectives:

- **Monitoring** specific situations or difficulties arising from the implementation, and of the compliance of the implementation with objectives and methods set out in the Resettlement Action Plan;
- **Evaluating** emergent, mid-, and long-term impacts of the Project on the welfare of impacted households, communities, and local government;
- **Sufficient** involvement of the project affected persons in participatory monitoring and evaluation of short term, mid-term and long-term project activities and effects.

Monitoring activities will comprise of three main components:

- Internal monitoring;
- External monitoring and evaluation;
- RAP completion audit.

10.2.2 Internal Monitoring

Internal monitoring of RAP implementation will be undertaken by NWWDA. Monthly progress reports will be prepared and submitted to management and relevant government authorities. The internal monitoring will look at inputs, processes and outcomes of compensation / resettlement / other impact mitigation measures. NWWDA SPIU is equipped with E&S staff with strong experience in reporting, monitoring and evaluation of different development partners including projects funded by AfDB.

That staff constitute a trust human resource and a vital component of the SPIU. The SPIU has E&S staff such as 1 Social safeguards Specialist, 1 Environmental Safeguards Specialist and 1 Monitoring and Evaluation Specialist within the SPIU which are supported by other existing E&S staffs within different department in NWWDA where Social Safeguards staff and Environmental Safeguards Staff who may intervene whenever required.

Monitoring will include stakeholder participation, particularly directly affected communities. This may include participation in household sign-off activities, monitoring of livelihood program activities, etc. Indicator selection for the purpose of monitoring and evaluation would be guided by the following principles:

- Preference for fewer indicators that have significant validity over more indicators of less significant value
- Preference for indicators used by national institutions in order to be able to compare results with control groups in other parts of Kenya and avoid reinventing the wheel.
- Measuring outcome and impacts on the following levels:'
- Monetary measuring of livelihoods through a quantitative income or expenditure survey
- Qualitative indicators measuring the perception of Project-Affected Persons.

The Program Staff's internal monitoring includes: (i) administrative monitoring: daily planning, implementation, feedback and troubleshooting, and progress reports; (ii) socio-economic monitoring: baseline information for comparing community socio-economic conditions, community relationships, dates for consultations, and number of appeals placed; and (iii) impact evaluation monitoring: Income

standards restored/improved, and socioeconomic conditions of the affected persons. The main indicators that will be monitored regularly:

- Completion of construction/upgrade activities.
- Quality and safety standards met in construction.
- Increase in the number of healthcare services offered.
- Improvement in patient care and satisfaction.
- Reduction in the incidence of common illnesses.
- Improvement in maternal and child health indicators.
- Number of local people employed during and after the upgrade.
- Number of training sessions conducted for clinic staff.
- Level of community involvement in the project.
- Community satisfaction with the upgraded clinic.

10.3 Monitoring Data Collection Methods

- **Surveys and Questionnaires:** Conduct surveys with patients, community members, and clinic staff to gather feedback on services and satisfaction.
- **Interviews:** Perform in-depth interviews with key stakeholders, including healthcare workers, local leaders, and project managers.
- Focus Groups: Hold focus group discussions with different segments of the community to understand their perceptions and concerns.
- **Observation:** Regular site visits to monitor construction progress and assess the clinic's operation.
- Health Records: Review health records to track changes in health outcomes and service utilization.
- Administrative Data: Collect data on employment, training, and community engagement activities.

Activity	Description	Frequency	Responsible Party
Baseline Survey	Conduct baseline survey to gather initial data on health services and outcomes	One-time	Monitoring Team
Construction Monitoring	Regular site visits to monitor construction progress and adherence to standards	Weekly	Project Manager
Healthcare Service Assessment	Evaluate the range and quality of services offered by the upgraded clinic	Monthly	Healthcare Team
Patient Satisfaction Survey	Survey patients to assess satisfaction with clinic services	Quarterly	Healthcare Team
Health Outcome Tracking	Collect and analyze health outcome data from clinic records	Quarterly	Healthcare Team
Employment and Training Records	Monitor employment and training activities and their outcomes	Monthly	County Government

10.4 Monitoring Activities and Timeline

Activity	Description	Frequency	Responsible Party
Community Engagement Sessions	Hold community meetings to discuss progress and gather feedback	Bi-monthly	Community Liaison
Focus Group Discussions	Conduct focus groups with different community groups to gather in-depth feedback	Quarterly	Monitoring Team
Final Evaluation Survey	Conduct a final survey to assess the overall impact of the clinic upgrade	End of Project	Monitoring Team
Reporting	Compile and share progress reports with stakeholders	Monthly/Quarterly	Project Manager

10.5 Reporting and Feedback

- **Progress Reports:** Monthly and quarterly reports to track progress against the plan and highlight any issues or delays.
- **Stakeholder Meetings:** Regular meetings with stakeholders to present findings, gather feedback, and discuss adjustments.
- **Final Report:** A comprehensive report at the end of the project to evaluate the outcomes and impact of the clinic upgrade.

By systematically monitoring these indicators and conducting the outlined activities, the project team can ensure that the clinic upgrade in Loiyangalani Town meets its objectives and positively impacts the community's health and livelihoods.

Table 23: RAP Monitoring Plan

Component Activity	Type of Information/	Source of Information/	Responsibility for Data	Frequency/
	Data Collected	Data collection Methods	Collection, Analysis and	Audience of Reporting
			Reporting	
Livelihood	Tracking the effectiveness of	After two weeks of quantitative	Project safeguards and RIC	Frequently as required by the
Restoration Activity	inputs against baseline indicators	and qualitative surveys	or contracted external	(NWWDA)
(clinic upgrade and			monitoring agency	
equipping)	Assessment of community	Regular public meetings and		
	satisfaction and livelihood	other consultations with the		
	sources.	community review of grievance		
		mechanism outputs		
Completion Audit	Measurement of output	External assessment of RAP	Contracted external	On completion of the RAP
	indicators such as productivity	implementation, independent	auditing and evaluation	timetable
	gains, livelihood restoration, and	surveys and consultation with	agency	
	developmental impact against	affected persons		
	baseline			

10.5.1 RAP Monitoring Framework

RAP Implementation Reports will be verified by a field check of the following:

- Adequacy of sensitization activities and other developmental inputs.
- Livelihood restoration activities.

The mechanism of the above-shown field check includes the following:

- (i) Random community members will be interviewed in open-ended discussions to assess their knowledge and concerns regarding the livelihood restoration activities
- (ii) Public Consultations with affected people at the community level will be observed.
- (iii) The resettlement operation at all levels will be observed to assess its effectiveness and compliance with the RAP.
- (iv) The type of grievance issues and the functioning of Grievance Redress Mechanisms will be checked by reviewing the processing of appeals at all levels and interviewing aggrieved members.
- (v) The standards of living of the community members before and after implementation of livelihood restoration activity will be surveyed to assess whether the standards of living of the PAP's have improved or been maintained.
- (vi) Project management will be advised regarding necessary improvements in the implementation of the RAP, if any.

The Table 25 below shows Internal Monitoring Indicators that will be checked during Internal Performance Monitoring by NWWDA:

11.2.4 Internal Monitoring Indicators

Post-resettlement monitoring process and outcomes should be reviewed by representatives of the affected community through PAP RAP Committee and any other authority with verifiable stakes in the project. The Monitoring Team will write its reports within a week's time of the visit and submit them to the NWWDA Project Manager and the RIC. The Monitoring Team will structure its reporting in conjunction with accepted variables as set out in Table 25

Subject	Indicator	Variable
Subject Livelihood restoration activity	Indicator Improved health status of community members	 Variable Completion of construction/upgrade activities. Quality and safety standards met in construction. Increase in the number of healthcare services offered. Improvement in patient care and satisfaction. Reduction in the incidence of common illnesses. Improvement in maternal and child health indicators. Number of local people employed during and after the upgrade.
		 during and after the upgrade. Number of training sessions conducted for clinic staff. Level of community involvement

Table 25	Monitoring Indicators
	monitoring indicators

Subject	Indicator	Variable
		in the project.Community satisfaction with the upgraded clinic.
Hazards and Disturbances	Introduction of nuisance factors	 Number of homesteads affected by hazards and disturbances from construction (noise levels, excavations, increased traffic levels)
Social/ Demographic	Changes to access	 Distance/travel time to nearest water point, school, health centre, church, shop, village Number of PAPs with access to sanitation services disaggregated by type of water source. Number, type of educational establishments and proximity to PAPs. Number, type of health facilities establishments and proximity to PAPs.
	Changes to health status	 Nutritional status of resettled homestead members Number of people with disease, by type (STDs, diarrhoea, malaria and others) Mortality rates Access to health care services (distance to nearest facility, cost of services, quality of services) Utilization of health care services Disease prevention strategies Extent of educational programmes Latrine provision at schools (school child population per VIP on site)
	Homestead earning capacity	 Ownership of capital assets Ownership of equipment and machinery Landholding size, area cultivated and production volume/value, by crop (cash and subsistence crops) Landholding status (tenure) Redistribution of cultivation land. Employment status of economically active members

Subject	Indicator	Variable
		 Earnings/income by source, separating compensation payments. Changes to income-earning activities (agriculture, off-farm) – pre- and post-disturbance
	Changes to educational status	 Literacy and educational attainment of homestead members School attendance rates (age, gender) Number, type of educational establishments
	Population influx	 Growth in number and size of settlements, formal and informal Growth in market areas
Consultation	Consultation programme operation	 Number of grievances registered, by type Number of grievances resolved Number of cases referred to court
Training and capacity building	Operation of training programme	 Number of local committee members trained Number of affected population trained in Project-related training courses Number of trainings held disaggregated by target group/institutions and issues. Number and type of participants disaggregated by gender. Themes discussed in various trainings. Perception of PAPs on usefulness and timing of these issues discussed.
Community participation and public engagement	Public consultation meetings	 Number of local consultative meetings held. Type of issues raised at public consultation meetings. Number of participants attending public consultation meetings related to displacement disaggregated by gender.
Gender Concerns	Involvement of all gender in the process	 Participation of women and men in trainings. Number of Joint accounts opened for facilitation funds.
Grievance management	Process of handling grievance	 Number of grievances received. Number of grievances resolved promptly

Subject	Indicator	Variable		
		(within the duration allowed in the		
		Grievance Redress Mechanism).		
		 Number of outstanding grievances not 		
		resolved.		
		• Average timelines for resolution of		
		grievances disaggregated by the various		
		levels of grievance redress		
		mechanism/institutions.		
		• Number of grievances referred to		
		Level 3 (Courts of Law).		
Awareness and Access to	The awareness of community	• Type of information disclosed to PAPs		
Information	members of the process	during each meeting.		
		Accessibility of the BAP document at the		
		local level		
		Accessibility of the RAP document on the		
		relevant Ministry's website		
		• Awareness on RAP/Entitlement		
		information		
		• Number of people seeking		
		information on displacement and		
		information on displacement and		
	a. (11)	compensation.		
Management	Staffing	Number of implementing agencies hypertien		
		by function		
		available by function		
		•		
	Procedures in operation	Census and asset		
		verification/quantification		
		procedures in place		
		Effectiveness of compensation		
		e Lovel of Co. ordination between		
		local community structures		
		NWWDA and GoK officials.		
		• Formation of proposed institutions		
		or better alternatives.		
		Census and asset		
		verification/quantification		
		procedures in place.		
		Effectiveness of compensation		
		delivery system by NWWDA.		
		Efficiency of compensation delivery		
		system by NWWDA.		
		Co-ordination between NWWDA		
		national, NWWDA County, County		
		Government and the community.		

Subject	Indicator	Variable
		Availability of adequate funds for
		the process.

The indicators presented above will be revised and appropriate Terms of Reference (ToR) established for the external monitoring consultant. Evaluation will be done against the existing baseline information identified in the RAP and indicators identified in the table above. Therefore, monitoring (and evaluation) will be undertaken regularly during implementation and post-implementation to compile the Project Completion Report. The report will include an evaluation that ascertains whether resettlement compensation goals and objectives were realized.

10.6 External Monitoring and Evaluation

An external audit will be undertaken by an external party to the project implementation team to assess the compliance of the RAP implementation. For this purpose, NWWDA will hire a qualified external social auditor with significant experience in resettlement to carry out a review focusing on the assessment of compliance with social commitments contained in Kenyan legislation Bank Policies and this Resettlement Action Plan. Objectives of the review are as follows:

- To assess overall compliance with the RAP;
- To verify that the livelihood restoration activities are satisfactorily implemented to completion.

10.7 Resettlement Completion Audit

The purpose of the Completion report is to verify that NWWDA has complied with resettlement commitments defined by the RAP, and more generally complies with national and AfDB procedures on involuntary resettlement. Reference documents for the Completion Audit are the following:

- This Resettlement Action Plan;
- KENYA Legislation;
- Bank regulations and guidance related to voluntary land donation

The main objectives of the completion audit are the following:

• General assessment of the implementation of the RAP against the objectives and methods outlined in the RAP;

- Assessment of compliance of implementation with laws, regulations and safeguard policies;
- Assessment of the fairness, adequacy, and promptness of the compensation and resettlement procedures as implemented;

• Evaluation of the impact of the livelihood restoration, measured through incomes and standards of living, with an emphasis on the "no worse-off if not better-off" requirement;

• Identification of potential corrective actions necessary to mitigate the negative impacts of the project, if any, and to enhance its positive impacts.

• The Completion Audit will be based on documents and materials generated by internal and external monitoring. In addition, auditors will make their own assessments, surveys, and interviews in the field with stakeholders.

The project will at the end of the RAP implementation submit a Resettlement Action Plan Completion report to the AfDB. The final report will indicate the effectiveness of the RAP implementation process, including the organization and delivery of compensation payments and other resettlement measures; the grievance handling system; the M&E system; the community and public engagements, including vulnerable PAPs; and the socio-economic impacts of the resettlement measures. The final report will give an overall assessment of the RAP outputs against inputs indicating the planned activities completed and not completed as well as the lessons learnt during the RAP implementation.

Category	Description	Unit Cost	Quantity	Total Cost Kshs)
Personnel Costs				
Monitoring Team Salaries	Monthly salaries for 4 team members	20,000	6 months	480,000
Travel and Transportation				
Local Travel	Fuel and maintenance	50,000	6 months	300,000
Transportation Allowances	Per diem for team members	5000	18 days	360,000
Data Collection and Analysis				
Surveys and Questionnaires	Printing and stationery	5000	2 rounds	10000
Data Collection Tools	Tablets and software	50000	5 units	250000
Interviews and Focus Groups	Facilitator fees	20000	2 rounds	40000
Venue Rental	For focus groups and community meetings	40000	2 sessions	80000
Refreshments	For focus group participants	50000	2sessions	100.000
Community Engagement				
Meetings and Workshops	Venue rental	40000	2sessions	80000
Refreshments	For participants	50000	2 sessions	100000
Materials and Supplies	Handouts and educational materials	20000	2 sessions	40000
Reporting and Documentation				
Progress Reports	Printing and distribution	15000	3	30000
Design and Formatting	Professional services	10000	2 reports	20000
Completion Audit				
Independent Audit Team	External auditor fees	200000	1 audit	200000
Auditor Travel and Accommodation	Travel and accommodation for auditors	100000	1 audit	100000
Contingency				
Unexpected Costs	10% of total budget			196500
Total Estimated Budget				2,161,500

10.8 Detailed Monitoring and Evaluation Budget

11.1 Valuation Methodology

In property valuations, there are 5 generally accepted methods or approaches to value. These are the Sales Comparison, the Income Capitalization, the Gross Replacement Value Method, the Residual, and the Profits method:

The method adopted for this RAP was the **Gross Replacement Value Method (GRVM)** which evaluates the current cost of replacing an asset. The approach entails the measuring of the improvements (buildings, site works) to which the appropriate construction costs are applied, resulting in the new replacement (or reproduction) cost. An addition of 15% is added to the value of structures as a statutory allowance to cater for disturbance.

11.2 Land Valuation

Land Valuation considered the local rates and consulted the local department of land and local land economist for comparison. This was done by a valuer from the NLC. The report is attached at the appendix.

11.3 Resettlement Action Plan Budget

The Project design has ensured that the Water management site, boreholes, pipelines, Faecal Sludge Treatment Plant, and public Ablution Blocks will follow Road Reserves, existing Storm Water Channels, and communal land. RAP budget is Ksh 10,000,000 for the total 40 acres of community land that will be used for the project. The overall budget for Rap implementation is Kshs 15 million. The detailed RAP implementation budget is outlined below:

	Activity	Cost Estimate (Kshs)
1.	Livelihood restoration.	10,000,000
2.	Grievance Redress mechanism	1,883,000
3.	Monitoring and completion of Audit	2,161,000
4.	Contingencies	956,000
	Total	15,000,000

12.1 Conclusion

The subject of this RAP Report is the proposed construction of the Loiyangalani Water Supply and Sanitation project. This RAP has been prepared consistent with the applicable policy provisions of the Kenyan Government and the provisions of the African Development Bank's Safeguard Policy on Involuntary Resettlement (OS 2) requires that a RAP be prepared for all projects that anticipate land acquisition and displacement affecting shelter, livelihood, and associated impacts. This RAP presents the livelihood restoration program owing to the fact that the land in Loiyangalani is Community land.

Baseline data on proposed development was generated through desktop studies, site visits, and interviews with the proponent, and potentially affected people. Stakeholder consultations were undertaken towards the development of a Resettlement Action Plan (RAP) as per requirements of the Environmental Management and Coordination Act. To identify, predict, analyze, and evaluate the various impacts that may emanate from the project, diverse study methods and tools including the use of checklists, matrices, expert opinion, and observations were employed.

