

Resettlement Action Plan (RAP)

Lake Turkana Wind Power

Turkana Kenya



Sirima Nomadic Pastoralist
Relocation of the Community Encampment
November 2014

List of Acronyms

AfDB	African Development Bank
AIL	Aldwych International Ltd
A-RAP	Abbreviated Resettlement Action Plan
CBO	Community Based Organisation
CHAT	Community Health Trust registered CBO
CLO	Community Liaison Officer
CMRP	Change Management Request Procedure
COD	Cut-Of-Date
COO	Chief Operation Officer
CRN	Change Request Notification
DEG	German Investment Corporation
EIB	European Investment Bank
EKF	Danish Export Credit Agency
ESAP	Environmental and Social Action Plan (Lenders)
ESIA	Environmental Social Impact Assessment
ESMS	Environmental and Social Management System
FINNFUND	Finnish Fund for Industrial Cooperation
FMO	Dutch Development Bank
FRC	Full Replacement Costs
HIV	Human Immunodeficiency Virus
HV	High Voltage
IFC	International Finance Corporation
IFU	Danish Investment Fund for Developing Countries
KETRACO	Kenya Electricity Transmission Company Ltd
KES	Kenyan Shillings
Km	kilometre
KP&P Africa B.V	Kasper Paardekooper & Partners
LCPDP	Least Cost Power Development Plan
LIDAR	Light Detecting and Ranging System
LTWP	Lake Turkana Wind Power
MoU	Memorandum of Understanding
MW	Megawatt
NEMA	National Environment Management Authority
NGO	Non-Government Organisation
NORFUND	Norwegian Investment Fund for Developing Countries
NTP	Notice to Proceed
NTS	Non-Technical Summaries
OPIC	US Overseas Private Investment Corporation
PAFs	Sirima Project Affected Families at Cut-off-Date
PAHs	Project Affected Households

PAPs	Project Affected Persons
PAS	Project Affected Structures
PCC	Tribunal of Public Complainants Committee
PCOD	Post-Cut-Off-Date;
PP&SE	Public Participation and Stakeholder Engagement
PROPARCO	French Development Finance Institution
PS	Performance Standards (IFC)
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
RPT	Resettlement Project Team
SPSS	Statistical Package for Social Scientists
SPV	Special Purpose Vehicle
USD	United States of America Dollars
USAID	United States Agency for International Development
UTM	Universal Transverse Mercator (coordinates system)
WGS84	World Geodetic System

Glossary of Key Definitions Terms

Assets: Comprises Project Affected Residential Structures, Sitting Rooms, and Business Premises affected by the project, unless otherwise defined.

Assistance: Comprises of measures to assist those PAPs that fall within the entitlement matrix as project affected and/or vulnerable. When a PAP is deemed to be vulnerable in accordance with LTWP RPF, Vulnerability Screening and the RAP entitlement matrix, assistance provided, will be tailored to the individual needs of the PAP/ PAH.

Assistance Relocation Agreement: Agreement between LTWP and PCOD Households comprising of measures to assist those PCOD Householders in relocating their assets to the new Sirima location area following the completion of the relocation of Sirima community.

Change Request Notification (CRN): Formal written notification that a material change has been proposed that requires Lenders approval.

Compensation: Payment in cash or in kind for an Asset or loss of use, access to a resource or livelihood that is affected by a project due to Involuntary Resettlement.

Cut-Off Date (COD): Date of completion of the census and assets inventory of persons affected by the project, 31 May 2012.

Disturbance Allowance: Additional 15% rehabilitation assistance for miscellaneous transition expenses due to relocation of Projected Affected Structures

Entitlements: The benefits set out in the Resettlement Action Plan (RAP), including: range of measures comprising financial compensation; the right to participate in housing, site replacement, relocation, restoration programs required to resettle or relocate; transfer, transport, rehabilitation and other short-term assistance, and or income substitution, in kind benefits in business/financial training depending on the type, degree and nature of their losses, to restore their social economic base.

Entitled Persons: Those persons, either female or male head of households, as the case may be, prior to the COD, losing assets or access to and use of resources leading to physically or economically as a direct result of the Project. They are entitled to compensation and/or other forms of assistance whether they have or do not have formal legal rights to occupy the land and or other assets at the time of the census\ COD, but who have claim to such legal rights by virtue of occupation or use of those assets and identified in LTWPs entitlement matrix.

Full Replacement Cost (FRC): Full cost of replacing or reinstating an Asset with another of similar functionality, quality and quantity with an amount sufficient to cover the loss

and related costs such as labour and contractor fees, transporting building materials and related transaction costs and taxes but without depreciation.

Involuntary Resettlement: Both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project. Resettlement is involuntary when it occurs without the informed consent of the displaced persons or if they give their consent without having the power to refuse resettlement.

Nuclear family: The nuclear family is the basic social and political unit among the Turkana family comprises a man (household head), his wife or wives, his sons and their wives and children, and his unmarried daughters. In the homestead there might also be a grandparent or other relative (widow to a brother) and a concubine (a woman\ mistress living within the household with the social status of a subordinate form of wife).

Post-Cut-Off-Date Households: Clan members who moved into the footprint of the Project area after Cut-Off-Date;

Post-Cut-Off-Date Persons: Members of the PCOD Households.

Post-Cut-Off-Date Structures: Structures (Manyattas) or similar assets either permanent or temporary nature that belong to PCOD-Household.

Project Affected Family: The Sirima community stems from 11 clans \ family elders that form a group totalling 114 nuclear families i.e. those that can demonstrate their common descent from an have an apical ancestor or direct lineage to the ancestral Clan\ family name and as such are interrelated though common ancestor.

Project Affected Household (PAH): A person, or group of persons living together, in an individual structure or collection of structures and or compound, who share cooking and eating facilities, and form a basic socio-economic and decision-making unit;

Project-Affected Person (PAP): Any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure or any other fixed or moveable asset, either in full or in part, permanently or temporarily;

Project Affected Structures (PAS): Structures including Residential Manyattas and Sitting Rooms belonging to PAHs affected by the Project prior to the COD;

Relocation: Physical moving of PAPs from their pre-project place or residence, place for work or business premises, to an area that is not affected by the Project.

Resettlement Action Plan: The document in which a project sponsor or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project.

Resettlement Policy Framework (RPF): The document sets out LTWP's policy statement for development of a resettlement procedural framework manual for wind farm infrastructure developments that involved involuntary resettlement. The statement confirms LTWP's commitment by its employees to follow the procedures and standards as defined within the manual. The resettlement policy framework sets out the guiding principles and requirements for the development of specific resettlement action plans for those projects. The overriding objective is to avoid settlements with residential structures and areas with sensitive natural habitat, to the extent possible.

Stakeholders: Any and all individuals, groups, organisations, and institutions interested in and potentially affected by a project or having the ability to influence a project.

Socio-Economic Census: Means a field survey carried out to identify and determine the number of PAPs families/households/persons or vulnerable groups. The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures that result from consultation with PAPs.

Clan: There are twenty-eight (28) clans among the Turkana that make up the main social organisation. The social\ sectional boundaries of each Clan in general splits into smaller localised clans associated with a territorial area, a group of family's or membership that provides assistance to each other. A Clan splits into families, classificatory lineage, and Clan membership, monogamous and polygamous families that form households affiliated to a particular family\ elder.

Vulnerable Groups: People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits. That might include, but not limit to:

- i. Female Headed Households with dependents
- ii. Children headed households
- iii. Disabled household Heads
- iv. Poor Households
- v. Elderly Households with no means of support
- vi. Ethnic minorities

Preface

This Resettlement Action Plan (RAP) was developed on behalf of Lake Turkana Wind Power (LTWP) by Lartech Africa an independent environmental consultancy registered in Kenya. The RAP report proposes an efficient, transparent, responsive and accountable resettlement process for the community in Sirima in line with Kenyan laws, African Development Bank (AfDB), European Investment Bank (EIB), International Finance Corporation (IFC) Performance Standards and other international best practices such as the Equator Principles.

The plan upgrades the previous Draft Abbreviated Resettlement Action Plan (A-RAP) of December 2012 as disclosed on AfDB, World Bank, US Overseas Private Investment Corporation (OPIC) and LTWP public disclosure information platforms /web sites to that of a full RAP.

I. RAP BACKGROUND

The Sirima village is located within the proposed LTWP wind farm site previously designated Trust Land and now leased to LTWP, under a 33 year term, renewable up to 99 years. Under the previous designation 'Trust Land' it was managed under the District administration for an on behalf of the community. Consequently, the PAPs \ nomadic pastoralist have customary rights of use to land pastures, however have no recognisable legal right or claim to the land other than use and are therefore not eligible for land compensation. There are no land tenure issues for the nomadic communities as LTWP has accepted the cultural 'right of use' tenure for grazing livestock and traversing LTWP's land. Apart from temporary access restrictions to active construction areas and hazardous operational infrastructure, there will be no loss of access to grazing land or other natural resources.

The RAP process is a negotiated procedure and no forced evictions are anticipated. The relocation involves an isolated 'greenfield' site; there are no impacts upon any host or neighbouring community to consider in this RAP.

The relocation of Sirima encampment from their current location is required due to health and safety concerns mainly associated with traffic and construction activities due to its close proximity to the [C77] public road. During construction, this area will become congested with traffic, construction activities and associated dust, noise, health and safety impacts. Through the Environmental Social Impact Assessment (ESIA) process and discussions with the Sirima community, it was agreed that the Sirima settlement be relocated from its current location to an area away from the [C77] public road to an area not part of the construction activities in order to minimise the potential

for accidents and mitigate against any unnecessary misfortune to the Sirima community and their livestock.

The signed A-RAP agreement previously reached through stakeholder consultations and amicable negotiations following informed dialogue with the Sirima community was signed by the Acting Chief and LTWP representatives, 02 August 2014 and attached as an Appendix No. 1, to this report “*Draft Memorandum of Understanding (MoU) Between LTWP an Sirima Community for the relocation of Project Affected Structures (Manyattas)*”.

The main agreement details are as follows:

- i. LTWP to create a new encampment constructed on a ‘Like-for-Like’ basis, improved habitability and culturally adequate, using materials (sticks) provided by LTWP; at an agreed location away from the [C77] public road that meanders through the wind-farm site from South Horr to Loiyangalani town in order to avoid potential health and safety impacts arising from increased traffic and construction activities. The new encampment will feature a number of improvements to existing facilities as detailed below;
- ii. Labour for construction of the new settlement was to be drawn from the Sirima community (this is normally the role of the women in the community) at daily national unskilled rates;
- iii. Food and water for those undertaking the reconstruction was to be provided by LTWP;
- iv. The community could revert to the old encampment following completion of construction;
- v. Provision of a dedicated borehole for the community, with storage tank, and livestock trough (completed);
- vi. Construction of a community store and provision of initial stock of provisions for the community store;
- vii. Construction of a classroom;
- viii. Construction of pit latrine and showers for both genders;
- ix. Training of community members on sustainable entrepreneurial skills; and
- x. Consider the community members for employment opportunities, where possible.

Initially, the A-RAP was deemed appropriate for the relocation of Sirima settlement as opposed to a full RAP; given the number of Project Affected Households (PAHs) who were residing within the settlement at the time i.e. those prior to the census survey and Cut-Off-Date (COD) was initially understood to be 83 PAHs relating to the number of community members listed on the relief food register for the settlement. However, the baseline survey undertaken in 2012 by an independent consultancy for the preparation

of the draft A-RAP identified 114 PAHs with 156 Entitled Persons¹ with structures that needed to be relocated.

The verification and validation of Entitled Persons census confirmed that there were 161 PAHs with 854 dependents totalling 1,015 persons residing within the Sirima encampment prior to COD. Please refer to Executive Summary Table EX.1 and Section 5 Table 5.2 for further details statistics as to the demographics of Sirima community.

II. Post Cut-Off-Date Households

The in-migration of more pastoralists, best described as clan member's, either family members and or other Sirima community members, who had not been present at the encampment, during the initial stakeholder engagements \ census survey as well as the delay in implementing the Project has provided challenges in finalising the Sirima entitled person's matrix. The Sirima community households largely originate from the same eleven (11) families, the family demographics are complex, thus LTWP has tried to keep things as simple as possible in this report by categorising those PAHs with structures enumerated in the census survey i.e. prior to the Cut-Off-Date (COD) as PAHs and PAPs and those that migrated into the footprint area, Post-Cut-Off-Date as PCOD Households and PCOD Persons.

In July \ August 2014, the findings of a verification entitlement survey identified that there had been an in-migration of 22 PCOD Households \ pastoralists into the community. As this in migration has been effectively sanctioned by the Sirima community, it is not considered to be an example of 'uncontrolled influx'; the additional people have the same ethnic and cultural background. The in migration of an additional 22 PCOD Households with 143 dependents, totalling 165 persons do not have any material implications for the Project's Environmental and Social Management System (ESMS) plans however has a minor impact to the RAP budget not previously foreseen. The agreed assistance being provided to these PCOD Households has been accounted for in the updated budget provided in this report. Please refer to Executive Summary Table EX.1 and Section 5, Table 5.2 for further details statistics as to the demographics of Sirima community.

In order to resolve the demographic disparity within the database and RAP entitlement matrix, LTWP hired a local resident of the Turkana tribe, a second Community Liaison Officer (CLO) to assist and supplement the existing CLO, who in a previous employment had undertaken a social work programme within the Sirima community through a Non-Government Organisation (NGO) and is well, versed as to the demographic structure of the community, the existing Clan groups and Sirima descent.

¹ Note: Entitled Persons with structures as per revalidation survey is 161.

The initial scope of work for this latest recruit \ CLO is to reconcile the disparity between those community members listed on the relief food register, those enumerated at the COD and those COD Households and their dependents currently residing both within and outside boundary of the encampment and how they fit within the Clan and Sirima descents. Going forward the CLO will also oversee the implementation of the RAP and will be supported by existing CLO and LTWPs' dedicated RAP team and selected members from the community.

Please refer to Section 7.6 '*Post-Cut-Off-Date-Households In-migration*' of this report for more detailed explanation.

III. Change Request Notification (CRN)

Upon completion of the re-enumeration and entitlement verification exercise in July \ August 2014, following the signing of individual compensation packages, 29 July 2014 and at the close out of meeting on 02 August 2014, the community requested LTWP to amend the Memorandum of Understanding (MoU) from 'Like-for-Like' compensation to a hybrid scheme that includes cash compensation for the materials (sticks), salvaged from their existing structures. This changes the mode of compensation to a composite Cash compensation \ 'Like-for-Like' arrangement including improved habitable and cultural acceptable structures plus the various community benefits that were previously agreed in the MoU and detailed throughout this RAP report.

A change request was submitted to Lenders and the determination resolution was that the community's wishes should be upheld as long as appropriate safeguards were put in place and that the aforementioned changes necessitated the need for a redesign and upgrade of the A-RAP relocation process to a full RAP.

IV. Change to Project Lenders

In addition to the above requirements and since submission of the Draft A-RAP for disclosure there has been a change to the financing structure for the Project. This RAP has been prepared taking cognisance of the requirements, standards environmental and social aspiration and values of LTWP, its Resettlement Policy Framework (RPF) and new Lenders to the Project.

The LTWP Project sponsors comprise KP&P Africa B.V. a Company registered in the Netherlands; Aldwych International Ltd, and Independent Power Producer registered in TK; the Finnish Fund for Industrial Cooperation (FINNFUND), the Danish Investment Fund for Developing Countries (IFU), the Norwegian Investment Fund for Developing Countries (NORFUND) and Vestas Wind Power Invest A.S.

The Lenders now include AfDB, German Investment Corporation (DEG), EIB, Danish Export Credit Agency (EKF), Dutch Development Bank (FMO), French Development Finance Institution (PROPARCO) and OPIC.

In addition, to meeting all relevant Kenyan legislative and permitting criteria, LTWP in conjunction with previous existing and new Lenders has developed and prepared an extensive ESMS for the Project including associated management plans which has been approved by Lenders.

This RAP is also aligned with the principles and requirements of LTWP's Environmental and Social Management Plans and specifically those relating to involuntary resettlement, influx management and vulnerable or marginalised groups.

Uncontrolled influx into the Project area of influence may impose cumulative social impacts upon the Sirima settlement and LTWP will continue to monitor the situation as the Project moves into construction. Please refer to LTWP's Stakeholder Engagement Plan and Influx Management Plan for more detailed information.

The changes in the environmental requirements from that previously disclosed in the Draft A-RAP and addressed in this RAP for the Sirima relocation are presented below:

- Applicable IFC 2012 Performance Standards (PS) and supporting guidance, as voluntarily adopted by the Project, in particular:
 - PS 1: Assessment and Management of Environmental and Social Risks and Impacts;
 - PS 4: Community Health, Safety and Security;
 - PS 5: Land Acquisition and Involuntary Resettlement;
 - PS 7: Indigenous Peoples (not directly applicable to Project, precautionary approach only); and
 - PS 8: Cultural Heritage.
- The AfDB's cross-cutting themes: The AfDB's Group Policy on Environment, the Voluntary Resettlement Policy, the Poverty Reduction Policy and the Gender Policy.
- The EIB 2014 Environmental and Social Standards, especially:
 - 1: Assessment and Management of Environmental and Social Impacts and Risks;
 - 6. Involuntary Resettlement;
 - 7. Rights and Interest of Vulnerable Populations
 - 8. Labour Standards;
 - 9. Occupational and Public Health, Safety and Security; and
 - 10. Stakeholder Engagement.
- OPIC Environmental and Social Policy Statement; and

-
- Other specific Lender requirements and conditions - including those defined in the Lenders' Environmental and Social Action Plan (ESAP), and Form of Environmental and Social Monitoring Report as detailed in the Project's Common Terms Agreement.

Table of Contents

List of Acronyms.....	2
Glossary of Key Definitions Terms.....	4
Preface.....	7
Table of Contents	13
Executive Summary.....	A
1 Introduction.....	1
1.1 Sirima RAP impacts.....	1
1.2 Project Description	1
1.2.1 Site Location.....	2
1.2.2 Transport Route.....	4
2 Sirima Community RAP Relocation	6
2.1 Objective of the RAP.....	6
2.2 Approach and Methodology	6
2.2.1 Desk Review	6
2.2.2 Socio-Economic Census.....	7
2.2.3 Sirima Stakeholder Consultations	7
2.2.4 Data Management and Analysis.....	8
3 Policy and Legal Framework	9
3.1 Introduction	9
3.2 National	9
3.2.1 The Constitution of the Republic of Kenya	9
3.2.2 Environmental Management and Coordination Act, 1999	9
3.2.3 Land Act, 2012	9
3.2.4 Public Roads and Roads of Access, Cap 399 Laws of Kenya.....	10
3.2.5 Occupational Safety and Health Act 2007, Cap 15 Laws of Kenya.....	10
3.2.6 Valuers Act, Cap 532 Laws of Kenya	10
3.3 International	10
3.3.1 IFC Performance Standard 5.....	10
3.3.2 EIB Standards 6.....	11
3.3.3 OPIC Sustainability Policy Statements	12
3.3.4 LTWP's RPF	12
3.3.5 Gap Analysis.....	13
3.3.6 Comparison between the Kenyan Legislations and EIB standard.....	14
4 Description of the Project Area	19

4.1	Marsabit County.....	19
4.2	Sirima Settlement.....	20
4.3	Pastoralism and Movements.....	20
5	Socio-Economic Census and Analyses.....	23
5.1	Introduction	23
5.2	Community Administration Structure.....	23
5.3	Demographic Profile of Sirima Community	24
5.3.1	Household Structure and Gender.....	24
5.3.2	Head of Clans	25
5.3.3	Marital Status and Cultural Ceremonies	25
5.3.4	Literacy Status	26
5.3.5	Household Occupation and Source of Livelihood.....	26
5.3.6	Community Wealth Assessment.....	27
5.3.7	Access to Water and Sanitation.....	28
5.3.8	Access to Food	29
5.3.9	Access to Health Facilities.....	30
5.3.10	Security of the Community.....	30
5.3.11	Housing Conditions of the PAPs	30
5.3.12	Vulnerable Groups.....	32
5.3.13	Health Aspects, HIV/ AIDS	35
5.3.14	Socio-Economic Census Conclusions.....	36
6	Project Impacts and Mitigation Measures	37
6.1	Introduction	37
6.2	Positive Impacts	37
6.3	Negative Impacts and Mitigation Measures.....	37
6.3.1	Negative Impact during Construction.....	37
6.3.2	Negative Impact during Operation.....	38
6.4	Categories of Impacts	38
6.4.1	Structures.....	39
6.4.2	Breakdown of Project Affected Structures	39
6.4.3	Loss of Business Income.....	39
7	Valuation, Compensation and Entitlements	40
7.1	Introduction	40
7.2	Valuation Methodology.....	40
7.2.1	Full Replacement Cost Approach.....	40
7.2.2	FRC Methodology	41
7.2.3	Disturbance Allowance	42
7.2.4	Compensation for Labour.....	42
7.2.5	Cash Compensation, Security and Banking Agent Role	43

7.2.6	Compensation for Loss of Income	45
7.3	Eligibility for Compensation and Resettlement Assistance	46
7.4	Cut-Off-Date (COD)	46
7.5	Entitlements	47
7.6	Post-Cut-Off-Date-Households In-migration	54
7.6.1	Introduction	54
7.7	Draft A-RAP baseline Survey	55
7.8	Sirima Data, Validation and Verification Exercise.....	55
7.9	Origins of the community	56
7.10	In-Migration to Sirima Community	57
7.11	Request for PCOD-HH to Join Sirima Community	58
7.12	Concern Over Additional In Migration.....	59
8	Management of Grievance and Disputes.....	61
8.1	Introduction	61
8.2	Potential Resettlement Grievances.....	61
8.2.1	Proposed Grievance Management and Redress Mechanism	61
9	Public Participation and Stakeholder Engagement	63
9.1	Introduction	63
9.2	Stakeholder Identification and Analysis	63
9.2.1	Methods of Stakeholder Participation.....	63
9.3	Summary of Stakeholders Views and Concerns.....	64
9.4	Key Recommendations from Stakeholders	65
9.5	Key Recommendations from Stakeholders	65
10	RAP Implementation Schedule.....	66
10.1	Introduction	66
10.2	Institutional Arrangements.....	66
10.3	Additional RAP Governance	70
10.4	RAP Implementation Schedule.....	71
11	RAP Implementation Budget Estimates.....	72
11.1	Budget	72
12	Monitoring, Evaluation and Reporting	74
12.1	Introduction	74
12.2	Monitoring	74
12.3	Monitoring Indicators	74
12.4	Evaluation of RAP \ Completion Audit.....	75

12.5	Reporting Arrangement	76
13	Conclusions and Recommendations	77
13.1	Conclusions	77
13.2	Recommendations	77
14	Appendix A:	80
	Appendix No 1: List of Entitled PAHs with Affected structures and their Compensation Entitlements	81
	Appendix No 2: Draft Memorandum of Understanding (MoU). Between LTWP and Sirima Community for the relocation of Project Affected Structures (Manyatta);	87
	Appendix No 3: PCOD Assistance Relocation Agreement (Draft) MoU	92
	Appendix No 4: PCOD Relocation Letter of Agreement, 26 November 2014.....	96
	Appendix No 5: List Vulnerable Persons	97
	Appendix No 6: Grievance Redress Template.....	99
	Appendix No 7: Sample of Minutes of Stakeholder Engagements.....	100
	Appendix No 8: Labour Force Daily Log Template.....	118
	Appendix No 9: Sirima Compensation Package Example Template	119
	Appendix No 10: PCOD Household Demographics and Structures.....	120
	Appendix No 11: Banking Agent Procedure.....	121
	Appendix No 12: Implementation Schedule.....	122

Executive Summary

A. Introduction

This report is the Resettlement Action Plan (RAP) for the relocation of the Sirima nomadic community who have a settlement located within the Project footprint.

This RAP was developed on behalf of Lake Turkana Wind Power (LTWP) by Lartech Africa an independent environmental consultancy registered in Kenya. The report proposes an efficient, transparent, responsive and accountable resettlement process for the nomadic community in Sirima in line with Kenyan laws, African Development Bank (AfDB), European Investment Bank (EIB), International Finance Corporation (IFC) Performance Standards and other international best practices such as the Equator Principles.

As with most development projects in Africa, the time from inception to implementation is lengthy and fraught with many challenges, both positive and negative impacts that need to be either mitigated or addressed in a sustainable manner. Please refer to Section 6 for further details.

B. RAP Summary

The relocation and resettlement of the Sirima nomadic community, the subject of the RAP, has been extensively analysed in collaboration with the Sirima community, elders of the clan, in gender focused forums, following detailed discussions and with full understanding of the issues and concerns of the community has agreed an equitable relocation and compensation plan to mitigate the potential safety hazards associated with the current location of their nomadic settlement.

The relocation of the Sirima community has two components;

- i. Cut-off Date (COD) PAHs, PAPs, and those with Project Affected Structures (PAS) detailed in the entitlement register; and*
- ii. Post-Cut-off Date Households (PCOD), persons and their structures that are not entitled to compensation by law or IFC PS 5 and Lenders to the Project.*

Component one will involve the relocation of 161 PAHs, 854 family members totalling 1,015 PAPs that were enumerated prior to the COD with assets totalling 346 PAS.

The second component following a request by the Sirima community dated, 20 October 2014, involves the relocation of in migration of affiliated Clan members; PCOD Households, 22 in total and their associate Assets / structures numbering 46. In this report, PCOD Households, their assets and their dependents are not considered as falling into the category of 'Project Affected' as these PCOD Households came after the COD. A suitable relocation area has been identified

nearby, away from the public road that traverses the project footprint and future construction areas.

See Table EX.1: Sirima COD and PCOD Demographics and Table EX. 2: Sirima COD and PCOD Structures below.

Sirima Demographics	COD	PCOD
Clans	11	
Families	114	
Households	161	22
Dependents	854	143
Persons	1015	165

Table EX.1: Sirima COD and PCOD Demographics

Sirima Structures	COD	PCOD
Residential Manyattas	187	23
Sitting Rooms	159	23
Structures	346	46

Table EX.2: Sirima COD and PCOD Structures

A detailed breakdown and listing of COD entitled PAHs detailing their structures and various assets is attached to the Appendices of this report, Appendix No. 1 “List of Entitled Project Affected Households (PAHs) with Project Affected Structures (PAS) and their Compensation Entitlements within the Sirima encampment”.

C. RAP OBJECTIVES

The objective of the RAP is to provide an implementation roadmap to ensure that the development process fully respects the dignity, human rights, economies, and culture of Sirima community; avoid potentially adverse effects, provides appropriate safeguards for women and vulnerable members of the community and that affected persons are not worse off as a result of the Project and as a minimum their livelihoods are restored to that of before the Project.

Compensation packages and community benefits have been developed and agreed, in full consultation with the Sirima community over a long period of time, in accordance with involuntary resettlement best practices, Lenders, (AfDB, EIB, IFC and OPIC) environmental social health and safety standards and sustainable policies and performance requirements along with the Constitution of the Republic of Kenya and interrelated Environmental Management and Coordination Act, as well as the social aspiration and values of LTWP, its RPF and ESMPs related mitigation measures with special attention to the rights of vulnerable groups. Community

benefits and assistance will be provided to the Sirima community and PCOD Householders as outlined below and throughout this report.

The RAP has incorporated and followed the due processes outlined above into the implementation plan; LTWP has undertaken meaningful as well as culturally engaged with the affected community members; has agreed an MOU with the Sirima community, an 'Assistance Relocation Agreement' with PCOD Householders members. A draft of the Assistance Relocation Agreement is attached to the Appendices as Appendix No. 2 to this report and a letter of the 26 November 2014 from PCOD Households willingness to relocate and wait on LTWP finalising the relocation assistance is attached to this report as Appendix No. 3. LTWP shall include the following relocation compensation packages, benefits and assistance initiatives:

- iii. The COD for entitled PAPs was agreed as the 31 May 2012;*
- iv. A new settlement area has been identified and agreed, 1km south of the existing encampment location, in a low impact construction area and approximately 3km away from the nearest cluster of wind turbines. It will be developed and constructed as per traditional practices with structure layout as agreed with the community and in accordance with Clan \ lineage and family preferences taking cognisance of associated security and safety risks;*
- v. Residential Manyattas and other PAS, such as sitting rooms, will be of standard sizes with the circumferences increased to the maximum size assessed in order to improve the habitable and adequacy of the traditional and cultural design to 13m circumference for residential Manyattas, main abodes, amounting to 187 structures and 10m circumference for sitting rooms amounting to 159 structures and a total number of PAS to be reconstructed of 346;*
- vi. LTWP commits to procure similar construction materials from outside the project footprint, transport the materials to Site, use labour from Sirima community, pay standard daily rates for labour and provide food and water during demolition and reconstruction of the Manyattas and associated structures from the existing encampment in accordance with the entitled structure matrix and agreed structure layout at the new location;*
- vii. Cash compensation equivalent to the amount of materials salvaged from the existing structures defined as heads of sticks, either a Manyatta or Sitting Room, computed to the equivalent number of heads \ material (100 sticks) that can be utilised as part of the structure reconstruction process to supplement the materials procured by LTWP to meet the increase in size and standardisation of the various 346 PAS. The composite salvaged materials cash payment methodology² has been agreed with the*

² Cash Payment for salvaged materials from a standard Manyatta \ sitting room of 10m circumference requires 40 heads (4000 sticks). Example: assuming that the average material loss is 25% per structure, equating to 10 heads salvage loss of a 10m circumference standard structure. The cash compensation component for the salvaged material will amount to equivalent material costs of 30 heads. A Manyatta of 13m circumference requires 52 heads to construct. In theory, if the number of heads supplemented by LTWP is 22 heads the structure owner will be paid 30 heads cash equivalent. LTWP will oversee and manage the process and pay all other external and

community taking cognisance of FRC equivalent cost of materials and is further described in Section 7 of this report.

- viii. *A cash payment, a Disturbance Allowance of 15% will be added to the calculated FRC of each of the individual structures and paid to the entitled structure owners as per the entitlement matrix;*
- ix. *LTWP will provide as an in-kind benefit 187 solar panels with associated fitting kits to include lights and charging sockets and 187 tarpaulins, specifically designed domes to fit the enlarged 13m circumference, for the residential Manyattas in order to protect the structure from adverse ambient elements;*
- x. *LTWP will undertake a Banking Agent's role in the form of a Sirima 'Trust Account' for those members of the Sirima community who wish to avail benefit of this cash security assistance option. Please refer to Section 7 for further details in respect of this matter.*
- xi. *Construction of a community store and provision of the first stock of basic food items up to a value of KES 100,000;*
- xii. *Construction of pit latrines at the relocation site, three (3) male and three (3) female;*
- xiii. *Construction of shower facilities at the relocation site, three (3) male and three (3) female;*
- xiv. *Construction of a suitable boundary fence with access gates to provide additional security and improve curtailment of livestock;*
- xv. *Construction of a classroom;*
- xvi. *Training of community members on sustainable entrepreneurial skills in association with the running, managing, stock keeping practices and replenishing of the community store provisions, Banking Agents procedures and basic financing aspects associated with their cash compensation. LTWP will not provide credit in respect to its Banking Agent role;*
- xvii. *LTWP has provided potable water by means of a dedicated borehole for the community, a temporary water storage tank³, and livestock water trough has been completed;*
- xviii. *LTWP will provide transport and a number of miscellaneous tools, spades and containers for the collection of soil and preparation of mud plastering and thatching purposes for the relocated structures;*

associated structure FRC. Given the irregular shape, size and type of materials used (sticks), LTWP will when the structure is completed agree an amicable number of salvaged heads in a positive manner towards the structure owner cash compensation.

³ Permanent storage tank will be provided when the new encampment structure relocation process has been completed.

-
- xix. *Support by LTWP's mobile first aid ambulance to attend to emergencies and nursing assistance health checks for children; and*
 - xx. *Consider the community members for employment opportunities, were possible;*

PCOD Household assistance to be provided by LTWP will include the following assistance packages;

- i. *Use labour from the family members of the PCOD Households;*
- ii. *Pay standard daily rates for labour and provide food and water during demolition and reconstruction of the 23 Manyattas and 23 Sitting Room structures;*
- iii. *Provision of material loss (heads) during the demolition process and necessary for the reconstruction of the above 46 structures in the new settlement location.*
- iv. *LTWP will also assist with providing transport for the collection of soil and preparation of mud plastering and thatching purposes for the relocated structures;*
- v. *The PCOD Household structures will all be constructed to the same dimensions as current and will not receive any of the in-kind benefits, solar panels and associated fixing kits or tarpaulin domes;*
- vi. *The Sirima community has agreed that these PCOD Households will be relocated within the new settlement location in accordance with the structure layout as agreed with the community and in accordance with Clan \ lineage and family preferences;*
- vii. *In addition to the above assistance provided by LTWP to PCOD Householders, the Sirima community also agreed that the PCOD Householders will enjoy the benefits, as detailed above, provided by LTWP to the Sirima community residing within the settlement at COD.*

The schedule to complete the relocation of the Sirima community and PCOD households including all in kind benefits from the time of giving NTP will take 23 weeks.

LTWP will provide sufficient manpower as necessary to ensure the relocation implementation process and oversight management role, provision of construction materials, training of trainers of selected individuals, 'quasi supervisors' from the Sirima community. Initially these 'quasi supervisors' will be briefed as to how the layout of the relocation area has been designed, in accordance with family lineage and cultural traditions; they will be trained in setting up the specific location areas for PAHs structures in accordance with Clan and family lineage and they

will also be trained on the procedure for outlining the 13m and 10m structure circumference in accordance with the safety distance agreed and also trained to oversee and or undertake the fitting procedures associated with the solar panels, fixing kits and tarpaulin domes.

In addition, these 'quasi supervisors' will also carry out identification of family members undertaking the reconstruction or their assets, recording individual man-hours, number of heads consumed and quantity of salvaged material saved during the demolition of their structures and used to supplement the heads provided by LTWP to calculate the cash value of salvage for compensation purpose. Training will run concurrently with implementation.

Given the community's wish to gain employment from the Project, work experience and receive training LTWP has endeavoured in developing the relocation plan to provide basic work aspects that may assist some members of the community employment with some of the construction contractors.

The budget for the relocation of the Sirima settlement including in-kind benefits has four components:

- i. RAP Sirima Relocation Budget;*
- ii. RAP Sirima Community Benefits Budget;*
- iii. PCOD Households Relocation Assistance Budget; and*
- iv. Auxiliary Support budget for RPT.*

The RAP budget for the resettlement of the Sirima settlement Assets including materials, transportation, labour and Disturbance Allowance of 15% is estimated at KES 13,752,273, equivalent Euro 117,090.

From a Sirima PAH perspective the average compensation received would equate to KES 51,607 or Euro 439 however in relative terms this figure will depend upon the number of Assets and the labour days worked.

The Sirima Community Benefits Budget amounts to KES 15,937,560 equivalent to Euros 135,697.

The PCOD Households Relocation Assistance Budget would be KES 1,950,400, equivalent to Euro 16,606.

Auxiliary Support Budget for Resettlement Project Team (RPT), KES 1,641,360 equivalent to Euro 13,975.

The total estimated RAP Sirima Budget amounts to KES 39,937,911 equivalent to Euro 340,042 which includes 20% contingency.

D. Census and Socio-Economic Analyses

The socio-economic analysis section comprises of the demographic profile of the households, socio-cultural characteristics, economic activities and social services.

Household Age and Gender Structure: *the number of female is higher at 52% compared to the male at 48%. Children constitute 84% of the population in Sirima encampment, while adults account for only 16% of the population.*

Head of Clans: *The Sirima community demographics and lineage is a complex structure and stems from 11 clans \ family elders that form a total of 114 nuclear families. Of the 114 PAFs there is 161 PAHs that have family members' \ dependents amounting to 1015 PAPs living within the encampment. The majority (82%) of the heads were male while 18% of the clan heads are female headed.*

Marital Status and Cultural Ceremonies: *There are basically two ceremonies that form the basis of the Sirima culture, marriage and Asapan 'rite of passage' for a young male to ascend to adulthood. Polygamy is an accepted practice by the Turkana ethnic community.*

Literacy Status: *Literacy levels in pastoralist community such as in Sirima area are usually low; this is a reflective of the nomadic lifestyles. The survey showed that 79% of the children have never attended school.*

Household Occupation and Source of Livelihood: *The main source of livelihood in Sirima is pastoralism. About 60% (55% livestock, 5% wages) have a source of income. The remaining 40% do not have any regular source of income.*

Access to Water and Sanitation: *Sirima is relatively dry due to poor rainfall regime. The settlement exists in this location mainly due to a natural water pan which harvest rainwater runoff. Government intervention turned the natural water pan into two manmade dams. Unfortunately, poor workmanship, porous materials, lack of maintenance and the high evaporation rate in the area significantly reduces the water retention time of these dams.*

Access to Health Facilities: *The nearest health facilities/ dispensaries are at Gatab, South Horr or Loiyangalani all of which are a full day's travel by foot or donkey.*

Security of the Community: *Insecurity is mainly brought about by cattle rustling which is prevalent throughout the county border area. The area is so vast with little road infrastructure such that policing is currently virtually impossible.*

Housing Conditions of the PAPs: The types of houses found within the Sirima encampment are mainly Manyattas. The traditional construction material for a Manyatta includes sticks (locally known as Ekali in Turkana or Siteti in Samburu), hides, and animal dung. The weaving ropes are obtained from Acacia tree.

Vulnerable Groups: IFC, EIB standards and Lenders guiding principles require resettlement planning to pay special attention to vulnerable groups in the Project area. The survey found out that 140 PAPs are considered vulnerable. These are people with disabilities, terminal illness, female headed households and the old (>70yrs)

E. Positive Impacts and Mitigation Measures

Positive impacts: of the Project will include improvement of access roads with associated increased safety and tourism, reduction in travel times, employment generation for local communities during construction and reduction in vehicle maintenance costs due to the rehabilitation of 200km of road, a dedicated water source by drilling a borehole and establishment of a community store/ kiosk for sale and storage of essential food and miscellaneous settlement provisions. The community will be employed during the relocation process and paid at national rates and will have the opportunity to be considered for employment during the wind-farm construction phase.

Negative impacts: The main negative impact for the Sirima community will be the relocation of their settlement however in relative terms, relocating of their homesteads is part and parcel of their culture. There will also be both permanent and temporary loss of grazing land access, during construction and operations. Loss of access during construction will cause some disruption to the herdsmen whilst moving their livestock to and from certain pastures but this will be of short duration and has been assessed as a minor nature. Permanent loss of access and grazing rights will result from mitigation measures with respect to safety. The HV switchyard and transformers, the Operations Village and Maintenance compound will be permanent loss of land however, given the locations of these permanent structures i.e. away from known pastures this impact has also been assessed as minor land take infringement albeit permanent loss. In addition, typical construction impacts such as, fugitive dust, noise, increase in vehicular traffic with associated safety risks and influx of migratory workers.

Mitigation measures: The HV switchyard, individual transformers and LTWP's Operations Village will be fenced. This equipment and the areas surrounding them are potential hazards to people and livestock and therefore on grounds of public safety and security of the operations personnel, fencing will be constructed with appropriate warning signs and awareness programmes provided to the Sirima community and other pastoralist passing through wind-farm site. Grazing will be permitted in and around and between the clusters of turbines once the facility is operational. The minor loss of land due to the fenced areas and the footprint of the turbines for grazing are considered an insignificant impact on availability of grazing land for the livestock. Other impacts during construction will be mitigated by adherence to mitigation provision as detailed in the ESMS and contractor project/work specific construction management plans.

F. Recommendations

In line with the framework presented herein and requests of the PAPs, relocation will be to the agreed relocation area within the same vicinity (c.1.5km) to ensure that PAPs are not made worse off by the Project. LTWP in collaboration with the community elders have already identified a suitable relocation area nearby.

Relocation Notice Period: According to Kenya compensation legislation where structures are involved the owner should be given adequate notice (90-days) to vacate the land in order to ensure smooth transition. Given the community have agreed to relocate to a new location and LTWP in conjunction with the community will provide additional materials required to improve the habitable and adequacy of the structures and the community will undertake the labour associated with construction of the new settlement this should not be an issue.

The project, through implementation of this RAP will ensure that rights of PAHs and PAPs are adhered to and protected.

Stakeholder Consultations: There will be continuous consultations and involvement of Chiefs, PAPs and settlement elders during the overall RAP implementation and in issues of rehabilitation assistance. Continued consultations will ensure that community needs are met and that dissemination of information is undertaken in a timely and equitable manner. Future consultations will include, informing stakeholders on issues such as clearance of road reserve to make way for the commencement of road works, rehabilitation assistance packages and disbursements thereof.

Employment Opportunities: Consider the community members for employment opportunities where possible. Most of the affected community members may not have the requisite education or skills to do complex assignments however LTWP will employ a discriminatory policy in favour of the Sirima community and training, with a gender dimension favouring women will be provided for those selected. Special attention will be paid to the disabled and those with special needs.

Community Benefits: LTWP will provide the following benefits:

- i. A new settlement area has been agreed, developed with respect to layout regarding the positioning of the individual PAHs families and the construction of their associated structures as per the wishes of the community that will

-
- incorporate the benefits to be provided by LTWP detailed below, in accordance with the design, sizes and traditional practices associated with Manyattas and sitting rooms;
- ii. Manyattas and other structures, such as sitting rooms, will be of standard sizes for all affected structures (circumferences increased to the maximum size assessed i.e. 13m Manyattas \ Main abodes and 10m for sitting rooms);
 - iii. LTWP commits to procure similar construction materials, transport the materials to Site, use labour from Sirima community, pay standard daily rates for labour and provide food and water during construction of the Manyattas and associated structures at the new settlement location;
 - iv. Provision of potable water by means of a dedicated borehole for the community, storage tank, livestock trough (completed);
 - v. Support by LTWP's mobile first aid ambulance to attend to emergencies;
 - vi. Construction of pit latrine at the relocation site;
 - vii. Construction of a classroom;
 - viii. A suitable boundary fence to provide security;
 - ix. Construction of a community store and provision of first stock of provisions for the community store as detailed in the appendices attached to this MoU (List of commodities planned in the store to be attached in this MOU? ;
 - x. LTWP will undertake a Banking Agents role 'Trust Account' for those members of the Sirima community who wish to avail \ benefit of this cash security option;
 - xi. Training of community members on sustainable entrepreneurial skills in association with the running, managing, stock keeping practices and replenishing of the community store provisions, Banking Agents procedures and basic financing aspects associated with their cash compensation. LTWP will not provide credit in respect to its Banking Agent role;
 - xii. Consider the community members for employment opportunities, where possible.
 - xiii. Solar panels for all main Manyattas; and
 - xiv. Tarpaulin domes for all Manyattas
-

1 Introduction

1.1 Sirima RAP impacts

This report is the RAP for the relocation of Sirima nomadic community who have a settlement located within the Project footprint prior to COD. The report supersedes and updates the information from the Draft A-RAP of 2012.

The relocation of the Sirima community has two components;

- i. Cut-off Date PAHs, PAPs, and those with structures on the entitlement register (PAS); and
- ii. Post-Cut-off Date Households, Persons and their structures that are not entitled to compensation by law.

The table below details the number of entitled PAHs and associated PAPs prior to the Cut-Off-Date and the number of entitled structures that will be compensated and those Post-Cut-Off-Date Households and their structures that are not entitled to compensation as they migrated into the area after the COD. In this report, PCOD-Households, their assets and their dependents are not considered as falling into the category of 'project affected' as they came after the COD.

The PCOD Households number 22 and totalling 165 persons with 46 structures. LTWP has accepted the wish of the Sirima community to provide assistance to these 22 PCOD Household and their structures. Please refer to Section 7 for further details as to how LTWP in conjunction with the 'Project Affected' Sirima community propose to treat these clan members. The table below provides a summary of both the number of COD PAHs and PCOD Householders, the number of PAPs and the number of structures that will be relocated in accordance with the agreements and procedures detailed within this RAP report.

I. SIRIMA RAP CUT-OFF DATE (COD)	No.
Project Affected Households (PAHs)	161
Project Affected Persons (PAPs)	1015
Project Affected Structures (PAS)	346
II. SIRIMA RAP POST-CUT-OFF DATE (PCOD)	No.
PCOD Households	22
PCOD Persons	165
PCOD Structures	46

Table 1.1: Summary of Affected Assets, PAHs, PAPs and PCOD Households, Structures

1.2 Project Description

The Lake Turkana Wind Power (LTWP) project, an electrical infrastructures project, located in northern Kenya adjacent to the southeast shores of the Lake Turkana in

the Marsabit County herein referred to as “the Project” comprises of two components: construction of a 300 Megawatt (MW) wind farm and rehabilitation of 200 kilometre (km) of existing minor urban and rural roads.

The Project location is particularly favourable for generating electricity from wind turbines as it situated within the “Turkana Wind Corridor” where subtropical wind jet streams pass between Mount Kulal to the north and Mount Nyiru to the south of the wind-farm site. These subtropical wind jet streams, originating in the Indian Ocean, aided by the high and low temperature climatic conditions between the mountains and the Lake produce a natural venturi effect, accelerating the winds across the wind-farm site at low (~50m) atmosphere levels, creating strong, predictable and ideal wind conditions for electrical power generation from wind turbines.

The Project, forms part of Kenya’s energy sector’s, Least Cost Power Development Plan (LCPDP), and diversification towards clean technologies; comprising of 365 wind turbines, associated overhead medium 33,000 voltage (33kV) collection system and a high voltage (HV) substation as well as a network of access roads in and around the site for construction, operations and maintenance. Export of the electrical power will be via a high voltage 400kV \ 436km transmission line, an ‘associated’ facility, to be constructed and operated by Kenya Electricity Transmission Company Ltd (KETRACO), a Kenyan parastatal with the remit for developing all HV transmission lines and substations of 132kV and above.

1.2.1 Site Location

The wind-farm site is located in the North Eastern Province of Kenya in Marsabit County in the subdivision of Loiyangalani, known as Sirima where the wind turbines will be located. The wind-farm site, leased by LTWP, is situated on a larger concessional area which is leased by one of LTWP’s shareholders, KP&P Africa B.V., as illustrated in Figure 1 below. Marsabit County borders Ethiopia and Moyale district to the north, Lake Turkana and Turkana County to the west, Samburu County to the south and Wajir and Isiolo counties to the east, it is the second largest in the country next to Turkana County and covers an area of 66,000 km² which includes 4,956 km² covered by Lake Turkana. Approximately 75% of the county is classified as arid and the main mode of land use is pastoralism.

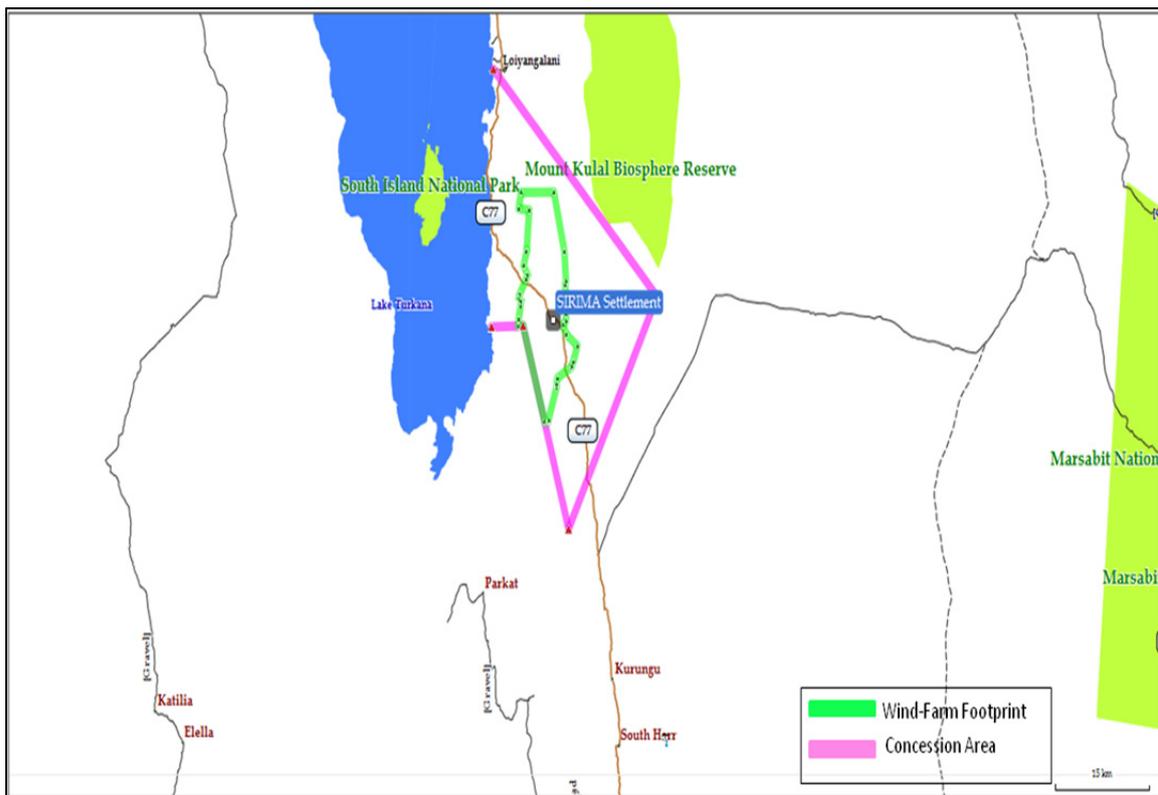


Figure 1.1: Wind-Farm Site, Concessional and Footprint Boundaries

Given the extent of Marsabit County there are a number of pastoral groups that live and traverse it and beyond. Within the Project footprint there exists a nomadic settlement, the Sirima encampment, which is located just off the [C77] public road that traverses through the wind-farm site, northward from South Horr, Kurungu and all the way up to Loiyangalani town a distance of 90km. The settlement is inhabited by the Turkana ethnic group, a nomadic pastoralist's community that have settled in the Sirima area prior to the coming of the Project.

The Turkana are the main ethnic nomadic group that inhabit the project footprint. The Turkana tribe tends to inhabit land to the west of the wind farm site; the Samburu tribe inhabit the land to the south-east of the site; and the Rendille tribe tend to populate land to the east of the site. The wind farm concession boundary borders the pastoral area of these three tribes. The El Molo tribe are located 30km north of Loiyangalani town. Historically there has been conflict between some of these groups, in and around the border areas, over land and livestock. The below figure depicts the general location where the biggest percentage of the aforementioned tribes are located but splinter groups can be found wandering across these borders in search of pastures, water and security.

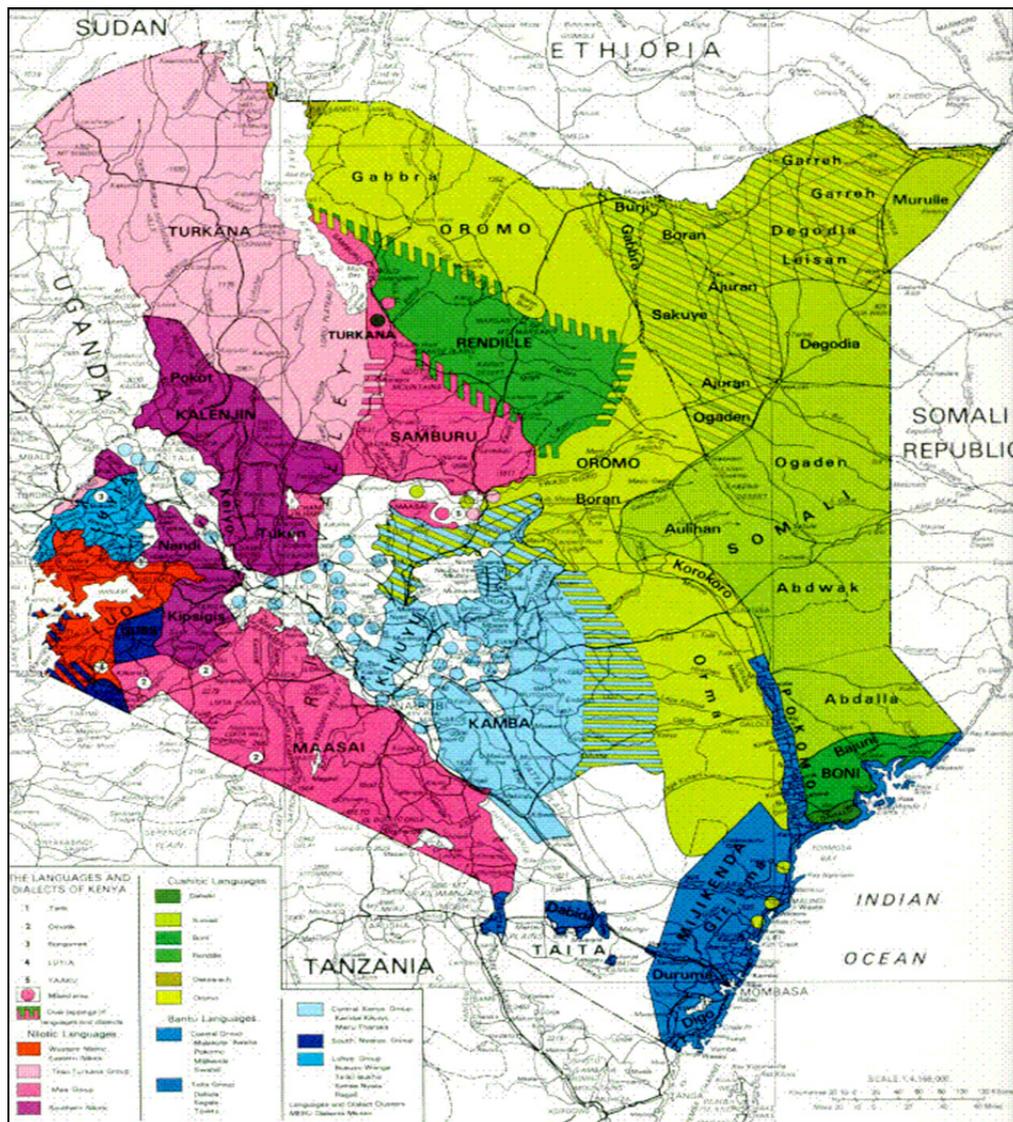


Figure 1.2: Tribes of Kenya and where they can be found

1.2.2 Transport Route

The major equipment will be imported into Kenya via the deep water port of Mombasa where they will be offloaded onto Special Purpose Vehicles (SPV) and transported to site, a distance of 1,200km. The figure below portrays an overview of the transportation route from Mombasa to the wind-farm.

The transport route can be broken down into two sections. Section 1, Mombasa, Nairobi and up to Laisamis town a distance of 1,000km designated 'A-Class' roads and are of bitumen construction. Section 2, the Sub-project/ access route, from the turnoff at Laisamis town to the wind-farm site, a distance of around 200km, the roads are designated 'B, C, D and E-Class' roads and are a mixture of gravel and murrum. These roads are in poor condition and unsuitable to carry the long and heavy SPV's that will transport the equipment to the site.

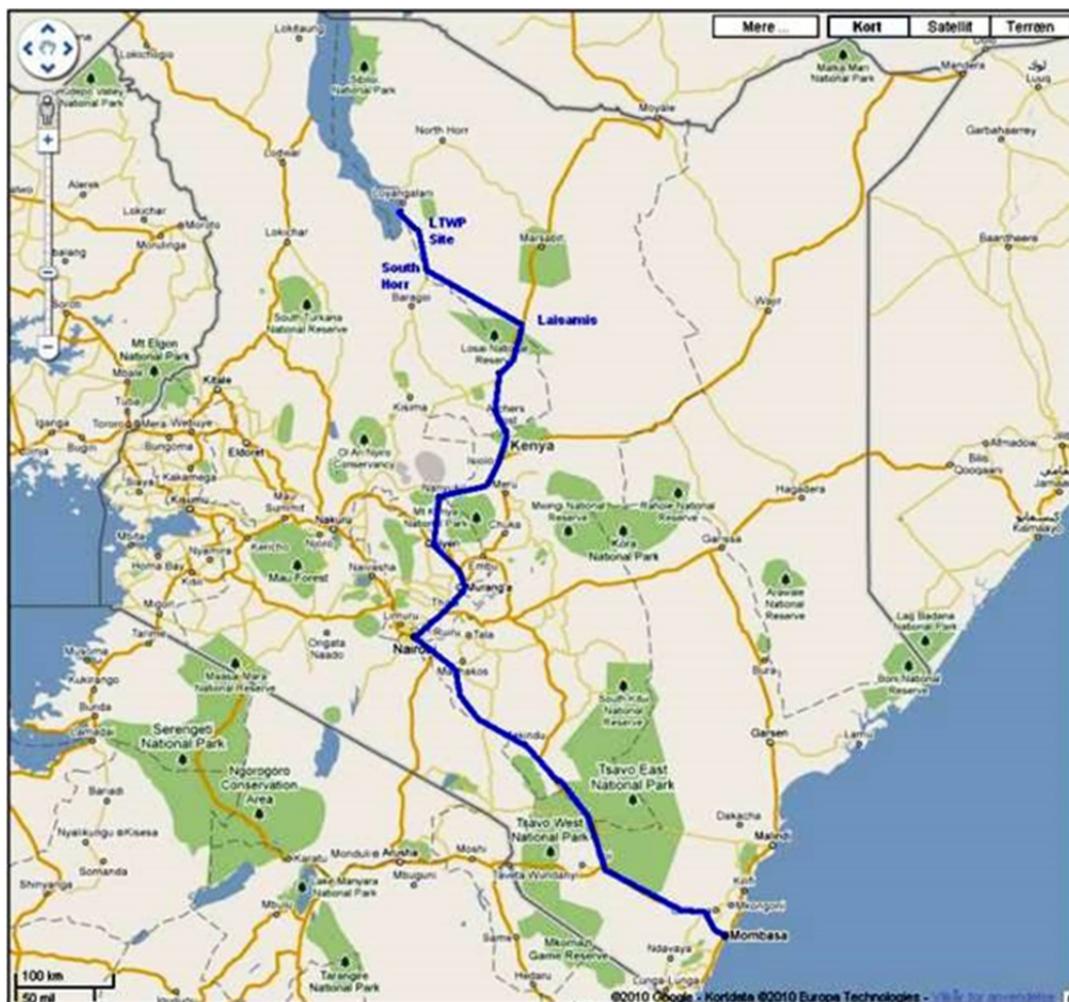


Figure 1.3: Overview of Transport Route

Following disclosure of the ESIA report for the proposed strengthening of Laisamis – South Horr (D371) and South Horr – Loiyangalani (C77) Road June 2010, the stakeholder consultation process feedback identified several villages that were concerned with the proposed alignment of the access route. LTWP, taking on board the communities concerns, undertook additional rerouting investigations that looked at the various alternative routes using existing roads that bypassed these villages thereby minimising the impact on circa 12,000 households.

Having significantly mitigated the social aspects of the proposed access road alignment with the above rerouting some residual social aspects existed in the villages of Namarei and Illaut where unauthorised structures belonging to 20 Vendors existed in the road reserve of the [D371] public road. LTWP prepared an A-RAP in consultation with the communities according to Lenders requirements. The affected Vendors were satisfactorily paid in line with LTWPs RPF and the structures have been relocated out of the road reserve.

2 Sirima Community RAP Relocation

2.1 Objective of the RAP

The overall aim of the RAP is to ensure the safety of the Sirima community and to maintain, if not improve upon, their standard of living as well as their cultural identity and pastoralist lifestyle. The main objective is to provide an agreed plan for the resettlement and compensation of person affected by the implementation of the wind farm project. It provides a roadmap for resolving resettlement issues. Specific objectives for this RAP are to:

- a) Ensure that the development process fully respects the dignity, human rights, economies, and culture of Sirima community;
- b) Avoid potentially adverse effects on the Sirima community and develop appropriate safeguards for women and vulnerable members of the community;
- c) Develop mitigation measures to ensure that the affected persons are not worse off as a result of the project and that, as a minimum their livelihoods are restored to that of before the project;
- d) Provide information necessary for the implementation of resettlement plans;
- e) Outline institutional arrangements and grievance mechanism necessary for the implementation of the RAP; and
- f) Define the implementation schedule and monitoring and evaluation of the RAP.

2.2 Approach and Methodology

The approach and methodology adopted for the preparation of this RAP is based on the principles and processes outlined in LTWP's RPF which advocates for a strong participatory and consultative process involving different categories of stakeholders, as well as physical assessment and valuation of properties. A combination of desk review, census, socioeconomic study and field visits coupled with extensive stakeholder consultation and participation formed the basis for the preparation of this RAP.

2.2.1 Desk Review

All the relevant background information and literature on the project were reviewed. Key documents reviewed included the A-RAP of December 2012; the 2010 Constitution of the Republic of Kenya; Environmental Management and Coordination Act, 1999; Land Act, 2012; Public Roads and Roads of Access, Cap 399 Laws of Kenya; Occupational Safety and Health Act 2007, Cap 15 Laws of Kenya;

Valuers Act, Cap 532 Laws of Kenya; IFC Performance Standard 5; and EIB Standards 6 and 7.

2.2.2 Socio-Economic Census

Census and Socio-Economic information of the PAPs are important in the preparation of the RAP. The final Socio-Economic Census and verification of Assets was undertaken between July and August, 2014. The survey gathered data at household and individual level on: personal identification, household size, gender, marital status, age and vulnerability. The census also involved identified businesses, and other sources of livelihood. The Socio-Economic Census findings are discussed in Section Five of this report.

2.2.3 Sirima Stakeholder Consultations

Since Project inception, LTWP has held several formal public consultations meetings with the Sirima Community and other stakeholders. The dates of recent consultation meetings are summarised and presented below and hyperlinked to the Sirima database.

The objectives of the consultations were to share and disclose information regarding the Project and its components to the Sirima community in order to foster informed dialogue and enable interested and affected parties to present their concerns, opinions and expectations to ensure that the resettlement and compensation activities are carried out in a transparent, coherent and integrated manner.

LTWP STAKEHOLDER ENGAGEMENT ACTIVITIES					
No	Date	Place	Stakeholder Engagement Reason/Activity	Participants	Minutes Taken YES/NO
1	24 March 2012	Sirima village	Sensitisation of the villagers and carrying out a census on the villagers	LTWP, Area Chief	YES
2	01 July 2012	Sirima village	LOGs structure Valuation	LTWP, Area Chief and PAHs	NO
3	29 July 2014	Sirima village	Sensitisation, disclosure and SE enumeration	LTWP, Area chief, PAH's	YES
4	15 October 2014	Sirima village	Sensitisation, relocation strategy, structure verification	LTWP, Area chief, PAH's	YES
5	20 October 2014	Sirima village	Relocation strategy, Vulnerability matrix, grievance redress.	LTWP, Area chief, Area Council	YES
6	03 November 2014	Sirima village	Relocation strategy , mapping and Verification of Influx 61 PAH	LTWP, PAHs	YES
7	07 November 2014	Sirima village	Liberation on Construction (Labour Cost, Food, Material) and PAH Proposals	LTWP, PAHs	YES
8	13 November 2014	Sirima village	MMD Monitoring and Evaluation on Progress	MMD, LTWP, Lartech, PAH	YES

Table 2.1: Summary of Stakeholder Engagements

The issues that arose from the meetings are summarised in Section 9 of this report and a selection of the meeting minutes are provided in the Appendices to this report. See Appendix 7.

2.2.4 Data Management and Analysis

Both quantitative and qualitative data were collected. These data was cross-checked on a regular basis especially after a formal engagement to ensure quality and accuracy. Where necessary, LTWP sent staff into the field to verify and authenticate the data. All quantitative data was analysed in Statistical Package for Social Scientists (SPSS) and MS Excel. Qualitative data was analysed using Content Analysis Technique.

3 Policy and Legal Framework

3.1 Introduction

This RAP has considered several policy and legal frameworks of the Government of Kenya, IFC Standards, EIB Standards, OPIC's Sustainability Policies and LTWP's RPF. The legal and policy framework governing resettlement issues as they pertain to the relocation of Sirima village with which the Project must comply include the following:

3.2 National

3.2.1 The Constitution of the Republic of Kenya

The constitution of the Republic of Kenya is the main legal instrument that governs resettlement issues in the country. Section 40 of the Constitution recognises the rights of individuals to own or acquire property. The Constitution provides for the protection of property from unlawful deprivation of ownership or limitation of enjoyment, unless deprivation is for among other reasons, public purpose or in the public interest and is carried out in accordance with the 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.

3.2.2 Environmental Management and Coordination Act, 1999

This Act governs all issues related to environmental management in Kenya. It provides for the establishment of an appropriate legal and institutional framework of the management of the environment in the country, including the establishment of a NEMA, which became operational in July 2002. The Act makes environmental impact assessment mandatory for activities specified in its Second Schedule. The Environmental (Impact Assessment and Audit) Regulations, 2003, provide the basis for procedures for carrying out environmental impact assessments and environmental audits.

3.2.3 Land Act, 2012

All issues relating to land are governed by the Land Registration Act 2012. The Act classifies land as public, community or private land. The parcel of land where Sirima settlement sits belongs to LTWP under the leasehold tenure system and is therefore, classified as private land. The Land Act 2012 provides for the management of all types of land including the guidelines related to leases, licenses and agreements on land.

3.2.4 Public Roads and Roads of Access, Cap 399 Laws of Kenya

This Act provides for the dedication, conservation or alignment of public travel lines including construction of access roads adjacent to lands from the nearest part of a public road. It further provides for notices to be served to the adjacent property owners seeking permission to construct the respective roads.

3.2.5 Occupational Safety and Health Act 2007, Cap 15 Laws of Kenya

This Act applies to all workplaces where any person is at work, whether temporarily or permanently. The purpose of the Act is to secure the safety, health and welfare of persons at work; and protect persons other than those at work against risks to safety and health arising out of, or in connection with, the Project activities.

3.2.6 Valuers Act, Cap 532 Laws of Kenya

Valuation of assets in Sirima was carried out in line with Valuers Act Cap 532 Laws of Kenya which requires that a duly authorised valuer be engaged in making cost valuation of assets.

3.3 **International**

3.3.1 IFC Performance Standard 5

The relocation of the Sirima community triggers Performance Standard 5: Land Acquisition and Involuntary Resettlement. The main objectives of the standards are to:

- i. Avoid, and when avoidance is not possible, minimise displacement by exploring alternative project designs.
- ii. Avoid forced eviction.
- iii. Anticipate and avoid, or where avoidance is not possible, minimise adverse social and economic impacts from land acquisition or restrictions on land use by (i) providing compensation for loss of assets at replacement cost and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected.
- iv. Improve, or restore, the livelihoods and standards of living of displaced persons.
- v. Improve living conditions among physically displaced persons through the provision of adequate housing with security of tenure at resettlement sites.

The implementation of this RAP, as proposed, will achieve the above objectives such that the Sirima community members are satisfied after completion of the relocation exercise.

3.3.2 EIB Standards 6

The EIB identifies social protection as a Human Right based on the Principle of Charter of the Human Rights of European Union Best Practices. Standard 6: Involuntary Resettlement requires that people whose livelihoods are negatively affected by a project should have their livelihoods improved or at minimum restored and/or adequately compensated for any losses incurred. The objectives of this Standard are to:

- i. Avoid or, at least minimise, project-induced resettlement whenever feasible by exploring alternative project designs;
- ii. Avoid and/or prevent forced evictions and provide effective remedy to minimise their negative impacts should prevention fail;
- iii. Ensure that any eviction which may be exceptionally required is carried out lawfully, respects the rights to life, dignity, liberty and security of those affected who must have access to an effective remedy against arbitrary evictions;
- iv. Respect individuals', groups' and communities' right to adequate housing and to an adequate standard of living, as well as other rights that may be impacted by resettlement;
- v. Respect right to property of all affected people and communities and mitigate any adverse impacts arising from their loss of assets, or access to assets and/or restrictions of land use, whether temporary or permanent, direct or indirect, partial or in their totality. Assist all displaced persons to improve, or at least restore, their former livelihoods and living standards and adequately compensate for incurred losses, regardless of the character of existing land tenure arrangements (including title holders and those without the title) or income-earning and subsistence strategies;
- vi. Uphold the right to adequate housing, promoting security of tenure at resettlement sites;
- vii. Ensure that resettlement measures are designed and implemented through the informed and meaningful consultation and participation of the project-affected people throughout the resettlement process; and
- viii. Give particular attention to vulnerable groups, including women and minorities, who may require special assistance and whose participation should be vigilantly promoted.

This RAP has incorporated and followed due process, and has meaningful and culturally engaged the affected community members. The plan also pays special

attention to the rights of vulnerable groups and improvements will be made to the situation of those PAPs who had substandard living conditions prior to the Project.

3.3.3 OPIC Sustainability Policy Statements

The OPIC environmental and social policy requires the implementation of projects in an environmentally sound and social sustainable manner. The policies are underpinned on the IFC performance standards which have been reviewed and reflected in the RAP.

Furthermore, OPIC will not invest in any project where more than 5,000 people have to be resettled. Land should be acquired on a voluntary basis with current owners and tenants and prices should be negotiated with current owners at market rates. For projects that involve involuntary physical or economic displacement, land must be acquired in accordance with the IFC's Performance Standard 5. The resettlement, compensation and community consultation processes, and agreements must be clearly documented.