From this RAP it can be concluded that the community has agreed to donate land as it's not arable and has no beneficial use also the land donated is significantly small compared to what the community owns. The residents of Loiyangalani are anticipating improved livelihood from this project as they will have water and they go long distances to fetch water the time used now will be spent on other activities. Also, the sanitation levels will be improved and also promoting preventive health.

There was prior awareness and knowledge of the project from the initial RAP community sensitization and consultation exercise. Areas of further information and communication will include When the project is going to officially commence When and where PAPs will drop their grievances, how the same shall be handled, and such matters

The County governments and local communities in the proposed project area will fully support the project but request to be fully informed of the plans and have their concerns looked into. The communities also requested to be engaged in the planning and implementation at all levels so that they can be sure to get first-hand information and details regarding livelihood improvement plans including timelines. The Civil society groups also requested to be involved throughout the project from the onset.

12.2 Recommendations

- a) Continuous sensitization of affected communities in the pre-construction phase of the project
- b) NWWDA should ensure the livelihood restoration program is implemented as the main project is being implemented.
- c) Unskilled labor should be drawn from local communities and income-generating opportunities for women will be considered during project construction in the form of food preparation and sale to workers.
- d) Monitoring and Evaluation: For the RAP to be successful there will be a need for continued monitoring and evaluation. This will ensure that arising issues are properly addressed

13 REFERENCES

1. African Development Bank - Involuntary Resettlement Policy; (2003)

2. African Development Bank/African Development Fund - Check-list for Gender Mainstreaming in the Infrastructure Sector; 2009.

3. African Development Bank - Handbook on Stakeholder Consultations and Participation in ADB Operations; 2001

4. African Development Bank - Integrated Safeguard System Working Progress (2012)

5. International Finance Corporation – A Handbook for Preparing a Resettlement Action Plan;

APPENDIX A: LAND REQUIREMENTS – LOIYANGALANI WATER AND SANITATION PROJECT

Water Component	Details	Land size required	Coordinates
Boreholes in the vicinity of Ngobeleng spring site	7 boreholes	15 acres in the vicinity of Ngobeleng spring site (towards Mt. Kulal)	X = 249800.061 Y = 309239.98
Water management site at Ngobeleng		The proposed new Water Management Site to the East of Loiyangalani sub-location will require acquisition of approximately 10 acres of land belonging to the community as grazing land to be acquired through voluntary land donation forms signed between the community leaders and Marsabit County	X=249528.203 Y= 309166.99
Gravity Transmission Main Pipeline, Approx. 3.5km Iong:	Traversing communal grazing land. From existing elevated tank at Ngobeleng, along existing road to the end of that road.	Wayleave only - Communal and private grazing - lands cumulated to a total of (6 acres for a 4km pipeline route from Ngobeleng to the distribution network) will be acquired as easement in cases where the pipelines alignment traverses through private and communal land	X=249528.203 Y= 309166.99
Storage Tanks	These will be at the Water management site	No additional land above what is required for Water management site	X=249528.203 Y= 309166.99
Distribution Network	Approximately 30 km total length of various diameter of HDPE and steel pipes, valves and fittings, including associated concrete and masonry works in pipeline supports, valve chambers, washout drains, etc. as shown in the bill of Quantities and drawings	These will be on road reserve	
Komote village reverse osmosis water treatment units	Elders identified best location and confirmed availability of land.	Half an acre	

1. Water Supply Component

2. Sanitation Component

Sanitation		Details	Land size required	Coordinates	
Со	mponent				
Α.	Faecal Sludge Treatment Plant		The proposed land for FSTP will also need to be acquired, approximately 10 acres of land belonging to the community as grazing land will be acquired through voluntary land donation forms	X= 245081.70 Y = 311143.55	
В.	Kiwanja Ndege	One Communal/public ablution block of latrines with 11 doors –	Eighth of an acre	X= 246883.92 Y=306502.01	
C.	Bus Stage/ Market	One Communal/public ablution block of latrines with 11 doors –	Eighth of an acre	X= 246198.52 Y=305737.96	
D.	Kula Mawe	One Communal/public ablution block of latrines with 11 doors –	Eighth of an acre	X=247727.65 Y= 303771.37	
E.	Two other ablution blocks in the commercial areas	Each place - One Communal/public ablution block of latrines with 11 doors –	Two-eighths of an acre		

APPENDIX B: VOLUNTARY LAND DONATION FORM

Overall Land Donation form

COMMUNITYES	LEADERS	AND	OPINION	
AND STAKEHOL	LERS OF	LOIYA	WGALAN	<u>(, ,</u>
person(s) exercising customary/ TownAITANGALA Sub CountyAITANGA CountyAARA	communal rights o <u>とみい</u> 7 こ	ver land de	scribed below in.	
Hereby declare that we/the g Loiyangalani Town Water and	roup are the users d Sanitation Proje	s of the la ctasdescri	nd required for bed in Appendix	Construction of A.
We are voluntarily donating t Construction of the said Project	he use of land de t.	escribed in	Appendix A fo	r the purpose of
We agree to this purpose from served.	(date)	2024	for as long	as the purpose is
We make this donation of Our kind for the specified duration of	own free will. We If the activity.	are waivin	g Our right to con	npensation of any
We affirm that we have been fi agreement, have not been subje refuse, and to seek redress for a	ally and freely con act to any form of ny grievance conce	sulted and coercion, u erning this t	informed about th nderstand that we ransaction.	e activity prior to have the right to
Signed:				
A. Council of Elders Represe	ntative:			
Name SULEIMA	N LACK	<u> </u>		
Signature:				
Date:2/2/2	024			
B. Chief or Local Custom Aut	hority			
Name_JOAN C.	ORBORA			
Signature:	5 41 5			
Date: 21/2/ 202	¢			
				-
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COUNTY GOVERNMENT OF MARSABIT P.O. BOX 384-60500, Marsabit Department of Public Administration, ICT & Disaster Management Laisamis Sub-County Deputy Sub-County Administrator, Loiyangalani.

Our Ref: NWWDA/LOY/Vol.I/01

June 18, 2024

The Chief Executive Officer Northern Water Works Development Agency, Maji House, Kismayu Road GARISSA

Dear Sir/Madam,

LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT -

Re: <u>Acknowledgement of Voluntary Land Donation in Loiyangalani</u>, <u>Marsabit County –</u> <u>Boreholes Drilling Sites</u>

I am writing on behalf of the County Government of Marsabit to formally acknowledge and confirm the voluntary donation of land by the Loiyangalani community for Drilling Boreholes to supply water to Loiyangalani Town within Marsabit County (15 Acres).

The community, represented by authorized individuals exercising customary and communal rights over the land, has generously donated land for the above project site. The donation of land has been made voluntarily and without expectation of compensation, reflecting our shared commitment to supporting development initiatives that benefit the broader community. Thorough stakeholder consultations were conducted to ensure that all affected parties were informed about the projects, their rights, and the potential impacts. Minutes of these consultations have been documented to maintain transparency and accountability.

Attached to this letter are the relevant documents, including the Voluntary Land Donation Form and the Attendance List, which validate the consent of community members and the endorsement of local authorities as per the Stakeholders Consultation Meeting Held on 18th June 2024.

We appreciate the Northern Water Works Development Agency's collaboration and support in this endeavor. We look forward to continued partnership to ensure the successful implementation and sustainable management of these important projects.

Yours faithfully,

COUNTY GOVERNMENT OF MARSABIT P. O. Box 384-60500 MARSABIT DEPT..ADMIN..ICT & DISASTER MGT DSCA '.OIYANGALANI

Mathew M. Lechipan DSCA LOIYANG D/SUB-COUNTY ADMINISTRATOR County Government of Marsabit Tel: 0719677119 E: mlechipan2014@gmail.com

[Attachments: Voluntary Land Donation Form, Attendance List]

VOLUNTARY LAND DONATION (OR LAND LEASE) FORM - BOREHOLES AREA

WE LOIYANGARANI OUMMUNITY REPRESENTATIONET

ANS SALAZ LAWS COMMITCHER.	person(s)
exercising customary/communal rights over land described below in:	
Town LOT GARGARANI	
Sub County LOT YANGAHAANT	
County MARCARSET	

Hereby declare that we'the group are the users of the land required for Drilling Boreholes to supply water to Loiyangalani residents.

We are voluntarily donating the use of the 15 ACRES required for drilling of the boneholes which are along the fracture zone from Mt. Kulal to Ngobeleng Springe, just upstream of Ngobeleng Springe, just upstream of Ngobeleng Springe, just approximate coordinates are X = 249712.70 and Y = 309217.588

We agree to this purpose from (date) 1416/2024; for as long as the purpose is served.

We make this donation of Our own free will. We are waiving Our right to compensation of any kind for the specified duration of the activity.

We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that we have the right to refuse, and to seek redress for any grievance concerning this transaction.

We therefore confirm that:

- We have been appropriately informed and consulted about the project and the choices available to
 us as a community; informed of our rights; and provided with information concerning the
 environmental and economic, social and food security impacts of the proposed project.
- We are aware that refusal is an option, and hereby confirm in writing of our willingness to proceed with the donation.
- The amount of and being donated is minor and will not reduce the community's remaining land area below that required to maintain our livelihood at current levels.
- 4) No household relocation is involved.
- The community is expected to benefit from the project directly through supply of water and improved senitation services.
- 6) Our Consent as the community using the community land is sought.

- 7) That Minutes of the consultation meeting have been taken as a transparent record of all the consultations and agreements reached with the affected communities.
- Appropriate compensation, benefit sharing, and grievance mechanisms are put in place through livelihood restoration plan and captured in the minutes.
- The attached Attendance list contains the signatures of the community members present during this land donation exercise.
- 10) That land is jointly owned by the whole community for all land required for Loiyangalani Water and Sanitation Project and therefore there are no separate land committees but only one

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Signed:

A. Council of Elders Representative:
Name SULEIMAN ISARE MOHAMES
Signature:
Date: 15/6/2024
Phone number: 0712 975600
National I.D. Number 922 0502.
B. Land Committee Representative 2:
Name LOLEMUSENI LOKELE
Signature:
Date: 19/06/2024
Designation:
Phone number: 07/0 19 27-13
National I.D. Number 7870285
C. Land Committee Representative 3:
Name Ki hard Gamon To
Signature:
Date: 19/6-6/200-

Designation: Anton Q En
Phone number: 1375340727962545
National I.D. Number_1372-1534
D. Land Committee Representative 4:
Name NICHOLAS LEWANI KUYO
Signature: AlicHOLAS
Date: 19161224
Designation: CMMITTEE
Phone number: 0729494015
National I.D. Number_(15031425
E. Land Committee Representative 5:
Name LESE EPO 448.174 LESAPUHO
Signature:
Date: 19/06/2024
Designation:
Phone number: <u>M/A</u>
National I.D. Number 1150-24174
F. Land Committee Representative 5:
Name
Signature: Top 18C (2024
Date:
Designation: 0720283557
Phone number
National I.D. Number

G. Chief or Local Custom Authority	A
Signature:	
Date: 18/06/2020	CHIEF LOIYANYALANI LOCATION
Phone number: 072374 6534	vate
National I.D. Number 24605594	

H. Marsabit County Government Representative

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On behalf of the County Government of Marsabit, I hereby acknowledge and state that indeed the community donated land after stakeholder consultations for the project

Name of representatives Mathew M	1. Lechipan
Signature:	COUNTY GOVERNMENT OF MARSABIT
Phone number: 0719677119	DEPT., ADMIN., ICT & DISASTER MGT DECA LOIYANGALANI
National I.D. Number_ 113 F6 436 Attached is the list of attendees who also const	ented to the above.

WATER MANAGEMENT SITE DONATION FORM



COUNTY GOVERNMENT OF MARSABIT P.O. BOX 384-60500, Marsabit

Department of Public Administration, ICT & Disaster Management Laisamis Sub-County Deputy Sub-County Administrator, Loiyangalani.



Our Ref: NWWDA/LOY/Vol.I/10

June 18, 2024

The Chief Executive Officer Northern Water Works Development Agency, Maji House, Kismayu Road GARISSA

Dear Sir/Madam,

LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT -

Re: <u>Acknowledgement of Voluntary Land Donation in Loiyangalani, Maraabit County – Water</u> Management Site

I am writing on behalf of the County Government of Marcabit to formally acknowledge and confirm the voluntary donation of land by the Lolyangalani community for Construction of Water Management Site at Ngobeleng (10 acres) to Loiyangalani Town within Marsabit County.

The community, represented by authorized individuals exercising customary and communal rights over the land, has generously donated land for the above project site.

The donation of land has been made voluntarily and without expectation of compensation, reflecting our shared commitment to supporting development initiatives that benefit the broader community. Thorcugh stakeholder consultations were conducted to ensure that all affected parties were informed about the projects, their rights, and the potential impacts. Minutes of these consultations have been documented to maintain transparency and accountability.

Attached to this letter are the relevant documents, including the Voluntary Land Donation Form and the Attendance List, which validate the consent of community members and the endorsament of local authorities.

We appreciate the Northern Water Works Development Agency's collaboration and support in this endeavor. We look forward to continued partnership to ensure the successful implementation and sustainable management of these important projects.

Yours faithfully,

COUNTY GOVERNMENT OF MARSABIT P. C. Box 384-60500 MARSABIT DEPT., ADMIN., ICT & DISASTER MGT DSCA '. OTYAN GALANT

Mathew M. Lechipan SUB-COUNTY ADMINISTRATOR County Government of Massabit Tel: 0719677119 E: mlechipan2014@gmail.com [Attachments: Voluntary Land Donation Form, Attendance List]

VOL	UNTARY	LAND	DONATION	(OR	LAND	LEASE)	FORM	×	WATER	
MAN	AGEMEN	T SITE	REA			8				
We:	1000		100000.001 Material			. 0-			2	2

<u></u>	OT YANGAZANT	Commun CY	KERESENTATIV	55
ANA	LDCAR LANA	Commit CE	<i>Æ_S,</i> person(s)	
Town	1 customary/communal righ	ts over land described belo	w in:	
Sub Coun	ty LOTTA- City ANI	<u>Mar</u> i		

Hereby declare that we'the group are the users of the land required for Construction of Water Management Site to supply water to Loiyangalani residents.

We are voluntarily donating the use of the 10 ACRES required for Construction of Water Management Site in the vicinity of Ngobeleng Springs site for the purpose of Construction of the said Project. The approximate coordinates are X =249528.203 AND Y = 309166.998

We agree to this purpose from (date) /8/6/2024 , for as long as the purpose is served.

We make this doration of Our own free will. We are waiving Our right to compensation of any kind for the specified duration of the activity.

We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that we have the right to refuse, and to seek redress for any gr evance concerning this transaction.

We therefore confirm that:

- We have been appropriately informed and consulted about the project and the choices available to up as a community; informed of our rights; and provided with information concerning the environmental and economic, social and food security impacts of the proposed project.
- We are aware that refusal is an option, and hereby confirm in writing of our willingness to proceed with the donation.
- 3) The amount of and being donated is minor and will not reduce the community's remaining land area below that required to maintain our livelihood a current levels.
- 4) No household relocation is invo ved.
- the community is expected to benefit from the project directly through supply of water and improved sanitation services.
- 6) Our Consent as the community using the community land is sought

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- 7) That Minutes of the consultation meeting have been taken as a transparent record of all the consultations and agreements reached with the affected communities.
- Appropriate compensation, benefit sharing, and grievance mechanisms are put in place through livelihood restoration plan and captured in the minutes.
- The attached Attendance list contains the signatures of the community members present during this land donation exercise.
- 10) That land is jointly owned by the whole community for all land required for Loiyangalani Water and Sanitation Project and therefore there are no separate land committees but only one

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Signed:

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A. Council	of Elders Representative:	2.2	
Name <u>St</u>	ILEIMAN 10	SAAC MOHAM	50
Signature:	- Coton		
Date:	\$16/2024		
Phone number:	07129750	600	
National I.D. N	iumber <u>922.05</u>	502	
B. Land Co	mmittee Representative 2	2:	
Name LOLE	MUSENI Lok	CELE	
Signature:	Gera-P		
Date: 1910	6/2024		
Designation:			
Phone number:	0710192713	5	
National I.D. N	lumber <u>7870285</u>		
C. Land Go	► mmittee Representative :	3://	
Name_Ka	deal 7	CETT-Mary Te	
Signature	TA		
Date: _f	10/12.0	с. 	
l	100/24		
	t - t		

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Designation: Anton Q En
Phone number: 1372334 0727962549
National I.D. Number 1372 7534
D. Land Committee Representative 4:
Name NICHOLAS LEWANI KUYO
Signature: ALICHOLAS
Date: 19161224
Designation: CMMITTEE
Phone number: 0729494895
National I.D. Number_[1503425
E. Land Committee Representative 5:
Name LESEEPO LARITA LESAPUHO
Signature:
Date: 19/06/2024
Designation:
Phone number: <u>M/A</u>
National I.D. Number 11503474
F. Land Committee Representative 5:
Name
Signature: Mana
Date:
Designation:
Phone number
National I.D. Number 0510120

G. Chief or Local Custom Authority	A
Signature:	
Date: 18/06/2020	CHIEFLOIYANYALANI LOCATION
Phone number: 072374 6534	vate
National I.D. Number 24605594	

H. Marsabit County Government Representative

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On behalf of the County Government of Marsabit, I hereby acknowledge and state that indeed the community donated land after stakeholder consultations for the project

Name of representatives Mathew M	1. Lechipan
Signature:	COUNTY GOVERNMENT OF MARSABIT
Date:	DEPT., ADMIN., ICT & DISASTER MOT DECA LOIYANGALANI
National I.D. Number 113 F6 436 Attached is the list of attendees who also conse	ented to the above.