3.3.4 LTWP's RPF

The Purpose of the RPF is to define a set of guiding principles which will ensure a consistent approach to resettlement across the entire LTWP project. The key objectives of the RPF are to avoid or minimise resettlement where possible and where unavoidable, to ensure that resettlement and compensation are conceived in a manner that improves or sustains the livelihoods of those affected.

Adopting IFC Performance standards, EIB Standards and AfDB Group Policy on Environment, the Voluntary Resettlement Policy, the Poverty Reduction Policy and the Gender Policy and OPIC Environmental and Social Sustainability Policies will ensure transparency in resettlement planning and implementation and minimise potential adverse effects on the affected communities.

Involuntary resettlement if unmitigated, often gives rise to severe economic, social and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority; and the potential for mutual help are diminished or lost.

The RPF established the principles, procedures, entitlements and eligibility criteria, the organisational arrangements, provisions for monitoring and evaluation, the framework for public consultation and participation as well as the mechanisms for redressing grievances that will be adopted where involuntary land acquisition resettlement or relocation is required.

The RPF can be accessed at LTWP's web site: <http://ltwp.co.ke/>

3.3.5 Gap Analysis

The source of the Gap Analysis is from LTWP RPF.

This section identifies the gaps between the national laws and the IFC/EIB standards and describes project specific mechanism to address them.

RAPs and procedural requirements: - Under the national legislation, no particular plan that fulfils the standard requirements of RAP needs to be prepared. However, the NEMA may request as a condition of ESIA that a RAP be prepared. As per IFC RAPs are required for projects that result in involuntary loss of land or resettlement. In particular, the project is required to take steps to undertake the activities of a RAP, such as a census, socio-economic survey, and consultation with the PAPs, monitoring and reporting.

Public consultation and participation of project affected communities: - Existing national legislation does not require resettlement plans be disclosed to and consulted with local affected people. Similarly, no formal provisions are established to redress grievances that may occur to PAPs; the only legal recourse available is through the Courts of Law. This RAP has consulted with the PAPs and meaningfully engaged them in planning of the RAP and provided measures for measures for addressing grievances and disputes.

Categories of people eligible for compensation: - Under the national legislation, only those people and entities with registered property rights are entitled to compensation. This potentially precludes many categories of affected people that would be entitled to compensation under the IFC standards and EIB standards including:

- i. Users who use land on the basis of an informal agreement, often with a relative or extended family member (share croppers, tenant farmers);
- ii. Owners who occupy land that was transferred by informal agreement from another owner;
- iii. Owners who have not registered a change in ownership following a family death, marriage annulment or similar situation;
- iv. Internally Displaced People (who have no rights to land);
- v. People who make use of communal resources to which they have no formal title; and
- vi. Informal dwellers.

In order to ensure compliance with international standards, such as IFC and EIB standards, all affected households and business entities, without regard to their legal status, will be eligible for compensation as defined in the Entitlement Matrix of this RAP.

Vulnerable groups: - National legislation does not require particular attention to be given the needs of vulnerable groups. The RAP has identified all the vulnerable groups including the elderly, women and children, indigenous groups, orphans, ethnic groups, the landless and other disadvantaged groups as previously defined.

Other resettlement support: - The current national legislation establishes that compensation is payable for loss of land, buildings, crops, profit and other damages arising from the acquisition of land for a project. Other costs, such as moving cost or rehabilitation support to restore the previous level of livelihood are not covered but are required by World Bank/IFC. This issue have been addressed in this RAP

A comparison between the Kenyan legislation and International standards is provided below.

3.3.6 Comparison between the Kenyan Legislations and EIB standard

There are a number of differences between the Kenyan laws and EIB standard, such as:

- i. The EIB standard favours avoidance or minimization of involuntary resettlement while the Kenyan laws say that, as long as a project is for public interest, involuntary resettlement is considered to be inevitable.
- ii. EIB standard stipulates that Displaced persons should be assisted in improving livelihoods or at least restoring them to previous levels. Kenyan legislation (Land Act) provides for 'just and fair compensation'. However, 'just and fair compensation' is not clear and can only be determined by NLC which can be subjective. It is does not talk about improving livelihood or restoring them to pre-project status.

A comparison of the Kenyan laws and EIB requirements regarding compensation is given in Table 3.1 below.

Category of PAPs/ Type of Lost Assets	Kenyan Law	EIB standard	Gaps/Comment
Land Owners (loss of land)	<p>The Land Act 2012 provides that written and unwritten official or customary land right are recognized as valid land right. The Law provides that people eligible for compensation are those holding land tenure rights</p> <p>Land Act 2012 provides for census through NLC inspection and valuation process</p> <p>Fair and just compensation which could be in form of cash compensation or Land for Land.</p>	<p>Identification of PAPs is done through census and socio-economic surveys of the affected population,</p> <p>PAPs with title as well as PAPs who do not have a formal title but have customary and traditional right recognized under Kenyan law or who have a recognized claim to the land at the time the census begins - are entitled to compensation for land that they lose</p> <p>Land-for-land exchange is the preferred option; compensation is to be based on replacement cost.</p>	<p>Although the Kenyan law provides for land for land compensation, it does not state explicitly whether preference should granted to land for land compensation.</p> <p>There will be no land compensation since the land was previously Trust Land and the community right of use is being upheld by LWTP. LTWP also has leased land for 99 years renewable every 33yr term</p>

Category of PAPs/ Type of Lost Assets	Kenyan Law	EIB standard	Gaps/Comment
Land Squatters (i.e. those who have no recognizable legal right or claim to the land that they are occupying)	The constitution recognizes ‘occupants of land even if they do not have titles’ and payment made in good faith to those occupants of land. However, this does not include those who illegally acquired land	Must be compensated for houses and other structures whatever the legal recognition of their occupancy. Entitled to compensation for loss of crops and assistance for relocation as the case may be, and assistance for restoration of livelihood. EIB standard also requires improved tenure for those that do not have any legal right to tenure of the land occupied.	EIB standard prevails The PAPs\ nomadic pastoralist have customary rights of use to land pastures
Land Users	The Land Act is not clear on Land Users although in some cases they can receive some form of compensation depending on the determination by NLC	Compensation should be provided for any loss of goods or assets, including rights or use, customary and or historical interests in property. These include use-rights (grazing) or rights of access to natural resources.	EIB standard prevails
Owners of structures	The constitution of Kenyan respects the right to private property and in case of compulsory acquisition, just compensation must be granted to the owner for the loss structure.	In cases of loss of housing, replacement housing offers must satisfy criteria of adequate housing, as defined in standard 5. Compensation for houses and other structures should be equivalent to full replacement cost plus disturbance allowance and assistance to vulnerable groups. Depreciation of assets or the value of salvage materials shall not be deducted from the value of replacement cost.	EIB standard prevails
Livelihood restoration	Not specific on livelihood. The	The situation of any project-affected persons who were subject to	EIB standard prevails

Category of PAPs/ Type of Lost Assets	Kenyan Law	EIB standard	Gaps/Comment
and development assistance	constitution says some payment maybe made in good faith	substandard living conditions prior to the project is to be improved following displacement. Livelihoods and living standards are to be restored in real terms to pre-displacement levels or better. Offer support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore livelihoods and standards of living	
Timing of compensation payments	The Land Act provides for prompt, just compensation before the acquisition of land.	All affected persons will be paid fair compensation in good time for expropriated assets. To enable affected persons to make productive use of cash compensation, it should be paid in its entirety and in a timely manner.	Follow the standard of EIB
Consultation and disclosure	The Land Act outlines procedures for consultation with affected population by the NLC and grievance management procedures.	All relevant stakeholders must be given the opportunity for informed participation in resettlement planning with the goal that the mitigation of the adverse project impacts is appropriate and the potential benefits of resettlement are sustainable. Consultation will continue in accordance with Standard 10 on Stakeholder Engagement and during the implementation and monitoring of the resettlement process.	Implement consultation procedures as outlined in both Kenyan legislation and EIB
Relocation assistance	The Land Act does not out rightly	Regardless of the circumstances and without discrimination, the	EIB standard takes

Category of PAPs/ Type of Lost Assets	Kenyan Law	EIB standard	Gaps/Comment
and resettlement assistance	stipulate assistance for relocation	promoter will ensure that affected persons or groups identified in the census, especially those who are unable to provide for themselves, have, during and after resettlement, safe and secure access to: (a) essential food, potable water and sanitation; (b) basic shelter and housing; (c) appropriate clothing; (d) essential medical services; (e) livelihood and subsistence sources; (f) fodder for livestock and access to common property resources previously depended upon; and (g) education for children and childcare facilities.	precedence
Grievance mechanism and dispute resolution	Land Act 2012 clearly outlines the steps and process for grievance redress that includes alternative dispute resolution, re-negotiation with NLC and is backed by the judicial system through the Environmental and Land Court	Set up and maintain a grievance mechanism that is independent, free and in line with the requirements set out in Standard 10 and that will allow prompt addressing of specific concerns about compensation and relocation from the affected people and host communities and other directly involved entities. The mechanism should be easily accessible, culturally appropriate, widely publicised, and well integrated in the promoter's project management system. It should enable the promoter to receive and resolve specific grievances related to compensation and relocation by affected persons or members of host communities, and use the grievance log to monitor cases and improve the resettlement process.	No gap

4 Description of the Project Area

4.1 Marsabit County

The wind-farm site is located in the north Eastern Province of Kenya in Marsabit County as illustrated in figure below. Marsabit County borders Ethiopia and the disputed Moyale County to the north, Lake Turkana and Turkana County to the west, Samburu County to the south and Wajir and Isiolo counties to the east of the wind-farm site. Marsabit County is the second largest in the country next to Turkana County and covers an area of 66,000 km² which includes 4,956 km² covered by Lake Turkana. Approximately 75% of the county is classified as rangeland and the main mode of land use is pastoral grazing.

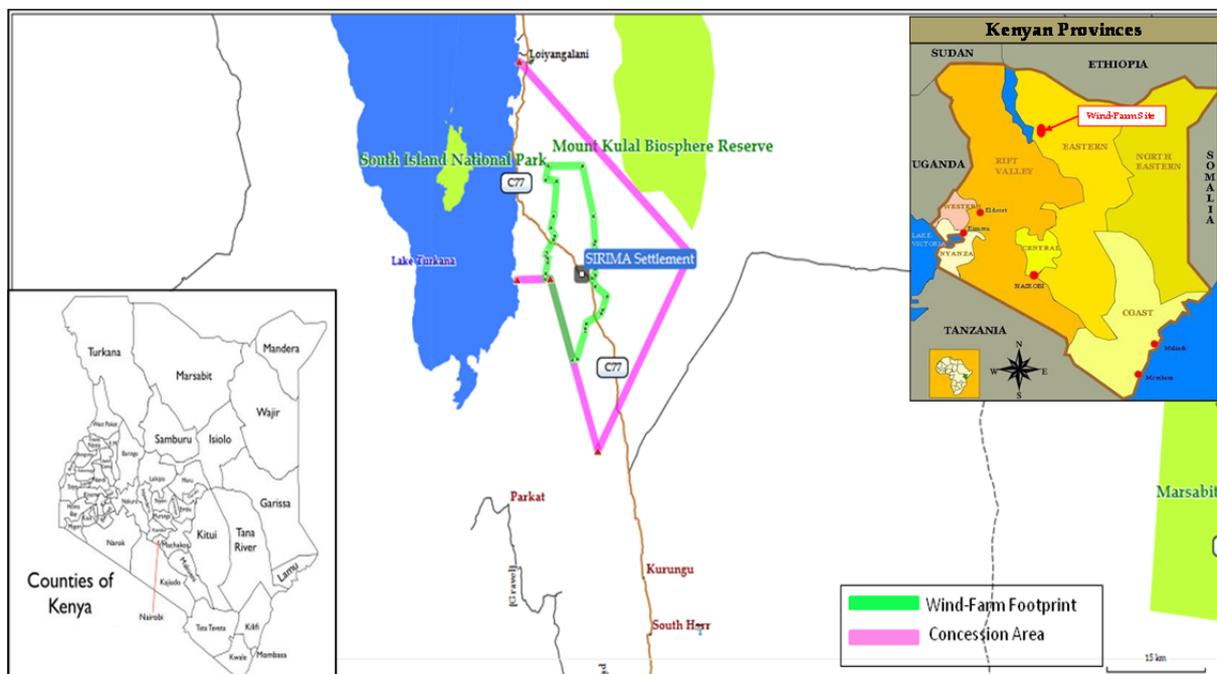


Figure 4.1: Location of Sirima settlement as it relates to the wind-farm footprint

Marsabit County is one of the arid lands in Kenya. Most of the county is an extensive plain lying between 300m and 900m above sea level, which slopes gently towards the southeast. To the west and north, the plains are bordered by hills and mountain ranges. The plain is broken by inselbergs and volcanic cones and calderas. The county is characterised by hill masses jutting out from the Northern Plains - the Tertiary and Quaternary volcanoes. The area around Lake Turkana is rifted and forms part of the Great Rift Valley system. The county has low agricultural potential and mainly supports livestock and wildlife. About 80% of the total population are pastoralists and derive their livelihood from livestock based industries, they move

with their livestock from time to time in search of water and pasture from time to time.

4.2 Sirima Settlement

The Sirima settlement is located within the LTWP project site in Marsabit County nearby the [C77] road approximately halfway between Loiyangalani and South Horr towns, at WGS84 UTM (37 N 256267 278107). The location is a rural setting and the settlement is inhabited by a small affiliated group of Turkana ethnic group.

Due to the harsh climatic conditions, Sirima area is designated for relief food having been victims of drought and famine for the last two decades. The community, mainly the children, solicits for these basic commodities from travellers on their way to or from Loiyangalani and South Horr, the nearest trading centres. Very few vehicles/ tourist pass this way due to the poor state of the road network apart from market days, held bi-monthly, vehicles mainly overland trucks carrying merchandise to the market pass along the [C77] road but seldom do the stop.

4.3 Pastoralism and Movements

In general terms, pastoralism can best be described as nomadic, those that have no fixed abode and continually move according to seasons from place to place in search of food, water and grazing land or transhumance, those pastoralist that settle in a particular location and form a settlement/ camp whilst the herdsman move usually in a fixed migratory pattern around the epicentre of the settlement.

As conditions change, pastoralists usually adjust to the circumstances. This can result in a traditionally nomadic group or some families within the group becoming more or less transhumance in their migratory patterns. Likewise, a family or group that prefers a transhumance way of life may be forced by circumstances to change to a nomadic pattern for survival of some or all of its livestock. The Sirima community can best be described as transhumance pastoralist. The Sirima community has adopted a sedentary way of life as opposed to the traditional nomadic lifestyle.

There is no apparent reason why these pastoralists collectively came together to settle in Sirima apart from insecurity around the border area, marriage and the settlement is situated adjacent to the [C77] public road that traverses the site between Loiyangalani and South Horr towns. The children from the community beg for water and sell trinkets to passing motorists and tourists. Nearby there is a dry river bed (lagga) with thorn trees that provides shade and during of seasonal rain fall it becomes a water catchment from the nearby ridges.

LTWP has mapped some of the movements of the Sirima pastoralists and their livestock traversing from pastures to pastures within the immediate footprint of the

wind farm site however the wind farm area is vast and the mapping does not show all available pastures. The Sirima community have constructed temporary Manyattas and corrals at each pasture location to provide shelter when they take their livestock away from the main settlement for grazing. The distances vary and it is not always possible to return to the settlement on a daily basis. See below picture of temporary Manyattas and the pasture movements that LTWP tracked.



Picture 4.1: Temporary Manyatta



Picture 4.2: Temporary Manyatta

Above pictures depict the temporary Manyattas providing shelter at nearby pastures.

Below figure depicts some of the tracks that the Sirima pastoralists traverse seeking pastures for their livestock.

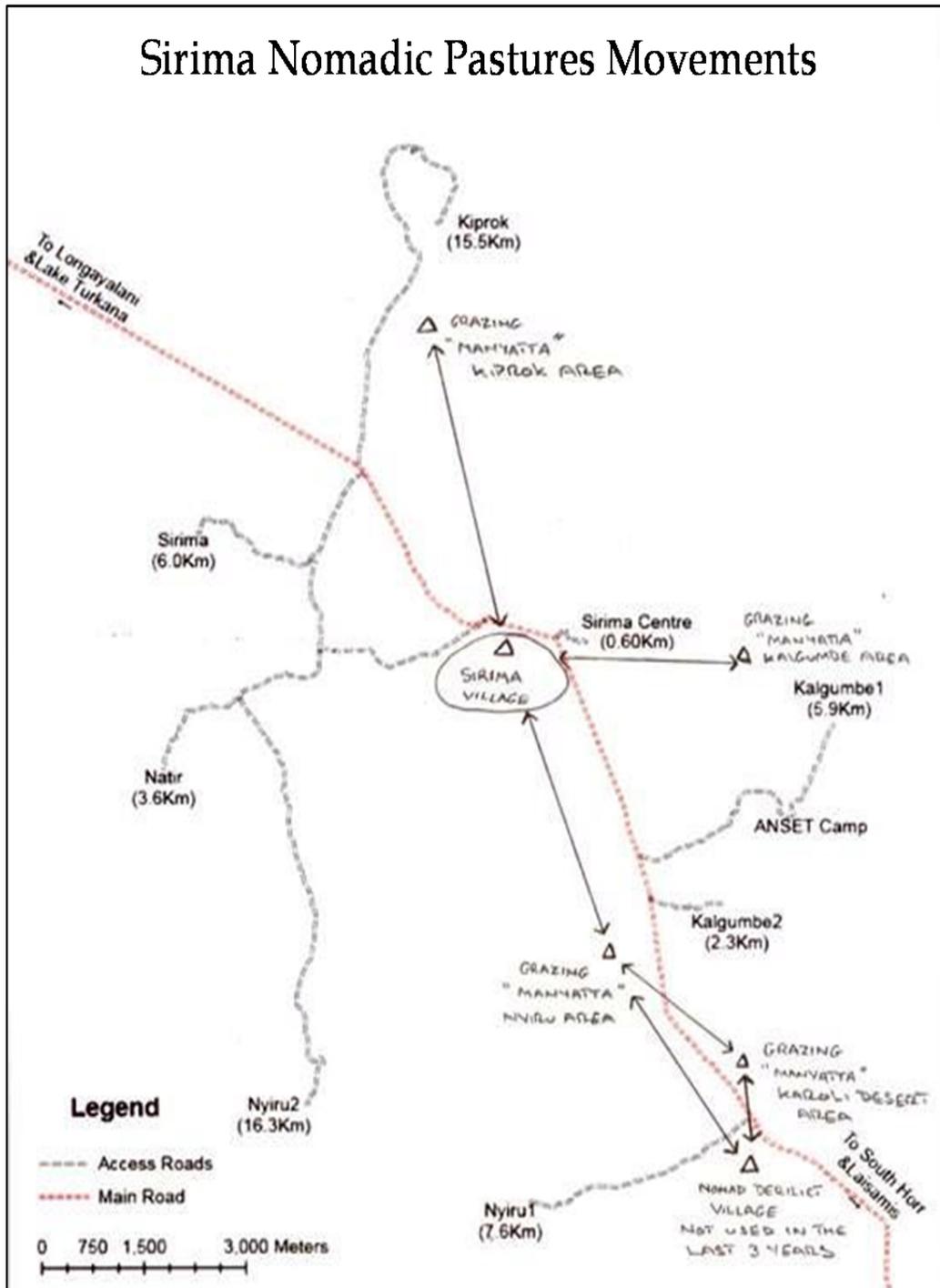


Figure 4.2: Nomadic Movements between Pastures

5 Socio-Economic Census and Analyses

5.1 Introduction

This section provides the baseline Socio-Economic conditions of the Sirima community to enable resettlement planning and future monitoring and evaluation. It discusses the demographic profile of the PAHs, socio-cultural characteristics, economic activities and social services. The Census is completed and all Entitled Persons are known and recorded in the entitlement matrix. The Socio-Economic survey realised a response rate of 89% which is statistical representative to make informed prognosis of the community's socio-economic status.

5.2 Community Administration Structure

The Sirima community administration is set up along the basic Kenyan community structure of male, female and youth each providing input into the management of the community's affairs. The table and graph below details membership and gender.

No.	Names	Gender	Representation
1	Ngare Emase (Agnes)	Female	Adult
2	Lopeyok Longorkit	Male	Adult
3	Epungure Moru	Male	Adult
4	Erupe Esinyen (Naise)	Male	Adult
5	Katiya Atelon	Male	Adult
6	Lokope Ekitela	Male	Adult
7	Achwaa Lokotel	Female	Adult
8	Imoite Loowoi	Female	Youth
9	Emmanuel Nkokor Atelon	Male	Youth
10	Lorisae Kaje Stephen	Male	Youth
11	Kolom Lotiki	Male	Youth

Table 5.1: Sirima Community Administration Structure

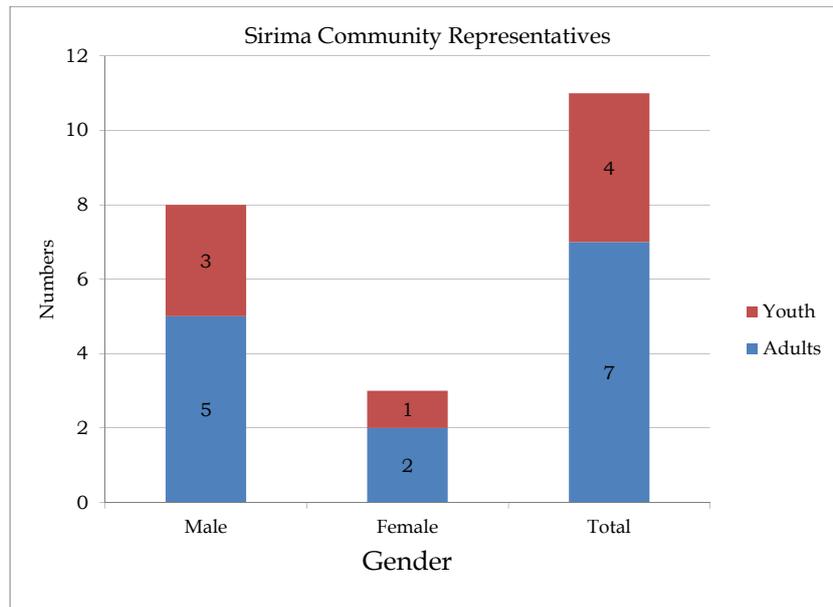


Figure 5.1: Depicts Sirima Community Structure

It's clear from the number of community engagement that LTWP has had with the above members that it is male dominated committee however the female members are outspoken especially on issues within their domain that relate to children, food schooling and housing. The males clear discuss, take the lead in security matters, livestock and pasture availability and rotation.

5.3 Demographic Profile of Sirima Community

5.3.1 Household Structure and Gender

The figure below shows that the number of females is higher at 52% compared to the males at 48%.

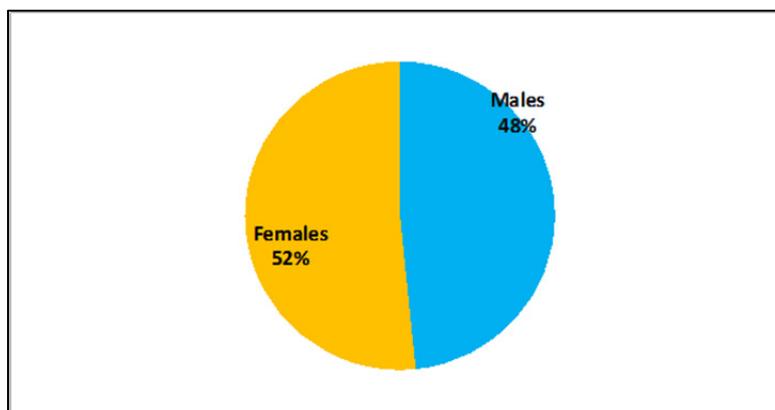


Figure 5.2: Sirima Community Distribution by Gender

DEMOGRAPHICS ANALYSIS	No.	FEMALE	MALE
Sirima Clans	11	2	9
Project Affected Families (PAFs)	114	89	25
Project Affected Households (PAHs)	161	123	38
Dependents within PAHs	854	401	453
Project Affected Persons (PAPs)	1015	524	491

Table 5.2: Sirima Demographic Statistics.

5.3.2 Head of Clans

Given the strong cultural tradition of the Sirima community, decisions regarding household welfare are mostly made by men however women’s profile in the administration and decision process is improving due more so the exposure to foreigners.

Results on the analysis of the heads of 11 clans within the encampment are presented in figure below. Majority (82%) of the heads of the clan were males. Only 18% of the clan are female headed.

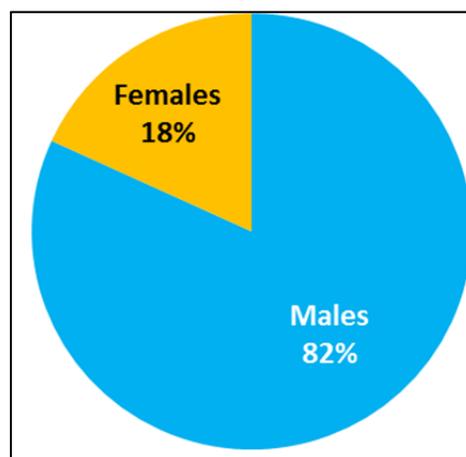


Figure 5.3: Sirima Clans Heads Gender distribution.

5.3.3 Marital Status and Cultural Ceremonies

There are basically two ceremonies that form the basis of the Sirima culture, marriage and Asapan ‘rite of passage’ for a young male to ascend to adulthood.

Polygamy is an accepted practice of the Turkana \ Sirima ethnic community.

When these ceremonies take place the community all gathers together to celebrate. The ceremonies commence, at the family residence, with singing and dancing and gravitate to an area nearby the encampment where the rituals are performed. This ‘ceremony location area’ has been marked as a sensitive area \ cultural site and is

not to be desecrated by construction activities and contractors have been informed of the same.

5.3.4 Literacy Status

Analysis of household literacy levels is important as they greatly influence the types of decisions made in a household. Social issues such as taking children to school, general social behaviours are usually influenced by one's level of education. Literacy is also important in the analysis pertaining to changes in child mortality, fertility and migration.

Literacy levels in pastoralist community such as in Sirima area are usually low; this is a reflective of the nomadic lifestyles. The education levels of the community could not be assessed but it was generally indicated that the nearby school run classes for nursery and standard one only giving the children of the community early childhood education. Contrary, in figure below depicts that 79% of the children have never attended school.

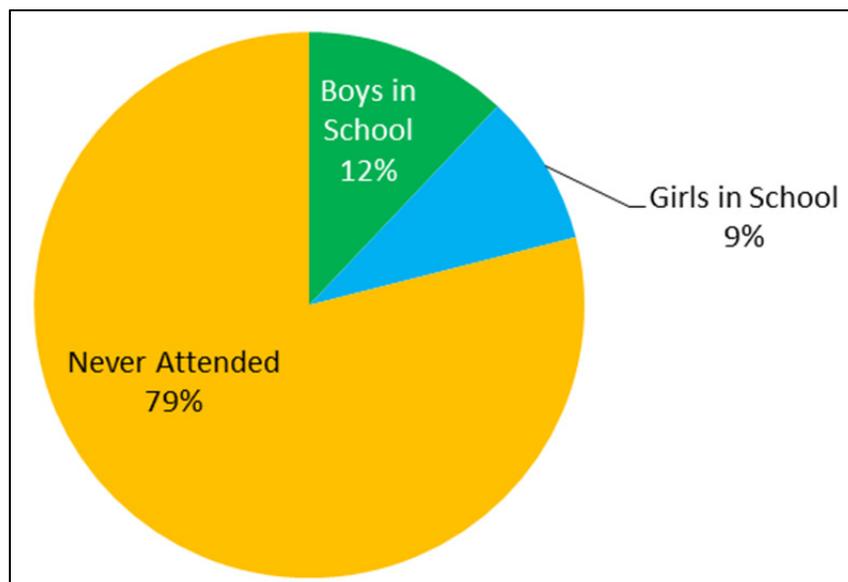


Figure 5.4: Children Level of School Attendance

The challenge of access to education will be improved by the construction of a decent school classroom and training of the community members on entrepreneurial skills.

5.3.5 Household Occupation and Source of Livelihood

The main source of livelihood in Sirima is pastoralism. Pastoralists are mobile livestock herders who gain more than half of their income from livestock and livestock products. They practice differing levels of mobility, from sedentary herds

that move within a locality, to transhumant herders who move between particular locations on a regular basis, to nomadic herders who have high mobility without regular patterns.

Figure below shows the occupation of the household heads for the affected families. About 60% (55% livestock, 5% wages) have a source of income. The remaining 40% do not have any source of income. The waged households comprise the area chief and those employed the project as security guards. Regular wage has brought modernisation to the community. There are two shops, one using a solar panel for charging mobile phones and batteries and the other one selling \ trading in food. Please refer to Section 6 for further details regarding livelihood for these business.

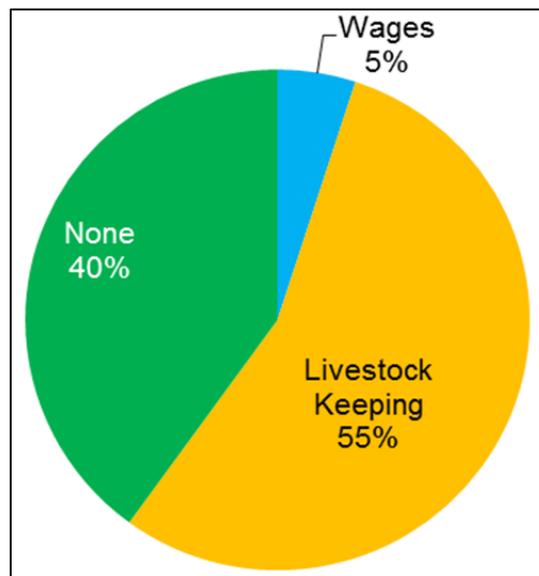


Figure 5.5: Distribution of household sources of income

5.3.6 Community Wealth Assessment

Livestock is the community's sole means of materialistic \ worldly wealth and is mainly used for the purpose of dowry payment. Money is of little use in the project area and most purchases are conducted under a barter system for livestock. The price of a livestock depends upon size and condition of the animal. Goats can fetch credit between KES 3,500 and KES 6,000, camels between KES 15,000 and KES 20,000 and donkeys in the order of KES 12,000 depending on the need \ skills of the trader and herdsman. The livestock of the Sirima community, of those that were encountered during the survey, appeared to be in good condition and would fetch values towards the higher amounts.

Table below shows the total wealth assessment of the village based on livestock kept.

LIVESTOCK TYPES	Livestock Prices, KES	Total Count	No. of PAHs with Livestock	Tota Livestock Value, KES	Average Livestock Asset Value per PAH
GOAT	6,000Ksh	17,972	122	107,832,000Ksh	883,869Ksh
CAMEL	20,000Ksh	2,609	83	52,180,000Ksh	628,675Ksh
DONKEY	12,000Ksh	1,009	99	12,108,000Ksh	122,303Ksh
SHEEP	4,000Ksh	2,779	25	11,116,000Ksh	444,640Ksh
CATTLE	30,000Ksh	2,753	69	82,590,000Ksh	1,196,957Ksh
CHICKEN	600Ksh	2	2	1,200Ksh	600Ksh
				265,827,200Ksh	546,174Ksh

Table 5.3: Wealth Assessment based on livestock kept.

The above findings indicate a per capita wealth⁴ of Euro 2,230, (KES 261,898) which is much higher than the national average of Euro 887, (KES 104,130). Additionally, wealth per household was computed to about Euro 14,058, (KES 1,651,101). This implies that families in Sirima community are much wealthier than the average household in Kenya. LTWP believes that these figures were inflated due to the high expectations of the community regarding compensation.

5.3.7 Access to Water and Sanitation

Sirima is relatively dry due to poor rainfall regime. As a result, the area faces challenges of water both for domestic and livestock consumption. The settlement exists in this location mainly due to a natural catchment which traps seasonal water. Government intervention turned the natural water catchment into two manmade dams. Unfortunately, poor workmanship, porous materials, lack of maintenance and the high evaporation rate of the area significantly reduces the water retention time of these dams.

Water is such an essential commodity that even its limited availability makes this location an attractive “base” for the Sirima community. In addition to the settlement’s surface dams, there is also a significant “shared” natural water catchment located on the boundary between Marsabit and Samburu. The location is known as the “secret reservoir” located south of Sirima and approximately a day’s walking distance. The catchment is extensive both in size and volume, the ground is impervious and this is the main watering point for pastoralist and their livestock. The Turkana and Samburu have reached an agreement that this water resource is a shared facility and as such herdsmen from both tribes can use it albeit not at the same time. Samburu herdsmen will bring their livestock in the morning hours and the Turkana in the afternoon. Both groups given the historical conflict that existed are still to some extent afraid of tribal mixing and potential loss of livestock.

⁴GDP per Capita (source: East African, February 2014)

The Project has alleviated the problem of water accessibility for the Sirima community through construction of a dedicated borehole with solar pumping and a temporary storage tank near the new site where the community shall be relocated. The borehole is in good working condition with lots of water. LTWP will also construct a pit latrine for use by the community members. The current practice is to use the bush.



Picture 5.1: Solar Panel & Pump



Picture 5.2: Livestock Trough



Picture 5.3: Temporary Water Storage Tank

5.3.8 Access to Food

Food is scarce and the settlement is listed on the governments 'Relief Food Register' and receives bimonthly provisions supplied by government, United States Agency for International Development (USAID) and other relief food agencies such as the Red Cross. The relief provisions are only for those households listed on the register. The register has never been updated and therefore the provisions are insufficient to meet the expanding community's needs. Typically the provisions consist of maize, ugali/posho, beans, tea leaves and sugar.

Being pastoralists, milk from the goats and camels forms a large percentage of their daily liquid intake. The Turkana are a very hardy group and will eat a wide range of animals meats however all respondents indicated that they had never eaten fish.

A very small percentage of the livestock is utilised as a food source, however in desperate times livestock is traded for other essential commodities. Livestock is normally only eaten by the community at special events such as weddings, funerals and cultural occasions.

5.3.9 Access to Health Facilities

The nearest health facilities/ dispensaries are at Gatab, South Horr or Loiyangalani all of which are a full day's travel by foot or donkey. The survey findings noted that, in general, the health of the community was surprisingly good for both adults and children with headaches being the main complaint from respondents. Dehydration and the lack of available potable water in the area were acknowledged to be the primary cause. LTWP has committed to support the community with a mobile first aid ambulance to attend to emergencies.

5.3.10 Security of the Community

Insecurity is mainly brought about by cattle rustling which is prevalent throughout the county border area. The area is so vast with little road infrastructure such that policing is currently virtually impossible. The Kenya police endeavouring to mitigate cattle rustling and improve security have recruited Kenyan Police Reservists to help suppress cattle rustling and provide local back-up to the police should the need arise.

Within Sirima community three male household heads were selected to be Kenyan Police Reservists and receive training on an annual basis. These reservists were also employed as security guards for LTWP watching over the five wind masts and other LTWP equipment and assets at site. During the development phase LTWP established security sectors around the concessional area and used reservists from the various tribes to provide a watching brief and guard LTWP's assets in their locations.

LTWP has contracted out the Project security services to G4S who currently employs 110 security guards which will increase by a further 60 guards as site mobilisation commences in January 2015.

5.3.11 Housing Conditions of the PAPs

The types of houses found with the Sirima encampment are mainly Manyattas as shown in figure below. The traditional construction material for a Manyatta includes sticks (locally known as Ekali in Turkana or Siteti in Samburu), hides, and animal

dung. The weaving ropes are obtained from Acacia tree. Given the vast range of contemporary materials available/ discarded by visitors to the area, the arrays of building materials has been extended to include other fabrics such as rags, plastics, nylon, cartons and blankets.



Pictures 5.4 Main Residential Structure (Manyatta) with extension Sitting Room



Picture 5.5: Standard Main Residential (Manyatta)

The survey identified 187 Project Affected Residential Structures main dwellings and 159 Project Affected Sitting Rooms that will be relocated to the new site.

Type of Project Affected Structures	No.
Project Affected Residential Structures	187
Project Affected Sitting Rooms	159
Project Affected Structures (PAS)	346

Table 5.4 Number and Types of Project Affected Structure

5.3.12 Vulnerable Groups

IFC and EIB standards and Lenders guiding principles require resettlement planning to pay special attention to vulnerable groups in the Project area. To this end, LTWP has developed a vulnerability screening mechanism as shown in Figure below.

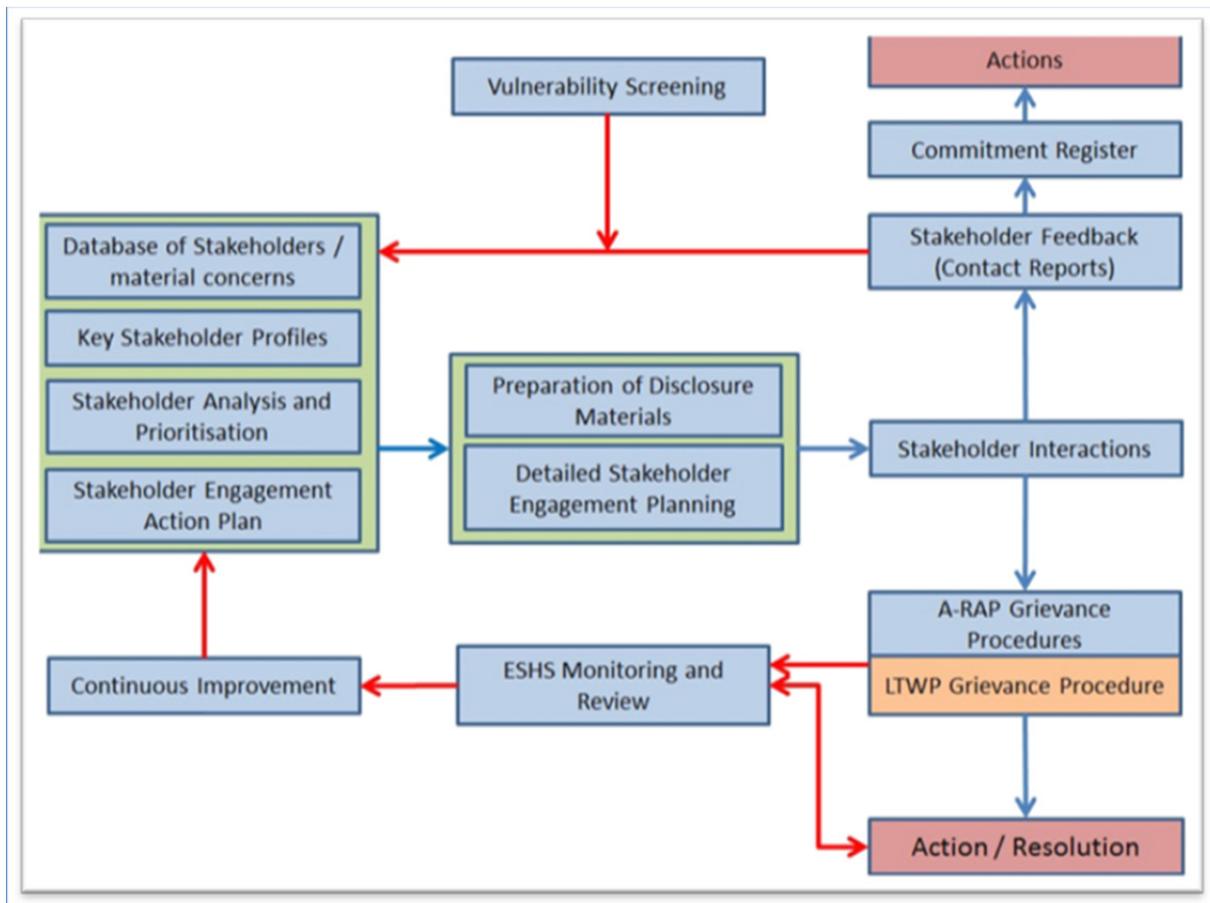


Figure 5.6: LTWP Vulnerability screening framework

From the vulnerability screening framework LTWP identified five vulnerable groups, old age (>70 years), female headed household, visually impaired, mental disorders and chest complications.

The Table and Figure below shows the distribution of the vulnerable groups as per LTPW's screening framework.

Vulnerability Screening	Old Age (greater than 70)	Female Headed Households	Chest complications	Visually impaired and Old	Mental Disorders	Total Number of Vulnerable Persons in Sirima
Vulnerability Weighting Index	2.25	2.5	3.5	4.25	5	n/a
Vulnerable Household Heads	11	111	1	2	0	125
Vulnerable Dependents	11	0	0	1	4	16
Total Vulnerable PAPs within Village	22	111	1	3	4	141

Table 5.5: Distribution of the Vulnerable Groups.

LTWP identified 141 vulnerable persons in Sirima as indicated in the table above. A list of these 141 vulnerable persons is provided in the Appendices. See Appendix No. 5, "List of Vulnerable Persons within Sirima Village".

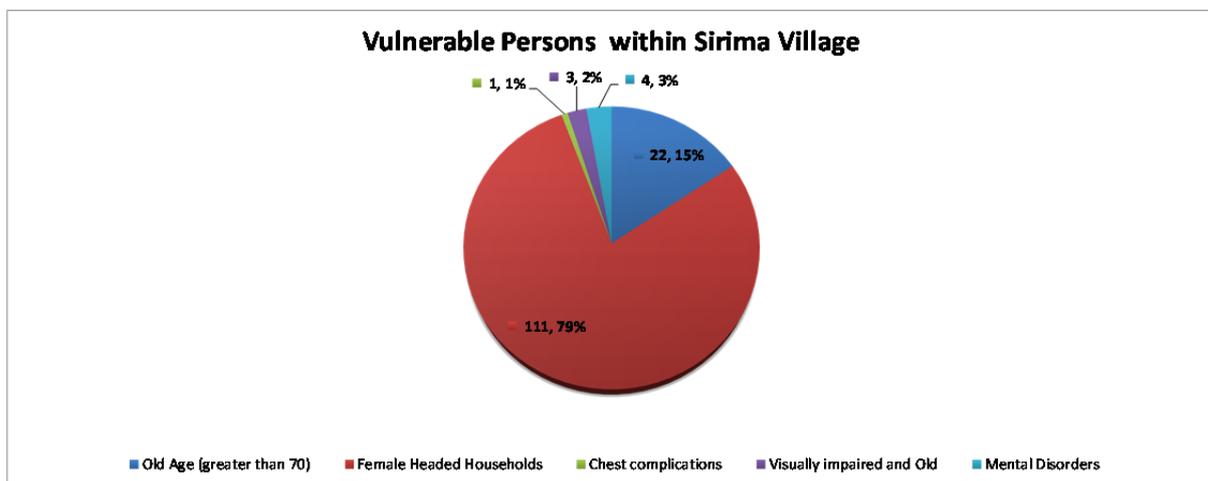


Figure 5.7: Distribution of the Vulnerable Groups.

According to the vulnerability screening framework LTWP has developed a weighting indexing system (1-5) to show most and least vulnerable groups as shown in the table below.

Vulnerability Weighting Index	Vulnerability Level
5	Very High Vulnerability
4	High Vulnerability
3	Moderate Vulnerability
2	Low Vulnerability
1	Very Low Vulnerability

Table 5.6: Vulnerability Weighting Index.

Furthermore vulnerability analysis considered a link between vulnerable groups, group's gender and social economic standing as well as access to assets and resources. The table below depict LTWP's assessment of the Sirima vulnerability weighting index. Of the five vulnerable groups assessed the results indicate that mental disorder is the most vulnerable group.

The table below portrays vulnerable groups, gender groups and weighting index.

Vulnerable Groups	Socio Economic Standing Vulnerability Index	Access to Assets and Resources Vulnerability Index	Final Sirima Vulnerability Weighting Index
Female Headed Households	3	2	2.5
Old Age (greater than 70)			2.25
<i>Female</i>	2	5	3.5
<i>Male</i>	1	1	1
Visually impaired and Old			4.25
<i>Female</i>	4	5	4.5
<i>Male</i>	3	5	4
Mental Disorders			5
<i>Female</i>	5	5	5
<i>Male</i>	5	5	5
Chest complications			3.5
<i>Female</i>	2	5	3.5
<i>Male</i>	2	5	3.5

Table 5.7: Vulnerability Weighting Index Assessment Results.

From the table and figure below it is clear that the vulnerable groups, mental disorder and chest complication, are not gender sensitive.

Old age vulnerable group does not apply as much to males as the assessment returned vulnerability weighting index of 1 which is the least vulnerable group compared to females with a high vulnerability index of 3.5 due to gender restrictions to assets and resources as they get older.

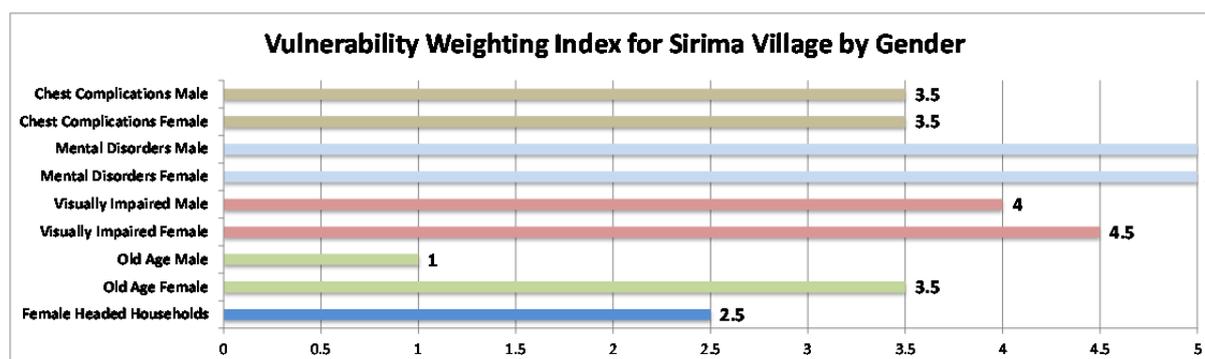


Figure 5.8: Vulnerability Weighting Index by Gender.

The table below portrays the Sirima vulnerability index distribution as per the groups identified. The assessment confirms that the most vulnerable persons in the

Sirima settlement are mentally challenged and visually impaired followed by chest and complications female headed household and old age is the least vulnerable.

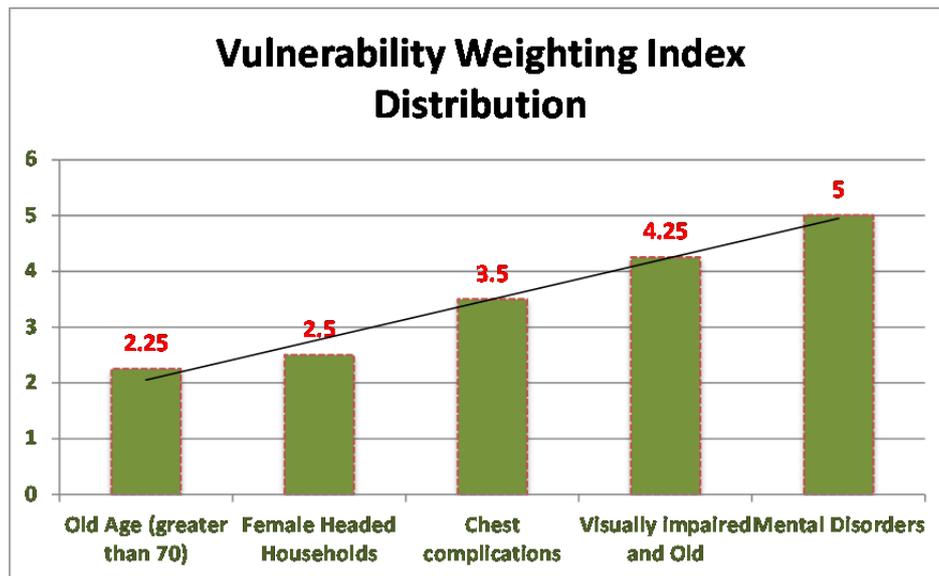


Table 5.8: Vulnerability Weighting Index Distribution.

5.3.13 Health Aspects, HIV/ AIDS

The nearest health facilities/ dispensaries are at Gatab, South Horr or Loiyangalani all of which are a full day’s travel by foot or donkey. The survey findings noted that, in general, the health of the community was surprisingly good for both adults and children with headaches being the main complaint from respondents. Dehydration and the lack of available potable water in the area were acknowledged to be the cause. Since the survey LTWP has provided a dedicated borehole for the community thus mitigating dehydration complaints.

Two elderly members of the community and a widower are blind and the community looks after their daily requirements and needs.

In general the Sirima community Feedback from the survey indicates that none of the community members were diagnosed as Human Immunodeficiency Virus (HIV) positive however level of HIV awareness was low as per the community sensitisation meetings on sexually transmitted diseases.

LTWP has commissioned a Kenyan registered Community Based Organisation (CBO), Community Health Africa Trust (CHAT), whose mission is to provide integrated health services and awareness programmes through the use of integrated mobile health clinics to otherwise excluded communities across northern and central

Kenya. Part of CHAT's scope of work is to undertake HIV awareness, testing, counselling, referrals and distribution of condoms within the neighbouring and surrounding communities in Marsabit and Samburu Counties from Laisamis to Loiyangalani. The programme forms part of LTWP's Corporate Social Responsibility (CSR). The awareness programme has commenced and HIV screening is to follow.

5.3.14 Socio-Economic Census Conclusions

It is clear that pastoral areas present particular challenges and opportunities for both the developer and the community. The people of Sirima settlement from a western perspective live in extreme poverty with limited access to water, schools and health facilities. However, from a nomadic perspective they do have access to facilities such as dispensaries and towns albeit a day's journey away, and nearby they now have access to water via a dedicated borehole and a classroom which is more than most other nomadic groups have and they would not regard themselves as being in poverty per se.

Being mostly made of transhumance pastoralists and having settled nearby the main [C77] road, over time, they have been and are continually exposed to change and modernisation via tourist and traders bringing their merchandise, beads and trinkets to markets. The construction of the wind-farm will undoubtedly represent a major change to their area and to a lesser extent to the culture and lifestyle of the community. However construction hazards will be of a temporary nature.

When the plant is operational the area should revert, to a similar inactive location, as should the Sirima culture and lifestyle over a period of time. The community will benefit from the Project but will also be able to continue with their pastoral lifestyle in the long term.

6 Project Impacts and Mitigation Measures

6.1 Introduction

Identification of planned project impacts and the population that will be affected is an important step of the RAP process. This section looks at the impacts that the Project will produce and proposed mitigation and remedial measures for the adverse impacts.

6.2 Positive Impacts

Positive impacts of the Project will include improvement of access with associated increased safety and tourism, reduction in travel times, employment generation for local communities during construction and reduction in vehicle maintenance costs due to the rehabilitation of 200km of road, a dedicated water source by drilling a borehole and establishment of a community store/ kiosk for sale and storage of essential food and miscellaneous settlement provisions. The community will be employed during the relocation process and paid at national rates and will have the opportunity to be considered for employment during the wind-farm construction phase.

The area is free from pollution or other hazards and there is no forecasted development that would result in further relocation, no threat to 'tenure', the new relocation site and the structure locations has been agreed with the community, the area is capable of absorbing / sustaining additional influx sanction by the community and the benefits provided are more than adequate to meet natural expansion of the community

6.3 Negative Impacts and Mitigation Measures

The project will have minimal adverse impact, which cannot be avoided

6.3.1 Negative Impact during Construction

<i>Impact</i>	<i>Mitigation Measure</i>
The construction of the project will result in temporary disruption of the nomadic/ transhumance way of life through relocation of the settlement, as well as typical construction impacts such as, fugitive dust, noise, increase in vehicular traffic with associated safety risks and influx of migratory workers.	Adhere to mitigation provision as detailed in the ESMS and contractor project/ work specific construction management plans. The key actions are detailed in the contractor Environmental Management Plans.

6.3.2 Negative Impact during Operation

<i>Impact</i>	<i>Mitigation Measure</i>
Loss of grazing land	Only HV switchyard, individual transformers and LTWP's operations village will be fenced. This equipment and the areas surrounding them are potential hazards to people and livestock and therefore on grounds of public safety and security of the operations personnel fencing will be constructed with appropriate warning signs and awareness programmes provided to the Sirima community and other pastoralist passing through wind-farm site. Grazing will be permitted in and around and between the clusters of turbines once the facility is operational. The minor loss of land due to the fenced areas and the footprint of the turbines for grazing are considered an insignificant impact on availability of grazing land for the livestock of the local community.

The Figure below is a picture from the wind farm site showing clusters of wind-turbines superimposed on a typical site location to illustrate how the area may look when the wind farm is operational.



Picture 6.1: Illustration of Wind-Turbine Clusters at Wind-Farm Site

6.4 Categories of Impacts

The census of the PAPs revealed that the Project will lead to loss of residential and extension structures and loss of business. There will be no loss of crops as pastoralists do not practice agriculture however some women from the community

have started growing some vegetables nearby the livestock trough to utilise the run-off water. The extent of the impact is discussed under the following categories.

6.4.1 Structures

There are 346 Project Affected Structures within the Sirima encampment that will be affected by the relocation exercise. All whose residential structures are affected will receive an alternative improved structure(s). The majority of the Project Affected Structures are traditional Manyattas. A total of 346 structures consisting of (187, Main Residence; and 159, Sitting Rooms \ extensions) will be affected.

6.4.2 Breakdown of Project Affected Structures

All 161 PAHs reside in 187 main Residential Manyattas of which 176 are built for adults members and 11 tailored as children's house \ sitting rooms i.e. smaller in height to accommodate families with many children. Out of 159, 122 were mainly used for sitting room, 20 utilised as kitchens, five (5) structures as rest rooms, three (3) structures as shops and nine (9) under construction.

Project Affected Structures Analysis	No
Number of Project Affected Households (PAHs)	161
Main Residential Houses	176
Children's Residential Houses	11
Total Project Affected Residential Structures	187
Only Sitting room section	122
Kitchen	20
Shop Structures	3
Rest room	5
Structures under construction	9
Total Project Affected Sitting Rooms	159
Total Project Affected Structures (PAS)	346

Table 6.1: Breakdown of PAS.

6.4.3 Loss of Business Income

A total of two business premises will be disrupted during the relocation exercise. The premises are constructed using similar materials as the Manyattas. Two of the vendors deal in common goods such as maize flour, sugar, tea leaves, cooking fat, body oil, soap, tobacco, beans, and soda among other items. The contribution margin from the sale of the items was found to be 20 percent which is the equivalence of the monthly income of the vendor. The second shop deals in phone charging. The shop is fitted with a solar panel and the proprietor asserts that he charges about 14 phones, a day at a charging fee of KES 40 per phone which translates to KES 16,800 a month. The owners of such business premises will be entitled to loss of profit allowance, computed at the rate of two months profits KES 81,600, equivalent to Euro 695.

7 Valuation, Compensation and Entitlements

7.1 Introduction

As Manyattas are deemed temporary structures according to Kenyan Valuation Act and as such there are no formal guidelines as to how these structures should be valued. In undertaking the valuation exercise, various methods were applied that took into consideration the PAPs legitimate claim, legal and regulatory provisions. LTWP in conjunction with Lartech Africa accredited valuer and in line with LTWP's RPF guiding principles and IFC Performance Standards, agreed that Manyattas must be compensated at Full Replacement Cost (FRC), which does not take into account asset depreciation.

7.2 Valuation Methodology

The methodology adopted was to measure the circumference of all dwellings. The mean circumference for the main dwellings was computed to be 10.1m. Of the 176 main dwellings, 90% of the Manyattas assessed fell within ± 1 standard deviation from the mean. The largest Manyatta was found to be three standard deviations from the mean, which implies a maximum circumference of 13m as shown in the figure below.

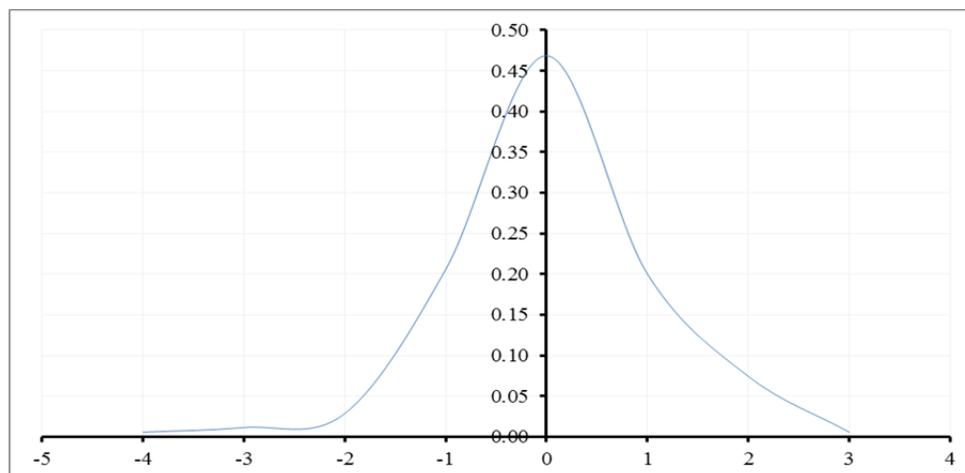


Figure 7.1: Normal distribution curve of the inspected Manyattas

7.2.1 Full Replacement Cost Approach

The FRC is the most preferred and recommended valuation method for the affected structures. The value of the affected structure was estimated in terms of cost of materials, cost of labour and cost of transport computed as FRC based on the prevailing market rates.

7.2.2 FRC Methodology

A Manyatta of approximately 10m circumference requires 40 heads of Ekali sticks, each head contains around 100 sticks. In addition, weaving ropes to strengthen and support the skeleton stick structure are required and these ropes are normally obtained from Acacia tree. However, in this composite materials and cash compensation change request methodology, LTWP will outsource necessary materials due to salvage loss and the additional materials to increase the size of main Manyattas to 13m circumference from existing manyatta size and similar requirement with regard to sitting rooms \ extension to 10m circumference in order to standardise the structures to accommodate the in kind benefits, domes and solar panels.

The cost of the materials and transport to site is KES 500 per head broken down to KES 350 for materials and KES 150 KES for transport. Individual structure owners will therefore receive compensation according to the number of structures and size of their existing structures. An existing main Manyatta structure of 10m circumference would require 40 heads at a cost of KES 350 therefore in monetary terms the value \ cost of materials for a 10m circumference Manyatta would be KES 14,000. According to Kenyan law the owners of the structure is allowed to salvage material from their assets and the salvaged material may be used in the reconstruction of the asset.

Given the type of materials and the manual method of demolition proposed by the community not all of the sticks \ materials will be salvageable. On a worse case basis LTWP has assumed that 30% of the materials will not be salvageable i.e. salvage loss would equate to 12 heads. The structure owner would therefore receive cash compensation of KES 9,800 for a 10m circumference Manyatta. The cash component of this composite compensation arrangement has been discussed and agreed with the Sirima community.

As per the MoU agreement with the community; LTWP would therefore procure sufficient heads to top up\ cover the salvage loss, in this case 12 heads plus an additional 12 heads will be required to upgrade and construct a main Manyatta of 13m circumference. The new structure will still be a 'Like-for-Like' arrangement but will be an improvement both habitability and cultural adequacy due to the increased size and in accordance with EIB's Involuntary Resettlement Standard 6.

The structure will also be designed and constructed with associated fittings to facilitate the additional 13m circumference tarpaulin domes and solar panels to be provided by LTWP as in-kind benefits. These benefits were previously agreed with the community. Please see picture below of typical domes and solar panels that will be provided by LTWP.



Picture 7.2 & 7.3: Illustration of Manyatta Domes and Solar Panel Kit

7.2.3 Disturbance Allowance

The law requires that 15 per cent disturbance allowance be paid in addition to the FRC compensation value on the affected assets/properties. Compensation for materials is thus 115% of the FRC.

7.2.4 Compensation for Labour

From the onset of discussion it has always been agreed that the community would undertake the demolition and reconstruction of their assets and LTWP would pay daily labour rates. Unskilled labour rates in the area are circa KES 350 however of late with the arrival of more NGO's into the Marsabit area paying KES 500 for casual and unskilled labour LTWP agreed to pay the higher rate KES 500 for labour. Normally it would take five days to construct a new Manyatta however with the increase in size it has been calculated and agreed with the community that Manyattas will take no more than eight days and Sitting Rooms six days to be constructed.

LTWP has committed to and agreed with the community that the women (whose normal role it is to build structures for the family(s)) will be paid for their labour for demolition, salvaging of materials and removing such materials to the new location. Following discussions with the community and their wish to complete the process quickly those males not involved in tending to their livestock will assist the women in the relocation and reconstruction of their assets and paid agreed labour rate.

Two members of LTWP RAP team will initially provide supervision and capacity building in conjunction with the LTWP's Sirima dedicated CLO during the reconstruction and location of structures. The objective of this management team is to identify and train three or four community members to assist in supervising the reconstruction in accordance with the agreed programme. These trainees will record the identities of the family members undertaking the labour and the number of days worked on the labour worksheet template. The individual family members will

therefore receive compensation according to the numbers of days worked times the agreed daily labour rate.

In addition, the trainees will physically count the number of heads used to supplement the salvaged material to complete the new structure to the increased 13m or 10m structure circumference and agree the number of heads with the owner and the chief. Compensation for salvaged materials\ number of heads will be KES 350. LTWP will provide all templates and all records will be verified by LTWPs CLO.

LTWP will also employ four (4) women from the community to prepare food for those community members undertaking the reconstruction of their structures. The women will get paid daily labour rates and a rota will be developed to share out this role amongst the women in the community. LTWP will provide the food, utensils and associated material necessary to cook and provide sufficient food for all those involved during the period of the programme.

7.2.5 Cash Compensation, Security and Banking Agent Role

According to Kenyan law 'Cash Compensation' is the only option when relocating structures for infrastructure projects. In accordance with LTWP's RPF, the owner of affected structures has the right\ option either to receive 'Cash Compensation' or a 'Like-for-Like' replacement. IFC PS5 'Land Acquisition and Involuntary Resettlement' agrees with this methodology providing appropriate safeguard conditions are put in place.

Taking cognisance of the above involuntary resettlement safeguard guidelines and the adverse social\ family and community impacts experienced when cash compensation is paid out to vulnerable groups LTWP's RAP Team undertook sensitisation and awareness meetings on 29 July and 15 October 2014 to explain the adverse impacts associated with cash compensation and to propose a cash security holding solution given that the vast majority of the community do not have bank accounts.

The cash security solution proposed by LTWP is as follows; LTWP would act as the 'Banking Agent' of last resort for those community members who do not have existing bank accounts or either did not want to open bank accounts due to the vast distance to the nearest bank, Marsabit and Maralal are nearest towns with banks and are some 200km from Project site, or could not open bank accounts due to not having Kenyan identity cards.

The proposed 'Banking Agent' security option was well received and understood by the community as the process is not new to them. Previously, LTWP during the internal roads initial improvement programme, acted as 'Banking Agent' holding

money on account for and on behalf of those employed during the internal roads programme and those employed as security guards.

Of the 161 entitled persons, 113 have identity cards and 61 have bank accounts as per LTWP's RAP Team last survey. Most of these 61 accounts are dormant due to the inaccessibility of the nearest bank.

Those that do not have identity cards cannot open bank accounts and obtaining identity cards in Kenya is a protracted administration process.

Given the positive feedback from the community, LTWP is willing to act and undertake a 'Banking Agent' role for the Sirima community. Compensation Packages will provide an option for individuals to select whether they wish to receive cash or then can select the 'Banking Agent' and participate in option offered by LTWP.

LTWP will set up a Sirima Community compensation trust account with Equity Bank in Marsabit and will undertake liability for costs associated with and managing this account. Equity Bank has recently opened an agency in South Horr that is linked to the Equity Bank system. LTWP's through its internal banking procedures will be able to utilise this facility via the CLO who will be authorised and able to access cash.

The proposed 'Banking Agency' role and procedure for withdrawing cash will not be proscriptive as to what community members can and cannot do with their compensation. The procedure will be simple as many of the community are illiterate.

LTWP will during the individual compensation disclosure process inform the entitled individuals that select the 'Banking Agent' option that they will not be allowed to withdraw cash beyond that disclosed in their compensation package. For avoidance of doubt this option will not be a credit facility for the Sirima community.

The Sirima Community compensation trust fund will operate on an individual request basis; as and when requested by the various individuals, LTWP will withdraw cash up to the limit of the individual's compensation entitlement and provide it to the rightful recipient through an audited document procedure.

Given the literacy level of the Sirima community the main challenge foreseen is PAPs being able to monitoring their individual Trust Accounts. LTWP will provide appropriate request and withdrawal documentation and when handing over the compensation and documentation the Chief or family elder and another family member, preferable the wife, will sign and or the individual fingerprints will be taken of these persons to confirm receipt of payment and the CLO will sign that the

transaction has been completed. The CLO will also provide an account statement as well as explain the statement and residual balance.

A schematic chart outlining the procedure and timing of the process is provided below. With the roll out of the Equity Banking agency in South Horr the timing from request to receipt of payment may be reduced.

For those community members that opt for cash payment, LTWP in conjunction with these community members will provide and arrange for a security detail to deliver their cash compensation to these individuals.

Training seminars to educate and advise the community how best to manage invest and utilise the cash compensation they will receive. Consultation seminars will be initiated and run in parallel with the relocation and prior to award of compensation.

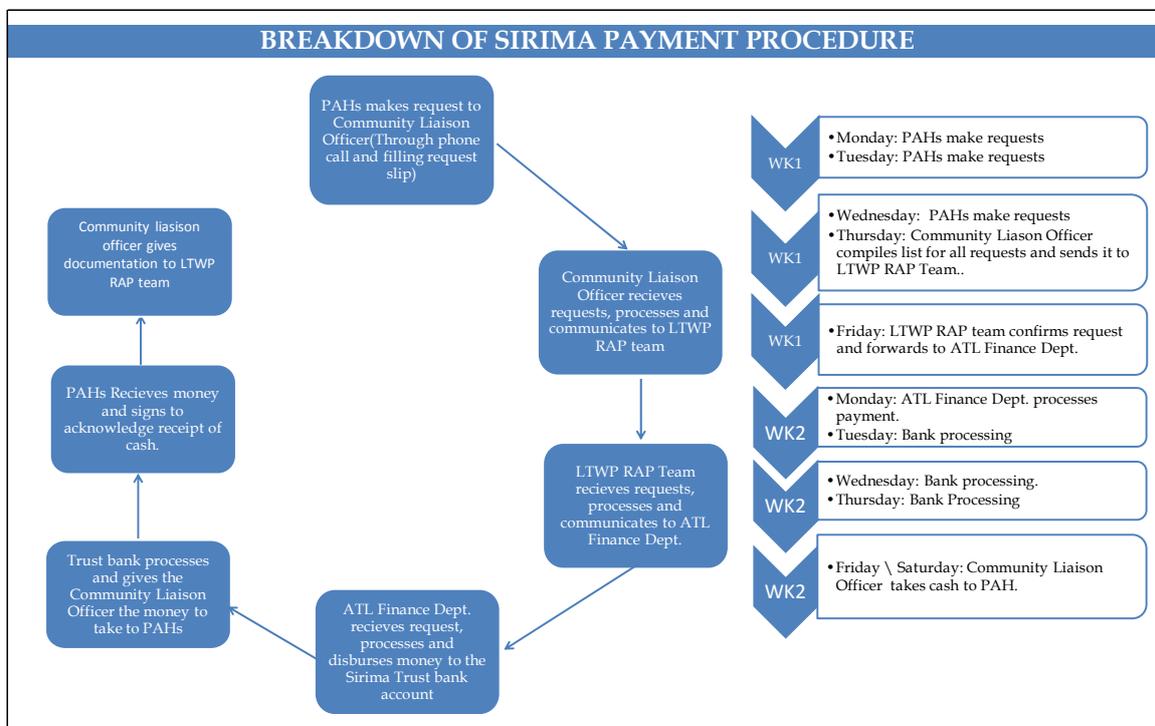


Figure 7.4: Banking Agent Payment Procedure

7.2.6 Compensation for Loss of Income

To arrive at fair compensation for loss of business, the time required to setup a similar enterprise on the assumption that resources are available was considered. The time needed to re-establish the business was discussed through participatory approaches and consultations with the PAPs and was estimated at 2 months. The loss of income was derived by calculating the maximum time it would take for any of the PAH with business structures and for the structures to be relocated, estimated on average at eight (8) days. The compensation was computed using the stated daily

average income, times 60 days to ensure a fair and equitable compensation was provided.

Taking cognisance of the above involuntary resettlement safeguard guidelines and the adverse social\ family and community impacts experienced when cash compensation is paid out to vulnerable groups;

7.3 Eligibility for Compensation and Resettlement Assistance

The completion of asset inspection and valuation defines the COD for eligibility for resettlement assistance. All the PAHs located within the Sirima encampment at the time of the May 2102 census are eligible for compensation and resettlement assistance.

LTWP has agreed to provide relocation assistance to the PCOD Households who joined the village after the COD in line with the community's wishes. As this is a new request from the Sirima community discussions at this juncture in time with the PCOD Households has not been fully concluded with these descents. A letter from the PCOD Household dated 26 November 2014 acknowledging the ongoing discussion is provided in the Appendices to this report, Appendix No. 4. The PCOD Householders are fully aware of the assistance being proposed, as detailed in this report, and the feedback from CLO has indicated that PCOD Householder are happy with LTWP's proposal however the Assistance Relocation Agreement has as yet not been concluded.