COUNTY GOVERNMENT OF MARSABIT P.O. BOX 384-60500, Marsabit Department of Public Administration, ICT & Disaster Management Laisamis Sub-County Deputy Sub-County Administrator, Loiyangalani.



Our Ref: NWWDA/LOY/Vol.I/05

June 18, 2024

The Chief Executive Officer Northern Water Works Development Agency, Maji House, Kismayu Road GARISSA

Dear Sir/Madam,

LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT -Re: Acknowledgement of Voluntary Land Donation in Loiyangalani, Marsabit County – Faecal Sludge Treatment Plant Land

I am writing on behalf of the County Government of Marsabit to formally acknowledge and confirm the voluntary donation of land by the Loiyangalani community for Construction of Faecal Sludge Treatment Plant (10 acres) for Loiyangalani Town within Marsabit County.

The community, represented by authorized individuals exercising customary and communal rights over the land, has generously donated land for the above project site.

The donation of land has been made voluntarily and without expectation of compensation, reflecting our shared commitment to supporting development initiatives that benefit the broader community. Thorough stakeholder consultations were conducted to ensure that all affected parties were informed about the projects, their rights, and the potential impacts. Minutes of these consultations have been documented to maintain transparency and accountability.

Attached to this letter are the relevant documents, including the Voluntary Land Donation Form and the Attendance List, which validate the consent of community members and the endorsement of local authorities.

We appreciate the Northern Water Works Development Agency's collaboration and support in this endeavor. We look forward to continued partnership to ensure the successful implementation and sustainable management of these important projects.

Yours faithfully,

COUNTY GOVERNMENT OF MARSABIT P. C. Box 384-50500 MARSABIT DEPT., ADMIN., ICT & DISASTER MGT DSCA ". OIYANGALANI

Mathew M. Lechipan SUB-COUNTY ADMINISTRATOR County Government of Marsabit Tel: 0719677119 E: mlechipan2014@gmail.com [Attachments: Voluntary Land Donation Form, Attendance List]

VOLUNTARY LAND DONATION (OR LAND LEASE) FORM - FAECAL SLUDGE TREATMENT PLANT

We: DYANGALANT COMMUNITY REPRESENTATIVES

AND LOCAL LAND COMMITTEES : person(s) exercising customary/communal rights over land described below in: Town LET GALANT Sub County LET TANGALANT County MARSABLE «

Hereby declare that we/the group are the users of the land required for Construction of Faecal Sludge Treatment Plant for Loiyangalani Town.

We are voluntarily donating the use of the 10 ACRES required for construction of faecal sludge treatment plant next to the existing solid waste dumping site for the purpose of Construction of the said Project. It is situated about 3.5 Km from the town centre.

We agree to this purpose from (date) / 5/6/2024. for as long as the purpose is served.

We make this donation of Our own free will. We are waiving Our right to compensation of any kind for the specified duration of the activity.

We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that we have the right to refuse, and to seek redress for any grievance concerning this transaction.

We therefore confirm that:

- We have been appropriately informed and consulted about the project and the choices available to us as a community; informed of our rights; and provided with information concerning the environmental and economic, social and food security impacts of the proposed project.
- We are aware that refusal is an option, and hereby confirm in writing of our willingness to proceed with the donation.
- 3) The amount of and being donated is minor and will not reduce the community's remaining land area below that required to maintain our livelihood at current levels.
- 4) No household relocation is involved.
- The community is expected to benefit from the project directly through supply of water and improved sanitation services.
- 6) Our Consent as the community using the community land is sought.

- That Minutes of the consultation meeting have been taken as a transparent record of all the consultations and agreements reached with the affected communities.
- Appropriate compensation, benefit sharing, and grievance mechanisms are put in place through livelihood restoration plan and captured in the minutes.
- The attached Attendance list contains the signatures of the community members present during this land donation exercise.
- 10) That land is jointly owned by the whole community for all land required for Loiyangalani Water and Sanitation Project and therefore there are no separate land committees but only one

Signed:

A. Council of Elders Representative: Name LOLEMUSENI LOKELE Rotal Signature: Date: 19/06/2024 Phone number: 07 10 19 27 13 National I.D. Number 7870285 B. Land Committee Representative 2: Name_SULEIMAN ISAAC MOTAMES Signature: 18/6/2024 Date: Designation: CHATRAN Phone number: 0712975600 National I.D. Number 922 05 02. C. Land Committee Representative 3: BIMONTO Name, Signature: Date

Designation: Anton Q En
Phone number: 1375340727962545
National I.D. Number_1372-1534
D. Land Committee Representative 4:
Name NICHOLAS LEWANI KUYO
Signature: AlicHOLAS
Date: 19161224
Designation: CMMITTEE
Phone number: 0729494015
National I.D. Number_(15031425
E. Land Committee Representative 5:
Name LESE EPO 448.174 LESAPUHO
Signature:
Date: 19/06/2024
Designation:
Phone number: <u>M/A</u>
National I.D. Number 1150-24174
F. Land Committee Representative 5:
Name
Signature: Top 18C (2024
Date:
Designation: 0720283557
Phone number
National I.D. Number

G. Chief or Local Custom Authority	
Name JONTH L. ORFOR	A
Simon tonto	
Data 18/08/2024	CHIEF LOIYANYALANI
Phone number: 0723746534	Date
National I.D. Number 2460 5594	

H. Marsabit County Government Representative

On behalf of the County Government of Marsabit, I hereby acknowledge and state that indeed the community donated land after stakeholder consultations for the project

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Northew M. K	echipan
Name of representative.	
Signature:	COUNTY GOVERNMENT OF MARSABIT
Date: 18/06/2024	P. O. Box 384-60500 MARSABIT DEPT., ADMIN., ICT & DISASTER MOT
Phone number: 0719677119	DECA LOIYANGALANI
National I.D. Number_ 11386436	

Attached is the list of attendees who also consented to the above.

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GRAVITY MAIN



COUNTY GOVERNMENT OF MARSABIT P.O. BOX 384-60500, Marsabit Department of Public Administration, ICT & Disaster Management Laisamis Sub-County Deputy Sub-County Administrator, Loiyangalani.



Our Ref: NWWDA/LOY/Vol.1/06

June 18, 2024

The Chief Executive Officer Northern Water Works Development Agency, Maji House, Kismayu Road <u>GARISSA</u>

Dear Sir/Madam,

LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT -

Re: <u>Acknowledgement of Voluntary Land Donation in Loiyangalani, Marsabit County – Gravity</u> Water Transmission Pipeline Wayleave

I am writing on behalf of the County Government of Marsabit to formally acknowledge and confirm the voluntary donation of land by the Loiyangalani community for Construction of Gravity Water Transmission Main from Ngobeleng (6 acres) to Loiyangalani Town within Marsabit County.

The community, represented by authorized individuals exercising customary and communal rights over the land, has generously donated land for the above project site.

The donation of land has been made voluntarily and without expectation of compensation, reflecting our shared commitment to supporting development initiatives that benefit the broader community. Thorough stakeholder consultations were conducted to ensure that all affected parties were informed about the projects, their rights, and the potential impacts. Minutes of these consultations have been documented to maintain transparency and accountability.

Attached to this letter are the relevant documents, including the Voluntary Land Donation Form and the Attendance List, which validate the consent of community members and the endorsement of local authorities.

We appreciate the Northern Water Works Development Agency's collaboration and support in this endeavor. We look forward to continued partnership to ensure the successful implementation and sustainable management of these important projects.

Yours faithfully,

Hants

COUNTY GOVERNMENT OF MARSABIT P. O. 80x384-60500 MARSABIT DEPT., ADMIN., ICT & DISASTER MGT DSCA 1. DIYAN GALANI

Mathew M. Lechipan SUB-COUNTY ADMINISTRATOR County Government of Marsabit Tel: 0719677119 E: mlechipan2014@gmail.com [Attachments: Voluntary Land Donation Form, Attendance List]
VOLUNTARY LAND DONATION (OR LAND LEASE) FORM - MAIN WATER TRANSMISSION PIPELINE FROM NGOBELENG TO TOWN AREA

BUYANGALANT COMMUNITY REPRESENTATIVES We: LOCAL LAND COMMITTEES. ANS _, person(s) exercising customary/communal rights over land described below in: Town_LOTPAN GATANI Sub County_LOTTANGATANI County _ AMPLABET.

Hereby declare that we'the group are the users of the land required for Construction of Main Water pipeline to supply water to Loiyangalani residents from Ngobeleng to Town.

We are voluntarily donating the use of the 6 ACRES required for Construction of the main pipeline from Ngobeleng to Town for the purpose of Construction of **the said Project**. The approximate coordinates are as shown in the figure below:



We agree to this purpose from (date) <u>176/2044</u>, for as long as the purpose is served.

We make this donation of Our own free will. We are waiving Our right to compensation of any kind for the specified duration of the activity.

We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that we have the right to refuse, and to seek redress for any grievance concerning this transaction.

We therefore confirm that:

We have been appropriately informed and consulted about the project and the choices available to
us as a community; informed of our rights; and provided with information concerning the
environmental and economic, social and food security impacts of the proposed project.

- We are aware that refusal is an option, and hereby confirm in writing of our willingness to proceed with the donation.
- 3) The amount of and being donated is minor and will not reduce the community's remaining land area below that required to maintain our livelihood at current levels.
- 4) No household relocation is involved.
- The community is expected to benefit from the project directly through supply of water and improved sanitation services.
- 6) Our Consent as the community using the community land is sought.
- That Minutes of the consultation meeting have been taken as a transparent record of all the consultations and agreements reached with the affected communities.
- Appropriate compensation, benefit sharing, and grievance mechanisms are put in place through livelihood restoration plan and captured in the minutes.
- The attached Attendance list contains the signatures of the community members present during this land donation exercise.
- 10) That land is jointly owned by the whole community for all land required for Loiyangalani Water and Sanitation Project and therefore there are no separate land committees but only one

Signed:

Α.	. Council of Elders	Representa	ative:		
Name	NicHOLA	SLEU	VANKU	10	
Signa	ature: <u>NicHo</u>	LAS	(Land	Com	mttee)
Date:	19/6/22	U			
Phone	e number: <u>073</u>	2949	4895	() , () () () () () () () () () () () () ()	
Natio	nal I.D. Number_	11503	425		

B. Land Committee Representative 2:

AAC. UTAMES Name Signature: Date: Designation:

C. Land Committee Representative 3 Name Signature Date: Designation:

National I.D. Number_ 922 D5 D.2 .	
D. Land Committee Representative 4:	
Name LOLEMUSENI LOKELE	
Signature:	
Date: 19/06/2024	~~
Designation: Council of Elders	Rey
Phone number: 0710192713	9
National I.D. Number 7870285	

E. Land Committee Representative 5: Name Signature: 19 Date: __ 5 Designation: Phone number National I.D. Number__ ~2 F. Land Committee Representative 6: Name LESEPO LPAKITA LESAPICAD Signature: _ Date: 19/6/2024 Designation: COMMUTTEE NTA Phone number: National I.D. Number_1150 3474

G. Chief or Local Custom Authority	A
NameL / L UICputo,	9
Signature:	J.L. ORBORA CHIEFLOIYANYALANI
Date: 18/00/2000	Date
Phone number: 07231905594	
National I.D. Number LCEDU33 1-1	

On behalf of the County Government of Marsabit, I hereby acknowledge and state that indeed the community donated land after stakeholder consultations for the project

Name of representatives Mathew M. A	echipan
Munte'	,
Signature:	COUNTY GOVERNMENT OF MARSABIT
Date: 18/06/2024	P. O. Box 384-60500 MARSABIT DEPT. ADMIN. ICT & DISASTER MOT
Phone number: 0719677119	DECA LOIYANGALANI
National I.D. Number 113 F6436	the day shares

Attached is the list of attendees who also consented to the above.

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KULA MAWE ABULUTION BLOCK



COUNTY GOVERNMENT OF MARSABIT

P.O. BOX 384-60500, Marsabit

Department of Public Administration, ICT & Disaster Management Laisamis Sub-County Deputy Sub-County Administrator, Loiyangalani.



Our Ref: NWWDA/LOY/Vol.I/09

June 18, 2024

The Chief Executive Officer Northern Water Works Development Agency, Maji House, Kismayu Road GARISSA

Dear Sir/Madam,

LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT -

Re: <u>Acknowledgement of Voluntary Land Donation in Loiyangalani, Marsabit County –Kula</u> <u>Mawe Ablution Block Land</u>

I am writing on behalf of the County Government of Marsabit to formally acknowledge and confirm the voluntary donation of land by the Loiyangalani community for Construction of Kula Mawe Ablution Block (an eighth of an acre) for Loiyangalani Town within Marsabit County.

The community, represented by authorized individuals exercising customary and communal rights over the land, has generously donated land for the above project site.

The donation of land has been made voluntarily and without expectation of compensation, reflecting our shared commitment to supporting development initiatives that benefit the broader community. Thorough stakeholder consultations were conducted to ensure that all affected parties were informed about the projects, their rights, and the potential impacts. Minutes of these consultations have been documented to maintain transparency and accountability.

Attached to this letter are the relevant documents, including the Voluntary Land Donation Form and the Attendance List, which validate the consent of community members and the endorsement of local authorities.

We appreciate the Northern Water Works Development Agency's collaboration and support in this endeavor. We look forward to continued partnership to ensure the successful implementation and sustainable management of these important projects.

Yours faithfully.

COUNTY GOVERNMENT OF MARSABIT P. O. Boz 384-60500 MARSABIT DEPI., ADMIN., ICT & DISASTER MGT DSCA 'OIYANGALANI

Mathew M. Lechipan SUB-COUNTY ADMINISTRATOR County Government of Marsabit Tel: 0719677119 E: mlechipan2014@gmail.com [Attachments: Voluntary Land Donation Form, Attendance List]

VOLUNTARY LAND DONATION (OR LAND LEASE) FORM - KULA MAWE ABLUTION BLOCK

We: LOITANGALANT COMMUNITY REPRESANTIVES

exercising customary/communal rights over land described below in: Town <u>LOT TAN LATAN</u> Sub County <u>LOT TAN LATAN</u> County <u>MALSAGE</u> C

Hereby declare that we'the group are the users of the land required for Construction of Kula Mawe Ablution Block.

We are voluntarily donating the use of the EIGHTH OF AN ACRE required for Construction of Kula Mawe Ablution Block.

We agree to this purpose from (date) 26/2024, for as long as the purpose is served.

We make this donation of Our own free will. We are waiving Our right to compensation of any kind for the specified duration of the activity.

We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that we have the right to refuse, and to seek redress for any grievance concerning this transaction.

We therefore confirm that:

- We have been appropriately informed and consulted about the project and the choices available to us as a community; informed of our rights; and provided with information concerning the environmental and economic, social and food security impacts of the proposed project.
- We are aware that refusal is an option, and hereby confirm in writing of our willingness to proceed with the donation.
- The amount of and being donated is minor and will not reduce the community's remaining land area below that required to maintain our livelihood at current levels.
- 4) No household relocation is involved.
- The community is expected to benefit from the project directly through supply of water and improved sanitation services.
- 6) Our Consent as the community using the community land is sought.
- 7) That Minutes of the consultation meeting have been taken as a transparent record of all the consultations and agreements reached with the affected communities.

- Appropriate compensation, benefit sharing, and grievance mechanisms are put in place through livelihood restoration plan and captured in the minutes.
- The attached Attendance list contains the signatures of the community members present during this land donation exercise.
- 10) That land is jointly owned by the whole community for all land required for Loiyangalani Water and Sanitation Project and therefore there are no separate land committees but only one

Signed:

A. Council of Elders Representative:

Name LOLEMUSENI LOKELE Signature: Gentle Date: 19/06/2024 Phone number: 07-10192713 National I.D. Number_7870285 B. Land Committee Representative 2: Name SULEIMAN 1SAAC TOHAMED Signature: 1816/2024 Date: letterna Designation: ____ Phone number: 0112925600 National I.D. Number 922 05 02 C. Land Committee Representative 3: mo Name Signature:

Date: Designation:

1 2 0 FQ	
Designation:	
Phone number:	
National I.D. Number 1372 953 4	
D. Land Committee Representative 4:	
Name NICHOLAS LEWANI EUYO	
Signature: NICHOLAS	
Date: 19/6/224	
Designation: CMMITTEE	
Phone number: 0729494895	
National I.D. Number_[1503425	
E Land Committee Representative 5:	
Name LESEEPO MARITA LESEPUHO	
Signature:	
Date: 17/06/2024	
Designation:	
Phone number: M/A	
National I.D. Number 115034114	
F. Land Committee Representative 6:	
Name KICHADO MANNA ROAMA	
Signature:	
Date:	
Designation: LAND COMMITTEE	
Phone number 0720283557	
National I.D. Number 0810128	
	3 Page
	xAUD/C=TAVE

G. Chief or Local Custom Authority	A
Signature:	
Date: 18/06/2020	CHIEF LOIYANYALANI LOCATION
Phone number: 072374 6534	vate
National I.D. Number 24605594	

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On behalf of the County Government of Marsabit, I hereby acknowledge and state that indeed the community donated land after stakeholder consultations for the project

Name of representatives Mathew	M. Lechipan
Signature:	COUNTY GOVERNMENT OF MARSABIT P. O. Box 384-60500 MARSABIT
Phone number: 0719677119	DEPT. ADMIN. ICT & DISASTER MGT DECA LOIYANGALANI
National I.D. Number 113 F6 43 Attached is the list of attendees who also on	6 onsented to the above.



COUNTY GOVERNMENT OF MARSABIT P.O. BOX 384-60500, Marsabit Department of Public Administration, ICT & Disaster Management Laisamis Sub-County Deputy Sub-County Administrator, Loiyangalani.



Our Ref: NWWDA/LOY/Vol.I/03

June 18, 2024

The Chief Executive Officer Northern Water Works Development Agency, Maji House, Kismayu Road GARISSA

Dear Sir/Madam,

LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT -

Re: <u>Acknowledgement of Voluntary Land Donation in Loiyangalani</u>, <u>Marsabit County –</u> <u>Commercial Area 1 Ablution Block Land</u>

I am writing on behalf of the County Government of Marsabit to formally acknowledge and confirm the voluntary donation of land by the Loiyangalani community for Construction of Commercial Area 1 Ablution Block (an eighth of an acre) for Loiyangalani Town within Marsabit County.

The community, represented by authorized individuals exercising customary and communal rights over the land, has generously donated land for the above project site.

The donation of land has been made voluntarily and without expectation of compensation, reflecting our shared commitment to supporting development initiatives that benefit the broader community. Thorough stakeholder consultations were conducted to ensure that all affected parties were informed about the projects, their rights, and the potential impacts. Minutes of these consultations have been documented to maintain transparency and accountability.

Attached to this letter are the relevant documents, including the Voluntary Land Donation Form and the Attandance List, which validate the consent of community members and the endorsement of local authorities.

We appreciate the Northern Water Works Development Agency's collaboration and support in this endeavor. We look forward to continued partnership to ensure the successful implementation and sustainable management of these important projects.

Yours faithfully,

COUNTY GOVERNMENT OF MARSABIT P. C. Box 384-60506 MARSABIT DEPT..ADMIN..ICT & DISASTER MGT DSCA ..OTYANGALANI

Mathew M. Lechipan SUB-COUNTY ADMINISTRATOR County Government of Marsabit Tel: 0719677119 E: mlechipan2014@gmail.com [Attachments: Voluntary Land Donation Form, Attendance List]

VOLUNTARY LAND DONATION (OR LAND LEASE) FORM - COMMERCIAL AREA 1 ABLUTION BLOCK

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		M	

E. LOTYANGALANT ROMMINITY REPRESENTATIVES

ATA LOCAL LAND COMMITTEE exercising customary/communal rights over land described below in: Town LOTALATAN Sub County LOT IN GALATS

County MARSATE-17.

Hereby declare that we/the group are the users of the land required for Construction of Commercial Area 1 Ablution Block.

We are voluntarily donating the use of the EIGHTH OF AN ACRE required for Construction of Commercial Area1 Ablution Block.

We agree to this purpose from (date)	18/6/2024	, for as long as the purpose is
served		

We make this donation of Our own free will. We are waiving Our right to compensation of any kind for the specified duration of the activity.

We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that we have the right to refuse, and to seek redress for any grievance concerning this transaction.

We therefore confirm that:

- We have been appropriately informed and consulted about the project and the choices available to us as a community; informed of our rights; and provided with information concerning the environmental and economic, social and food security impacts of the proposed project.
- We are aware that refusal is an option, and hereby confirm in writing of our willingness to proceed with the donation.
- The amount of and being donated is minor and will not reduce the community's remaining lind area below that required to maintain our livelihood at current levels.
- 4) No household relocation is involved.
- ine community is expected to benefit from the project directly through supply of water and improved sanitation services.
- 6) Our Consent as the community using the community land is sought.

1 Page

, person(s)

- That Minutes of the consultation meeting have been taken as a transparent record of all the consultations and agreements reached with the affected communities.
- Appropriate compensation, benefit sharing, and grievance mechanisms are put in place through livelihood restoration plan and captured in the minutes.
- The attached Attendance list contains the signatures of the community members present during this land donation exercise.
- 10) That land is jointly owned by the whole community for all land required for Lolyangalani Water and Sanitation Project and therefore there are no separate land committees but only one

Signed:

A. Council of Elders Representative:

Name LOLEMUSENI LOKELE

	I COD D
Signature	COTCAL

Date: 19/06/2024

Phone number. 0710192713

National I.D. Number 7970 28 S

B. Land Committee Representative 2:

Name SULEIMIAN ISAAC MOHAMED

Date: 18/6/2024

Designation: CHATRATAN

Phone number: ________9256 0 n______

National I.D. Number 922 0502,

C. Lapd Committee Representative 3: Name AICHCALLSMAR E. Signature AAD Date: 1940 204

Designation: Anton Q En
Phone number: 6372534 0727962545
National I.D. Number_1372-7534
D. Land Committee Representative 4:
Name NICHOLAS LEWANI E-UYO
Signature: ALICHOLAS
Date: 19/6/224
Designation: CMMITTEE
Phone number: 0729494895
National I.D. Number 1503425
E. Land Committee Representative 5:
Name LESEEPE MARITA LESAPUHO
Signature:
Date: 19/06/2024
Designation:
Phone number: M/A
National I.D. Number 11503474
F. Land Committee Representative 5:
Name RICHADS MANDA ROAMA
Signature:
Date:
Designation: LANS COMMITTEE
Phone number 0720283557
National I.D. Number_0810128

G. Chief or Local Custom Authority	A
Signature:	
Date: 18/06/2020	CHIEF LOIYANYALANI LOCATION
Phone number: 072374 6534	vate
National I.D. Number 24605594	

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On behalf of the County Government of Marsabit, I hereby acknowledge and state that indeed the community donated land after stakeholder consultations for the project

Name of representatives Mathew	M. Lechipan
Signature:	COUNTY GOVERNMENT OF MARSABIT P. O. Box 384-60500 MARSABIT
Phone number: 0719677119	DEPT. ADMIN. ICT & DISASTER MGT DECA LOIYANGALANI
National I.D. Number 113 F6 43 Attached is the list of attendees who also on	6 onsented to the above.



COUNTY GOVERNMENT OF MARSABIT P.O. BOX 384-60500, Marsabit Department of Public Administration, ICT & Disaster Management Laisamis Sub-County Deputy Sub-County Administrator, Loiyangalani.



June 18, 2024

Our Ref: NWWDA/LOY/Vol.I/04

The Chief Executive Officer Northern Water Works Development Agency, Maji House, Kismayu Road GARISSA

Dear Sir/Madam,

LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT -

Re: <u>Acknowledgement of Voluntary Land Donation in Loiyangalani, Marsabit County –</u> <u>Commercial Area 2 Ablution Block Land</u>

I am writing on behalf of the County Government of Marsabit to formally acknowledge and confirm the voluntary donation of land by the Lolyangalani community for Construction of Commercial Area 1 Ablution Block (an eighth of an acre) for Lolyangalani Town within Marsabit County.

The community, represented by authorized individuals exercising customary and communal rights over the land, has generously donated land for the above project site.

The donation of land has been made voluntarily and without expectation of compensation, reflecting our shared commitment to supporting development initiatives that benefit the broader community. Thorough stakeholder consultations were conducted to ensure that all affected parties were informed about the projects, their rights, and the potential impacts. Minutes of these consultations have been documented to maintain transparency and accountability.

Attached to this letter are the relevant documents, including the Voluntary Land Donation Form and the Attendance List, which validate the consent of community members and the endorsement of local authorities.

We appreciate the Northern Water Works Development Agency's collaboration and support in this endeavor. We look forward to continued partnership to ensure the successful implementation and sustainable management of these important projects.

Yours faithfully,

COUNTY GOVERNMENT OF MARSABIT P. O. BOS THI-BOSED MARSABIT DEPL, ADMIN, ICT & DISASTER MGT DSCA . OLYANGALANI

Mathew M. Lechipan SUB-COUNTY ADMINISTRATOR County Government of Marsabit Tel: 0719677119 E: mlechipan2014@gmail.com [Attachments: Voluntary Land Donation Form, Attendance List]

VOLUNTARY LAND DONATION (OR LAND LEASE) FORM – COMMERCIAL AREA 2 ABLUTION BLOCK

We LOTYANGALANT COMMUNITY REPRESENTATIVES

AND LOCAL LAND COMMITCRET, person(s) exercising customary/communal rights over land described below in: Town_LDTYANGAZANI Sub County_LDTYANGAZANI County_LDTYANGAZANI

Hereby declare that we/the group are the users of the land required for Construction of Commercial Area 2 Ablution Block.

We are voluntarily donating the use of the EIGHTH OF AN ACRE required for Construction of Commercial Area 2 Ablution Block.

We agree to this purpose from (date) 156/2024, for as long as the purpose is served.

We make this donation of Our own free will. We are waiving Our right to compensation of any kind for the specified duration of the activity.

We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that we have the right to refuse, and to seek redress for any grievance concerning this transaction.

We therefore confirm that:

- We have been appropriately informed and consulted about the project and the choices available to us as a community; informed of our rights; and provided with information concerning the environmental and economic, social and food security impacts of the proposed project.
- We are aware that refusal is an option, and hereby confirm in writing of our willingness to proceed with the donation.
- The amount of and being donated is minor and will not reduce the community's remaining land area below that required to maintain our livelihood at current levels.
- 4) No household relocation is involved.
- The community is expected to benefit from the project directly through supply of water and improved sanitation services.
- 6) Our Consent as the community using the community land is sought.

- 7) That Minutes of the consultation meeting have been taken as a transparent record of all the consultations and agreements reached with the affected communities.
- Appropriate compensation, benefit sharing, and grievance mechanisms are put in place through livelihood restoration plan and captured in the minutes.
- The attached Attendance list contains the signatures of the community members present during this land donation exercise.
- 10) That land is jointly owned by the whole community for all land required for Loiyangalani Water and Sanitation Project and therefore there are no separate land committees but only one

Signed:

A. Council of Elders Representative: Name LOLEMUSENI LOKELE Signature: Date: 19/06/2024 Phone number: 0710192713 National I.D. Number 7870285 B. Land Committee Representative 2: Name SULEIMAN ISAAC MOHAMED Signature: _ 18/6/2024 Date: Designation: CHAIRMAN National I.D. Number 922 0502 C. Land Committee Representative 3 Name Signature: Date:

Designation: Anton Q En
Phone number:
National I.D. Number_1372-1534
D. Land Committee Representative 4:
Name NICHOLAS LEWANI EUYO
Signature: ALICHOLAS
Date: 19/6/224
Designation: CMMITTEE
Phone number: 0729494895
National I.D. Number 1503425
E. Land Committee Representative 5:
Name LESEEPE MARITA LESAPUHO
Signature:
Date: 19/06/2024
Designation:
Phone number: M/A
National I.D. Number 11503474
F. Land Committee Representative 5:
Name RICHARS MAINSA ROAMA
Signature: Allane
Date:
Designation: LAND COMMITTEE
Phone number 0720283557
National I.D. Number_0810128

G. Chief or Local Custom Authority	
Name JONTH L. ORFOR	A
Simon tonto	
Data 18/08/2024	CHIEF LOIYANYALANI
Phone number: 0723746534	Date
National I.D. Number 2460 5594	

On behalf of the County Government of Marsabit, I hereby acknowledge and state that indeed the community donated land after stakeholder consultations for the project

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Norma of popposentativer Mathew M. A	le chipan
None of representative 10 '	/
Signature:	COUNTY GOVERNMENT OF MARSABIT
Date: 18/06/2024	P.O. Box 384-60500 MARSABIT
Phone number: 0719677119	DECA LOIYANGALANI
Automat 10 Alexander 11386436	
Nauvial 1.D. Number	the desidence

Attached is the list of attendees who also consented to the above.

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KIWANJA NDEGE ABLUTION BLOCK



COUNTY GOVERNMENT OF MARSABIT P.O. BOX 384-60500, Marsabit Department of Public Administration, ICT & Disaster Management Laisamis Sub-County



Our Ref: NWWDA/LOY/Vol.I/07

June 18, 2024

The Chief Executive Officer Northern Water Works Development Agency, Maji House, Kismayu Road GARISSA

Dear Sir/Madam,

LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT -

Re: Acknowledgement of Voluntary Land Donation in Loiyangalani, Marsabit County – Kiwanja Ndege Ablution Block Land

I am writing on behalf of the County Government of Marsabit to formally acknowledge and confirm the voluntary donation of land by the Lolyangalani community for Construction of Kiwanja Ndege Ablution Block (an eighth of an acre) for Loiyangalani Town within Marsabit County.

The community, represented by authorized individuals exercising customary and communal rights over the land, has generously donated land for the above project site.

The donation of land has been made voluntarily and without expectation of compensation, reflecting our shared commitment to supporting development initiatives that benefit the broader community. Thorough stakeholder consultations were conducted to ensure that all affected parties were informed about the projects, their rights, and the potential impacts. Minutes of these consultations have been documented to maintain transparency and accountability.

Attached to this letter are the relevant documents, including the Voluntary Land Donation Form and the Attachance List, which validate the consent of community members and the endorsement of local authorities.

We appreciate the Northern Water Works Development Agency's collaboration and support in this endeavor. We look forward to continued partnership to ensure the successful implementation and sustainable management of these important projects.

Yours faithfully,

COUNTY GOVERNMENT OF MARSABIT P. C. Box 384-60500 MARSABIT DEPT. ADMIN. ICT & DISASTER MGT DSCA - DIYANGALANI

Mathew M. Lechipan SUB-COUNTY ADMINISTRATOR County Government of Marsabit Tel: 0719677119 E: mlechipan2014@gmail.com [Attachments: Voluntary Land Donation Form, Attendance List]

VOLUNTARY LAND DONATION (OR LAND LEASE) FORM - KIWANJA NDEGE ABLUTION BLOCK

We: LOT YASKARANI COMMUNITY REPRESENTATIVES <u>ANA LOCAL LANA</u> COMMUNITY REPRESENTATIVES exercising customary/communal rights over land described below in: Town <u>LOTYAN GARAN</u> Sub County <u>LOTYAN GARAN</u>

County ______

Hereby declare that we/the group are the users of the land required for Construction of Kiwanja Ndege Ablution Block.

We are voluntarily donating the use of the EIGHTH OF AN ACRE required for Construction of Kiwanja Ndege Ablution Block.

We agree to this purpose from (date) /4/6/2024, for as long as the purpose is served.

We make this donation of Our own free will. We are waiving Our right to compensation of any kind for the specified duration of the activity.

We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that we have the right to refuse, and to seek redress for any grievance concerning this transaction.

We therefore confirm that:

- We have been appropriately informed and consulted about the project and the choices available to us as a community; informed of our rights; and provided with information concerning the environmental and economic, social and food security impacts of the proposed project.
- We are aware that refusal is an option, and hereby confirm in writing of our willingness to proceed with the donation.
- The amount of and being donated is minor and will not reduce the community's remaining land area below that required to maintain our livelihood at current levels.
- 4) No household relocation is involved.
- The community is expected to benefit from the project directly through supply of water and improved sanitation services.
- 6) Our Consent as the community using the community land is sought.
- 7) That Minutes of the consultation meeting have been taken as a transparent record of all the consultations and agreements reached with the affected communities.

- Appropriate compensation, benefit sharing, and grievance mechanisms are put in place through livelihood restoration plan and captured in the minutes.
- The attached Attendance list contains the signatures of the community members present during this land donation exercise.
- 10) That land is jointly owned by the whole community for all land required for Loiyangalani Water and Sanitation Project and therefore there are no separate land committees but only one

Signed:

Designation:

A. Council of Elders Representative:

Name LOLEMUSENI LOKELE Signature: Date: 19/06/2024 Phone number: 0710192713 National I.D. Number 7870285 B. Land Committee Representative 2: Name SULEIMAN ISAKE MOHAMES Stat Signature: ___ 1816/2024 Date: ____ Designation: CHARMAN National I.D. Number 922 05 02 C. Land Committee Representative 3: Name_ Signature: Date:

Phone number: 0712 975600	
National I.D. Number 922 0502.	
D. Land Committee Representative 4:	
Name LOLEMUSENI LOKELE	
Signature:	
Date: 19/06/2024	
Designation: Council of Elders	Rep.
Phone number: 0710192713	
National I.D. Number 7870285	

E. Land Committee Representative 5:
Name 202651 tos Mon to
Signature:
Date: 19/06/24
Designation: MEGNS
Phone number 0,22.9.62.5 4.9
National I.D. Number 13729534
F. Land Committee Representative 6:
Name LESEPO LPARLITA LESAPICITO
Signature:
Date: 19/6/2024
Designation:
Phone number
National I.D. Number 11.50 3474

/

G. Chief or Local Custom Authority	A
Name	0
Signature:	J.L. ORBORA CHIEF LOIYANYALANI
Date: 15/00/2000	Date
Phone number: 0723740354	
National I.D. Number 146033 17	

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On behalf of the County Government of Marsabit, I hereby acknowledge and state that indeed the community donated land after stakeholder consultations for the project

Name of representatives Mathew N	1. Lechipan
Signature:	COUNTY GOVERNMENT OF MARSABIT
Date: Phone number: 0719677119	DEPT., ADMIN., ICT & DISASTER MGT DECA LOIYANGALANI
National I.D. Number Attached is the list of attendees who also cons	ented to the above.