The assistance currently being discussed is to compensate PCOD Householders for labour at the agreed daily rate. Their structures will not receive the increase in circumference size benefit, as agreed with the community prior to the COD. These structures can be easily relocated by releasing the mud foundation around the circumference and carrying the structure using pole bearers. It has been estimated that the relocation and re-establishing the structures would take six days per family, using four pole bearers. It has also been proposed and agreed with the Sirima community and PCOD Households that during the relocation of structures those family members that reside within the structure to be relocated will be housed within other family structures, either Manyattas or Sitting Rooms during the relocation period. Food and water will also be provided for those PCOD Householders family members that undertake the relocation and reconstruction of their assets.

7.4 Cut-Off-Date (COD)

The original Sirima encampment census was carried out and the COD was set as 31 May 2012 and communicated to all PAPs during the valuation. Any person who

undertakes development activity including businesses within the encampment after the COD will not be eligible for compensation.

7.5 Entitlements

In line with development of the inventory of affected Assets and Compensation rates and packages being offered, LTWP developed a broad range of mitigation measures in the form of appropriate and fair compensation and assistance for eligible impacts. This information is presented in the Eligibility Matrix below and has been extensively discussed and agreed with the Sirima community and the previous signed MoU has been updated to reflect the changes and is currently in the process of being signed.

Table 7.2: PAPs entitlement matrix

<i>Entitlements</i>	<i>Application</i>	<i>Unit</i>	<i>Amount</i>	<i>Eligibility</i>	<i>Remarks</i>
Land	Loss of land s	m2		n/a	The affected land is previously designated as 'Trust Land' and is now leased to LTWP under a 33 year term, renewable up to 99 years. Under the previous designation 'Trust Land' it was managed under the county administration for an on behalf of the community. Consequently, the PAPs\ nomadic pastoralist have customary rights of use to land pastures, however they have no recognisable legal right or claim to the land other than use and are therefore not eligible for land compensation. There is no entitlement by law to pay compensation for land as leasehold ownership resides with LTWP for the term of the Lease. LTWP accepts the cultural right of the Sirima nomadic community and other pastoralist to pass through the site\ concession area and their livestock to use the pastures.
Project Affected Structures (PAS)	Loss of Project Affected Structures (PAS)	PAS	346	PAS owners	Based on independent valuation of FRC without depreciation paid as-a lump sum basis including 15% Disturbance Allowance. The payment will be a one-off instalment: i.e.100% payment following completion off the reconstruction of their Manyattas.
Disturbance Allowance	Rehabilitation assistance for miscellaneous transition expenses due to relocation of structures	%	15%	PAS owners	Disturbance Allowance of 15% of the FRC is included by Kenyan Law. This disturbance amount is paid in cash on the top of the FRC for all structures giving entitled persons 115% of the FRC.

<i>Entitlements</i>	<i>Application</i>	<i>Unit</i>	<i>Amount</i>	<i>Eligibility</i>	<i>Remarks</i>
Salvage of Materials				PAS owners	Salvage of materials for reconstruction of Manyattas is acceptable practice. The salvage of materials thus provides additional cash\ disposable income to develop, expand and or improve their structures, and or development of livelihood income or increase their wealth through the purchase of additional livestock which is normal practice.
Notice to Vacate (NTV) (90-days)	Minimum relocation term for PAHs with (Project Affected Residential and Business structures) to relocate their Assets.	days	90	PAS Owners	Kenyan Law, business/residential structure owners are entitled to a minimum of 90 days' Notice To Vacate following a negotiated and agreed (Compensation Package) signing of agreements.
Project Affected Structures (PAS) (Manyattas) and Sitting rooms upgrade	Additional in-kind compensation by LTWP to upgrade the existing Manyattas to 10m (Sitting Room) and 13m (Residential Manyattas) circumference	PAS	346	PAS owners	Manyattas residences and other structures, such as sitting rooms, will be of standard sizes for all affected structures (circumferences increased to a standard size i.e. 13m circumference to improve living\ residential areas and sitting rooms increased to standard size of 10m circumference). LTWP commits to procure outside of the Project area similar construction materials to complement the materials salvaged during demolition in order to minimise degradation of trees in the project area, to ensure uniformity of size and to accommodate the additional benefit attachments agreed with the community detailed below. LTWP will undertake to transport the additional materials to site, use labour from Sirima community, pay standard daily rates for labour and provide food and water during re-construction of the Manyattas at the new settlement location. LTWP will also provide assistance in the form of transport to collect soil to plaster \ thatch the bottom of the structures.

<i>Entitlements</i>	<i>Application</i>	<i>Unit</i>	<i>Amount</i>	<i>Eligibility</i>	<i>Remarks</i>
Labour Costs ⁵	Payment for labour while relocating Project Affected Structures	standard daily rates for the days worked KES 500	346 Project Affected Structures (PAS)	PAS Owners	LTWP has committed to and agreed with the community that the women (whose normal role it is to build structures for the family(s) will be paid for their labour for demolition, salvaging of materials and removing such materials to the new location. Following discussions with the community and their wish to complete the process quickly those males not involved in tending to their livestock will assist the women in the relocation and reconstruction of their assets and paid labour rates. The exercise will be supervised by LTWP to ensure that standard size and construction of the various structures is uniform and additional improvements \ benefits as detailed in this matrix and be attached, such as tarpaulins and solar panels.
Benefit: Residential Structures (Manyattas) upgrade - Coverings for Residential Manyattas	Provide 187 coverings (tarpaulins) for Residential Structures (Manyattas)	Project Affected Residential Structures (Manyattas)	187	Project Affected Residential structure (Manyattas) owners	LTWP will procure coverings for main residential Manyattas (187) tarpaulins to protect residents from the elements and upgrade Manyattas for longevity and durability of the structures.
Benefit: Residential Structures (Manyattas) upgrade - Solar Panels	Provide 187 solar panels for Residential Structures (Manyattas)	Project Affected Residential Structures (Manyattas)	187	Project Affected Residential structure (Manyattas) owners	LTWP will provide solar panels for all main residential Manyattas (187) to upgrade living standards through lighting and a socket for charging battery's etc.
Livelihood restoration	Various	PAHs / Community	Restoration measures are additional to compensation	PAHs/PAPs Community	Training seminars to educate and advise the community how best to manage invest and utilise the cash compensation they will receive and a consultation will be initiated prior to award of compensation.

⁵ Agreement has been reached with the community to pay KES 500 per day. This is over and above the minimum Keynan unskilled wage and in line with the rate used by international NGO's in the Marsabit area.

<i>Entitlements</i>	<i>Application</i>	<i>Unit</i>	<i>Amount</i>	<i>Eligibility</i>	<i>Remarks</i>
Community Benefit-Drinking Water	LTWP commits to provide drinking water	Boreholes	A dedicated borehole has been provided	Community	A compensation plan with associated community benefits were agreed with an entitlement cut-off date, May 2012. LTWP committed to the provision of potable water by means of a dedicated borehole for the community. This commitment has been fulfilled and the borehole and solar pumping equipment is currently in operation adjacent to the new relocation area.
Benefit-Community Store	LTWP commits to build community store and provide first stock	Store/stock	1 store/first stock	Community	Construction of a community store and provision of first essential food stock has been agreed with the community. Currently the Government relief food is stored outside and unprotected from the elements save for rudimentary coverings. Community wanted something more permanent. The store will also reduce the number of individual trips to Loiyangalani town to purchase provisions as it will double up as a shop selling essential commodities.
Benefit-Community Showers/pit latrines	LTWP commits to build community female/male showers (3+3) and pit latrines	Showers/pit latrines	6 showers/ 25 Pit latrines	Community	LTWP commits to the construction of pit latrines and showers for female/male as one of the community benefits. The showers and latrines will be located nearby the borehole And training will be provided to ensure water abstraction is sustainable. The borehole extraction falls under LTWP permits and a daily limit of 10,000 litres per day has been set. To date the community only use 6,000ltrs of their current limit.
Benefit- Settlement boundary fence	LTWP commits to construct boundary fence around the new village	Fence	fence	Community	LTWP commits to the construction of a boundary fence around the new relocation site to provide additional security against predators and to minimise influx from other pastoralist. The community will be employed to assist with the construction of the boundary fence and paid daily labour rates.

<i>Entitlements</i>	<i>Application</i>	<i>Unit</i>	<i>Amount</i>	<i>Eligibility</i>	<i>Remarks</i>
Benefit - Construction of Classroom	Construction of community Classroom for children	Classroom	40	Community	LTWP commits to the construction of a dedicated school classroom for Sirima community as the current catholic school is located near the C77 road and exposes their children to potential traffic impacts and possible accidents. The Marsabit County Administration will supply teachers
Benefit - Emergency Unit	Mobile emergency unit for the Sirima community during construction	Mobile Emergency Unit	1	Community	The Sirima community will receive support from LTWP's mobile first aid ambulance to attend to emergencies and to provide health educations and screening checks. The routine and timing will be agreed with the community once operational.
Business Skills /Financial training/ Banking procedures and opening accounts	Training for business/financial skills, Banking procedures for affected PAHs / Community	n/a	n/a	PAHs\ PAPs \community with a gender dimension favouring women to manage the community store as they remain within the compound	LTWP will provide business and financial training for the community members on entrepreneurial skills directly following post relocation audit to ensure that the community store is managed in a sustainable manner and to educate them regarding the cash compensation they will receive to ensure that it is utilised to purchase food provisions, improve their livelihood, pay school fees, medical costs etc. LTWP will not be prescriptive as to how the PAPs utilise their compensation.
Bank/Financial Services	Bank services	n/a	n/a	PAHs\ community	Many of the Sirima community are unable to open bank accounts as they do not have Kenyan Identity Cards. LTWP is proposing and or will act as a Banking/Agent for the PAPs who received cash compensation and do not have or are unable or need assistance to open bank account. LTWP will undertake training seminars as to how best to invest cash i.e. in interest making accounts, purchase of additional livestock, emergency food provisions, school fees, medication and other cash requirements as discussed elsewhere. LTWP does not see this as a long term commitment but will help facilitate and assist those PAHs \ PAPs who wish to obtain Identity Cards and open their own bank

<i>Entitlements</i>	<i>Application</i>	<i>Unit</i>	<i>Amount</i>	<i>Eligibility</i>	<i>Remarks</i>
					accounts.
Employment opportunities	for affected PAHs/family members / Community	n/a	n/a	PAHs\ community	LTWP will offer employment opportunities to Sirima community. The settlement has already benefitted from the project development activities; members of the community have been employed preparing the many access tracks for locating and relocation of wind masts, as security guards for the masts and as guides for the various consultants undertaking the necessary due diligence studies. LTWP has an employment office in Karungu where the interested parties can register their interest and if necessary LTWP will provide assistance in preparing and submit CVs. Given the distance between the office and the settlement LTWP CLO will facilitate and deliver expression of employment to the LTWP Office.
Vulnerability	Support Vulnerable PAHs/ PAPs as per LTWP vulnerability screening Assistance to relocate structures	PAP	n/a	PAPs deemed to be vulnerable as per RAP\ RPF criteria	Vulnerability is defined in LTWP's RPF and Draft A-RAP as those who are old, sick, physically challenged or impaired including dependents, widows, female head of households, children, and minority groups. LTWP has identified some blind family dependents, widows and female head of household within the community. The community has indicated that these are their family members and do not need LTWP's assistance as the community work as a family unit to ensure their old, sick or impaired are looked after and that they will provide assistance to them during the relocation. As part of LTWP's oversight role during the relocation the CLO will pay particular interest to these vulnerable groups within the Sirima community to ensure that they are fully informed; given due consideration and that their needs and adaptive capacity are catered for both during and after the relocation exercise.

7.6 Post-Cut-Off-Date-Households In-migration

7.6.1 Introduction

The Project has been in development for around seven years and the Sirima community has been tolerant and supportive of the project notwithstanding the endless delays and suffering with drought and food scarcity in this remote location.

In early 2012, an internal baseline survey was undertaken to understand the social impact associated with the Sirima community. The primary information regarding the community available at this juncture in time related to the number of community members listed on the governments relief food register for the settlement. Following initial engagement with the community LTWP was informed that the register had has never been updated since the survey was undertaken and that the list only referred to the number of households present in the encampment when the census was undertaken. The relief food register list contains 83 household names. This figure, LTWP was informed did not account for other community members that where not present in the settlement and out roaming the pastures attending to livestock. The community at this period in time would appear to be split between nomadic and transhumance pastoralists. Please see below a picture extracted from the Light Identifying and Ranging (LIDAR) system image taken in 2011 depicting the Sirima encampment at that juncture in time.



Picture 7.4: of Sirima Settlement 2011

7.7 Draft A-RAP baseline Survey

An independent baseline survey was undertaken in 2012 for the preparation of the draft A-RAP for the Sirima relocation. The survey identified 114 entitled PAHs with 156 entitled persons with structures that needed to be relocated due to potential impacts from traffic and construction activities. These figures formed the basis for the Sirima Draft A-RAP implementation plan that was disclosed on AfDB and World Bank public disclosure platforms. The A-RAP consultation and engagement process clearly informed the community as to the significance of the cut-off date, 31 May 2012 and only those PAHs enumerated and listed on the entitlement register would be eligible for compensation

7.8 Sirima Data, Validation and Verification Exercise

In July \ August 2014, with financial close of the Project imminent, LTWP undertook a data, verification entitlement survey of Sirima settlement. The findings identified that there had been in-migration both within the settlement and influx outside the boundary of the encampment. Please see below image of Sirima encampment taken October, 2014 depicting the influx to the settlement from marriages, community members returning to the settlement and in-migration.



Picture 7.5: Sirima Settlement 2014

In order to resolve the disparity between those on the relief food register, those enumerated at the COD and those currently residing both in the boundary of the encampment and others outside the fenced boundary LTWP hired a local Turkana

resident, a second Community Liaison Officer (CLO), who in a previous employment had undertaken some social work with the Sirima community through an Non-Government Organisation (NGO) and is well versed as to their demographic structure of the community. Given the relationship with the community the Sirima CLO will oversee and lead the RAP implementation \ relocation process and LTWP will provide additional resources as necessary to assist the process.

The initial scope of work for the CLO was to clarify the demographics of the Sirima community so that the RAP entitlement matrix could be finalised. The demographic survey findings concluded that a 161 PAHs originating from eleven 'nuclear' families \ clan that have resided at the Sirima settlement either prior to the cut-off date and or during the delay in implementing the RAP.

7.9 Origins of the community

The origins of the Sirima community stems from 11 nomadic families \ clan. Of these 11 families, nine are male and two are female headed families. The family lineage has grown into 114 Project Affected Families (PAFs). Of the 114 PAFs there are 161 PAHs that have family members' \ dependents amounting to 1,015 PAPs.

Polygamy is part of the Sirima culture and of the 114 PAFs, 87 are non-polygamists and have 87 Project Affected Household heads with structures that need to be relocated. Also from the 114 PAFs there are 27 polygamists that have 74 Project Affected Household heads with structures that need to be relocated. From the 11 families the total number of PAHs heads with entitled structures is one hundred and sixteen (161).

A simplistic demographic profile of the Sirima community and how it relates to families \ Clan, households and structures is provided in the below figure.

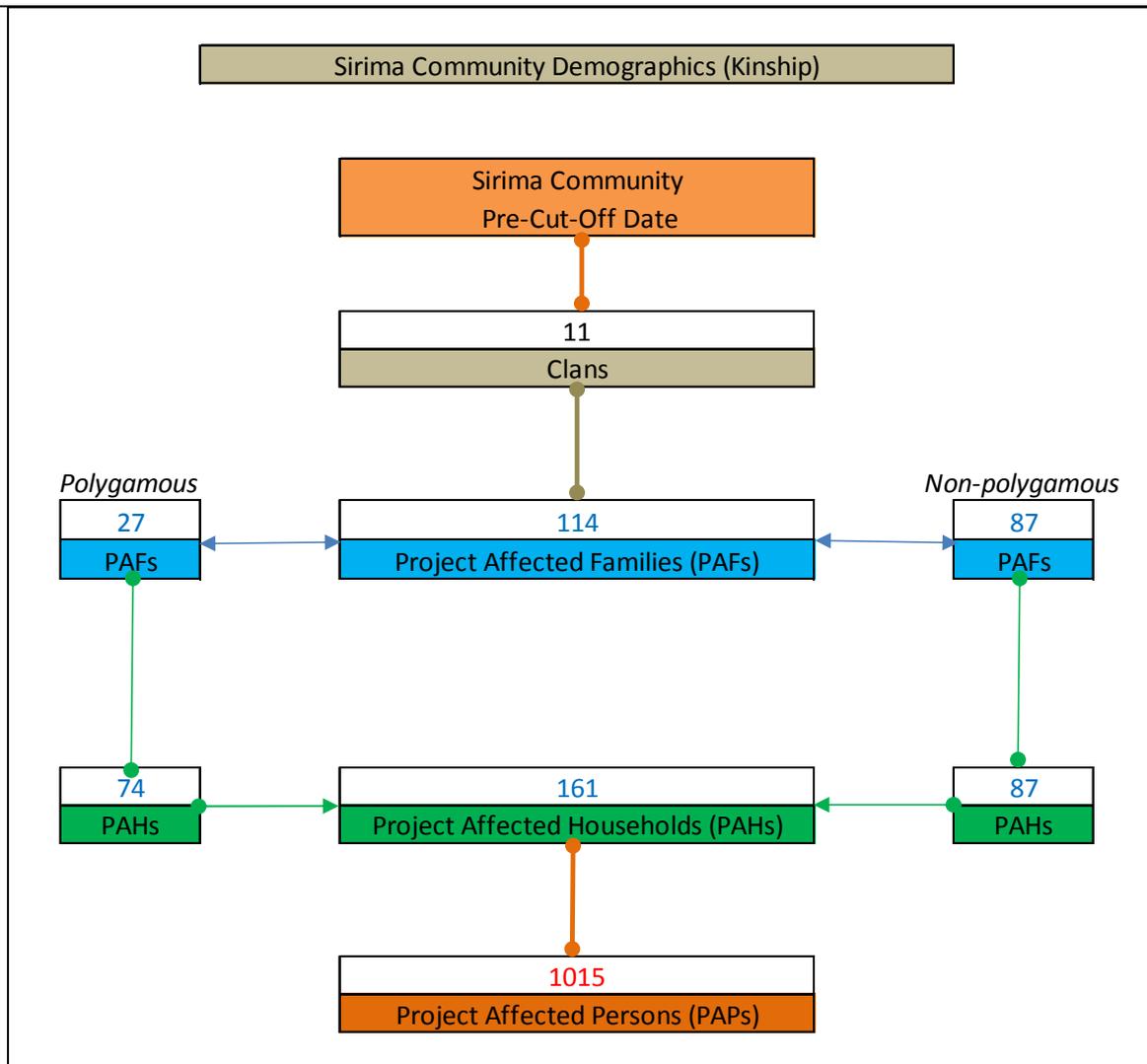


Figure 7.5: Sirima Community Demographic Chart

7.10 In-Migration to Sirima Community

The demographic survey also identified an additional 22 Clan members located outside the encampment boundary fence that are not part of the entitled persons register nor were they enumerated prior to the COD and therefore are not entitled to compensation. The survey established that of the 22 Clan member's influx to the settlement, that they have family \ Clan related ties to the original 11 Sirima Clans with a total of 46 structures.

For the purpose of clarity in this document these Clan members are categorised as PCOD Households and are being treated separately to Sirima community and in accordance to the wishes of the community and as agreed with LTWP and the PCOD Households.

The chart below depicts the PCOD Households \ Clan member's relationship to the Sirima Clan, as and how they will be aligned affiliated to the existing Sirima

demographic structure; C1 to C11 denotes the Sirima clan \ family structure with 161 PAHs with entitled structures; KI-1 to KI-11 represents how the 22 PCOD Household clan member's will be assimilated into the Sirima family structure.

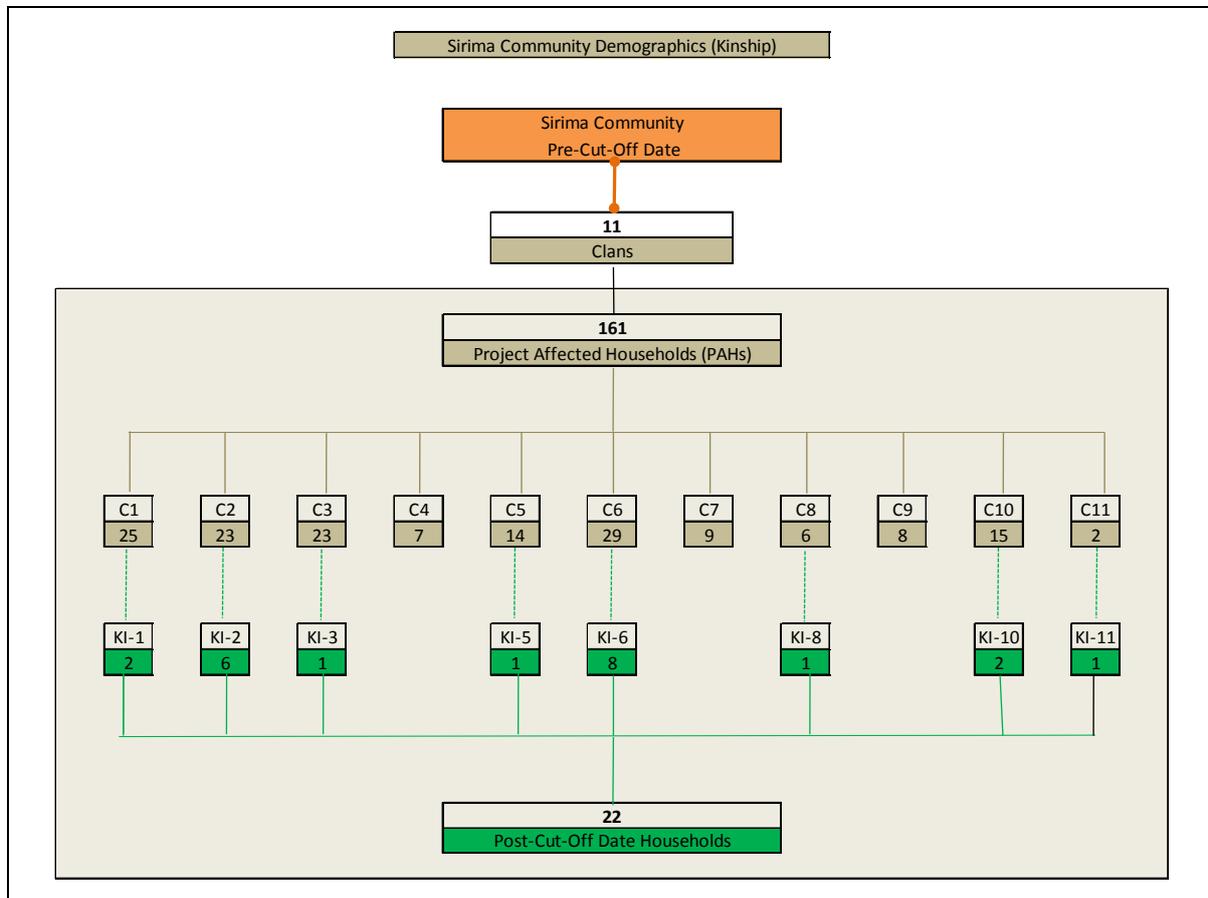


Figure 7.6: Sirima Community Demographic Kinship

7.11 Request for PCOD-HH to Join Sirima Community

The Sirima Community, by written letter, has requested LTWP that they would like for these 22 PCOD Households \ Clan member's to become part of their community and, if possible, LTWP to provide them with assistance to relocate their structures to within the new encampment. The community understand that their structures will not be upgraded to the 13m and 10m circumferences agreed with the entitled Sirima structure owners nor will they receive solar panels or dome coverings. The Community are happy for them to share in various community benefits being provided by LTWP i.e. access to water via the dedicated borehole, store, showers and latrines etc. The community letter requesting the inclusion of their PCOD Household \ Clan member's into their community and new resettlement area is attached as an Appendix No. 4 to this report.

LTWP has verbally agreed to this request and will assist the 22 PCOD Households by paying daily labour costs and provision of additional sticks (heads) \ salvage losses during relocation. Overall, there is minimal impact to the relocation

implementation plan, the new encampment area is large enough to accommodate the influx and the relocation layout matrix is currently being rearranged to incorporate their structures.

Given the temporary nature of their structures it will take approximately six days, labour utilisation of four (4) persons to relocate their structures given that the replacement structures circumferences have been increased for Manyattas and Sitting Rooms \ extensions to 13m and 10m respectively to accommodate the solar panels and tarpaulin climatic protection domes benefits being provided by LTWP

The relocation of PCOD Households will only commence after the entitled Sirima RAP has been completed. The budget will be amended to include labour costs and an additional material (head \ sticks) contingency provision for loss of salvage, damage during relocation. The influx relocation assistance budget has been estimated at KES 1,950,400.



Picture 7.6: Sirima Community Relocation Site with existing encampment due north

7.12 Concern Over Additional In Migration

Given the current minor in migration with the PCOD Householders it begs the question whether or not this is a one off situation or could it lead to further in migration. LTWP has discussed the matter with the Sirima Community and clearly the PCOD Households is clearly not an in migration per se but more of a challenge when enumerating pastoralists that their lifestyle is not regulated to time and hence a COD that is fixed can be detrimental particularly to those nomadic pastoralist that have cyclic movement patterns that are prolonged.

Taking cognisance of the above as well as the different lifestyles mix that exists within the settlement, transhumance and nomadic pastoralist, an assessment was undertaken to understand the potential impact of further in migration and to discuss the matter the Sirima community and to hear their thoughts as well as counsel the community as to the potential negative impact associated with in migration.

It is noteworthy to note that the actual community members residing in the current settlement will, in general, not vary from previous much from previous times as the overriding factor as to the number of those residing within the encampment at any given time depends upon availability of pastures to feed their livestock and the distance to the various pastures. The community are aware that natural family growth will increase their numbers and put pressure upon natural resources and hence the community's request for a secure fence around the new encampment to limit influx from other Clan members not affiliated to the 11 Clan membership that currently exist in Sirima.

It is also highly likely and the Sirima community are aware that other nomadic pastoralist will gravitate towards the Sirima settlement as part of their pastoral movements; those that are inquisitive as to the construction of the wind farm; some possibly looking for jobs, some to see how the Sirima community has or has not progressed and others typically stopping over at a suitable location to rest up and or purchase provisions, enquire as to state of pastures and possibility of using some of the pastures and water for their livestock. It is traditional that these nomadic pastoralists are allowed to camp outside the Sirima settlement fenced area for short periods of time and for the community to grant them minor rights to pastures. The community did not see this as in migration but normal nomadic practice.

The Sirima community clearly understand that they are responsible for managing the water from the dedicated borehole and that the resource is not infinite and therefore they must manage and control the amount of abstraction.

In addition, natural family growth, over time will also eventually put pressure on the available encampment area and water resources. LTWP has consulted with the Sirima community in respect to in migration, natural family growth and over use of resources and has agreed a water abstraction limit with the community as per borehole permitting requirements. To date with the borehole operational for more than a year the community have never exceeded this limit and this shows that they are aware of the negative impacts associated with in migration, natural family growth and overuse of resources.

8 Management of Grievance and Disputes

8.1 Introduction

This section establishes the grievance/complaint framework to enable timely settlement of grievance to the PAPs. Grievance procedures ensure that all PAPs have the opportunity to file grievances, including those related to compensation and have mechanisms to record, track and know how these grievances were resolved if they are dissatisfied with the awarded compensation or the process thereof.

8.2 Potential Resettlement Grievances

LTWP has already obtained consensus from the Sirima community regarding compensation, benefits and assistance which generally reduces grievances that may arise as a result of the involuntary relocation. However, areas of grievance may include; amount, levels and time in which compensation are paid to PAPs; handling and treatment of vulnerable groups; and inventory mistakes

8.2.1 Proposed Grievance Management and Redress Mechanism

This RAP provides a simplified grievance redress mechanism that will enable timely settlement of grievances to the PAPs. The grievance procedures will be anchored and administered at the local level to facilitate access, flexibility and openness to all PAPs. The grievance redress procedure ensures consultations with LTWP and other key stakeholders and provides for record keeping to determine the validity of claims, and to ensure that solutions are taken in the most transparent and cost effective ways for all PAPs. During consultation, affected individuals were informed of the process for expressing dissatisfaction and how to seek redress.

The location of the settlement is in a remote area some 50km from nearest towns of South Horr and Loiyangalani and as such previously weeks and months passed without the community engaging with anyone. Sending grievances by post is also difficult but possible. Since the inception of the Project the main outlet for grievances for the community has been through LTWP. Now that the Project has been elevated to a high profile status local Marsabit County administrators are getting involved and engaging with the community and bringing concerns to LTWP LTWP's attention most of which LTWP has received via LTWP's dedicated CLO. LTWP recognises that the process is not fully transparent however adding another formal grievance outlet layer would to be counterproductive to dealing promptly with grievance. LTWP will discuss the matter with the Sirima community to get their feedback before putting in another layer of grievance redress to the existing process that has worked well.

Figure below, details the procedure to be followed for grievance redress under this RAP. A form used to register grievance is provided as Appendix No.6 to this report.

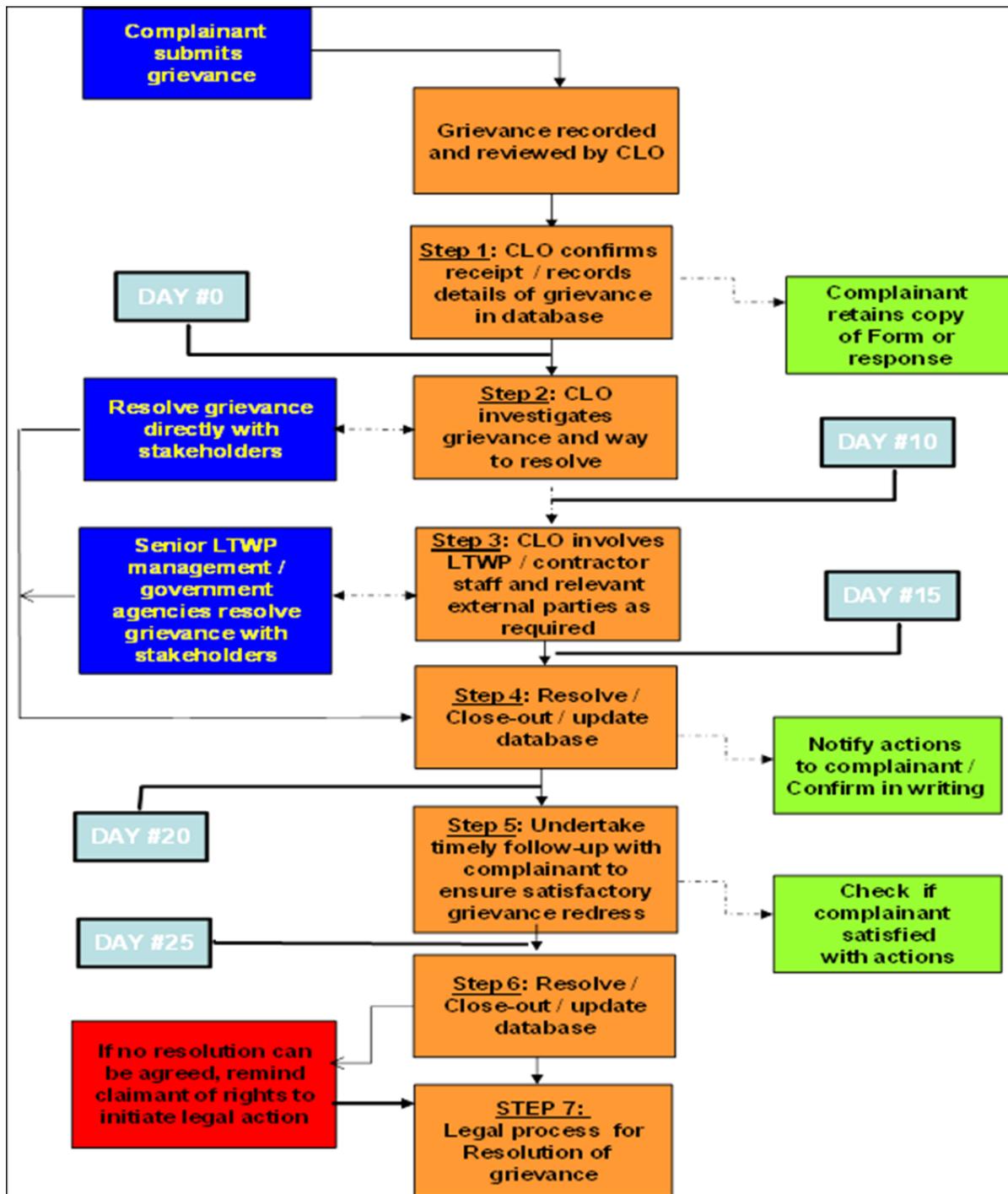


Figure 8.1: LTWP's Formal Grievance Redress Procedure

9 Public Participation and Stakeholder Engagement

9.1 Introduction

Early in the project development LTWP recognised that engagement with the local communities was critical to the successful implementation of the Project. Back in 2009, LTWP engaged Carbon Africa to undertake stakeholder consultation with regard to clean development mechanisms and in pursuit of carbon credits. This stakeholder engagement provided a matrix of key indicators as to the wishes and concerns of the local communities various NGO's, local policy makers and representatives of the local authorities. A register of the consultation undertaken and feedback from participants forms part of LTWP consultation records. The views and feedback received were taken into consideration in the development and design of the Project. **Goals and Objectives of Stakeholder Consultations**

- i. Briefing as to the status of the Project;
- ii. Briefing on potential impacts, both positive and negative;
- iii. An inventory of assets that could potentially be affected by the project;
- iv. Proposed compensation process and measures to be provided;
- v. Community agreement to relocation / compensation package;
- vi. Implication of the asset inventory cut-off date;
- vii. Grievance procedure to be put in place; and
- viii. Outline of a rehabilitation schedule.

9.2 Stakeholder Identification and Analysis

9.2.1 Methods of Stakeholder Participation

Meetings were held in Nairobi, at the project site, and in Loiyangalani town. A register of the consultation undertaken and feedback from participants forms part of LTWP consultation records. The views and feedback received were taken into consideration in the development and design of the Project.

In addition to the formal procedures outlined above, LTWP adopted a culturally appropriate two-way systematic approach to community engagement; continuous and candid.

Initially, the community engagement focused on increasing public awareness and allaying the fear of change by provision of project information memorandum on the various development activities and phases from screening to completion as well as involving the community in the planning, project design aspects and that of their future.