BUS STAGE/MARKET ABLUTION BLOCK



endeavor. We look forward to continued partnership to ensure the successful implementation and sustainable management of these important projects. Yours faithfully, COUNTY GOVERNMENT OF MARSABIT

P.C. BOX 384-60500 MARSABIT DEPT., ADMIN., ICT & DISASTER MGT DSCA 'OIYANGALANI Mathew M. Lechipan

SUB-COUNTY ADMINISTRATOR County Government of Marsabit Tel: 0719677119 E: mlechipan2014@gmail.com [Attachments: Voluntary Land Donation Form, Attendance List]

VOLUNTARY LAND DONATION (OR LAND LEASE) FORM – BUS STAGE/MARKET ABLUTION BLOCK

We OLYANGALANT ROMMUNICY RESERVATIVES

Hereby declare that we/the group are the users of the land required for Construction of Bus Stage/ Market Ablution Block.

We are voluntarily donating the use of the EIGHTH OF AN ACRE required for Construction of Bus Stage/ Market Ablution Block.

We agree to this purpose from (date) $\frac{146120246}{6120246}$, for as long as the purpose is served.

We make this donation of Our own free will. We are waiving Our right to compensation of any kind for the specified duration of the activity.

We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that we have the right to refuse, and to seek redress for any grievance concerning this transaction.

We therefore confirm that:

- We have been appropriately informed and consulted about the project and the choices available to us as a community; informed of our rights; and provided with information concerning the environmental and economic, social and food security impacts of the proposed project.
- We are aware that refusal is an option, and hereby confirm in writing of our willingness to proceed with the donation.
- The amount of and being donated is minor and will not reduce the community's remaining land area below that required to maintain our livelihood at current levels.
- 4) No household relocation is involved.
- The community is expected to benefit from the project directly through supply of water and improved sanitation services.
- 6) Our Consent as the community using the community land is sought.

1 Page

- 7) That Minutes of the consultation meeting have been taken as a transparent record of all the consultations and agreements reached with the affected communities.
- Appropriate compensation, benefit sharing, and grievance mechanisms are put in place through livelihood restoration plan and captured in the minutes.
- The attached Attendance list contains the signatures of the community members present during this land donation exercise.
- 10) That land is jointly owned by the whole community for all land required for _oiyangalani Water and Sanitation Project and therefore there are no separate land committees but only one

Signed:

A. Council of Elders Representative: Name LOLEMUSENI LOKELE (ATOP Signature: Date: 19/06/2024 Phone number: 07/0192713 National I.D. Number 7870285 B. Land Committee Representative 2: SULAMAN ISAAC 370HAMES. Name Signature: 18 6/20214 Date: Designation: 2 MA Phone number: National I.D. Number, C. Land Committee Representative 3; Name Signature: Date:

Designation: Anton Q Ea
Phone number: 13725340727962549
National I.D. Number 1372 9534
D. Land Committee Representative 4:
Name MICHOLAS LEWANI KUYO
Signature: NICHOLAS
Date: 19/6/224
Designation: <u>CMMITTEE</u>
Phone number: 0729494895
National I.D. Number 1503425
E. Land Committee Representative 5:
Name LESEEPO LARITA LESAPUHO
Signature:
Date: 17/06/2024
Designation:
Phone number:A
National I.D. Number 11503474
F. Land Committee Representative 6:
NameAICHARS MAINA REAMIN
Signature:
Date:
Designation: LAND COMMITICE
Phone number: 83 55 7
National I.D. Number 0810128

10

G. Chief or Local Custom Authority	A
Signature:	
Date: 18/06/2020	CHIEF LOIYANYALANI LOCATION
Phone number: 072374 6534	vate
National I.D. Number 24605594	

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On behalf of the County Government of Marsabit, I hereby acknowledge and state that indeed the community donated land after stakeholder consultations for the project

Name of representatives Mathew M	1. Lechipan
Signature:	COUNTY GOVERNMENT OF MARSABIT
Phone number: 0719677119	DEPT., ADMIN., ICT & DISASTER MGT DECA LOIYANGALANI
National I.D. Number 11356436 Attached is the list of attendees who also const	ented to the above.



COUNTY GOVERNMENT OF MARSABIT P.O. BOX 384-60500, Marsabit Department of Public Administration, ICT & Disaster Management Laisomis Sub-County Deputy Sub-County Administrator, Loiyangalani.



June 18, 2024

Our Ref: NWWDA/LOY/Vol.I/08

The Chief Executive Officer Northern Water Works Development Agency, Maji House, Kismayu Road GARISSA

Dear Sir/Madam,

LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT -

Re: <u>Acknowledgement of Voluntary Land Donation in Loiyangalani, Marsabit County –</u> <u>Komote Village Reverse Osmosis Units Land</u>

I am writing on behalf of the County Government of Marsabit to formally acknowledge and confirm the voluntary donation of land by the Loiyangalani community for Installation of Komote Village Reverse Osmosis Units within Marsabit County (half an acre).

The community, represented by authorized individuals exercising customary and communal rights over the land, has generously donated land for the above project site.

The donation of land has been made voluntarily and without expectation of compensation, reflecting our shared commitment to supporting development initiatives that benefit the broader community. Thorough stakeholder consultations were conducted to ensure that all affected parties were informed about the projects, their rights, and the potential impacts. Minutes of these consultations have been documented to maintain transparency and accountability.

Attached to this letter are the relevant documents, including the Voluntary Land Donation Form and the Attendance List, which validate the consent of community members and the endorsement of local authorities.

We appreciate the Northern Water Works Development Agency's collaboration and support in this endeavor. We look forward to continued partnership to ensure the successful implementation and sustainable management of these important projects.

Yours faithfully, ILLE T

COUNTY GOVERNMENT OF MARSABIT P. O. 80x 384-60500 MARSABIT DEPT., ADMIN., ICT & DISASTEN MG1 DSCA OIYANGALANI

Mathew M. Lechipan //SUB-COUNTY ADMINISTRATOR County Government of Marsabit Tel: 0719677119 E mlechipar2014@gmail.com [Attachments: Voluntary Land Donation Form, Attendance List]

VOLUNTARY LAND DONATION (OR LAND LEASE) FORM - KOMOTE REVERSE OSMOSIS UNITS BLOCK

We:

LOTYANGALONI COMMUNICY REPRESENTATIVES

<u>ATB</u> <u>LOCAL</u> <u>LANA</u> <u>COMMENT TELT</u>, person(s) exercising customary/communal rights over land described below in: Town <u>LETTATUALANT</u> Sub County <u>LETTATUALANT</u> County <u>WARGATELT</u>

Hereby declare that we/the group are the users of the land required for Installation of Komote village reverse osmosis water treatment units.

We are voluntarily donating the use of the HALF OF AN ACRE required for installation of Komote village reverse osmosis water treatment units.

We agree to this purpose from (date) $\frac{1876/20244}{6}$, for as long as the purpose is served.

We make this donation of Our own free will. We are waiving Our right to compensation of any kind for the specified duration of the activity.

We affirm that we have been fully and freely consulted and informed about the activity prior to agreement, have not been subject to any form of coercion, understand that we have the right to refuse, and to seek redress for any grievance concerning this transaction.

We therefore confirm that:

- We have been appropriately informed and consulted about the project and the choices available to us as a community; informed of our rights; and provided with information concerning the environmental and economic, social and food security impacts of the proposed project.
- We are aware that refusal is an option, and hereby confirm in writing of our willingness to proceed with the donation.
- 3) The amount of and being donated is minor and will not reduce the community's remaining land area below that required to maintain our livelihood at current levels.
- 4) No household relocation is involved.
- The community is expected to benefit from the project directly through supply of water and improved sanitation services.
- 6) Our Consent as the community using the community land is sought.

- 7) That Minutes of the consultation meeting have been taken as a transparent record of all the consultations and agreements reached with the affected communities.
- 8) Appropriate compensation, benefit sharing, and grievance mechanisms are put in place through livelihood restoration plan and captured in the minutes.
- 9) The attached Attendance list contains the signatures of the community members present during this land donation exercise
- 10) That land is jointly owned by the whole community for all land required for Loiyangalan Water and Senitation Project and therefore there are no separate land committees but only one

.

Signed:

A. Council of Elders Representative:

Name LOLEMUSENI LOKELE

Signature: _____

Date: 19/06/2024

Phone number: 07/019 27 13

National I.D. Number 7870285

B. Land Committee Representative 2: 0.11-

Name SULEIMAN ICAAC MOHANIE
Signature:
Date: 15/6/2024
Designation: CATTRATAS
Phone number: 0712 97.5600
National I.D. Number 9220502.
C. Land Committee Representative 3:
Name Richard Fromont

Province of

Signature Date

Designation: Anton Q En
Phone number: 1372334 0727962549
National I.D. Number 1372 7534
D. Land Committee Representative 4:
Name NICHOLAS LEWANI KUYO
Signature: ALICHOLAS
Date: 19161224
Designation: CMMITTEE
Phone number: 0729494895
National I.D. Number_[1503425
E. Land Committee Representative 5:
Name LESEEPO LABURA LESAPUHO
Signature:
Date: 19/06/2024
Designation:
Phone number:
National I.D. Number 11503474
F. Land Committee Representative 5:
Name RICHARD WANNA KONTON
Signature:
Date:
Designation: CANS COMMITICE
Phone number
National I.D. Number 0510120

G. Chief or Local Custom Authority	A
Signature:	
Date: 18/06/2020	CHIEF LOIYANYALANI LOCATION
Phone number: 0723746534	vate
National I.D. Number 24605594	

1

.

On behalf of the County Government of Marsabit, I hereby acknowledge and state that indeed the community donated land after stakeholder consultations for the project

Name of representatives Mathew M	1. Lechipan
Signature:	COUNTY GOVERNMENT OF MARSABIT
Date:	DEPT., ADMIN., ICT & DISASTER MOT DECA LOIYANGALANI
National I.D. Number 113 F6 436 Attached is the list of attendees who also conse	ented to the above.

APPENDIX C: MINUTES FOR THE CONSULTATIVE MEETING HELD ON 24/06/2024 TO CONCLUDE THE LIVELIHOOD RESTORATION PROGRAM

MINUTES OF MEETING HELD AT LOIYANGALANI HEALTH CENTRE ON 24TH OF JUNE 2024 AT AROUND 10AM IN THE MORNING

MEMBERS PRESENT

1. MOHAMED AMIN- SECRETARY/FACILITY INCHARGE

- 2. TOBIAS LENGURO-CHAIRMAN
- 3. DAMARIS KAWAP-TREASURER
- 4. ARIS LOBAKARI
- 5. DAVID LOBURJILAI
- 6. HASSAN MOHAMED
- 7. PASCALINA LESARGE
- 8. RICHARD MAINA

ABSENT WITH APOLOGY

1. CHIEF JOHN ORBOLA

AGENDA 020/24 PRELIMINARIES 021/24 CONFIRMATION OF PREVIOUS MINUTES 022/24 DELIBERATION FOR THE UPGRADING OF THE LOIYANGALANI HEALTH FACILITY. 023/24 AOB 024/24 ADJOURNMENT

AGENDA 020/2024: PRELIMINARIES

The meeting was called to order by the chairman and was opened by word of prayer by Hassan Mohamed.

<u>AGENDA 021/2024:CONFIRMATION OF PREVIOUS MINUTES</u>. The minutes of previous minutes was read by the secretary Mohamed Amin and was seconded by Damaris Kawap.

AGENDA 022/2024:DELIBERATION FOR THE UPGRADING OF LOIYANGALANI HEALTH CENTRE.

As the community of Loiyangalani was engaged by the Northen water works they decided during an engagement meeting that 10Million Kenya shillings was to be invested in the health facility.

Below is the desciption of what the upgrading entails and its estimate cost:

1] <u>Renovation and equipping of maternity wing</u>

Maternity being a centre core of maternal and newborn wellbeing, it was agreed that it should be given the outmost priority.

Areas to be addressed including:a] renovation of the complete maternity wing.b] equipping of delivery room that include delivery bed [2], oxygen concentration and its accessories, AC, sunction machine, Adult and newborn resuscitation kit and maternal emergency tray.c] 1 newborn incubator.

Estimated cost=6million

2] Equipping of beds at the general ward [10 beds]

Estimated cost=1 Million

3}Power supply [solar]

Estimated cost=2 Million

4]Solid waste incinerator

Estimated cost=1 Million.

Total estimated cost=10 Million

AGENDA 023/24 ;AOB

Having no other issue/agenda the meeting was ended by a word of prayer by David lobujilai



confirmed by Tobias chodow chairman

sign....
APPENDIX D: MINUTES, PHOTOS, AND ATTENDANCE LIST FOR THE CONSULTATIVE MEETING HELD ON 18/06/2024 AT PALM RESORT LOIYANGALANI

ATTENDANCE





LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT ATTENDANCE LIST - STAKEHOLDERS ENGANGEMENT MEETING HELD ON

S. No	Full names	Designation	National ID number and	Phone number	Signature
١	DAIR LENTIPAN	LowangaraniWater UserAssessmensent	23788526	0705926610	X
2	LEPALD MARCOS	LWUA-V.P	28046736	0748-140788	the
3	LEOTIKAN LEARBORA	CHALOM	0635566	01796,20880	long
4	HASSAN MOHMED	IMAM	23976276	0721999799	Haro
5	Florence Lehapann	LWUA- THEASURE	11503507	0710236622	Taget
6	Lago Losas	quirapay	22810561	0710758353	Lago
7	LOLEMUSEIVI LOISELL	mater Connittee	7870285	0710192713	ER
8	SULEIMAN ISSACH	comiti L+D	9220502	7129766	o and





LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT TTENDANCE LIST - STAKEHOLDERS ENGANGEMENT MEETING HELD ON

S. No	Full names	Designation	National ID number and	Phone number	Signature
9	John Estran	PASTOR REPORTING & Holine	13 4252 40	0718336632	E
01	PAUL ERENG	CA-LOTTON GALONS	23988926	0718221433	(Productory)
11	FALASO LEPALAT	WATER Committee	237881635	0744579279	2 500
12	NTOTO KALATONI	WATER COMMITTEE	11502392	074575748	946
13	MIRKalkaNA	COMMITTEE	33631042	0790007808	Ray
14	Know Houses	RELECE - (CRAICARL MARAMENEUCIUEL)	83525028	072538436	、概率
15	PATRICK LEERS	ASSH AZUNET	11186347	076899752	thereft
16	SAVID LOBURSILA	ALA ALE PIE	0631958	0710309761	DEPE





LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT

S. No	Full names	Designation	National ID number and	Phone number	Signature
17	LESARLE MONTING	WATER COMMITTEE	\$205973	0705198433	Leson
18	Matter M. Lechipen	Depity Sub-Goasty Administratory	11386436	6719677119	HAB.
19	CHARLES L. LEFONIS	Soweto Gmilly	16016292	0718 728819	Tuft-
20	Ekal Nachodo	LINLA Chairpa	127533792	07242219	5
21	JOHN 2. ORBORN	CHIEF	24605594	0723746534	Conte
22	SAMSON L. EXIRU	Youth rep.	35365572	CTHOOHE JOS	State.
23	TOBIAS LENGURD	WATER COMMITTEE	82552499	072VHUER	K
24	Dominice Kiavie	Dec		0/23704012	17



25. L-1 din Lengente Word Admither 0001535 0+11 311 604 legen 26: PARAINO MKOLDAR Wolky Committee 20246099 07039218264 27 Mary Natoyong Committee 32593183 0795278023 28 LOMATURAL LOURIEN TUGADIANS 27803267 0706041960 29 JACOB LEPALAT RAPPORTEUR 40346946 0713460766 500 30 TERESA L ETAPAR HARD, MANALOR 22319291 0719517779 TCA 31 GEOPPREY MUMEN ACC 23538945 072915654 4	S. No	Full names	Designation	National ID number and	Phone number	Signature
26 PARAINO MKOLONE Wolky Committee 20346099 0705931864 27 Mary Naboyong Committee 32593183 0795278023 28 LOMATURAL LOURIEN TUGADIANIS 27803267 0706041060 29 JACOB LEPALAT RAPPORTEUR 40346946 0713460396 JAN 30 TERESAL ETAPAR NARD, MANALOR 22319291 0719513739 TGA 31 GEOPPREY MUMEN ACC 23538945 072915654 4	25.	Lidia Longante	Word Admitheter	0061535	0711 311 604	Jagance
27 Mary Naboyong Committee 32593183 0795278022 28 LOMATURAL LOURIEN TUGAD TANK 27803207 07000010000 29 JACOB LEPALAT RAPPORTEUR 40346946 0713460766 JAN 30 TERESA & ETAPAR HARD, MANAGE 32319291 071951777 TOP 31 GEOPPEGY MUMEN ACC 23538945 072815654 4	26	PARAIMO AKOLONE	Water Committee	20.2460.99	0703931264	0
R8 LOMATURAL LOURIEN TUGADIANE 27803207 07000010000 R9 JACOB LEPALAT RAPPORTEUR 40346946 0713460376 JA 30 TERESA L ETAPAR WARD, MANAGER 32319291 671951775 JG 31 GEOPPEGY MUMEN ACC 235389445 072915654 GF	27	Mary Natoyong	Committee	32593183	0795271033	Contraction of the second
R9 JACOB LEPALAT RAPPORTEUR 40346946 0713460376 Top 30 TERESA L ETAPAR WARD, MANAMER 32319291 67192000795 Top 31 GEOPPREY MUMEN ACC 235389445 672915654 4	28	LOMATUKAI LOURIEN	TUCAND IANS	27803267	0700001960	
30 TERESA L ETAPAR HARD, MANALOR 32319291 0719517779 TEA 31 GEOFFREY MUMEN ACC 23538945 072815654 4	29	JACOB LEPALAT	RAPPORTEUR	40346946	0713460376	3910
31 GEOFFREY MUMEN ACC 23538945 072315654 4	30	TERESA & ETAPAR	HARD, MANALER	32319291	67-1957275	Ta
	31	GEOFFREY MUMEN	ACC	23538945	0729215654	4