The second phase focused on dissemination of information and integration within the affected communities. A CLO was appointed dedicated to listening to the community concerns/wishes, providing feedback to the proponents' development team enabling the views of the PAPs to be promptly addressed, in a non-technical manner, in their local dialect and to the extent possible built into the Project design. Accessibility to information and receipt of prompt feedback has produced positive engagement results whereby community involvement in the Project development has been maximised, effective participation is gained and mutual trust obtained.

Through the CLO, LTWP provided non-technical summaries on the Project (wind-farm and road) and a Community disclosure document in simple pamphlet format; these were distributed at formal stakeholder and community engagement meetings, and drafted in the various local dialects, namely English, Kiswahili, Samburu and Turkana. The non-technical summaries have since been updated and will be disseminated in due course.

This continuous, candid and transparent process of information dissemination and feedback has resulted in cooperation and participation from the various indirectly affected communities as well as those PAPs directly affected by the Project. The project though the consultation process described above has benefited from the vocal support provided by the local communities to the various missions to site by third parties.

9.3 Summary of Stakeholders Views and Concerns

Meetings with the Sirima community has been on-going from the advent of the Project, 2007 and commenced formally in March, 2012 with the initial baseline survey followed by the enumeration and asset survey. Many were informal candid discussion, normally on a monthly \ bimonthly basis when LTWPs Chief Operating Officer (COO) went to site to collect technical information \ data. Formal meetings were arranged either when the community had concerns or wished to discuss the benefits that would be provided or when Project updates were provided and also when consultants, contractors were undertaking technical surveys. In addition, formal meetings were arranged when Lenders and their technical advisors undertook due diligent missions. Minutes are always taken during formal meetings and can be provided on request or viewed during due diligence mission.

9.4 Key Recommendations from Stakeholders

Based on the discussion with stakeholders the following concerns and recommendations were made to the Project. The same shall be observed and respected throughout the RAP implementation

- i. The Project to prioritise employment for the local community;
- ii. Compensation to be paid prompt manner;
- iii. Project to involve the community members in the selection of the relocation area;
- iv. Project to build a shade for the elders;
- v. Project to pay the community cash for their salvaged materials ;
- vi. Project to build a school class room;
- vii. Project to assist with water provision;
- viii. Project to assist with health facility.

9.5 Key Recommendations from Stakeholders

The table below details the major stakeholder engagement undertaken by LTWP and third part consultants as part of the Sirima consultation process. In addition the minutes of these meetings are attached as an Appendix to this report. See Appendix 7.

LTWP STAKEHOLDER ENGAGEMENT ACTIVITIES					
No	Date	Place	Stakeholder Engagement Reason/Activity	Participants	Minutes Taken YES/NO
1	24 March 2012	Sirima village	Sensitisation of the villagers and carrying out a census on the villagers	LTWP, Area Chief	YES
2	01 July 2012	Sirima village	LOGs structure Valuation	LTWP, Area Chief and PAHs	NO
3	29 July 2014	Sirima village	Sensitisation, disclosure and SE enumeration	LTWP, Area chief, PAH's	YES
4	15 October 2014	Sirima village	Sensitisation, relocation strategy, structure verification	LTWP, Area chief, PAH's	YES
5	20 October 2014	Sirima village	Relocation strategy, Vulnarability matrix, grievance redress.	LTWP, Area chief, Area Council	YES
6	03 November 2014	Sirima village	Relocation strategy , mapping and Verification of Influx 61 PAH	LTWP, PAHs	YES
7	07 November 2014	Sirima village	Liberation on Construction (Labour Cost, Food, Material) and PAH Proposals	LTWP, PAHs	YES
8	13 November 2014	Sirima village	MMD Monitoring and Evaluation on Progress	MMD, LTWP, Lartech, PAH	YES

Table 9.1: Stakeholder Engagement Activities

10 RAP Implementation Schedule

10.1 Introduction

The schedule below outlines the various activities for implementing the RAP process. The planning activities are completed, purchasing and manufacture contracts have been commissioned, the relocation methodology has been agreed with the community and the relocation of structures should take approximately 90 days. The benefits in kind should be completed June 2015. Financial and business entrepreneurial skills training are currently scheduled January 2015. Its implementation is planned to be performed in phases to accommodate pastoralist community who have gathered at the settlement to ensure the relocation process is implemented quickly. The training will be undertaken concurrently with the implementation schedule and payment of compensation will be after completion of the relocation programme as agreed with the community.

10.2 Institutional Arrangements

LTWP has a dedicated RAP team of nine experienced specialists that undertakes all associated RAP activities, two community mobilisation \ liaison officers, a trainee and a driver. In addition, LTWP retains an independent environmental and social consultant as well as independent valuers and survey companies to assist in activities or concerns as require outside the RAP team competence. The RAP team consist of Project Manager, Management Information System (MIS) \ Database Manager, a multidiscipline team of six people that assist the MIS Manger in populating the RAP database but also qualified in the following fields, environmental, social health and safety (three are accredited NEMA practitioners), civil engineering, construction management, finance \ accounting and GIS surveying technician. In addition, we have recruited an Environmental Health and Safety (ESH&S) specialist in November and will hire a second ESH&S specialist in January 2015 in accordance with the current labour force resource management plan and as the work load demand starts to build up.

The RPT has also increase team membership with the employment of a driver and Assistant Office Support person and will undergo training in order to assist the RPT in carrying out their duties. At the wind farm site there are two CLO's, one is dedicated to Sirima, part of the RPT and resides with the community and the other site CLO provides assistance when required but in general looks after the roads sub-project RAP and Public Participation and Socio-Economic (PP&SE) activities. The RPT will provide technical assistance and back-up for all RAP activities.

LTWP will provide sufficient manpower as necessary to ensure the Sirima relocation implementation process and oversight management role of the reconstruction of the settlement assets is completed as stipulated throughout this report. One of the objectives and wishes of the Sirima community is employment and as such LTWP will employ and utilise Sirima community members wherever possible to assist in the process as detailed below.

LTWP's RAP Team will provide support to the Sirima RPT management team. The RPT will consist of Project Manager, an Implementation Coordinator, two RAP team members, with intellectually knowledge of all aspects associated with the Sirima RAP process to oversee and ensuring that the process is properly implemented and documented in accordance with the agreements with the community and Lenders requirements. A third RAP Team member will be responsible for ESH&S aspects and undertaking all of the training awareness seminars. The RAP Team members will also provide all the necessary templates for recording the processes, making payments and for auditing purpose.

LTWP's dedicated Sirima CLO will be the relocation 'Site Manager' in charge of interfacing with the community and managing the reconstruction of asset process. LTWP's CLO for the wind-farm Site and Roads will undertake 'Banking Agent' role and assist with the training seminars. The Site and Roads CLO previously managed a similar 'Banking Agent' role during the internal road improvement programme undertaken by LTWP to provide better access to critical area for gathering wind data and various preliminary surveys. There was over 100 local people from various tribes involved in the exercise some from the Sirima community.

The management RPT, endeavouring to provide employment, experience and build capacity will select four (4) community members to be 'quasi-supervise' that will be trained to assist with the administration procedures and oversee the initial setting up of the specific location areas for PAHs structures and the procedure for outlining the 13m and 10m structure circumference in accordance with the safety distance agreed and fitting procedures associated with the solar panels, fixing kits and tarpaulin domes.

Training will run concurrently with implementation and following successfully completing the training requirements these 'quasi supervisors' will also carry out identification of family members undertaking the reconstruction of their assets, recording individual man-hours, number of heads consumed and salvaged for compensation purpose. In addition, four women, will be employed to provide food to the family members reconstructing their assets. The women will rotate so that all women who wish to be employed in this role will have the opportunity to do so.

For the awareness training seminars, two community members will be selected to be interpreters\ facilitators and assist with various training seminars; entrepreneurial skills, business and finance skills, Banking Agent procedures and sustainable management of resources. All of the above will be paid daily labour rates for assisting in the above processes. A Labour Template is attached in the Appendices to this report see Appendix No 8.

The below figures portray the implementation organogram to undertake the Sirima RAP implementation process and the phased and staggered implementation methodology as described above and below.

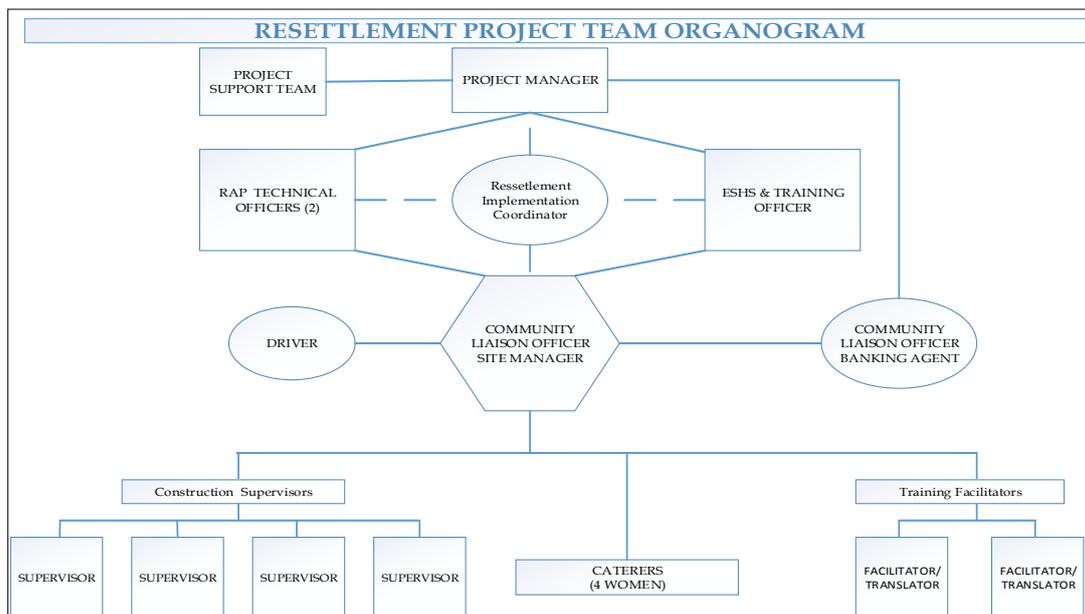


Figure 10.1: Resettlement Project Team Organogram.

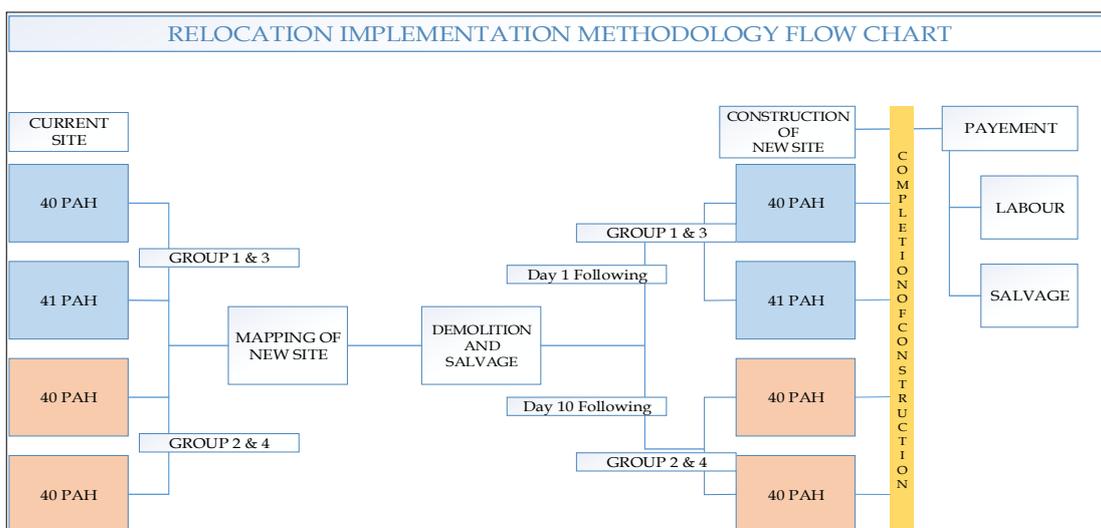


Figure 10.2: Relocation Implementation Flow Chart.

Figure above portrays the Sirima relocation implementation methodology in a process flow diagram. The process adopted is a phased and staggered approach as follows.

Development Phase:- involved discussions with the Sirima community as to cultural and traditional practices as well as Clan and family preferences. The outcome of this engagement process resulted in dividing the COD PAHs into four (4) groups of approximately 40 PAHs.

Mapping the Relocation Area:- following consultation a high-level layout of the relocation area was agreed and setting out undertaken in conjunction with the various Clans and associated families. Mapping the area involved setting mark stones on the ground to identify the areas to be occupied by each PAH in accordance with the number structures belonging to individual PAHs and to comply with traditional practices as well as Clan and family preferences. The mapping of the area also considered how the boundary fence would be laid out and where the gates would be positioned, as well as the relationship to the location of the school building, store, borehole and water storage tank, showers, latrines, livestock trough and elders resting structure.

The below figure portrays a RAP Team member showing some community members how to layout their structures and to measure the main Manyatta and Sitting Room circumferences.



Figure 10.3: Manyatta Circumference Measuring and Site Layout.

Commencement of Work:- relocation will be implemented in two (2) phases and will involve two (2) groups each with four (4) man teams. Initially the four man teams will split with 2 team members undertaking demolitions and salvage of material whilst the out 2 team members will commence reconstruction. The members of the teams will be selected by the individual PAHs in accordance with available resources within the family, on any given day; however preference will be given to women family members who are traditionally the home builders. Clearly in the consultation there was an overall wish by the community to complete the relocation process quickly and it was agreed that available family males would also partake in the reconstruction process.

Reconstruction:- will be carried out in a two phases; on a start to start dependency relationship with ten (10) days lag between the phases i.e. Phase II = Phase I Start to Start + 10 days. Phase I will comprise two (2) groups of 40 PAHs and 41 PAHs respectively whilst Phase II will comprise two groups of 40 PAHs each. PAHs will construct main Manyatta(s) first within eight (8) day period, after all the PAHs individual Manyatta structures have been completed work will commence on Sitting Room structures and a five (5) day period has been allocated to complete each of these structures. The phased and staggered approach will help provide some time base mitigation against lack of dwelling during reconstruction and the overall the process will be much easier managed. It is clear that the process will commence slowly as workers familiarise themselves with the process and procedures. Materials both those salvaged and the heads provided by LTWP will be stockpiled and amounts utilised will be recorded and signed off by the workers and witnessed by the chief and approved by the CLO\ Site Manager.

Compensation Payment:- Payment for both salvage and labour will be recorded on a daily basis and compensation will be paid to owners of the structures and the individuals involved in the relocation and reconstruction process as documented.

10.3 Additional RAP Governance

There is no single agency in Kenya that has the mandate for the planning and providing resettlement and compensation help in cases where people are involuntarily relocated for development project. It is however a common practice that the project proponent assumes the responsibility for delivery of entitlements even though a number of actions may involve local authorities. The implementation of this RAP will comprises several steps involving individual PAPs, affected communities, Marsabit County Authorities and the relevant Ministries at national level (Ministry of Land, National land Commission, Ministry of Environment and Ministry of Water and Irrigation, Ministry of Education).

LTWP has consulted with local Marsabit County Council and as they are a new administration body and do not have in place resources capable of providing assistance to LTWP in respect to the Sirima RAP implementation. LTWP has agreed to keep the County Council abreast of developments. The administration office is 200km from the site.

10.4 RAP Implementation Schedule

The below schedule is an overview of the detailed planning that LTWP has put into the preparation and implementation of this through its dedicated RAP Team. A detailed schedule is provided in the Appendices to this report.

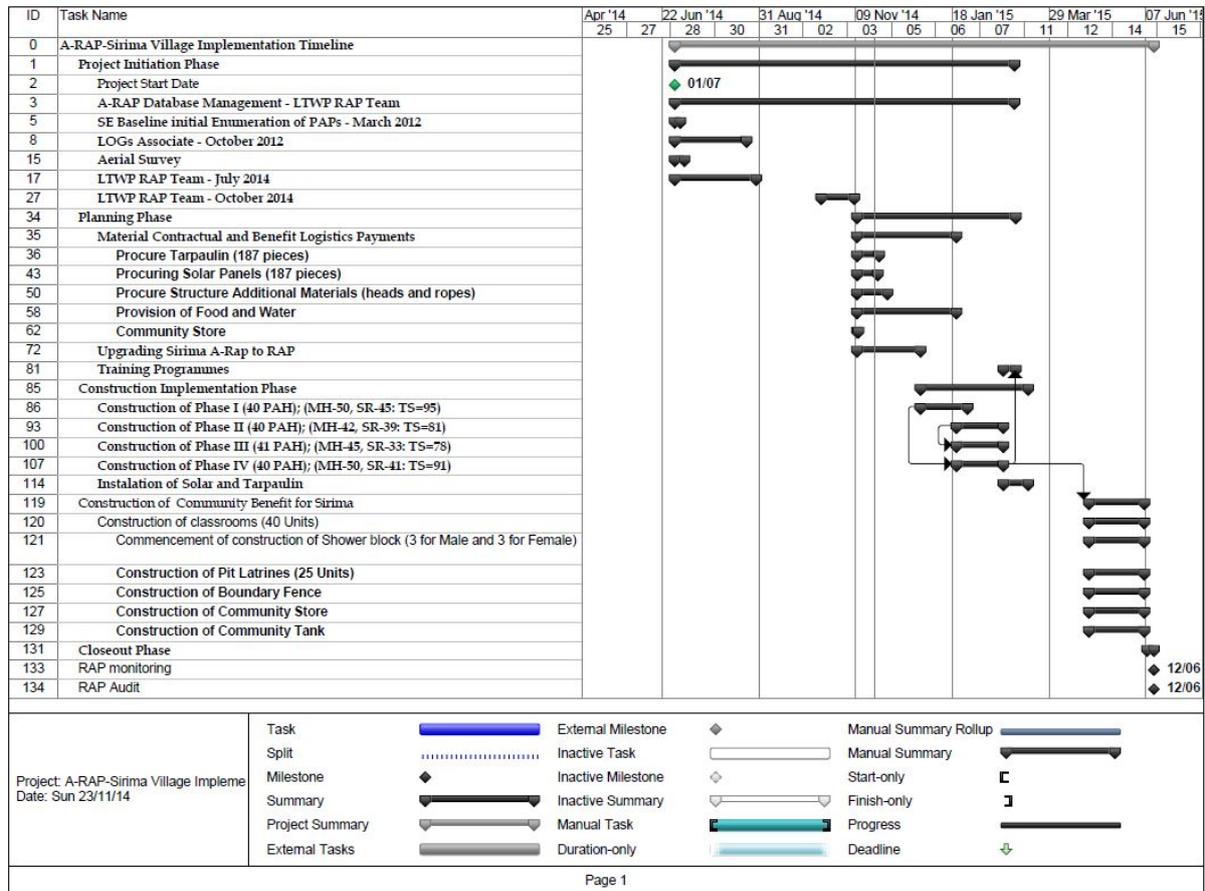


Figure 10.1: RAP Schedule

11 RAP Implementation Budget Estimates

11.1 Budget

The total RAP budget for Sirima community and encampment relocation is estimated at KES 39,937,911 equal to Euro 340,042. The Budget has four components:

- i. RAP Sirima Relocation Budget;
- ii. RAP Sirima Community Benefits Budget;
- iii. PCOD Households Relocation Assistance Budget and
- iv. Auxiliary Support budget for RPT.

The Sirima RAP budget for the resettlement of the Sirima settlement Assets including materials, transportation, labour and Disturbance Allowance of 15% is estimated at KES 13,752,273, equivalent Euro 117,090. From a Sirima PAH perspective the average compensation received would equate to KES 51,607 or €439 however in relative terms this figure will depend upon the number of Assets and the days worked. Previously the agreement between LTWP and the community was that the women would undertake the reconstruction of their assets and be paid daily labour rates. The community informed LTWP that they are discontented with the delays in implementing the relocation of their encampment. They wish to relocate as soon and as quickly as possible as such and depending upon availability they have agreed that the women and men from each family will arrange who will participate in the reconstruction activities on a daily basis. LTWP RPT will monitor this process to ensure that women are not being discriminated or victimised due to gender.

2. RAP Sirima Community Benefits Budget amounts to KES 15,937,560 equivalent to Euro 135,697 which takes into account all Sirima Community benefits such as building classroom, community store, pit latrines, shower blocks, business skills \ financial training, solar panels and tarpaulin domes for residential Manyattas.

3. The PCOD Households relocation assistance budget provided by LTWP to 22 PCOD Households amounts to KES 1,950,400 equivalent to Euro 16,606.

4. Auxiliary Support Budget for RPT amounts to KES 1,641,360 equivalent to Euro 13,975 and includes provision of relocation tools, training materials, temporary office, cooking utensils, transport material delivery, mud plastering.

The table below provides comprehensive details of the various costs that make up the total budget Sirima RAP.

	117.45ksh	1 EURO
RAP SIRIMA RELOCATION BUDGET (Nov 2014)	AMOUNT, KES	AMOUNT, EU
PAHs cash benefit for structures	2,964,150	25,238
15% Disturbance Allowance	444,623	3,786
TOTAL CASH BENEFIT TO PAHs (with 15% DA)	3,408,773	29,023
PAHs IN KIND BENEFIT - materials salvage loss	1,857,500	15,815
PAHs IN KIND BENEFIT - top up 13m/10m circumference	2,116,000	18,016
TOTAL MATERIALS COSTS TO LTWP	3,973,500	33,831
Labour costs for manyatta rebuilding	4,900,000	41,720
Food costs for labour	1,470,000	12,516
TOTAL LABOUR AND FOOD COSTS	6,370,000	54,236
SUBTOTAL SIRIMA RELOCATION BUDGET	13,752,273	117,090
RAP SIRIMA COMMUNITY BENEFITS BUDGET (Nov 2014)		
Classroom	800,000	6,811
Pit Latrines	1,440,000	12,261
Training	1,250,000	10,643
Boundary fence and Gates	2,000,000	17,029
Community Store	400,000	3,406
First Fill of Stock for Community Store	100,000	851
Twin Solar lights, Panel & Phone Chargers for Residential Manyattas (187)	748,000	6,369
Tarpaulins for Residential Manyattas (187)	7,158,360	60,948
Shower Blocks (3+3) Male/ Female	1,440,000	12,261
Loss of Profit / Income	81,600	695
Shelter for Elders	107,100	912
Community Employment Costs	292,500	2,490
Sirima Relocation Celebration	120,000	1,022
SUBTOTAL SIRIMA COMMUNITY BENEFITS BUDGET	15,937,560	135,697
POST-CUT-OFF DATE HOUSEHOLDS RELOCATION ASSISTANCE	1,950,400	16,606
AUXILIARY SUPPORT BUDGET FOR RPT (Resettlement Project Team)		
Relocation Tools, Training Materials, Temporarily Office, etc	711,360	6,057
Transport Costs for Materials Delivery	930,000	7,918
SUBTOTAL AUXILIARY SUPPORT BUDGET	1,641,360	13,975
20% CONTINGENCY	6,656,319	56,674
GRAND TOTAL	39,937,911	340,042

* RAP Team Salaries, Perdiems, Office Overheads, Auditing/Monitoring costs are under the MOPSA budget

Table 11.1: Sirima RAP Budget.

12 Monitoring, Evaluation and Reporting

12.1 Introduction

The success of this RAP will depend on effective monitoring and evaluation (M&E) framework. The M&E framework will be used to assess the effectiveness of RAP implementation, including the physical progress of resettlement and rehabilitation activities, the disbursement of compensation, the effectiveness of public consultation and participation activities, and the sustainability of income restoration and development efforts among affected communities. This section discusses the proposed M&E system for this RAP this RAP.

12.2 Monitoring

Monitoring

The objective of monitoring is to provide stakeholders with feedback on RAP implementation, identify problems and successes as early as possible to allow timely corrective action of implementation arrangements. The LTWP RAP team will oversee the RAP implementation and internal monitoring will be through the LTWP Environmental Manager or designate. External monitoring will take place in the form of lender's Engineer on a frequency designated as per Finance Agreement usually on a quarterly basis.

Performance monitoring of this RAP will start after 3 months from its implementation, as this is the notice period for the PAHs to vacate the site. LTWP will gather, analyse, interpret and report monitoring findings and results. The monitoring reports shall document what went well, what did not go well and lessons learnt.

The baseline socio-economic surveys undertaken as part of this RAP will provide the foundation upon which future progress and success of implementation of this RAP shall be measured. Monitoring will also include communication with PAPs, documentation of reactions from PAPs and physical monitoring of progress of the RAP's implementation, including the relocation of PAPs and the affected community assets.

12.3 Monitoring Indicators

On top of the socio-economic indicators, the monitoring will also include the following performance indicators:

- i. Disbursement of compensation payments and receipt by PAPs;

-
- ii. Number of persons not yet compensated (by types of losses);
 - iii. Number of consultations held;
 - iv. Number of Manyattas rebuilt and occupied;
 - v. Number of meetings or consultations with PAPs and other stakeholders;
 - vi. Progress and completion of scheduled activities;
 - vii. Community development activities initiated and adopted;
 - viii. Livelihood restoration;
 - PAPs standard of living (access to food / water, etc.);
 - Change in PAP incomes / livelihoods;
 - ix. Level of satisfaction of PAPs
 - Level of satisfaction of affected people with the compensation;
 - x. Grievance redress procedures in place and functioning
 - Gender of participants
 - Number of complaints received (by types)
 - Number and gender of complaints
 - Nature of main complains raised
 - Number of resolved complains
 - Number of complains left unresolved (reasons should be reported)Number of grievances resolved
 - Number of grievances outstanding
 - xi. Number of bank accounts opened;
 - xii. Number of training seminars undertaken;
 - xiii. Delivery on banking and financing awareness seminars;
 - xiv. Number of persons attended each seminar; and
 - xv. Number of Identity Cards processed.

Within the Sirima encampment, PAPs will have their own committees that will conduct meetings on a two weeks basis during the implementation of this RAP to discuss any matters arising and also to receive any progress reports from LTWP. This is considered a transparent and cost-effective way to obtain regular feedback on RAP implementation.

12.4 Evaluation of RAP \ Completion Audit

RAP evaluation will enable LTWP to take stock of what has been achieved and thereby providing information for corrective action. In this regard, LTWP will contract an independent consultant to audit the implementation of the RAP. The independent consultant will assess whether the outcome of the RAP complies with relevant legal and regulatory requirements and international standards such as IFC, EIB and OPIC requirements. The date of conducting the completion audit shall be

agreed between the project and lenders but will commence three months after completion of the relocation a follow up a year later, at year three and a final audit in year five from the completion of the relocation of Sirima Community.

If the audit reveals that the key objectives of the RAP were not achieved follow up remedies will be developed to rectify the situation.

12.5 Reporting Arrangement

Report on the progress of implementation of the RAP will be useful to effect necessary adjustments and in measuring performance. Progress reports will be made on quarterly basis. The reports will outline in summary the progress, achievements, challenges and lessons learnt.

13 Conclusions and Recommendations

13.1 Conclusions

The RAP sets the framework for compensating the PAPs. It notes that pastoral areas present particular challenges and opportunities for both the developer and the community. The people of Sirima settlement from a western perspective live in extreme poverty with limited access to water, schools and health facilities. However, from a nomadic perspective they do have access to facilities such as dispensaries and towns albeit a day's journey away, and nearby they have access to water and a classroom which is more than most other nomadic groups have and they would not regard themselves as being in poverty per se.

Being transhumance pastoralists and having settled nearby the main C77 road, over time, they have been and are continually exposed to change and modernisation via tourist and traders bringing their merchandise to markets. The construction of the wind-farm will undoubtedly be a major change to their area and to a lesser extent to the culture and lifestyle of the community. However this will be of a temporary nature, as implementation of this RAP will ensure that rights of PAHs and PAPs are adhered to and protected.

When the plant is operational the area should revert, to a similar inactive location as should their culture and lifestyle over a period of time. The community will benefit from the project but will also be able to continue with their pastoral lifestyle during project operation phase.

13.2 Recommendations

Relocation Site: Relocation will be to the agreed relocation area within the same vicinity (c.1.5km) to ensure that PAPs are not made worse off by the Project. LTWP in collaboration with the community elders have already identified a suitable relocation area nearby.

Relocation Notice Period: According to Kenya compensation legislation where structures are involved the owner should be given adequate notice (90-days) to vacate the land in order to ensure smooth transition. Given the community have agreed to relocate to a new location and LTWP in conjunction with the community will provide additional materials required to improve the habitable and adequacy of the structures and the community will undertake the labour associated with construction of the new settlement this should not be an issue.

The project, through implementation of this RAP will ensure that rights of PAHs and PAPs are adhered to and protected.

Stakeholder Consultations: There will be continuous consultations and involvement of Chiefs, PAPs and settlement elders during the overall RAP implementation and in issues of rehabilitation assistance. Continued consultations will ensure that community needs are met and that dissemination of information is undertaken in a timely and equitable.

Future consultations will include, informing stakeholders on issues such as clearance of road reserve to make way for the commencement of road works, rehabilitation assistance packages and disbursements thereof.

Employment Opportunities: Consider the community members for employment opportunities where possible. Most of the affected community members may not have the requisite education or skills to do complex assignments however LTWP will employ a discriminatory policy in favour of the Sirima community and training, with a gender dimension favouring women will be provided for those selected.

Special attention will be paid to vulnerable groups and those with special needs.

Community Benefits: LTWP will provide the following benefits:

- i. A new settlement area has been agreed, developed with respect to layout regarding the positioning of the individual PAHs families and the construction of their associated structures as per the wishes of the community that will incorporate the benefits to be provided by LTWP detailed below, in accordance with the design, sizes and traditional practices associated with Manyattas and sitting rooms;
- ii. Manyattas and other structures, such as sitting rooms, will be of standard sizes for all affected structures the circumferences of the main dwelling will be increased to the maximum size assessed i.e. 13m Manyattas \ Main abodes and 10m for sitting rooms. The Manyattas will be fitted with tarpaulin and a solar system;
- iii. LTWP commits to procure similar construction materials, transport the materials to Site, use labour from Sirima community, pay standard daily rates for labour and provide food and water during construction of the Manyattas and associated structures at the new settlement location;
- iv. Provision of potable water by means of a dedicated borehole for the community, storage tank, livestock trough (completed);
- v. Support by LTWP's mobile first aid ambulance to attend to emergencies;
- vi. Construction of pit latrine at the relocation site;

-
- vii. Construction of a classroom;
 - viii. A suitable boundary fence to provide security;
 - ix. Construction of a community store and provision of first stock of provisions for the community store as detailed in the appendices attached to this MoU (List of commodities planned in the store to be attached in this MOU? ;
 - x. LTWP will undertake a Banking Agents role 'Trust Account' for those members of the Sirima community who wish to avail benefit of this cash security option;
 - xi. Training of community members on sustainable entrepreneurial skills in association with the running, managing, stock keeping practices and replenishing of the community store provisions, Banking Agents procedures and basic financing aspects associated with their cash compensation. LTWP will not provide credit in respect to its Banking Agent role;
 - xii. Consider the community members for employment opportunities, where possible.
 - xiii. Solar panels for all main Manyattas; and
 - xiv. Tarpaulin domes for all Manyattas

14 Appendix A:

- 1) List of Entitled PAHs with Affected structures and their Compensation Entitlements;
- 2) Draft Memorandum of Understanding (MoU) Between LTWP and Sirima Community for the relocation of Project Affected Structures (Manyatta);
- 3) PCOD Assistance Relocation Agreement (Draft) MoU;
- 4) PCOD Relocation Letter of Agreement, 26 November 2014;
- 5) List of Vulnerable Persons within Sirima Village;
- 6) Grievance Redress Template;
- 7) Minutes of Stakeholder Engagements;
- 8) Labour Force Daily Log Template;
- 9) Sirima Compensation Package Example Template;
- 10) PCOD Household Demographics and Structures;
- 11) Banking Agent Procedure;
- 12) Implementation Schedule;

Reference Documents

- 13) LTWP ESMS and associated Management Plans
- 14) Framework ESMP
- 15) Community Health and Safety Management Plan
- 16) Stakeholder Engagement Plan, and
- 17) Transport and Laydown Management Plans
- 18) Lenders ESAP
- 19) EIB Involuntary Resettlement
- 20) IFC Involuntary Resettlement

Appendix No 1: List of Entitled PAHs with Affected structures and their Compensation Entitlements

List of Entitled PAHs with Affected Structures in Sirima Encampment and Compensation Entitlements												
SEQUENCE CHECK	A-RAP for SIRIMA UNIQUE REF NO	187	159	346	2,964,150	444,623	3,408,773	1,657,500	2,116,000	4,900,000	1,470,000	13,752,273
		Total Number of Project Affected Residential Structures for PAHs	Total Number of Project Affected Sitting rooms for PAHs	Total Number of Project Affected Structures for PAHs	PAH CASH BENEFIT for Project Affected Structures salvage CASH VALUE TO BE PAID BY LTWP, KES	15% Disturbance Allowance to PAH, KES	Total CASH BENEFIT to PAH (with 15% DA), KES	PAH IN KIND BENEFIT (costs of materials for salvage loss for Project Affected Structures to be replaced by LTWP), KES	PAH IN KIND BENEFIT (costs of materials to top up original Structures to 13m/10m circumference, provided by LTWP), KES	PAH CASH BENEFIT (labour costs for Project Affected Structures rebuilding), KES	PAH IN KIND BENEFIT (food, water provided by LTWP for labour), KES	TOTAL SIRIMA PROJECT AFFECTED STRUCTURES RELOCATION COSTS TO LTWP, KES
1	SIR-LO-001/1	1	1	2	17,500	2,625	20,125	11,000	11,000	28,000	8,400	78,525
2	SIR-LO-001/2	1	1	2	14,700	2,205	16,905	9,000	16,500	28,000	8,400	78,005
3	SIR-LO-001/3	1	1	2	16,100	2,415	18,515	10,000	14,000	28,000	8,400	78,915
4	SIR-LO-001/4	1	1	2	15,400	2,310	17,710	9,500	15,000	28,000	8,400	78,610
5	SIR-LO-001/5	1	0	1	11,900	1,785	13,685	7,500	2,000	16,000	4,800	43,985
6	SIR-LO-001/6	1	2	3	24,150	3,623	27,773	15,500	18,000	40,000	12,000	113,273
7	SIR-LO-001/7	1	1	2	21,000	3,150	24,150	13,000	4,000	28,000	8,400	77,550
8	SIR-LO-002/1	2	2	4	41,650	6,248	47,898	25,500	8,500	56,000	16,800	154,698
9	SIR-LO-002/2	1	1	2	20,650	3,098	23,748	13,000	4,000	28,000	8,400	77,148
10	SIR-LO-002/3	1	0	1	9,800	1,470	11,270	6,000	6,000	16,000	4,800	44,070
11	SIR-LO-002/4	1	1	2	20,650	3,098	23,748	13,000	4,000	28,000	8,400	77,148
12	SIR-LO-006	1	1	2	16,450	2,468	18,918	10,000	13,500	28,000	8,400	78,818
13	SIR-LO-008	1	2	3	24,500	3,675	28,175	15,000	17,000	40,000	12,000	112,175
14	SIR-LO-010	1	1	2	13,650	2,048	15,698	9,000	18,500	28,000	8,400	79,598
15	SIR-LO-011/1	1	0	1	11,900	1,785	13,685	7,500	2,000	16,000	4,800	43,985
16	SIR-LO-011/2	1	0	1	10,850	1,628	12,478	7,000	4,000	16,000	4,800	44,278
17	SIR-LO-011/3	1	0	1	12,250	1,838	14,088	7,500	1,500	16,000	4,800	43,888
18	SIR-LO-014	1	1	2	18,900	2,835	21,735	11,500	8,500	28,000	8,400	78,135
19	SIR-LO-015	1	1	2	19,250	2,888	22,138	12,500	7,000	28,000	8,400	78,038
20	SIR-LO-016	1	2	3	25,200	3,780	28,980	15,500	16,000	40,000	12,000	112,480
21	SIR-LO-018	1	1	2	18,200	2,730	20,930	11,500	10,000	28,000	8,400	78,630
22	SIR-LO-020	2	0	2	17,850	2,678	20,528	11,500	15,500	32,000	9,600	89,128
23	SIR-LO-021	3	2	5	48,300	7,245	55,545	30,000	21,000	72,000	21,600	200,145
24	SIR-LO-022	1	2	3	22,750	3,413	26,163	14,500	20,500	40,000	12,000	113,163
25	SIR-LO-023	1	1	2	11,900	1,785	13,685	7,500	22,500	28,000	8,400	80,085
26	SIR-LO-024	1	1	2	15,050	2,258	17,308	9,500	15,500	28,000	8,400	78,708
27	SIR-LO-025	1	1	2	19,600	2,940	22,540	12,000	6,000	28,000	8,400	76,940