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MINUTES OF THE MEETING HELD ON $18^{\rm TH}$ JUNE, 2024 AT PALMSHADE CAMP AND RESORT

MEMBERS PRESENT

- 1. GEOFFRY MUTUKU-ASSISTANT COUNTY COMMISSIONER
- 2. KAMAU NDUNGU- CIPU COMMANDER
- 3. MATTHEW LECHIPAN- DEPUTY SUB-COUNTY ADMINISTRATOR
- 4. JOHN ORBORA- CHIEF
- 5. PATRICK LESAS- SENIOR ASISTANT CHIEF
- 6. TERESA LOPUWA ETAPAR- WARD MANAGER MCA OFFICE
- 7. SULEIMAN ISSACK MOHAMED- INTERIEM LAND CHAIRPERSON
- 8. DAIR LENTIPAN SECRETARY LWUA
- 9. LEPALO MARCOS- LWUA VICE CHAIRPERSON
- **10. LKOTIKAN LEARBORA- SHALOM PEACE KEEPING**
- 11. HASSAN MOHAMED- IMAM
- **12. FLORENCE LEKAPANA-LWUA TREASURER**
- 13. LAGO LESAS- GURAPAU CBO MEMBER
- 14. LOLEMUSEN LOKELE- WATER COMMITTEE
- **15. JOHN ESEKON-REVERENCE**
- 16. PAUL ERENG LTWP COMMUNITY ADVISORY
- **17. TALASO LEPALAT-WATER COMMITTEE**
- **18. NTOTO KALOTON WATER COMMITTEE**
- **19. ROSA MIRKALKONA-YOUTH REP**
- 20. DAVID LOBURJILAI-PLWD CHAIRPERSON
- 21. LESARGE MONGWAR- WATER COMMITTEE
- 22. CHARLES LEKENIT- SOWETO REP
- 23. EKAL NACHODO-LWUA CHAIRPERSON
- 24. SAMSON EKIRU-YOUTH REP
- 25. TOBIAS LENG'URO- WATER COMMITTEE
- 26. PARAIMO AKOLONG- WATER COMMITTEE
- 27. MARY NATOYONG- WATER COMMITTEE
- 28. LOMATUKAI LOURIEN-WATER COMMITTEE
- **29. JACOB LEPALAT- RAPPORTEUR**
- 30. Eng Teresa Mbogo online
- 31. Eng Dr Damaris Oyaro -Online

MEMBERS ABSENT WITH APOLOGY

- 1. DOMINIC KIARIE-DEPUTY COUNTY COMMISSIONER
- 2. LYDIA LENGARITE- WARD ADMINISTRATOR

AGENDA

- 1. Introduction
- 2. Project Description
- 3. Land Requirement
- 4. Voluntary and donation
- 5. Land valuation report disclosure
- 6. Livelihood restoration

- 7. Cultural systems of conflict resolution and grievance management and list conflict resolution and grievance management committee in Loiyangalani
- 8. Available committees in Loiyangalani
- 9. Programs for vulnerable people
- 10. AOB

MIN 01/18/06 /2024: Preliminaries

The meeting was opened by a word of prayer by Pastor, David, whereby Mr. Patrick Lesas welcomed Assistant County Commissioner to open the forum officially. Mr. Mutuku, Assistant County Commissioner, welcomed all the stakeholders and urged them to participate effectively in the meeting. He expressed his gratitude for the coordination and cordial working existence among stakeholders from different departments for the role they contribution as far as community matters are concerned. He also point out the importance of water in environmental conservation as key initiative government is working to make the country ever green.

MIN 02/18/06 /2024: Project Description

Mr. Patrick Lesas, senior Assistant Chief, brief the forum on entire purpose of the project and how it is important to the community of Loiyangalani. The issue of water limitation had been a great challenge hence the project will be a good answer once accepted and implemented. There was purposely echo of acceptance from the stakeholders and entire community representative heading difference networks at the community levels. Also the CIPU commander urge the Northern Water Works Development Agency to consider the following fact during implementation stage:

- I. Good infrastructure accessibility within project site.
- 2. Security of the project materials and those employees guarding the sources if any
- 3. Network coverage at the project to ease community when reporting.

MIN 03/18/06 /2024: Land Requirement

The community representative in the forum and the stakeholders give out the surerity of the project land as stipulated in the project description. They also encourage the Northern Water Works Development Agency to remove any doubt as the forum already took the initiative to create awareness to the public concerning the project and how it will be of great importance in the area.

MIN 04/18/06 /2024: Voluntary and donation

The power of land donation is vested on the communities living in it. Loiyangalani Land registration is on its advance stage. Mr. Matthew Lechipan, deputy sub county administrator, also give clarification that the required number of land management committee according to

law is 13. However, the interim Loiyangalani land committee is composed of six member's representative of communities around Loiyangalani Sub County. The committee are well informed on all the matters concerning the land. They are known by the county government, National Government and community itself which gives them power to execute function arising on matter concerning land. The participants agree voluntarily donate the land by signing relevant document as required. Also the county government representative Mr. Lechipan promise to sign all the relevant document under county government.

MIN 05/18/06 /2024: Land Valuation Report Disclosure

Mr. Patrick Lesas the team lead read the land valuation report to the participants which was agreed as true reflection of the Loiyangalani land. The participant also request for a soft copy of the report so that they can used it during community sensitization which Chief Patrick promise to send.

MIN 06/18/06 /2024: Livelihood Restoration

After along consultation with each other and preview of previous project agreed by the community as part of in-kind compensation amounting to 10 Million. The participant agree to conduct another meeting in relation to upgrading of Loiyangalani Clinic and promise to provide all the necessary information needed during that meeting. They also agree to form grievance committee which will include community member's representative, County Government representative, water committee representative, land committee representative. The aim and purpose of the committee work as an oversight of the entire project. They will be answerable on Monitoring and Evaluation.

MIN 07/18/06 /2024: Cultural systems of conflict resolution and grievance management

Most of conflict in Loiyangalani are resolved by council of elders. The main method of conflict resolution is through dialogue between worrying parties. There are two type of committee as far conflict resolution in Loiyangalani is concern, one under administration and another one is managed by council of elders. The peace committee chairperson promise to share the list for Conflict resolution committee.

MIN 08/18/06 /2024: Available committee in Loiyangalani

The participants named the following as recognized committees in Loiyangalani Sub-county.

- I. Ward planning committee
- 2. Land committee
- 3. Loiyangalani ward development committee
- 4. Environmental conservation committee
- 5. Peace keeping committee
- 6. Shalom committee
- 7. Businessmen committee
- 8. Loiyangalani Water Users Committee

MIN 09/18/06 /2024: Program for vulnerable people

The participants are name the following as program targeting vulnerable people in Loiyangalani sub-county.

- 1. Cash Transfer program under National Government and Non-Governmental Organizations to the vulnerable groups especially poorest of the poor groups, that is, complete orphans, older persons, and disabled.
- 2. Enterprise Funds to supports disadvantaged groups in the county, that is, women and youths and PLWD.

MIN 10/18/06 /2024: AOB

The participants agree because of time to avail themselves in the morning the following day for

site visit. There being no other business the meeting ended by a word of prayer from

Loiyangalani Jamia mosque Imam, Mr. Hassan Mohamed at 4.40PM.

LOYAINGALANI TOWN WATER SUPPLY AND SANITATION PROJECT MINUTES OF STAKEHOLDERS ENGAGEMENT MEETING ON 18th JUNE 2024 2 61 2024 Minutes Prepared By 1: Date: astron a (Samson Lokutuni Ekiru, Youth Representative, Meeting Secretary) 8/6/2024 Minutes Confirmed By 2: Date: (Suleiman Isack, Council of Elders representative, Lolyangalani Town) ON 06/2024 Minutes confirmed By 3: Date: Date (John Orbora, Chief, Loiyangalani Location) OF MARSABIT P. O. Box 384-60500 MARSABIT ADMIN., ICT & DISASTER MG 18/06/2024 Minutes confirmed by 4: DSCA (Matthew Lechipan - Deputy sub-county administration (Matthew Lechipan - Deputy sub-county sub-county administration (Matthew Lechipan - Deputy sub-county sub-Marsablt County) DIVISION 8 Minutes Approved by 5: 0 Date : (Geoffrey Mutuku -Assistant County commissioner - Loiyangalani sub-county)



Page 10

Photos of the meeting and site visits on 18/06/2024







APPENDIX E: MINUTES, PHOTOS AND ATTENDANCE LIST FOR THE CONSULTATIVE MEETING HELD ON 21/02/2024 AT PALM RESORT LOIYANGALANI



LOYAINGALANI TOWN WATER SUPPLY AND SANITATION PROJECT minutes of stakeholders engagement meeting on wednesday, 21st february 2024

TANA WATER WORKS DEVELOPMENT AGENCY

CONSULTANCY SERVICES FOR DETAILED DESIGN OF LOYAINGALANI TOWN WATER SUPPLY AND SANITATION PROJECT

MINUTES OF STAKEHOLDERS ENGAGEMENT MEETING HELD ON WEDNESDAY, 21ST FEBRUARY 2024 AT PALM SHADE HOTEL, LOIYANGALANI TOWN

TIME: 10.21 A.M.

ATTENDANCE

S. NO	NAMES	DESIGNATION	
1.	Geoffrey Mutuku	Assistant County Commissioner (Meeting Chair)	
2.	Mathew Lechipan	County Administrator	
3.	Lydia Lenkarite	Ward Administrator	
4.	John Orbora	Chief	
5.	Patrick Lesas	Assistant Chief	
6.	Teresa Lopowa Etapar	Mca Office Representative	
7.	Richard Maina	Land Committee	
8.	Suleiman Isaac	Land Committee	
9.	Dair Lentipan	Loiyangalani Water Users Association Secretary	
10.	Ekal Nachodo	Council Of Elders	
11.	Samuel Lolesen Epeot	Council Of Elders	
12.	Lochilia Nyangayo	Council Of Elders	
13.	Lkotikal Orbora	Council Of Elders	
14.	Lmogwar Orre	Council Of Elders	
15.	Tobias Lenguro	Health Care Worker	
16.	David Loburjilai	People With Disability Representative	
17.	John Esekon	Pastor	
18.	Hassan Mohamed	Sheikh	
19.	Fatuma Kimogol	Business Enterprises Representative	



Page 1 of 6



S. NO	NAMES	DESIGNATION	
20.	Jacob Lepalat	Notetaker	
21.	Samson Lokutuni Ekiru	Youth Representative	
22.	Lengosira Andy	Elmolo Community Representative	
23.	Rosa Mirkalkona	Youth Representative	
24.	Singilan Lepalo	Elmolo Community Representative	
25.	Talaso Lepalat	Kiwanja Village Representative	
26.	Charles Lekenit	Soweto Village Representative	
27.	Ntoto Mirkalkona	Rendile Community Representative	
28.	Loreo Napaja	Kilimambogo Village Representative	
29.	Sebastian Leborkwe	St Martin Village Representative	
30.	Paul Ereng	Kulamawe Village Representative	
31.	Eng. Teresa Mbogo	Engineer – Kiri Consult Limited	

AGENDA

- 1. Introduction.
- 2. Presentation of the project's components
- 3. Land Requirements and Voluntary Donation
- 4. Matters Arising from the presentation
- 5. Site visit
- 6. Signing of the Voluntary Land Donation Forms
- 7. Any Other Business (A.O.B.)

MINUTES OF MEETING

Minute No.	Discussions / Deliberations	Action By
1	INTRODUCTION The meeting was called to order by the Meeting Chair at 10.21 A.M. A word of prayer was led by Mr Hassan Mohamed, followed by self-introductions.	





Minute No.	Discussions / Deliberations	Action By
	The Meeting Chair welcomed all the members present to give ideas on the project's implementation. He also mentioned that the meeting was strictly meant for the Loiyangalani water supply and sanitation project. The Chief also emphasized and explained to the community representatives the	
	importance of the project since it will be long-term and sustainable.	
2	PRESENTATION OF THE PROJECT'S COMPONENTS In collaboration with the Northern Water Works Development Agency, the participants were informed that Tana Water Works Development Agency intends to execute the Loiyangalani town water supply and sanitation project to improve water supply and sanitation services in Loiyangalani town. The Program Executing Agency (P.E.A.) is the Tana Water Works Development Agency (TWWDA), which is a state corporation under the Ministry of Water & Sanitation and Irrigation. The participants were given printed copies of the project maps and descriptions of each project component. Further, each element of the project was verbally described in detail to ensure the participants understood the coverage and intention.	
	A copy of the presentation's brief is attached.	
3.	LAND REQUIREMENTS AND VOLUNTARY DONATION The participants were informed that for the project to start, it requires land for the various components, including but not limited to: • Water treatment facilities (will be on communal grazing land)	Community Leaders
	 Boreholes (will be at communal grazing land) Gravity Transmission Main Pipeline (will transverse communal grazing land) 	
	 Storage Tanks (to be at the water treatment plant site) 	
	 Distribution Network (these will be on road reserve) 	
	 Komote Village reverse osmosis water treatment units 	
	Faecal Sludge Treatment Plant (will transverse communal grazing land)	
	Ablution blocks at specified public locations (schools, market places	





Minute No.	Discussions / Deliberations	Action By
	etc) After intensive discussions on the project and its sustainability by the various representatives, they finally decided to willingly donate the land for the above project since it would benefit the entire Loiyangalani community and its jurisdiction. They affirmed that they are giving their land voluntarily to serve the intention of the project specifically, and they can withdraw anytime if the purpose is not implemented.	
4.	 MATTERS ARISING FROM THE PRESENTATION Water Treatment Units for Komote Village The participants were informed that the project also proposed purchasing some reverse Osmosis Units for water treatment for the residents of Komote Island (El-molo Bay). The meeting was told that the community requires consent on the project's implementation, including confirmation of the availability of land for setting up the treatment units, which was specified as half an acre. The El-Molo Bay representatives informed the meeting that the community will require assurance that the county government will maintain the treatment units in good working condition after the establishment and completion of the project. The Bay's representative also informed the meeting that there is an ongoing reverse osmosis project currently in Elmolo, and they are worried about duplication of projects in the same area. After discussing the issue with the members and hearing their suggestions, they decided that the Elmolo community requires additional treatment units, and the site for the osmosis unit was to be communicated as early as possible upon identification. Ablution Blocks It was noted that the issue of hygiene and cleanliness in Loiyangalani Town 	KCL Community Leaders County Government
	needed collective responsibility from all town dwellers. There is a need to campaign and sensitize the community members on the importance of	





Minute No.	Discussions / Deliberations	Action By
	cleanliness and proper disposal of faecal matter and waste to prevent	
	outbreaks of diseases like cholera and typhoid, especially during the rainy	
	season. The community's representatives were happy to hear that ablution	
	blocks will be provided in public places. They affirmed their willingness to	
	donate land for the public ablution blocks wherever the project proposed to	
	locate them.	
	They requested that all public institutions be given priority on water	
	distributions and ablution blocks, including schools, health facilities,	
	polytechnic facilities, police stations, slaughterhouses, and any other	
	institutions.	
	They proposed that the ablution blocks be constructed to be flushable toilets	
	with proper lighting systems as this will reduce the filling up of the toilets.	
	3) Community Expectations	
	The Community representatives listed their expectations upon	
	commencement and completion of the project as follows:	
	Clean and sufficient water for human consumption	
	Reduction of waterborne diseases	
	Bigger population benefits and access to water easily	
	Standardized faecal disposal system	
	 Better infrastructure(roads, schools, markets) 	
	 Proper piping(quality pipes) to prevent breakages and leakages 	
	4) Other Clarifications	
	 The meeting was informed that cattle troughs will be provided through this project. 	
	 They were also informed that the County Government of Marsabit will operate and maintain the water and sanitation facilities. 	
	 They were informed that the financing model for the Operation and Maintenance phase will depend on the financing model for the project's construction 	
5.	SITE VISITING	Community





Minute	Discussions / Deliberations	Action By			
240.	The Community representatives and the government officials present visited	Leaders			
	and evaluated the land requested for donation.				
6.	SIGNING OF THE VOLUNTARY LAND DONATION FORMS	Community Leaders			
	The Voluntary Land Donation Forms were presented to the meeting				
	participants. They were read in English and interpreted in local languages.				
	They were informed that as a confirmation of the community's commitment, the community leaders would have to sign the Voluntary Land Donation Forms.				
	Therefore the leaders signed the forms as attached.				
7	ANY OTHER BUSINESS (A.O.B.) There being no other business to be discussed, the meeting adjourned with a word of prayer from Mr David Loburjilai.				
Minutes Minutes	Confirmed By 1: Date: Date:Date: Date: Date:DAte:DAte:DAte:DAte:DAte:	24. wn) 29			
Minutes	Approved By: Date: 21/02/20	24			
	(Geoffrey Mutuku, Assistant County Commissioner, Loiyangalan	i)			
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KIRICO	NSULT	Page 6 of 6			

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LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT ATTENDANCE LIST - STAKEHOLDERS ENGANGEMENT MEETING HELD ON

S. No	Full names	Designation	National ID number and/or phone number	Signature
١	JACOB LTOONGHA LEPALAT	Notetaker	40346946 0713460396	AP
2	SAMSON LOKUTUNI EKIRU	YOUTH REP.	35365572	State.
3	LENGOSIRA ANDY	EL- HOLD COMMUNIT KET	0725887717	Sugart
q	Rosa miRkalkana	blaggan Community youth	0790001805	p2
5	SERASTRAN LERORKWE	Hard plan. Com. CHARDOON	0714877843	Achos
S	SINGILAN LEPALD	ELMOLO REP	11503507	880 -
3	TALASO LEPALAT	KIHANJA COMMUNIT-I REP	23788635	



Client / Employer: TANA WATER WORKS DEVELOPMENT AGENCY



LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT

ATTEN	DANCE LIST - STAKEHOLDERS ENG	SANGEMENT MEETING	HELD ON	
8	HKOTIKAL ORBORIA	KIWANJA REP	0635566	60
9	CHARLES L. LEKENIN	Sow BTO PB	16016292	Off-
10	JOHD ESEKON	PARSTOR	13425240	甚三
11	DAVID LOB WETKA	PWS	063 1758	Ale ·
12	HASSAN MOHAMED	IMAAM	23876276	1000
13	FATOMA RIMOGEL	BIS WESS	0061807	Ference O
(4	LICHARD MAINA	MINDRITY LEADER	0810128	Allans
15	DAIRLENTIPAN	Users Assosiation Secret	23788526	T the
16	EKAL NASHODS	ELDER	12758707	Stime





Client / Employer: TANA WATER WORKS DEVELOPMENT AGENCY

LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PR	OJECT
ATTENDANCE LIST - STAKEHOLDERS ENGANGEMENT MEETING HELD ON	

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20	Leek Victoria and	Elder	0741206957	XQ-
27	Euline Trac	Land Committee	9220502	Q.
22	Paul Ereng	WRUK	25988726 10718221433	(Harry)
23	JOHN ORBORA	CHIEF	2460 594	OHE -
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25	TERESA LOROHA ETARAS	MCA OFFICE	32319291	Ta

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Client / Employer: TANA WATER WORKS DEVELOPMENT AGENCY

Consultant: KIRI CONSULT LIMITED

LOIYANGALANI TOWN WATER SUPPLY AND SANITATION PROJECT ATTENDANCE LIST - STAKEHOLDERS ENGANGEMENT MEETING HELD ON

46	LIDIA H LEAKARIS	WARDADMINISTRATOD	06535	11
27	MATHEW LECHIPANI	DISOB - COUNTY Adm	hatu.W	Indian -
28	GEOFFREY MUTURU	Accision	a grocelle	D D
29.	PATRICE LESAS	Afchiek	11186343	therang
30.	loreo Napaja	Community pepse Kiliminseso	38-286/13	
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PHOTOS OF CONSULTATIVE MEETING HELD ON 21/02/ 2024







APPENDIX F: MINUTES AND LIST OF ATTENDANCE TO CONSULTATIVE MEETINGS HELD ON 23/06/2022 <u>RESSETTLEMENT ACTION PLAN FOR LOYANGALANI TOWN WATER SUPPLY AND SANITATION</u> <u>PROJECT.</u>

MINUTES OF PUBLIC PARTICIPATION FORUM HELD ON THE 23RD JUNE 2022 At THE CHIEF'S OFFICE HALL FOR LOYANGALANANI LOCATION

PRESENT:

Local Administration			
	Patrick Lesas	Assistant Chief Gus Sub Location	
Consultant Représentative			
Collins Juma		Environmentalist	
Residents of Loiyangalani Location - see attached list			

KEY PROJECT DATA

Client/Employer Tana Water Works Development Agency (TWDA)
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<u>MINUTES</u>

<u>Item</u>	Minutes	Action By
1.	Introduction The meeting was called to order by the Assistant Chief at 10am, he then invited an elder who welcomed all those in attendance and thereafter offered an opening prayer. In his opening remarks, the area assistant chief congratulated all the villagers and leaders who had set aside some time to attend the meeting. He informed them that the meeting was about improvement of water supply and sanitation within Loiyangalani in order to reduce the risk of water borne diseases outbreak and other issues associated with water scarcity including time wasting, while fetching the water from long distances and water wasting due to lack of storage. The chief also appreciated those that attended, he encouraged them to make a habit of attending public participation forums organised within the area since it was a good way of participating in project planning. Residents were urged to cooperate with the consultant, be attentive and ask all questions and seek clarifications about the proposed Water and Sanitation Project. Those in attendance were further informed that the project will have other benefits like creation of employment for youth and women during implementation. The chief then invited the consultant's representative to take over and go through the meeting's agenda	Assistant Chief Loiyangalani Sub location
2.	Project Information	

<u>Item</u>	<u>Minutes</u>	Action By
	 The consultant informed residents that the project will entail rehabilitation and constriction of the water management site at ngobeleng springs and a storage water tank which will increase water supply in a day. There will also be rehabilitation and construction of new water storage tanks in town, rehabilitation and laying of new transmission water pipelines and construction of additional water kiosks. On the side of sanitation, the proposal was that: consultant recommends development of sanitation facilities and infrastructure for management of liquid wastes and sludge at the following levels: Residential properties – both privately owned and rented accommodation. Institutional buildings – such as schools, hospitals and health facilities. Public places – including shops, restaurants, bus stations, markets etc., and Commercial premises – factories and other places of work. 	Environmentalist
	Once the project is Complete it will be handed over to the community to select groups or individuals to manage them.	
3.	Environment and Social Safeguard Report The consultant environmentalist representative Mr. Collins Juma informed the meeting that they were going to prepare <i>Environmental</i> <i>and Social Impact Assessment Report</i> (ESIA) that will capture all the environmental and social impacts of the project and provide mitigation measures. They were assured that all their opinions and concerns will be captured in the report so as to ensure the Project is acceptable by the community and also sustainable development is achieved.	Environmentalist
4.	Project Positive Impacts Mr Collins pointed out to the meeting that the water supply project has enormous benefits as summarized below.	
	 a) Improvement of sanitation within the area by providing clean reliable domestic water this will go a long way in reducing water borne ailments such as cholera Typhoid and Diarrhoea. Respiratory ailments like Covid 19 can also be controlled through regular hand wash with soap and water. b) Reduced time taken for residents while fetching water. This valuable time can be used to do other economic activities like fishing and small-scale businesses. c) Availability of clean reliable domestic water will also reduce cases of gender-based Violence towards women and children in their quest to search of water in far flanked areas. d) Improve the value of land through provision of sanitation infrastructure, 	Environmentalist
	 water. b) Reduced time taken for residents while fetching water. This valuable time can be used to do other economic activities like fishing and small-scale businesses. c) Availability of clean reliable domestic water will also reduce cases of gender-based Violence towards women and children in their quest to search of water in far flanked areas. d) Improve the value of land through provision of sanitation infrastructure, better housing will be developed in the area. 	Environment

<u>Item</u>	<u>Minutes</u>		Action By
	e) The Project will provide stage opportunities will unskilled labour whil opportunities will be ava		
5.	 Impacts to Environment (Natural and Social) The environmentalist informed the meeting that this being water supply project, it will have minimal negative impacts likely to be triggered by the Project. Some of the impacts are as indicated below. Over abstraction of water should be avoided so that other users are not affected. Noise and Excessive Vibrations. This is likely to result during the construction phase from the equipment involved in the Project. He further added that all these impacts would be addressed comprehensively by the ESIA study report and appropriate mitigation measure provided.		Environmentalist
6	measure provided.	ion	
	After discussion summarized above, they were invited to a question- and-answer session under the guidance of the chief. Detailed questions and suggestion of the plenary session are presented in Table A-1 belowTable A-24: Plenary SessionSuggestion / QuestionResponseStakeholders wanted to know if at all water will be available this time since pipes were laidThe meeting was informed that this time the project design has been done properly which includes expansion of treatment plant to treat		
	previously by other projects but water has never flowed. Residents wanted to know if there will be household connections done under the project. They wanted to know how the abolition blocks would be places and shared among the community	water from the source that is ngobeleng springs. An additional water storage tank would be erected at the source and another erected in the town to supplement usage. This additional volume will ensure water is available to all residents within the project area. The meeting was informed that the aim of the Government is to bring services closer to the people. The water line will be brought as close as possible to residents however, residents will be expected to apply through their water council. The county government of Marsabit should also come on board and ensure distribution lines are extended progressively to residents who will be far away from the main line. It was also agreed that residents can be pooled together into villages and a T- Junction provided to supply them with water. Majority of the villagers in attendance preferred pit latrines to the conventional flashing toilets due to mostly maintenance costs and the issue of water scarrity in the area	Environmentalist

<u>Item</u>	<u>Minutes</u>		Action By
		They further suggested that each plot should have its own pit latrine with water also brought near to them.	
	A concern was raised about drawing too much water from the ngobeleng springs	It was suggested that the source be fenced but a gate made for the villagers to be able to bring their animals to drink water. A tree planting initiative was also suggested as an alternative to guard the water source.	
	Residents also wanted to be informed about what can be done to protect their natural springs that are being destroyed by private developers.	Stakeholders were assured that a borehole would be drilled so as to try and conserve the water from Maji Moto, Nagan and Kiwanja Springs. The chief also suggested an untapped source called Mowolkiteng source which had great	
	Residents wanted to know if the contractor will source for workforce within the community where the works will be implemented.	Residents were informed that all unskilled labour and some skilled will be sourced from the local community. Youths were encouraged to organize themselves into groups and avail themselves for consideration. In addition, the resident engineer informed residents that they will come up with designs for water kiosks and allow local masonries to construct them under supervision from the resident Engineer. This will go a long way in ensuring that 70% of labour is provided locally.	
7.	Closing Remarks A vote of thanks was given by an Elder in attendance who reiterated that residents were in support of the project since water scarcity was a big problem in the area. He urged all those tasked with project implementation not to fail and stall the project as witnessed in other government projects. The area assistant chief urged the stakeholders to embrace the project because it was a socially uplifting project. He encouraged them to approach his office in case they have any queries or complains about the project. There being no any other business the meeting adjourned at 5.30 PM with a word of prayer from the pastor.		Assistant Chief

Minutes Prepared by:

Collins Juma.

Environment Consultant

ATTENDANCE LIST- LOYANGALANI LOCATION - 23/06/2022



TANA WATER WORKS DEVELOPMENT AGENCY

CONSULTANCY SERVICES FOR DETAILED DESIGN OF LOYAINGALANI TOWN WATER SUPPLY AND SANITATION PROJECT.

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT PUBLIC PARTICIPATION LIST

Venue Chiefs Stic Hall Date 33/06/22					
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1	FACKERSON Ehand a adura	07-49.468051	Kelimantero	E-mail Hard	
2	Mambosa Mirkhalkona	6710627184	Nasquitinn	8%a	
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TANA WATER WORKS DEVELOPMENT AGENCY

CONSULTANCY SERVICES FOR DETAILED DESIGN OF LOYAINGALANI TOWN WATER SUPPLY AND SANITATION PROJECT.

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No	Name	Phone	Village/Designation	Sign
7	Emmonael Lorin Actuan.	0718405693	Konsenje	Longe
8	SONDE LOWA	0743827070	KULAPESA	100 million
9	FULEMAN ISSACK	0712975600	KULAPOSA	ga-
0	Lokatokai Ewonyang	6742116135	Mandortoning	84-
8	ndura lenguyayo	0708967364	St. martin	87
2	lange, mark Louregen	0768009713	Someto	8
3	Lochilla Mangage	0713758151	dikilikimat	-87-
4	PRANCIS LOPAR ERUS	0700713665	Kicha prawe	Mante
5	PAUL ANULIA	07-92/48683	Kula Mawe	Rila
6	ALEYDEDE MACLIKE	0114376155	Kolamaule	10-
2	LODON Dekai Longori	0768134442	dikelikumat.	8
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CONSULTAN LOYAINGALANI TON ENVIRONMENTAL AN Venue Christis Stro H	ICY SERVICES FOR DETAI WN WATER SUPPLY AND S ND SOCIAL IMPACT ASSESSMENT PU	LED DESIGN OF SANITATION PROJECT.	
o Name	Phone	Villege/Designation	Contraction of the local division of the loc
ASERON KAMBAKE LOSIKIRIA	0218 53 23 15	village/Designation	Sign
Margurut Noomin Padlo	0794624620	Valagers	75
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TANA WATER WORKS DEVELOPMENT AGENCY

CONSULTANCY SERVICES FOR DETAILED DESIGN OF LOYAINGALANI TOWN WATER SUPPLY AND SANITATION PROJECT.

	ENVIRONM	MENTAL	AND SOCIAL	IMPACT	ASSESSMENT	PUBLIC	PARTICIP	ATION	LIST
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1 Dahir Lentran	0705926610	Tionen moth	+6				
· ERUPE Aria	0796152862	STIMATIN	NOR				
1 Lominizo Longolemon	075367526	Kulamacije	+				
2 AKOLONG NYANGAYO	DELETTER	DIKILKimot					
3 Sulland Gratero	07402 88.90.38	KUSOVJa	No-				
Tula Do la pulat	0712577272	Wwarda.	10				
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9 LINO ILEO SILNE	09248 0759810924	KULSSGMERE	2000				
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TANA WATER WORKS DEVELOPMENT AGENCY

CONSULTANCY SERVICES FOR DETAILED DESIGN OF LOYAINGALANI TOWN WATER SUPPLY AND SANITATION PROJECT.

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT PUBLIC PARTICIPATION LIST

No	Name	Phone	Village/Designation	Sign
55 L	CKOL LOREM	0790072654	Kulapesa	AG2
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7 6	storabo Alex	0794607170	Kuapesa	Alex
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APPENDIX G: MINUTES HOUSEHOLD SURVRY QUESTIONNAIRE

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	Q14 Do you sup any of the following terms?	V - Yas N - No	2 Carl. 4. Tanker. 8. Others (specify)	1. Yes 2. No
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SETTLEMENT DETALS	2. Television	8 Tracher GDE	Why are you not connected to the 636/ASCO Water Supply System?	2) Kaha, 8000 2) Kaha, 8000
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2. Medium density formal housing 5. Line density informal housing 3. Medium density information 4. Replacements	A Contrast Change		1. Main front 2. Familie Team 3. Landland 3. Landland 3. Characteristics	2. Plact separately Annual Kohn per Marith
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I What is the current income of the household members in Ratalday or membr?	B. Other (specify)		3. Employer 8. Others (apacity)	in batter personal and reduced disease incidences of household
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1. Household mendael 1	5 Mele head 3 Children			3. No.
3 Pleasehold member 3	a Period lead 4, Peet Shour	a centre (specific) (des	1. Shared Yard Contacilian	GN8 Are there buildes for handwashing?
A Prophylic partyr 1	G23 Miles in the deleteron to the water another? 1. Refere 0.5 Ann 0.0 All 1. Ann	5.1.18 m	2 Industrial Plane Connection 3 Connected Water Parts (Seek)	1. Yes
	6.13-28m 5.2-258m	6. 3 long and about		
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A Manager and A Ma	2. 32 min - 1 ter 4. Mars than 1.51	-	3. Datasan Autu. 1000 - 1500 8. Above Karis, 3000	1

LOIYANGALANI TOWN WATER AND SUPPLY PR	OJECT
LAND ACQUISITION QUESTIONNAIRE	
Name and Signature of Representative:	
Name: SULEIMAN ISSACK	
~1	
Signature:	
Date: 4/05/2024.	
Name and Signature of Witness:	
Name: TULELE LEWITE	
Signature: 2.60 aug	
Date: 4/05/2024.	
Name and Signature of Local Chief:	
Name: John L. OPBORA	
fatut 9	
Signatura	

 Have you been appropriately informed and consulted about the project and the choices available for you (informed of their rights; and provided with information concerning the environmental and economic, social and food security impacts of the proposed project}/

TES

2. Are you aware that refusal is an option, and have conformed your willingness to proceed

with the donation.

YES



- The amount of land being taken will it affect the size of your land area required for your daily activities.
- 4. Is their any activity in this land being used for the project? $N\partial$
- 5. Are there people settled in this land? $N \emptyset$
- 6. Are there any benefits from this project? (Water, Cattle troughs, the latrines). $\gamma \neq 3$
- 7. Do you allow the project to take place on the land?

YES

8. What as a person would you like to be done in the community other than the water project?

To upposede government health facility



9. In case of any grievances in the community how is it handled?

- LOCA	ADMINIST	TRAT	ion
- AREA	COUNCIL	oF	ELDERJ.

٠

+10. Approximately what is the size of The whole community land?

APPENDIX I: LIVELIHOOD RESTORATION FORM

Livelihood Restoration Form

Community Information:

- Name of Community:
- Location of Project:
- Date of Meeting:

1. Stakeholder Consultation Details:

- Date of Consultation:
- Location:
- Purpose of Meeting: To discuss and agree on the livelihood restoration project due to the land donated for construction of Loiyangalani Water and Sanitation Project.
- · Minutes of Meeting: Attached

2. Identified Development Project:

- · Name of Project: Upgrading of Loiyangalani Clinic
- · Description of Project: Provide a detailed description of what upgrading entails.

	the half for he harris
Lorgangalani Heath centre Deing	the hop course repara
for all the Lowandaran Lommunit	ry needs upgrade in
the following areas for efficie	and comprehensive
medical services :	
) Renovation and equipping of t	we current general
Ward-	
2) Ectablishing of Power colored to	supply patro facility
with privide	and bill former to many
3) CI I Waste loggerator (andors	but constille
S Golia Mare Incinetator Modern	ngh canactery)
T Isloan Materiatay wing and	neonatal ward stully
equipped	LOWARD
1 ()	DOALANI HEALTH CE
arrent Status of Loivangalani Clinic:	0. BOX 5-6050
	MARSAD

 Provide a brief overview of the current condition of the clinic, including challenges faced.