List of Entitled PAHs with Affected Structures in Sirima Encampment and Compensation Entitlements												
SEQUENCE CHECK	A-RAP for SIRIMA UNIQUE REF NO	187	159	346	2,964,150	444,623	3,408,773	1,857,500	2,116,000	4,900,000	1,470,000	13,752,273
		Total Number of Project Affected Residential Structures for PAHs	Total Number of Project Affected Sitting rooms for PAHs	Total Number of Project Affected Structures for PAHs	PAH CASH BENEFIT for Project Affected Structures salvage CASH VALUE TO BE PAID BY LTWP, KES	15% Disturbance Allowance to PAH, KES	Total CASH BENEFIT to PAH (with 15% DAL), KES	PAH IN KIND BENEFIT (costs of materials for salvage loss for Project Affected Structures to be replaced by LTWP), KES	PAH IN KIND BENEFIT (costs of materials to top up original Structures to 13m/10m circumference, provided by LTWP), KES	PAH CASH BENEFIT (labour costs for Project Affected Structures rebuilding), KES	PAH IN KIND BENEFIT (food, water provided by LTWP for labour), KES	TOTAL SIRIMA PROJECT AFFECTED STRUCTURES RELOCATION COSTS TO LTWP, KES
28	SIR-LO-026	1	0	1	9,100	1,365	10,465	6,000	7,500	16,000	4,800	44,765
29	SIR-LO-027	1	1	2	19,600	2,940	22,540	12,500	7,000	28,000	8,400	78,440
30	SIR-LO-028	1	1	2	15,750	2,363	18,113	10,000	14,000	28,000	8,400	78,513
31	SIR-LO-029	1	0	1	9,450	1,418	10,868	6,000	7,000	16,000	4,800	44,668
32	SIR-LO-032	1	1	2	15,400	2,310	17,710	9,500	15,500	28,000	8,400	79,110
33	SIR-LO-033	1	1	2	17,500	2,625	20,125	11,000	11,000	28,000	8,400	78,525
34	SIR-LO-034	1	1	2	14,700	2,205	16,905	9,500	16,500	28,000	8,400	79,305
35	SIR-LO-035	2	1	3	27,300	4,095	31,395	17,500	17,000	44,000	13,200	123,095
36	SIR-LO-036/1	1	1	2	13,300	1,995	15,295	8,500	19,500	28,000	8,400	79,695
37	SIR-LO-036/2	1	2	3	18,900	2,835	21,735	12,000	29,000	40,000	12,000	114,735
38	SIR-LO-037	1	2	3	18,900	2,835	21,735	12,000	28,500	40,000	12,000	114,235
39	SIR-LO-038	1	1	2	13,300	1,995	15,295	8,500	19,000	28,000	8,400	79,195
40	SIR-LO-039	1	1	2	18,200	2,730	20,930	11,500	9,500	28,000	8,400	78,330
41	SIR-LO-040	1	2	3	16,450	2,468	18,918	10,500	33,500	40,000	12,000	114,918
42	SIR-LO-041	1	2	3	29,050	4,358	33,408	18,000	8,000	40,000	12,000	111,408
43	SIR-LO-042	1	0	1	8,050	1,208	9,258	5,000	10,000	16,000	4,800	45,058
44	SIR-LO-043	1	2	3	24,850	3,728	28,578	15,500	16,500	40,000	12,000	112,578
45	SIR-LO-044/1	1	1	2	13,650	2,048	15,698	9,000	19,000	28,000	8,400	80,098
46	SIR-LO-044/2	2	1	3	25,550	3,833	29,383	16,000	21,000	44,000	13,200	123,583
47	SIR-LO-045	1	2	3	18,900	2,835	21,735	11,500	29,000	40,000	12,000	114,235
48	SIR-LO-046/1	1	2	3	24,500	3,675	28,175	15,500	17,500	40,000	12,000	113,175
49	SIR-LO-046/2	1	1	2	18,900	2,835	21,735	12,000	8,000	28,000	8,400	78,135
50	SIR-LO-046/3	1	1	2	19,600	2,940	22,540	12,000	6,500	28,000	8,400	77,440
51	SIR-LO-046/4	1	0	1	10,850	1,628	12,478	7,000	4,000	16,000	4,800	44,278
52	SIR-LO-047	1	2	3	25,900	3,885	29,785	16,000	14,500	40,000	12,000	112,285
53	SIR-LO-048	1	2	3	22,050	3,308	25,358	13,500	22,500	40,000	12,000	113,358
54	SIR-LO-049/1	1	2	3	20,300	3,045	23,345	13,000	25,500	40,000	12,000	113,845

List of Entitled FAHs with Affected Structures in Sirima Encampment and Compensation Entitlements												
SEQUENCE CHECK	A-RAP for SIRIMA UNIQUE REF NO	187	159	946	2,964,150	444,623	3,408,773	1,857,500	2,116,000	4,900,000	1,470,000	13,752,273
		Total Number of Project Affected Residential Structures for FAHs	Total Number of Project Affected Sitting rooms for FAHs	Total Number of Project Affected Structures for FAHs	PAH CASH BENEFIT for Project Affected Structures salvage CASH VALUE TO BE PAID BY LTWP, KES	15% Disturbance Allowance to PAH, KES	Total CASH BENEFIT to PAH (with 15% D/A), KES	PAH IN KIND BENEFIT (costs of materials for salvage loss for Project Affected Structures to be replaced by LTWP), KES	PAH IN KIND BENEFIT (costs of materials to top up original Structures to 13m/10m circumference, provided by LTWP), KES	PAH CASH BENEFIT (labour costs for Project Affected Structures rebuilding), KES	PAH IN KIND BENEFIT (food, water provided by LTWP for labour), KES	TOTAL SIRIMA PROJECT AFFECTED STRUCTURES RELOCATION COSTS TO LTWP, KES
55	SIR-LO-049/2	2	1	3	27,300	4,095	31,395	17,000	17,000	44,000	13,200	122,595
56	SIR-LO-050/1	2	1	3	30,100	4,515	34,615	19,000	11,000	44,000	13,200	121,815
57	SIR-LO-050/2	1	2	3	27,650	4,148	31,798	17,000	11,500	40,000	12,000	112,298
58	SIR-LO-051	1	0	1	11,200	1,680	12,880	7,000	4,000	16,000	4,800	44,680
59	SIR-LO-052/1	1	0	1	9,450	1,418	10,868	6,000	7,000	16,000	4,800	44,668
60	SIR-LO-052/2	1	0	1	4,900	735	5,635	3,000	16,500	16,000	4,800	45,935
61	SIR-LO-053/1	1	2	3	29,050	4,358	33,408	18,000	7,000	40,000	12,000	110,408
62	SIR-LO-053/2	1	1	2	18,900	2,835	21,735	11,500	8,500	28,000	8,400	78,135
63	SIR-LO-056/1	4	2	6	53,550	8,033	61,583	33,000	35,500	88,000	26,400	244,483
64	SIR-LO-056/2	2	2	4	36,750	5,513	42,263	23,000	18,500	56,000	16,800	156,563
65	SIR-LO-056/3	3	1	4	37,100	5,565	42,665	23,500	23,500	60,000	18,000	167,665
66	SIR-LO-056/4	1	1	2	17,500	2,625	20,125	11,000	11,500	28,000	8,400	79,025
67	SIR-LO-056/5	1	1	2	17,500	2,625	20,125	11,000	11,000	28,000	8,400	78,525
68	SIR-LO-056/6	1	0	1	9,100	1,365	10,465	6,000	7,500	16,000	4,800	44,765
69	SIR-LO-056/7	1	1	2	16,100	2,415	18,515	10,000	14,000	28,000	8,400	78,915
70	SIR-LO-057	1	1	2	17,500	2,625	20,125	11,000	11,000	28,000	8,400	78,525
71	SIR-LO-058	1	2	3	21,350	3,203	24,553	13,500	23,500	40,000	12,000	113,553
72	SIR-LO-059	1	1	2	21,000	3,150	24,150	13,000	4,000	28,000	8,400	77,550
73	SIR-LO-060	1	1	2	19,250	2,888	22,138	12,000	7,000	28,000	8,400	77,538
74	SIR-LO-061	1	1	2	14,350	2,153	16,503	9,000	18,000	28,000	8,400	79,903
75	SIR-LO-062	3	1	4	32,550	4,883	37,433	20,000	33,500	60,000	18,000	168,933
76	SIR-LO-063	2	1	3	27,650	4,148	31,798	17,500	17,000	44,000	13,200	123,498
77	SIR-LO-065/1	2	1	3	23,800	3,570	27,370	15,000	25,500	44,000	13,200	125,070
78	SIR-LO-065/2	1	1	2	19,250	2,888	22,138	12,000	7,000	28,000	8,400	77,538
79	SIR-LO-066/1	2	2	4	32,550	4,883	37,433	20,000	28,000	56,000	16,800	158,233
80	SIR-LO-066/2	1	0	1	9,800	1,470	11,270	6,000	6,000	16,000	4,800	44,070
81	SIR-LO-067	1	1	2	17,850	2,678	20,528	11,500	10,000	28,000	8,400	78,428

List of Entitled PAHs with Affected Structures in Sirima Encampment and Compensation Entitlements												
SEQUENCE CHECK	A-RAP for SIRIMA UNIQUE REF NO	187	159	346	2,964,150	444,623	3,408,773	1,857,500	2,116,000	4,900,000	1,470,000	13,752,273
		Total Number of Project Affected Residential Structures for PAHs	Total Number of Project Affected Sitting rooms for PAHs	Total Number of Project Affected Structures for PAHs	PAH CASH BENEFIT for Project Affected Structures salvage, CASH VALUE TO BE PAID BY LTWP, KES	15% Disturbance Allowance to PAH, KES	Total CASH BENEFIT to PAH (with 15% D/A), KES	PAH IN KIND BENEFIT (costs of materials for salvage loss for Project Affected Structures to be replaced by LTWP), KES	PAH IN KIND BENEFIT (costs of materials to top up original Structures to 13m/10m circumference, provided by LTWP), KES	PAH CASH BENEFIT (labour costs for Project Affected Structures rebuilding), KES	PAH IN KIND BENEFIT (food, water provided by LTWP for labour), KES	TOTAL SIRIMA PROJECT AFFECTED STRUCTURES RELOCATION COSTS TO LTWP, KES
82	SIR-LO-068/1	1	2	3	24,150	3,623	27,773	15,000	18,500	40,000	12,000	113,273
83	SIR-LO-068/2	1	1	2	17,850	2,678	20,528	11,000	10,000	28,000	8,400	77,928
84	SIR-LO-070	1	2	3	20,650	3,098	23,748	13,000	26,000	40,000	12,000	114,748
85	SIR-LO-072/1	1	1	2	20,300	3,045	23,345	12,500	6,000	28,000	8,400	78,245
86	SIR-LO-072/2	1	1	2	19,600	2,940	22,540	12,500	6,500	28,000	8,400	77,940
87	SIR-LO-073/1	1	1	2	18,550	2,783	21,333	11,500	9,500	28,000	8,400	78,733
88	SIR-LO-073/2	1	1	2	17,500	2,625	20,125	11,000	11,500	28,000	8,400	79,025
89	SIR-LO-075	1	3	4	37,450	5,618	43,068	23,500	10,500	52,000	15,600	144,668
90	SIR-LO-076/1	1	1	2	14,350	2,153	16,503	9,000	17,500	28,000	8,400	79,403
91	SIR-LO-076/2	1	1	2	18,200	2,730	20,930	11,500	9,000	28,000	8,400	77,830
92	SIR-LO-078	1	0	1	9,800	1,470	11,270	6,000	6,500	16,000	4,800	44,570
93	SIR-LO-079/1	1	1	2	18,550	2,783	21,333	11,500	9,000	28,000	8,400	78,233
94	SIR-LO-079/2	1	1	2	19,250	2,888	22,138	12,000	7,500	28,000	8,400	78,038
95	SIR-LO-080/1	2	2	4	36,050	5,408	41,458	22,500	19,500	56,000	16,800	156,258
96	SIR-LO-080/2	1	1	2	19,950	2,993	22,943	12,500	5,500	28,000	8,400	77,343
97	SIR-LO-081/1	1	1	2	16,800	2,520	19,320	10,500	13,000	28,000	8,400	79,220
98	SIR-LO-081/2	1	2	3	22,400	3,360	25,760	14,000	21,000	40,000	12,000	112,760
99	SIR-LO-084/1	1	1	2	17,150	2,573	19,723	10,500	12,000	28,000	8,400	78,623
100	SIR-LO-084/2	1	1	2	15,400	2,310	17,710	9,500	15,000	28,000	8,400	78,610
101	SIR-LO-084/3	1	2	3	17,850	2,678	20,528	11,000	30,500	40,000	12,000	114,028
102	SIR-LO-084/4	1	1	2	15,750	2,363	18,113	10,000	14,500	28,000	8,400	79,013
103	SIR-LO-084/5	1	2	3	17,850	2,678	20,528	11,500	30,500	40,000	12,000	114,528
104	SIR-LO-085	1	2	3	19,250	2,888	22,138	12,000	28,000	40,000	12,000	114,138
105	SIR-LO-086	1	0	1	10,850	1,628	12,478	7,000	4,000	16,000	4,800	44,278
106	SIR-LO-087	1	1	2	15,750	2,363	18,113	10,500	14,000	28,000	8,400	79,013
107	SIR-LO-088	3	2	5	46,550	6,983	53,533	29,000	25,000	72,000	21,600	201,133
108	SIR-LO-089	1	1	2	18,200	2,730	20,930	11,500	10,000	28,000	8,400	78,830

List of Entitled FAHs with Affected Structures in Sirima Encampment and Compensation Entitlements												
SEQUENCE CHECK	A-EAF for SIRIMA UNIQUE REF NO	187	159	546	2,964,150	444,623	3,408,773	1,857,500	2,116,000	4,900,000	1,470,000	13,752,273
		Total Number of Project Affected Residential Structures for PAHs	Total Number of Project Affected Sitting rooms for PAHs	Total Number of Project Affected Structures for PAHs	PAH CASH BENEFIT for Project Affected Structures salvage, CASH VALUE TO BE PAID BY LTWP, KES	15% Disturbance Allowance to PAH, KES	Total CASH BENEFIT to PAH (with 15% DA), KES	PAH IN KIND BENEFIT (costs of materials for salvage loss for Project Affected Structures to be replaced by LTWP), KES	PAH IN KIND BENEFIT (costs of materials to top up original Structures to 13m/10m circumference, provided by LTWP), KES	PAH CASH BENEFIT (labour costs for Project Affected Structures rebuilding), KES	PAH IN KIND BENEFIT (food, water provided by LTWP for labour), KES	TOTAL SIRIMA PROJECT AFFECTED STRUCTURES RELOCATION COSTS TO LTWP, KES
109	SIR-LO-090	1	1	2	20,300	3,045	23,345	13,000	5,000	28,000	8,400	77,745
110	SIR-LO-091	2	1	3	24,150	3,623	27,773	14,500	24,000	44,000	13,200	123,473
111	SIR-LO-092	1	1	2	17,150	2,573	19,723	11,000	12,000	28,000	8,400	79,123
112	SIR-LO-093	1	0	1	9,450	1,418	10,868	6,000	7,000	16,000	4,800	44,668
113	SIR-LO-094/1	1	1	2	17,150	2,573	19,723	11,000	11,500	28,000	8,400	78,623
114	SIR-LO-094/2	1	1	2	19,600	2,940	22,540	12,000	6,500	28,000	8,400	77,440
115	SIR-LO-095	1	2	3	27,300	4,095	31,395	17,500	12,000	40,000	12,000	112,895
116	SIR-LO-096	1	1	2	18,550	2,783	21,333	11,500	8,500	28,000	8,400	77,733
117	SIR-LO-097/1	1	1	2	19,250	2,888	22,138	12,000	7,000	28,000	8,400	77,538
118	SIR-LO-097/2	1	0	1	7,350	1,103	8,453	4,500	11,500	16,000	4,800	45,253
119	SIR-LO-098/1	1	1	2	16,450	2,468	18,918	10,500	13,000	28,000	8,400	78,818
120	SIR-LO-098/2	1	1	2	15,050	2,258	17,308	10,000	15,500	28,000	8,400	79,208
121	SIR-LO-098/3	1	1	2	18,550	2,783	21,333	11,500	8,000	28,000	8,400	77,233
122	SIR-LO-099	1	1	2	15,400	2,310	17,710	9,500	15,500	28,000	8,400	79,110
123	SIR-LO-100	3	1	4	38,150	5,723	43,873	24,000	21,000	60,000	18,000	166,873
124	SIR-LO-101	1	1	2	20,650	3,098	23,748	13,000	5,000	28,000	8,400	78,148
125	SIR-LO-102	1	0	1	9,100	1,365	10,465	5,500	8,000	16,000	4,800	44,765
126	SIR-LO-103/1	1	1	2	16,450	2,468	18,918	10,500	13,000	28,000	8,400	78,818
127	SIR-LO-103/2	1	0	1	10,500	1,575	12,075	6,500	5,000	16,000	4,800	44,375
128	SIR-LO-103/3	1	1	2	14,000	2,100	16,100	9,000	18,500	28,000	8,400	80,000
129	SIR-LO-104	1	0	1	8,400	1,260	9,660	5,500	9,000	16,000	4,800	44,960
130	SIR-LO-105	1	0	1	9,450	1,418	10,868	6,000	7,500	16,000	4,800	45,168
131	SIR-LO-106	1	1	2	19,600	2,940	22,540	12,000	6,500	28,000	8,400	77,440
132	SIR-LO-107	1	2	3	25,200	3,780	28,980	16,000	16,000	40,000	12,000	112,980
133	SIR-LO-108	1	0	1	10,500	1,575	12,075	6,500	5,000	16,000	4,800	44,375
134	SIR-LO-109	1	1	2	15,750	2,363	18,113	10,000	14,500	28,000	8,400	79,013
135	SIR-LO-110	1	1	2	17,150	2,573	19,723	10,500	11,500	28,000	8,400	78,123

List of Entitled PAHs with Affected Structures in Sirima Encampment and Compensation Entitlements												
SEQUENCE CHECK	A-RAP for SIRIMA UNIQUE REF NO	187	159	346	2,964,150	444,623	3,408,773	1,857,500	2,116,000	4,900,000	1,470,000	13,752,273
		Total Number of Project Affected Residential Structures for PAHs	Total Number of Project Affected rooms for PAHs	Total Number of Project Affected Structures for PAHs	PAH CASH BENEFIT for Project Affected Structures salvage CASH VALUE TO BE PAID BY LTWP, KES	15% Disturbance Allowance to PAH, KES	Total CASH BENEFIT to PAH (with 15% DA), KES	PAH IN KIND BENEFIT (costs of materials for salvage loss for Project Affected Structures to be replaced by LTWP), KES	PAH IN KIND BENEFIT (costs of materials to top up original Structures to 13m/10m circumference, provided by LTWP), KES	PAH CASH BENEFIT (labour costs for Project Affected Structures rebuilding), KES	PAH IN KIND BENEFIT (food, water provided by LTWP for labour), KES	TOTAL SIRIMA PROJECT AFFECTED STRUCTURES RELOCATION COSTS TO LTWP, KES
136	SIR-LO-111	1	0	1	8,750	1,313	10,063	5,500	8,500	16,000	4,000	44,863
137	SIR-LO-112	1	1	2	16,100	2,415	18,515	10,000	14,000	28,000	8,400	78,915
138	SIR-LO-113	1	1	2	17,500	2,625	20,125	11,000	11,500	28,000	8,400	79,025
139	SIR-LO-114	1	1	2	18,200	2,730	20,930	11,500	9,500	28,000	8,400	78,330
140	SIR-LO-115	1	0	1	8,750	1,313	10,063	5,500	8,000	16,000	4,000	44,363
141	SIR-LO-116	1	0	1	9,800	1,470	11,270	6,000	6,500	16,000	4,000	44,570
142	SIR-LO-117/1	1	2	3	18,550	2,783	21,333	11,500	29,000	40,000	12,000	113,833
143	SIR-LO-117/2	1	1	2	17,500	2,625	20,125	11,000	11,000	28,000	8,400	78,525
144	SIR-LO-118	1	1	2	14,000	2,100	16,100	9,000	19,000	28,000	8,400	80,500
145	SIR-LO-119	1	1	2	16,450	2,468	18,918	10,500	13,500	28,000	8,400	79,318
146	SIR-LO-120	1	0	1	11,550	1,733	13,283	7,000	3,000	16,000	4,000	44,083
147	SIR-LO-121	1	0	1	7,000	1,050	8,050	4,500	12,000	16,000	4,000	45,350
148	SIR-LO-122	2	1	3	28,000	4,200	32,200	17,500	15,500	44,000	13,200	122,400
149	SIR-LO-123	1	0	1	9,800	1,470	11,270	6,000	6,500	16,000	4,000	44,570
150	SIR-LO-124	1	0	1	8,400	1,260	9,660	5,000	9,500	16,000	4,000	44,960
151	SIR-LO-125	1	1	2	18,200	2,730	20,930	11,000	9,500	28,000	8,400	77,630
152	SIR-LO-126	1	0	1	9,100	1,365	10,465	6,000	7,500	16,000	4,000	44,765
153	SIR-LO-127/1	1	0	1	8,400	1,260	9,660	5,000	9,500	16,000	4,000	44,960
154	SIR-LO-127/2	1	1	2	11,900	1,785	13,685	7,500	23,000	28,000	8,400	80,585
155	SIR-LO-128	1	1	2	15,750	2,363	18,113	10,000	14,500	28,000	8,400	79,013
156	SIR-LO-129	1	0	1	9,100	1,365	10,465	5,500	8,000	16,000	4,000	44,765
157	SIR-LO-130	1	1	2	19,250	2,888	22,138	12,000	7,000	28,000	8,400	77,538
158	SIR-LO-131	1	1	2	16,800	2,520	19,320	10,500	12,500	28,000	8,400	78,720
159	SIR-LO-132	1	0	1	8,400	1,260	9,660	5,500	9,000	16,000	4,000	44,960
160	SIR-LO-133	1	0	1	8,400	1,260	9,660	5,500	9,000	16,000	4,000	44,960
161	SIR-LO-134	1	0	1	8,750	1,313	10,063	5,500	8,500	16,000	4,000	44,863

Appendix No 2: Draft Memorandum of Understanding (MoU). Between LTWP and Sirima Community for the relocation of Project Affected Structures (Manyatta);



LAKE TURKANA WIND POWER LIMITED

5th Floor, Capitol Hill Towers,
P.O. Box 6316-00619, Nairobi, Kenya
Phone: +245 (20) 272 7428
Phone: +254 (0) 733 751 799

MEMORANDUM OF UNDERSTANDING (MoU)
Between LTWP and Sirima Community for the relocation of project affected structures (Manyattas) affected village: Sirima

Background

It is acknowledged that the Lake Turkana Wind Power (LTWP) Project is a project that shall install wind turbines and power generating plant and equipment in the Marsabit area of Kenya to generate energy from the wind and supply electric power to the national grid (the **Project**).

To successfully implement the Project, installations and improvements shall be made to the land in Marsabit County in the subdivision of Loiyangalani known as Sirima (**Land**) to provide amongst other things, area for installation of wind turbines and transformers and equipment, related internal roads, facilities and ancillary services required to develop the Project (the **Site**).

Lake Turkana Wind Power Limited has procured the required consents and approvals to undertake the development of the Site.

To minimise accidents and as mitigation against any unnecessary misfortunes to the affected Sirima community, which has a settlement located alongside the C77, a third class road, which serves Loiyangalani town some 40km to the North and South Horr some 50km to the South East of the settlement. LTWP taking cognisance of the settlement location and the proposed construction activities in and around the area identified that the safety of the Sirima settlement and the nuisance associated from construction activities concluded that the impacts necessitated the settlement be relocated from its current location to an area not part of the construction activities. Please refer to Figure 1 attached.



LAKE TURKANA WIND POWER LIMITED

LTWP Statement of Objective

LTWP's objective is to ensure that the safety of the Sirima community and livestock is not impaired by the Project and to maintain, if not improve upon, the standards of living of the Sirima community as well as their cultural identity and nomadic lifestyle. LTWP in collaboration with the Sirima nomadic settlement and community elders following detailed discussions and full understanding of the matters discussed agreed and equitable relocation area for the community encampment away from the C77 road to mitigate the potential safety hazards associated with the current location of their nomadic settlement. A suitable relocation area has been identified nearby 1.0 km south of the settlements current location, in a low impact construction area and 2.8 km away from nearest cluster of wind turbines. A compensation plan along with associated community benefits was previously agreed with an entitlement Cut-Off-Date (COD), March 2012. The list of the entitled Project Affected Households (PAHs) (161) with the Project Affected Structures at COD is (346) provided in the attached Schedule 1.

Since the COD a number on stakeholder engagements and consultation meetings took place culminating with the signing of a Agreement on the 2nd of August 2014 during which the COD PAHs assets verification enumeration took place. At a subsequent consultation meeting with LTWP the community requested LTWP to reconsider the 'Like-for-Like' agreed compensation package to a hybrid Cash compensation for their structures. LTWP took the community request away and sought affirmative confirmation from LTWP management and Lenders to the Project and received conditional favourable responses to the community's request.

LTWP Obligations and Responsibilities

Relocation of the Sirima community and encampment will include the following:

- a) A new settlement area has been agreed and developed with respect to layout regarding the positioning of the COD PAHs that will incorporate the benefits to be provided by LTWP detailed below,
- b) Manyattas and other structures, such as sitting rooms, will be of standard sizes for all affected structures (circumferences increased to the maximum size assessed i.e. 13m Manyattas\ Main abodes and 10m for Sitting Rooms);
- c) LTWP commits to procure similar construction materials, transport the materials to Site, use labour from Sirima community, pay standard daily rates for labour and provide food and water during construction of the Manyattas and associated Sitting Room structures at the new settlement location;
- d) LTWP will provide transport for the collection of soil necessary for preparation of mud plaster and thatching purposes for the relocated structures;
- e) Provision of potable water by means of a dedicated borehole for the community, a temporary water storage tank and livestock trough have been provided and following the relocation a permanent water storage tank will be provided at agreed location;
- f) Construction of pit latrines, three (3) male and three (3) female at the agreed site relocation;
- g) Construction of shower facilities three (3) male and three (3) female at the agreed site relocation;



LAKE TURKANA WIND POWER LIMITED

- h) LTWP will procure and provide 187 solar panels and tarpaulin caps for the main Manyattas;
- i) A suitable boundary fence to provide security;
- j) Construction of a community store and provision of first stock to the maximum value of 100,00KES (one Hundred Thousand Kenyan Shillings);
- k) LTWP will undertake a Banking Agents role 'Trust Account' for those members of the Sirima community who wish to take advantage of the "cash security option" and the process of withdrawal is as per attachment in Figure 2;
- l) Training of community members on sustainable entrepreneurial skills in association with the running, managing, stock keeping practices and replenishing of the community store provisions, Banking Agents procedures and basic financing aspects associated with their cash compensation. LTWP will not provide credit in respect to its Banking Agent role;
- m) Consider the community members for employment opportunities, where possible;
- n) Construction of a classroom;
- o) LTWP will construct an elders shade \ sitting area in the new relocation site;
- p) Support by LTWP's mobile first aid ambulance to attend to emergencies.

Sirima Community\ PAHs obligations and responsibilities

[I/We] the community of Sirima understand that LTWP commits to procure sufficient and similar construction materials as those used to construct the Sitting Room structure(s) and (Manyattas(s) listed in the entitlement matrix following the COD in March 2012 and attached hereto in the Appendices. LTWP will procure and transport sufficient materials to Site that is required to complement the salvaged material from the demolition of the entitled households existing structures to reconstruct similar but larger structures as per agreed design and sizes and use labour from Sirima community to demolish and erect new structures in the new location agreed.

[I/We] the community of Sirima further acknowledge and agree that LTWP shall pay for labour and provide food and water during the construction of the new settlement to the Sirima community labour force. The labour force should where possible come from the female section of the community, however depending upon the family resources males can be used to supplement the female work force.

[I/We] the community of Sirima agreed to relocate their temporary domestic livestock corral\ units at their own cost and time.

[I/We] the community of Sirima agreed during the relocation period of COD structures reside within our existing structures still to be located or with other family members.

[I/We] the community of Sirima following discussions with LTWP have requested of LTWP to make payment in cash for the materials that can be salvaged from the demolition of our existing structures at the same value as that purchased and procured by LTWP from outside the area and agree to use such materials to complement and supplement the salvaged materials to reconstruct the new structures.



LAKE TURKANA WIND POWER LIMITED

[I/We] agree that the cash payment for materials will reflect the difference between the total number of heads\ sticks necessary to build the increased structure(s) design sizes minus the salvaged number of heads\ sticks times the procurement cost for similar materials by LTWP.

[I/We] the community of Sirima hereby confirm and acknowledge that: [I/We] have been consulted as to the relocation compensation packages and benefits offered and have agreed upon the location area; the COD for the entitlement register of affected assets\ structures and Manyattas; the construction period for building of the new structures (main Manyattas 8-days, and 6 additional days for relocation of sitting Rooms);

[I/we] the community of Sirima have been provided with sufficient notice regarding the demolition, salvaging and removal of the structures (Manyattas) or installations; and agree that [I/We] the community of Sirima have no further claim whatsoever against LTWP, and shall hold LTWP harmless and fully indemnified against anybody claiming through or under [me/us] the community of Sirima in respect of the said structures, installations or any other claim arising thereof.

[I/We] the community of Sirima agree to commence the demolition, salvaging materials from our existing structures so that they can be utilised in the reconstruction of our new structures and will be compensated in cash as per recital of the above paragraph #4 and [I/We] the community agree unconditionally to carry out the demolition and reconstruction in accordance with terms of this MoU and to the design, sizes, timeframes agreed and detailed above for demolition, salvaging and reconstruction of the various structures and for the compensation payments and benefits provided by LTWP and as per LTWP designated relocation Officer (Stephen Nakeno) requests, requirements without any obstruction or interference.

The construction and validity of this letter shall be governed by the Laws of Kenya.

Any notices to be sent to the parties to this letter shall be sent to the attention of:

LTWP

Signature:

Address: Lake Turkana Wind Power Limited c/o Axis Kenya L.R. no 1870/1/569, 1st floor, Empress Plaza, corner of Ring Road and Jalaram Road, P.O. box 41968 – 00100 Nairobi, Kenya

Dated at [20TH] (place) this day of [DECEMBER] the year [2014]

Full name of the Sirima community members signing on behalf of the community:

[KWARIK LOSIKE *]

Signature [

]

ID No: [20953266



LAKE TURKANA WIND POWER LIMITED

Witnessed by (Local Administration Officer):

Name [STEPHEN NAKENO] Designation [COMMUNITY LIAISON]

ID No [0635584] Signature []

Official stamp

In the presence of LTWP representatives:

1) Name ^{H. TAYLOR} Designation ^{CHIEF OPERATIONS OFFICER} Signature 

2) Name Designation Signature

Appendix No 3: PCOD Assistance Relocation Agreement (Draft) MoU

 **LAKE TURKANA WIND POWER LIMITED**

5th Floor, Capitol Hill Towers,
P.O. Box 6316-00619, Nairobi, Kenya
Phone: +245 (20) 272 7428
Phone: +254 (0) 733 751 799

**ACKNOWLEDGEMENT OF RELOCATION ASSISTANCE TO
POST-CUT-OFF DATE (PCOD) HOUSEHOLDS STRUCTURES**

AFFECTED VILLAGE: SIRIMA

Background

It is acknowledged that the Lake Turkana Wind Power Project is a project that shall install wind turbines and power generating plant and equipment in the Marsabit area of Kenya to generate energy from the wind and supply electric power to the national grid (the Project).

To successfully implement the Project, installations and improvements shall be made to the land in Marsabit County in the subdivision of Loiyangalani known as Sirima (Land) to provide amongst other things, area for installation of wind turbines and transformers and equipment, related internal roads, facilities and ancillary services required to develop the Project (the Site).

Lake Turkana Wind Power Limited has procured the required consents and approvals to undertake the development of the Site.

To minimise accidents and as mitigation against any unnecessary misfortunes to the affected Sirima community, which has a settlement located alongside the C77, a third class road, which serves Loiyangalani town some 40km to the North and South Horr some 50km to the South East of the settlement. LTWP taking cognisance of the settlement location that the safety of the Sirima settlement and the nuisance associated with construction activities that it is essential that the settlement be relocated from its current location to an area not part of the construction activities.