The heal	th ,	Facility	5	the	Current	State
have	Seve re	il d	hanger	1	ncluding	power supply,

lack	of es	sential	Instr	rment	legi	ATPhe	int at the
ward	plus	Moderna	zation	1	of	the	Maternity
21	neede	2 due	to	the I	high))
C XXI					5		

4. Scope of Works:

Detailed description of the scope of works for the clinic upgrade.

- faglety "	Nainly	deals	w Hgg	preventi	we and
curative !!	services	that	Include	, diagr	lowing and
treatment	, Immun	ration	Service	Mater	napans
care,	Delivery	Service	er N	utritiona	L Services.
Outreach	Services	, Medro	cal awa	areness	and
Campaigo	amon	iq Of	herr.		
- Comprehe	ensive b	ate cl	inic A	hat Inc	clude
testing	, guida	nce ar	12 cona	eling (and care
For th	e peopl	e living	with	HAPAID	and other
chr	noz illine	a lazar			

5. Timeline:

Estimated duration for completion of the clinic upgrade.

6. Community and County Representatives Involved:

 List of community representatives involved in project management. The 10-health facility committee members; fracity STAFF - CESERIMMA LEKULO (NURSE) - Mohamed Amin - Facility Incharge (secretary -- Tobias chodow - chairperson - Mohamed - MAGDALENE DERALEN (NURSE - TERENZA LEKULD (NURSE) - Domans Kawap - Treasurer - Arts Lobakan - committees Neuber. EPORONNET (NUTRITIONIC) - Pascalina lecarge - committee member. - PARLA LOIYANGALANI HEALTH CENTRE Loburgilai - committee Menuber. - David No Hames - committee Member P.O. BOX 5-60500 + COMMITTER Member -HASSAN - MAINA MARSAN List of county representatives involved in project oversight. - Deputy Subcounty Administrator - Mr Mathew Lochipan. - Ward Administrator (Lydra Lengworte)

7. Inclusion of Cattle Troughs:

 The consultant confirmed that cattle troughs are included in the project forming part of livelihood restoration.

8. Non-Financial Activities:

Details of non-financial activities agreed upon, such as employment opportunities during construction.

9. Additional Comments or Requirements:

Any additional information or specific requirements related to the project.

Attachments:

- Minutes of Stakeholder Consultation Meeting
- Participant List of Stakeholder Consultation Meeting
- Pictures of Current Loiyangalani Clinic (if available)

Declaration: I/we hereby confirm that the information provided in this form is accurate and complete to the best of my/our knowledge. I/we understand the importance of documenting and implementing the agreed livelihood restoration project effectively.

Signed:

A. Council of Elders Representative:

Name LOLEMUSENI LOKELE

Signature:

APPENDIX J: VALUATION REPORT FROM NLC

Ref: NLC/VAL/1594/4





REPORT AND VALUATION

OF

LOIYANGALANI PROJECT SITES

FOR

LOIYANGALANI WATER AND SANITATION PROJECT

MARSABIT COUNTY

ACQUIRING AUTHORITY: NORTHERN WATER WORKS DEVELOPMENT AGENCY (NWWDA)

TERMS OF REFERENCE

The Commission received instructions from Northern Water Works Development Agency (NWWDA) vide letter Ref: NWSB/WP/90 Vol. V/(7) dated 19th April, 2024 and letter Ref. No. NWSB/WP/90 Vol. V(8) dated 7th May, 2024 to inspect land earmarked for acquisition to allow for implementation of Loiyangalani Water and sanitation project and advise on the Market Value of the land for project budgeting purposes.

The Commission reports as follows: -

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Photographs
Google earth map extract
Plan showing different land user zones22
Instructions letter

2
LIMITING CONDITIONS

The Report and Valuation is subject to the following limiting conditions: -

- Neither the whole or any part of this Report and Valuation or any reference to it may be included in any published document, circular to statement nor published in any way without the prior written approval of *National Land Commission* of the form and context in which it may appear.
- 2. Where it is stated in the report that information has been supplied to the by another party, this information is believed to be reliable but the Commission can accept no responsibility if this should prove not so. Where information is given without being attributed directly to another party, this information has been obtained by our own search of records and examinations of documents or by enquiry from government or other appropriate departments.
- 3. While due care is taken to note significant defects in the course of inspection, this is a Report and Valuation and not a structural survey and no guarantee is given in respect of rot, termite and pest infestation or any other defects whether exposed or unexposed.
- 4. The values assessed in this report are for the subject property and any allocation of values between parts of the property apply only in terms of and for the purpose of this report. The value assessed should not be used in conjunction with any other assessment, as they may prove incorrect if so used.
- Where market values are assessed, they reflect the full contract value and no account is taken of any liability to taxation on sale or of the costs involved in effecting a sale.
- 6. Where market values are assessed, they reflect the full contract value and no account is taken of any liability to taxation on sale or of the costs involved in effecting a sale.
- The values assessed are given within particular Terms of References and should not be used outside such Terms of references.
- The Valuation Report is invalid unless it is signed by a Practicing Valuer in the employment of the National Land Commission and/or Director, Valuation and Taxation.

REPORT AND VALUATION

PROJECT BRIEF: Northern Water Works Development Agency (NWWDA) in conjunction with the Ministry of Water, Sanitation and Irrigation (MoWSI) and Tana Water Works Development Agency (TWWDA) are currently implementing the Kenya National Urban Water Supply and Sanitation program which is under consideration for financing by the African Development Bank (AfDB).

> The main objective of the program is to implement last mile water supply and water and sanitation projects within various towns in Kenya. The proposed land acquisition is therefore meant to provide a site for the construction of Loiyangalani water and sanitation system which will comprise of a Water Treatment Plant, Faecal Sludge Treatment Plant, Public Ablution Blocks, Boreholes and gravity transmission pipeline among others.

> The project is envisaged to improve water supply and sanitation services in Loiyangalani Town which is classified as arid and semi-arid area.

LOCATION: The identified project sites are classified as those outside the town centre and those within commercial & residential areas of the town centre. Those outside the centre include the proposed site for Faecal Sludge Treatment Plant situated about 3.5 Km from the town centre, the Water Management & Reservoir site situated in Gobeleng area about 4 km from the centre, 7 No. boreholes situated in the vicinity of Ngobeleng Springs and gravity transmission pipeline system that stretch to approximately 4Km in length.

The sites within the town centre are proposed to be constructed with Public Ablution blocks and are situated at Kiwanja area about 1.2 km from the town centre, Kulamawe area situated about 500m from the town and Baraza Park area situated in the neighbourhood of Kulapesa area, about 250m from the town centre, among other sites.

Loiyangalani Town is situated along Lake Turkana within Loiyangalani sub-location, Loiyangalani Location in Loiyangalani Sub-county, Marsabit County.

The project falls within Laisamis Constituency.

The GPS coordinates of Loiyangalani Town are 2°45'28.69"N 36°43'10.93"E



Google earth map extract showing location of Loiyangalani Town and various proposed acquisition sites for the project

SURVEY MAPS: This is an un-surveyed community land.

PURPOSE OF

VALUATION:	The purpose of the valuation is to provide a value estimate of land
	earmarked for acquisition for project budgeting purposes.

IDENTIFICATION OF THE

PROPERTY:	The proposed project sites were pointed out to us by the NWWDA
	Resident Engineer and affirmed by the Loiyangalani Community
	Chairman and the Loiyangalani Location Sub-Chief.

TITLE DETAILS: The land has not been registered under the community land act as yet.

ENCUMBRANCES: Nil.

REGISTRATION

STATUS: The land is not registered.

DATE OF INSPECTION: The property was inspected for valuation purposes on 29th April, 2024 by the Commission.

DATE OF

VALUATION: The valuation date is the date of inspection.

AREA:

The land earmarked for acquisition measures as follows: -

No.	Location/Zone	Size (Acres)
1.	Commercial area	0.375
2.	Residential area	0.250
3.	Agricultural area	41.000
	Total	41.625

THE PARCELS: These are rocky irregular shaped sandy and black cotton soils parcels/plots with undulating or level gradient.

The parcels reserved for the water management and reservoir plant borders Ngobeleng Springs to the East.



View of the site reserved for the water management and reservoir plant near the Ngobeleng springs



Proposed site for construction of public ablution block within Kiwanja area



Proposed site for the construction of public ablution block at Baraza Park area



Proposed site for the construction of public ablution block at Kulamawe area

IMPROVEMENTS: General Description

The project sites are largely vacant. However, the site earmarked for the construction of the Water Management & Reservoir plant is developed with a water kiosk and a 50m3 metallic water tank placed on metallic water tower.

9



Proposed site for the construction of public ablution block at Baraza Park area



Proposed site for the construction of public ablution block at Kulamawe area

IMPROVEMENTS: General Description

The project sites are largely vacant. However, the site earmarked for the construction of the Water Management & Reservoir plant is developed with a water kiosk and a 50m3 metallic water tank placed on metallic water tower.



Views of the water kiosk

Accommodation 1 No. room.

No. room.

Plinth area: 25.55 sq. m or 275 sq. ft approximately

ii) The Water Tower

This is constructed in metallic columns and beams framework with a metallic tank base platform.

The tower is 31feet high and comprises of a 50m3 metallic water tank.



Views of the water tower

The platform base measures 10.24 sq. m or 110 sq.ft. approximately 11

Metallic water pipelines are also provided and stretch along the existing roads to various supply points. We were made to understand that these structural developments were constructed by the county government of Marsabit.

These developments have however been excluded for purposes of this report and valuation.



View of the developments within the water treatment plant site.

b) <u>Construction and accommodation</u>

i) The Water Kiosk

This is constructed in machine cut stone walling, keyed, rendered & colour washed externally, plastered and painted internally beneath a pre-painted box profile sheets on timber trusses roof.

Timber fascia boards are fitted.

The windows are metal panels type.

The floor is concrete slab finished in cement screed and covered in red oxide.



Views of the water kiosk

Accommodation 1 No. room.

No. room.

Plinth area: 25.55 sq. m or 275 sq. ft approximately

ii) The Water Tower

This is constructed in metallic columns and beams framework with a metallic tank base platform.

The tower is 31feet high and comprises of a 50m3 metallic water tank.



Views of the water tower

The platform base measures 10.24 sq. m or 110 sq.ft. approximately 11

TENANCY: The land is held in trust on behalf of the Loiyangalani Community by the County Government of Marsabit. It is however managed and administered on the ground by elected community leadership and the local administration.

EXTENT OF

INVESTIGATION: The Commission visited the Assistant County Commissioner's office, the Chief's Office and the Sub-chief's Office in Loiyangalani for courtesy calls and land inquiries. The team was later accompanied by the sub-chief, the project resident engineer and the Loiyangalani Community chairperson to the project sites for inspection.

The team sought information on comparable land sales from the community members, the Community Chairman and the County land registrar's office.

Other sources of information include the Marsabit and Isiolo County land registries, the NWWDA officials and the RAP report prepared by the project consultant. The google earth map of the area was used to ascertain geographical features neighboring the project sites.



The land inspection exercise by NLC officials, NWWDA officials, Loiyangalani Community Chairman and the Chief

PLANNING REGULATION:

The project is domiciled within an arid and semi-arid area.



COMPLIANCE STATEMENT:

The valuation report has been carried out in accordance with the Kenya Valuation Standards 2021 and International Valuation Standards 2020.

RESTRICTIONS ON USE:

The values assessed in this Report are for the subject properties and any allocation of values between parts of the property applies only in the terms of and for the purpose of this Report. The values assessed should not be used in conjunction with any other assessment, as they may prove incorrect if so used. The report must only be used for the purposes stated in the terms of reference.

BASIS OF VALUATION: The basis of the valuation is Market Value.

Market Value is defined in International Valuation Standards (IVS), 2020 as the estimated amount for which an *asset* or liability *should* exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.

In determining the value of the subject land, the following aspects have been considered: -

- The property location as this is a key determinant of accessibility.
- ii) The property size;
- iii) The land gradient;
- iv) Property transactions within the neighborhood which inform our opinion of value.

CONFIRMATION: We confirm the following:

- The valuation provided below is for project budgeting purposes.
- ii) We have no direct or indirect interest on the property.
- iii) The property is situated within Marsabit County boundaries.

NATURE AND SOURCE OF INFORMATION:

ION: The information contained in this report was obtained from:

- Physical inspection of the properties.
- Brief by the Loiyangalani Community Chairman and the Project Resident Engineer
- iii) The RAP report
- iv) Marsabit and Isiolo County Land Registries
- v) Loiyangalani Community leadership
- vi) National Land Commission data base.

GENERAL REMARKS:

The subject of this valuation is a number of project sites identified and earmarked for acquisition for the construction of Loiyangalani Water and sanitation project.

The total size of land to be acquired is 41.625 acres approximately all sited within Loiyangalani Community land. The sites are located within and in the outskirts of Loiyangalani town centre, in Laisamis Constituency of Marsabit County.



View of one of the project sites in the outskirts of Loiyanagalani Town

COMMENTARY ON COMPENSATION OF UNREGISTERED COMMUNITY LAND The

The land is unregistered community land held in trust on behalf of the Loiyangalani community by the county government of Marsabit in line with section 6(1) of the Community Land Act No. 27 of 2016. The land is managed and administered on the ground by elected community leadership and the local administration.

In the event of land acquisition and subsequent compensation, any monies payable as compensation for compulsory acquisition of the land shall vest with the county government until such a time when the community land will be registered. Upon registration, the Marsabit county government shall promptly release to the community all the monies paid for compulsory acquisition.

COMMENTARY ON LOIYANGALANI TOWN: Lo

Loiyangalani is a small but vibrant town located on the south-eastern coast of Lake Turkana. The town is nestled between Mount Kulal to the east and Lake Turkana to the west. The name Loiyangalani, means "a place of many trees" in the native Samburu Language and is also home to the El Molos, an almost extinct community.

The town was formed from a freshwater spring and can be termed as an Oasis in the desert. It is fast becoming a tourist attraction due to the unique desert environment coupled with the rich cultural lifestyle of the peoples of Lake Turkana. Some of the amenities in the town include: an airstrip, post office, fishing station, campsites and lodges.

In a bid to promote both local and international tourism, the National Museums of Kenya in collaboration with other partners, organize the Lake Turkana Festival, a cultural festival held annually in Loiyangalani, to celebrate the culture in this region.



A view of Lake Turkana from Loiyangalani Town

GENERAL PROPERTY MARKET

<u>COMMENTARY</u>: Parcels in the outskirts of Loiyangalani Town do not often transact in the open market unlike smaller plots within the town centre. The large parcels in the area are used for grazing but with potential for change of use due to proximity to Loiyangalani town which is often referred to as a resort city.

SUBJECT PROPERTY

COMMENTARY:

The sections of land earmarked for acquisition in the outskirts of the town are characterized by rocky and sandy soils that make them generally unattractive and of low value for most agricultural or development purposes.

The harsh climate with little rainfall, extreme temperatures and limited water resources creates a challenging environment for vegetation growth and human habitation. The rocky and sandy nature of the soil leads to poor nutrient content and limited moisture retention, making it difficult for plants to thrive. Lack of fertile soils restricts the productivity and economic potential of the land, a factor that negatively impact on the value of the land.

Therefore, although the subject properties are located in close proximity to Loiyangalani Town Centre, these adverse factors have a cumulative disadvantage to the properties if offered in an open market for sale.

Land sales within the town center are more vibrant than in the outskirts with commercial and residential plots selling on sale agreement basis since land titling has not been effected in the town as yet.

VALUATION PROCESS

<u>COMMENTARY</u>: The inspection and valuation exercise involved courtesy calls to the local administration, the community leadership and fact finding visit at the land registry.

VALUATION

- METHODOLOGY: In arriving at the valuation figures for land, we have adopted Comparative Market analysis, where we have considered similar properties within the neighborhood and reviewed based on location of the various sites, accessibility, availability of services, size, and user among others. Different rates have been applied for the various properties which range from commercial, residential and agricultural user.
- VALUATION: Having regard to the foregoing particulars and the present-day economic circumstances, we are of the opinion that the <u>Market</u> <u>Value</u> of the communal land interest of the sections of land earmarked for acquisition totaling to 41.625 acres, free from all encumbrances and as at the valuation date is Kshs. 4,542,500.00 broken down as follows: -

No.	Location/Zone	Size (Acres)	Value
1.	Commercial area	0.375	292,500.00
2.	Residential area	0.250	150,000.00
3.	Agricultural area	41.000	4,100,000.00
	Total	41.625	4,542,500.00

(Read: Kenya Shillings Four Million, Five Hundred Forty Two Thousand, Five Hundred Only)

For and on behalf of NATIONAL LAND COMMISSION

Danson Njenga Bachelor of Land Economics (Hons) (UoN), M.I.S.K, R.V., R.E.A. Registered and Licensed Valuer <u>Senior Valuation & T. Officer - NLC</u>

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Laibu

Laibuni M. Josiah Bachelor of Real Estate (Hons) (UoN), M.I.S.K, R.V., R.E.A. Registered and Licensed Valuer Senior Valuation & T. <u>Officer - NLC</u>

Dated: 9th May, 2024

More Photographs of the properties and the general neighborhood



Google earth map extract showing the project sites in relation to Loiyangalani town centre





Google earth map extractr showing location of Loiyanagalani Town Centre



Plan showing different user zones - Source - NWWDA