LTWP Statement of Objective

LTWP's objective is to ensure that the safety of the Sirima community and livestock is not impaired by the Project and to maintain, if not improve upon, the standards of living of the Sirima community as well as their cultural identity and nomadic lifestyle. LTWP in collaboration with the Sirima nomadic settlement and community elders following detailed discussions and full understanding of the issues agreed and equitable relocation area away from the C77 road to mitigate the potential safety hazards associated with the current location of their nomadic settlement. A suitable relocation area has been identified nearby 1.5 km south of the settlements current location, in a low impact construction area and 2.5 km away from nearest cluster of wind turbines. A compensation plan with associated community benefits were agreed with and entitlement Cut-Off Date (COD) was March 2012.



LAKE TURKANA WIND POWER LIMITED

At a meeting on the 15th and 20th of October 2014, the Sirima community requested LTWP to consider providing assistance to twenty-two (22) nomadic households located outside the settlement scheme boundary. The Sirima Clan members with lineage to the eleven (11) families that make up the Sirima community and the community would like for them to be a part of the relocation and to consider providing assistance to relocate their structures to new settlement scheme area. The above request was formally document by letter dated 26th November 2014 attached hereto this agreement. LTWP taking cognisance of the Sirima community's request informed the Sirima Community that these nomadic households were never enumerated and hence came after the COD and by law not entitled to compensation however given the support the community has provide to the project and the existing good relationship between the parties LTWP agreed to look favourably at the community's request. Following deliberation and given that these household came after the COD, herein referred as the Post-COD Households (PCOD) will be provided with the following assistance by LTWP. Please see attached Schedule 1 with the PCOD Households List and their Structures.

LTWP is committed to assisting PCOD Households whom the Sirima community has agreed should also enjoy the associated relocation community benefits provided by LTWP as detailed in the MoU between LTWP and the those community members enumerated at the COD.

LTWP responsibilities and relocation assistance to PCOD as well as agreed community associated benefits will include the following:

- a) Relocation of the PCOD households within the new settlement location in accordance with the structure layout as agreed with the community and in accordance with the Clan \ lineage and family preference;
- b) Manyattas and other structures, such as Sitting Rooms, will be relocated and reconstructed to the same dimensions as current size and PCOD Households will not receive any of the in-kind benefits, solar panels and associated fixing kits or tarpaulin domes;
- c) LTWP commits to provide material loss (heads) during the demolition\ relocation process necessary for the reconstruction of the PCOD Household structures in the new settlement location, however LTWP will not be paying cash compensation for salvage of materials;
- d) LTWP will also assist with transport for the collection of soil and preparation of mud plastering and thatching purposes for the relocated structures;
- e) LTWP commits to pay standard daily rates for labour and provide food and water during demolition and reconstruction of the PCOD Household Manyattas and Sitting Rooms, number forty-six (46) in total, the required labour will be provided by the family members of PCOD Households favouring women.

In accordance with the agreement reached with LTWP and the COD Sirima Community [I\We] the PCOD Households can participate in the training\ awareness seminars and use the community facilities, provided by LTWP, in a sustainable manner as in kind benefits and detailed below.

- f) Provision of potable water by means of a dedicated borehole for the community;
- g) Support by LTWP's mobile first aid ambulance to attend to emergencies;
- h) Construction of pit latrines at the relocation site;
- i) Construction of a classroom;
- j) A suitable boundary fence to provide security;
- k) Construction of a community store and provision of first stock for the community store;
- l) Training of the community members on sustainable entrepreneurial skills;
- m) Consider the community members for employment opportunities, where possible.



LAKE TURKANA WIND POWER LIMITED

[I/We] PCOD household member of Sirima community understand that LTWP commits to provide material loss (heads) which are similar to those used to construct the structure(s) and (Manyattas(s) listed in the Schedule 1 attached hereto following the PCOD Households Letter of 26th of November 2014. LTWP will provide materials to supplement any salvage loss and use labour from the PCOD Household family members erect rehabilitated structures within the new location agreed.

[I/We] PCOD household member of Sirima community further acknowledge and agree that LTWP shall pay for labour and provide food and water during the construction of the new settlement to the family members of the PCOD households.

[I/We] PCOD household member of Sirima community hereby confirm that [I\We] have no right to compensation as [I\We] were not residing in the Sirima settlement at the COD March 2012 and acknowledge that [I/We] have been consulted as to the relocation assistance offered by LTWP and have agreed to the assistance and upon the relocation allocate to [I\We]; the PCOD for the assistance entitlement assistance register, November 2014 of the forty-six structures, twenty-three Manyattas and twenty-three Sitting Rooms; the construction period for reconstructing of the structures would be six days four people per structure.

[I/We] PCOD Household members of Sirima community have been provided with sufficient notice regarding the salvaging, removal and relocation of the structures; and agree that [I/We] PCOD Household members of Sirima community have no further claim whatsoever against LTWP, and shall hold LTWP harmless and fully indemnified against anybody claiming through or under [me/us] the PCOD Household members of Sirima community in respect of the said structures, installations or any other claim arising thereof.

[I/We] the community of Sirima agreed during the relocation period of PCOD structures reside within our existing structures still to be located or with other family members.

[I/We] the PCOD household member of Sirima community accept that LTWP is entitled to immediately thereafter unconditionally carry out the construction works of the Project without any obstruction or interference.

The construction and validity of this letter shall be governed by the Laws of Kenya.

Any notices to be sent to the parties to this letter shall be sent to the attention of:

LTWP

Signature:



Address: Lake Turkana Wind Power Limited c/o Axis Kenya L.R. no 1870/1/569, 1st floor, Empress Plaza, corner of Ring Road and Jalaram Road, P.O. box 41968 – 00100 Nairobi, Kenya

Dated at [20th] (place) this day of [DECEMBER] the year [2014.]



LAKE TURKANA WIND POWER LIMITED

Full name of the Sirima community members signing on behalf of the community:

[LOPEYOK LONGOKIT *]

Signature [*Lopeyok*] ID No: [27384135]

LORISAE KAJE STEPHEN
Lorisae 32421347

Witnessed by (Local Administration Officer):

Name [STEPHEN NAKENO] Designation [COMMUNITY LIASON]

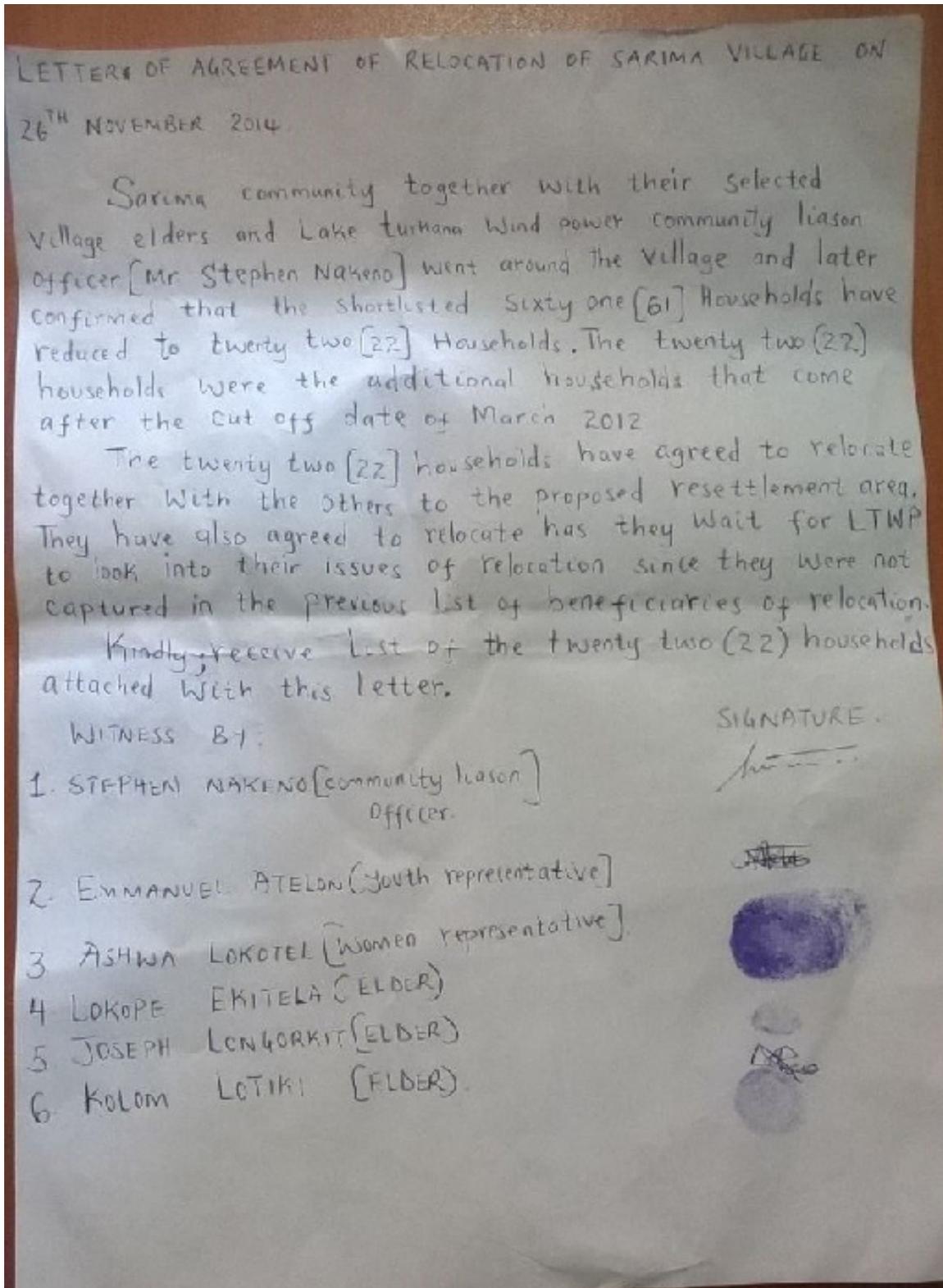
ID No [0635584] Signature [*Stephen Nakeno*]

Official stamp

In the presence of LTWP representatives:

- 1) Name *N. J. TAYLOR* Designation *CHIEF OPERATIONS OFFICER* Signature *[Signature]*
- 2) Name Designation Signature

Appendix No 4: POCD Relocation Letter of Agreement, 26 November 2014



Appendix No 5: List Vulnerable Persons

LIST OF VULNERABLE PERSONS WITHIN SIRIMA VILLAGE					
Sequence No	RAP Sirima Unique Reference Number	Person is Household Head YES/NO	Gender	Vulnerability Factor	Vulnerability Weighting Index
1	SIR-LO-001/1	YES	Female	Old Age (greater than 70)	3.5
2	SIR-LO-001/2	YES	Female	Female Headed Households	2.5
3	SIR-LO-001/3	YES	Female	Female Headed Households	2.5
4	SIR-LO-001/5	YES	Female	Old Age (greater than 70)	3.5
5	SIR-LO-001/6	YES	Female	Old Age (greater than 70)	3.5
6	SIR-LO-002/1	YES	Female	Old age and Visually impaired	4.5
7	SIR-LO-002/2	YES	Female	Female Headed Households	2.5
8	SIR-LO-002/3	YES	Female	Female Headed Households	2.5
9	SIR-LO-002/4	YES	Female	Female Headed Households	2.5
10	SIR-LO-006	YES	Female	Old Age (greater than 70)	3.5
11	SIR-LO-008	YES	Female	Female Headed Households	2.5
12	SIR-LO-010	YES	Female	Female Headed Households	2.5
13	SIR-LO-011/2	YES	Female	Female Headed Households	2.5
14	SIR-LO-011/3	YES	Female	Old Age (greater than 70)	3.5
15	SIR-LO-014	YES	Female	Female Headed Households	2.5
16	SIR-LO-015	YES	Female	Female Headed Households	2.5
17	SIR-LO-016	YES	Female	Female Headed Households	2.5
18	SIR-LO-018	YES	Female	Female Headed Households	2.5
19	SIR-LO-020	YES	Female	Female Headed Households	2.5
20	SIR-LO-021	YES	Female	Female Headed Households	2.5
21	SIR-LO-022	YES	Female	Female Headed Households	2.5
22	SIR-LO-023	YES	Female	Female Headed Households	2.5
23	SIR-LO-024	YES	Female	Female Headed Households	2.5
24	SIR-LO-026	YES	Female	Female Headed Households	2.5
25	SIR-LO-027	YES	Female	Female Headed Households	2.5
26	SIR-LO-028	YES	Female	Female Headed Households	2.5
27	SIR-LO-029	YES	Female	Female Headed Households	2.5
28	SIR-LO-032	YES	Female	Female Headed Households	2.5
29	SIR-LO-034	YES	Female	Female Headed Households	2.5
30	SIR-LO-035	YES	Female	Female Headed Households	2.5
31	SIR-LO-036/1	YES	Female	Female Headed Households	2.5
32	SIR-LO-036/2	YES	Female	Female Headed Households	2.5
33	SIR-LO-037	YES	Female	Old Age (greater than 70)	3.5
34	SIR-LO-038	YES	Female	Female Headed Households	2.5
35	SIR-LO-039	YES	Female	Female Headed Households	2.5
36	SIR-LO-041	YES	Female	Female Headed Households	2.5
37	SIR-LO-042	YES	Female	Female Headed Households	2.5
38	SIR-LO-043	YES	Male	Old Age (greater than 70)	1
39	SIR-LO-044/1	YES	Female	Female Headed Households	2.5
40	SIR-LO-044/2	YES	Female	Female Headed Households	2.5
41	SIR-LO-045	YES	Female	Female Headed Households	2.5
42	SIR-LO-046/1	YES	Female	Female Headed Households	2.5
43	SIR-LO-048	YES	Female	Female Headed Households	2.5
44	SIR-LO-049/1	YES	Female	Female Headed Households	2.5
45	SIR-LO-049/2	YES	Female	Female Headed Households	2.5
46	SIR-LO-050/1	YES	Female	Old Age (greater than 70)	3.5
47	SIR-LO-050/2	YES	Female	Female Headed Households	2.5
48	SIR-LO-051	YES	Female	Female Headed Households	2.5
49	SIR-LO-052/1	YES	Female	Female Headed Households	2.5
50	SIR-LO-052/2	YES	Female	Female Headed Households	2.5
51	SIR-LO-053/1	YES	Female	Female Headed Households	2.5
52	SIR-LO-053/2	YES	Female	Female Headed Households	2.5
53	SIR-LO-056/2	YES	Female	Female Headed Households	2.5
54	SIR-LO-056/3	YES	Female	Female Headed Households	2.5
55	SIR-LO-056/4	YES	Female	Female Headed Households	2.5
56	SIR-LO-056/5	YES	Female	Female Headed Households	2.5
57	SIR-LO-056/6	YES	Female	Female Headed Households	2.5
58	SIR-LO-056/7	YES	Female	Female Headed Households	2.5
59	SIR-LO-057	YES	Female	Female Headed Households	2.5
60	SIR-LO-058	YES	Female	Female Headed Households	2.5
61	SIR-LO-060	YES	Female	Female Headed Households	2.5
62	SIR-LO-061	YES	Female	Female Headed Households	2.5
63	SIR-LO-065/2	YES	Female	Female Headed Households	2.5
64	SIR-LO-066/1	YES	Female	Female Headed Households	2.5
65	SIR-LO-066/2	YES	Female	Female Headed Households	2.5
66	SIR-LO-067	YES	Female	Old age and Visually impaired	4.5
67	SIR-LO-068/1	YES	Female	Old Age (greater than 70)	3.5
68	SIR-LO-070	YES	Female	Old Age (greater than 70)	3.5
69	SIR-LO-072/1	YES	Female	Female Headed Households	2.5
70	SIR-LO-072/2	YES	Female	Female Headed Households	2.5

Sequence No	RAP Sirima Unique Reference Number	Person is Household Head YES/NO	Gender	Vulnerability Factor	Vulnerability Weighting Index
71	SIR-LO-073/2	YES	Female	Female Headed Households	2.5
72	SIR-LO-073	YES	Female	Female Headed Households	2.5
73	SIR-LO-076/1	YES	Female	Female Headed Households	2.5
74	SIR-LO-078	YES	Female	Female Headed Households	2.5
75	SIR-LO-079/2	YES	Female	Female Headed Households	2.5
76	SIR-LO-080/1	YES	Female	Female Headed Households	2.5
77	SIR-LO-080/2	YES	Female	Female Headed Households	2.5
78	SIR-LO-081/2	YES	Female	Female Headed Households	2.5
79	SIR-LO-084/3	YES	Female	Female Headed Households	2.5
80	SIR-LO-084/4	YES	Female	Female Headed Households	2.5
81	SIR-LO-085	YES	Female	Female Headed Households	2.5
82	SIR-LO-086	YES	Female	Female Headed Households	2.5
83	SIR-LO-088	YES	Female	Female Headed Households	2.5
84	SIR-LO-091	YES	Female	Female Headed Households	2.5
85	SIR-LO-092	YES	Female	Female Headed Households	2.5
86	SIR-LO-093	YES	Female	Female Headed Households	2.5
87	SIR-LO-094/1	YES	Female	Female Headed Households	2.5
88	SIR-LO-095	YES	Female	Female Headed Households	2.5
89	SIR-LO-096	YES	Female	Old Age (greater than 70)	3.5
90	SIR-LO-098/3	YES	Female	Female Headed Households	2.5
91	SIR-LO-099	YES	Female	Female Headed Households	2.5
92	SIR-LO-100	YES	Female	Chest complications	3.5
93	SIR-LO-101	YES	Female	Female Headed Households	2.5
94	SIR-LO-102	YES	Female	Female Headed Households	2.5
95	SIR-LO-103/1	YES	Female	Female Headed Households	2.5
96	SIR-LO-103/3	YES	Female	Female Headed Households	2.5
97	SIR-LO-104	YES	Female	Female Headed Households	2.5
98	SIR-LO-105	YES	Female	Female Headed Households	2.5
99	SIR-LO-106	YES	Female	Female Headed Households	2.5
100	SIR-LO-107	YES	Female	Female Headed Households	2.5
101	SIR-LO-108	YES	Female	Female Headed Households	2.5
102	SIR-LO-109	YES	Female	Female Headed Households	2.5
103	SIR-LO-112	YES	Female	Female Headed Households	2.5
104	SIR-LO-113	YES	Female	Female Headed Households	2.5
105	SIR-LO-114	YES	Female	Female Headed Households	2.5
106	SIR-LO-115	YES	Female	Female Headed Households	2.5
107	SIR-LO-116	YES	Female	Female Headed Households	2.5
108	SIR-LO-117/2	YES	Female	Female Headed Households	2.5
109	SIR-LO-119	YES	Female	Female Headed Households	2.5
110	SIR-LO-120	YES	Female	Female Headed Households	2.5
111	SIR-LO-121	YES	Female	Female Headed Households	2.5
112	SIR-LO-122	YES	Female	Female Headed Households	2.5
113	SIR-LO-123	YES	Female	Female Headed Households	2.5
114	SIR-LO-124	YES	Female	Female Headed Households	2.5
115	SIR-LO-125	YES	Female	Female Headed Households	2.5
116	SIR-LO-126	YES	Female	Female Headed Households	2.5
117	SIR-LO-127/1	YES	Female	Female Headed Households	2.5
118	SIR-LO-127/2	YES	Female	Female Headed Households	2.5
119	SIR-LO-128	YES	Female	Female Headed Households	2.5
120	SIR-LO-129	YES	Female	Female Headed Households	2.5
121	SIR-LO-130	YES	Female	Female Headed Households	2.5
122	SIR-LO-131	YES	Female	Female Headed Households	2.5
123	SIR-LO-132	YES	Female	Female Headed Households	2.5
124	SIR-LO-133	YES	Female	Female Headed Households	2.5
125	SIR-LO-134	YES	Female	Female Headed Households	2.5
126	SIR-LO-008	NO	Female	Mental disorder	5
127	SIR-LO-015	NO	Female	Mental disorder	5
128	SIR-LO-018	NO	Female	Mental disorder	5
129	SIR-LO-021	NO	Female	Old Age (greater than 70)	3.5
130	SIR-LO-027	NO	Female	Mental disorder	5
131	SIR-LO-042	NO	Female	Old Age (greater than 70)	3.5
132	SIR-LO-046/1	NO	Female	Old Age (greater than 70)	3.5
133	SIR-LO-046/2	NO	Female	Old Age (greater than 70)	3.5
134	SIR-LO-048	NO	Female	Old Age (greater than 70)	3.5
135	SIR-LO-052/1	NO	Female	Old age and Visually impaired	4.5
136	SIR-LO-059	NO	Female	Old Age (greater than 70)	3.5
137	SIR-LO-072/2	NO	Female	Old Age (greater than 70)	3.5
138	SIR-LO-084/1	NO	Male	Old Age (greater than 70)	1
139	SIR-LO-084/2	NO	Female	Old Age (greater than 70)	3.5
140	SIR-LO-131	NO	Female	Old Age (greater than 70)	3.5
141	SIR-LO-132	NO	Male	Old Age (greater than 70)	1

Appendix No 6: Grievance Redress Template

**RAP SIRIMA COMMUNITY
STAKEHOLDER ENGAGEMENT**

PROJECT AFFECTED HOUSEHOLD GRIEVANCE MECHANISM FORM

GF-0001

EVENT DATE: _____

RAP MEMBER: _____

1) **UNIQUE REF NO:** _____
VILLAGE: _____
LOCATION (NEIGHBOURS): _____
NAME OF PAH: _____
CONTACTS: _____

2) **(A) INFORMATION SOURCE:** **(B) INDICATE HOW PAH IDENTITY WAS VERIFIED** **(C) NATURE OF INFORMATION:**

TELEPHONE CALL	<input type="checkbox"/>		STRUCTURE/RELOCATION	<input type="checkbox"/>
FIELWORK	<input type="checkbox"/>	_____	CORRESPONDENCE WITH PAHs	<input type="checkbox"/>
LTWP OFFICE VISIT	<input type="checkbox"/>	_____	OTHERS/SPECIFY	<input type="checkbox"/>
LTWP C/O	<input type="checkbox"/>			
OTHERS/SPECIFY	<input type="checkbox"/>			

3) **(A) OFFENSE:** _____

(B) COMMENTS: _____

4) **EVENT CATEGORY:**

STRUCTURE OWNERSHIP	<input type="checkbox"/>	STRUCTURE RELOCATION	<input type="checkbox"/>
STRUCTURE DISPUTE	<input type="checkbox"/>	STRUCTURE LABOUR PAYMENT	<input type="checkbox"/>
STRUCTURE OMISSION	<input type="checkbox"/>	STRUCTURE FOOD REPAYMENT	<input type="checkbox"/>
OTHERS/SPECIFY	<input type="checkbox"/>	RELOCATION LOCATION	<input type="checkbox"/>

5) **ACTION ITEM:**

CORRESPONDENCE WITH LTWP/SPECIFY CONTACT PERSON AND WAY OF CONTACT _____

CORRESPONDENCE WITH PAHs _____

CORRESPONDENCE WITH VILLER _____

BANK DETAILS _____

OTHERS/SPECIFY _____

6) **ACTION TAKEN:** _____

7) **QUERY RESOLVED (YES/NO):**

YES

NO

8) **RESOLUTION/OUTCOME:** _____

GRIEVANCE ISSUING OFFICER: _____

GRIEVANCE ADMINISTRATOR: _____

GRIEVANCE FOLLOW UP OFFICER: _____

GRIEVANCE CLOSING OFFICER: _____

LTWP OFFICIAL: _____

SIGNATURE

DATE

1

RAP_SIRIMA_GRIEVANCE MECHANISM FORM_341128_AJM_PD

Appendix No 7: Sample of Minutes of Stakeholder Engagements

**Consultation MINUTES OF LTWP Taskforce DISCLOSURE MEETING AT
SARIMA HELD ON 29-07-2014 FROM 10:10HRS TO 11:00HRS**

Present

Area Leaders

1. Atiya Atelon - Acting Area Chief
2. Leparsanti - Head of LTWP home guards.

LTWP Representatives

1. Nick Taylor
2. Peter Datche
3. Robert Yambo
4. Gabriel Okelo
5. Teddy Murigi

Agenda

1. Sensitisation.
2. Disclosure of compensation packages.

Meeting was started at 10.10am by an Opening prayer from one of the village elders.

1.0 Sensitization

- Mr. Leparsanti gave opening remarks and welcomed the LTWP taskforce. The team was introduced to the community and asked to carry on with the day's agenda.
- The PAH's briefed about the project and how it would impact their current household/ living accommodation, land use situation and future household livelihood.
- It was explained to them that the road being constructed posed danger to the children when transportation of the equipment will be on going as well as health related issues due to dust.
- They were also informed on the purpose for relocation of their village.
- The acknowledgement letter was read to them and the content explained to them in detail indicating the various amenities that LTWP intends to provide for them.
- They were also informed that the relocation will be valid for three years whereby they are free to move back to their old village at will.

2.0 SE enumeration and Signing of Compensation Package Forms.

- With the villagers having understood the whole process they agreed to the terms and their individual Compensation Packages were signed and Socio-economic forms filled.

Below are pictures of the meeting:



**MINUTES OF SIRIMA STAKEHOLDER CONSULTATION MEETING HELD
AT SIRIMA VILLAGE 10:00 AM -14:00 PM ON 15TH OCTOBER, 2014**

Present

Community

1. Katiya Atelon - Community Acting Chief
2. Lopeyok Longorkit - Translator (Sirima PAH)
3. Community members

LTWP Representatives:

1. Peter Datche - (PD)
2. Robert Yambo - (RY)

Agenda/Purpose

3. Feedback Regarding Community Request to Change Previously Agreed "Like for Like" to "Cash Compensation Methodology"
4. Labour Payments
5. Food During Construction
6. Banking System
7. Income Generating Sources (Livelihood Restoration)

The meeting started with a word of prayer from Lopeyok Longorkit.

1. Feedback Regarding Community Request to Change Previously Agreed "Like for Like" to "Cash Compensation Methodology"

Katiya Atelon introduced the LTWP RAP team to the meeting attendees. He welcomed them and informed the attendees that they be allowed to proceed with their task at hand freely without fear and that the community to facilitate them so that they complete their tasks quickly.

RY then addressed the meeting detailing the purpose of the meeting.

He explained to the attendees the changes concerning relocation of the village from initial agreement with LTWP to construct for the PAH new house in "Like for Like Methodology" to the new proposed "Cash Compensation Methodology".

He told the PAHs that based on their request to be compensated in "Cash Compensation Methodology" by LTWP; LTWP in consultation with the lenders agreed to abide by PAH wishes to Cash Compensation. He further told the attendees that the lenders have concerns on the impact of such Cash Compensation

to the society given that the village is illiterate to banking system and also very far from such financial institutions.

He further explained to the PAH that they will be disclosed to their compensation packages based on the valuation carried out by private valuers - Log Associates. That each and every one of the 153 PAHs has his or her own compensation package with picture of his or her structures with respective monetary values showing costs breakdowns, and that they will be expected to verify those details and if they happy are with the compensation they will be required to append their signatures or thumb print where each is appropriate.

PAH were also informed that even though they will be given cash compensation, they will be allowed to salvage materials from their current houses upon which LTWP will add them additional materials to be able to build their 13m circumference main houses and 10m circumference sitting rooms without degrading the Sirima environment.

He also informed the PAHs that they will only be paid Cash Compensation after they all have relocated to the new site and all of them have been taken through training programmes on banking and sustainability. The PAH were told the training programme will be for their well-being aimed at educating them on better ways on banking and sustainability as a measure to reduce reliance on relief assistance.

2. Labour Payment

We sought the opinion of the PAH on various option on labour payment programme such as food for cash, different items for cash in labour cost programme option but the PAH declined these options on the ground that they needed cash for labour and that cash will be the best way to pay for labour.

He then explained to the PAH that they will be paid for labour during the construction and that the amount to be paid will based on the current NGO labour rates and not Kenya labour rates. Each main house will be allocated labour cost adequate for four labourers for eight days and that each sitting room will be allocated labour cost adequate for four labourers for six days and any work done beyond the allocated period will be covered by the PAH at his or her own cost and if the PAH completes the work in few days than allocated days he or she will still be entitled for the labour payment at eight days and six days respectively.

3. Food During Construction

PAH were also informed that they will be given food during the relocation for a definite period of time equivalent to construction duration of eight days and six days for main house and sitting room construction respectively for four labourers each. Thus any number of labourers beyond four for eight days and six days will not be covered by LTWP labour food programme during construction and it will be upon the PAH to cater for the extra food cost.

4. Banking System

We also sought the opinion of the PAH on the best ways to compensate them based on their culture and difficulties in accessing major towns with financial institutions. The team told the PAH about banking option as the first and the best option but the PAH were not familiar with the banks and also almost all of them has no bank details. We then told the PAH that LTWP will open a trust account with selected signatories who will be in charge of paying them their moneys as per their requests.

The PAH will have to make monetary request to LTWP community liaison officer who will then forward the request to LTWP RAP office who will arrange for payment to the PAH.

5. Income Generating Source (Livelihood Restoration)

We also discussed with the PAH other income generating sources and the PAH willingness to participate in such activities. The one positive result concerning these activities was involving in agricultural activities such as irrigation farming both for commercial purpose and subsistence purposes. The PAH even said that if they could be supported in this cause they will be very happy to do it for this will generate for them income and also enable them to ease over reliance on government relief food programme. The PAH said that they usually plant beans, maize, kales, sweet potatoes, bananas during rainy seasons which are also very rare.

6. Matters Arising

1. The PAH also raised questions on whether their animal corrals will be part of the structure compensation given that they had never heard LTWP talk about this and so the PAHs wanted to know if they will be required to relocate them to the new proposed village. We could not give immediate solution to this, so we left it pending awaiting further consultation with LTWP RAP management.
2. The PAH had concerns about loss of business especially trading of charcoal to passing motorist. We told them charcoal burning is detrimental to the environment but again we have no control over that.
3. The PAH were also proposing if LTWP could consider giving them a one vehicle for their use.

4. The PAH also asked us to allow them to relocate in a linear system with wide spacing between line of houses as safety measure towards fire outbreaks.
5. LTWP team informed them that we will not dictate how they choose to settle so long as they will settle within the previously proposed agreed area happily.
6. The PAH were also concerned about the fence but we told them that the whole wind farm will have adequate security measures and so they do not need extended fence into the surrounding hills as a security measure from attacks from neighbouring communities.
7. The PAHs also had a concerns for the PAPs who came and settled in the village after the march 2012 cut-off date, they reiterated the fact that it will be prudent to pay them or else even the legitimate 153 PAH will not relocate to the new proposed village. The PAHs were made to understand that every resettlement has a cut-off date upon which the budget is drawn from and so their demand of not relocating because of the additional PAP was ill advised considering numerous previous signed agreement the community has had with LTWP concerning relocation to new proposed area.

**MINUTES OF SIRIMA STAKEHOLDER CONSULTATION MEETING HELD
AT SIRIMA VILLAGE: 13:00 HRS -15:15HRS HELD ON MONDAY 20TH October
30, 2014**

Present

- Community members.
- Area Member of County Assembly: Hon. Mark Ekale
- LTWP Representatives:
 1. Stephen Nakero (SN)
 2. Peter Datche (PD)
 3. Robert Yambo (RY)

Agenda

The main agenda of the meeting was to come to an agreement on the relocation process and to discuss on the PAHs who came in after the cut-off date.

Minutes

The meeting started with a word of prayer from Simon Ekitole.

SN started by thanking the attendees who came for the meeting in order to discuss the way forward in the relocation process.

SN explained to them that LTWP saw it fit to have one person who is a member of their community to help spearhead the relocation process.

SN explained to the attendees that he is aware that before he came on board, prior consultation meetings had already been done and agreements reached and signed between LTWP and community.

A meeting was held three weeks prior with the county representative, Hon. Mark and the members of Sirima village. The members of the village aired their grievances; mainly being that the people who had come into the village after the cut-off date should also be compensated. These were forwarded to Nick Taylor and Stakwell. Assurance that LTWP has heard their grievance about the 61 additional PAHs and that the initially valued to start moving as negotiations continue.

SN explained to them the valuation process done in Sirima is the same as that done in Illaut and Namaret as they had complaints that the two towns had received lump sum compensation packages. It was explained to them that they couldn't individually receive large sums of money as their structures cannot be worth that much money based on the construction materials used. Moreover, the village will

receive many more benefits like the school, community shops, solar panels to mention but a few.

He urged them to strategically plan out the new village site so that even if it were to expand it does not affect other amenities like the school and community shop.

Assurance was given to them that consultations and negotiations with LTWP will continue to ensure their rights are taken care of but senseless requests will not be tolerated.

SN then called PD to address the meeting.

PD thanked Stephen for the explanations he had given to the people.

He explained to them that the compensation letters would not be given to them yet as initially promised in the earlier meeting. Reason being, there are new valuations that were taken for those who were omitted as well as changes in decision on the salvage of materials. ⁵

Having agreed in the meeting held on 15th Oct 2014 that LTWP will act as a banking agent, PD informed them that the payment will be placed in a community bank account with signatories. The signatories will be responsible for bringing them money at their request and this money will only be available after they have relocated.

The meeting was informed that there would be training on how the money can be used in a beneficial way to the community. This will be done after the relocation before they are paid.

PD informed them that labour and food will be provided for the days set for construction of new manyattas. Any extra day other than the allocated period will be at ones own expense.

Payment will be given to the families to distribute according to the number of labourers as a standard amount for labour per day and the number of labourers will be determined.

It was put across that allocating spaces and marking boundaries before commencement of the relocation should prepare the relocation site. The allocation of spaces on the new site will be determined by everyone led by the community leaders.

PD then welcomed one of the elders, Simon Ekitole to address the meeting.

Ekitole started by thanking the company for improving their standard of living, especially for the borehole that now provides them with water.

He expressed that they had no objection to the relocation of the village and that most of their concerns have been as a result of mismatch in information relayed to them. They thought that they would not get any other benefits.

Ekitole expressed that they intend to change the setup of the village in the new site to provide adequate spaces between manyattas. This is to help reduce risk of fire breakouts causing widespread damage to many manyattas.

Space for livestock should also be put into consideration.

Ekitole then welcomed Lokope Ekitela to address the meeting.

Lokope started by addressing the issue of conflicting information. It was explained that since the consultations started, they have had no one like Stephen who understands their language well and is able to effectively communicate with them so they have had difficulty in communication.

The community is therefore grateful to the company for bringing Stephen on board.

Lokope expressed that the building of manyattas is difficult but they would pull up their socks since they accepted and agreed to move. If well equipped with tools, they will be able to move faster.

It was expressed that some of them have to come from far as they are tendering their flock to attend the meetings to know what the way forward is. It was therefore requested that LTWP tells them the exact plans so that they can also make proper arrangements themselves.

He requested that at least two elders to work hand in hand with Stephen Nakemo. (These were later elected after the meeting).

The Area Councilor Hon. Mark then addressed the meeting.

Hon. Mark informed the meeting that he met with LTWP taskforce to discuss how best to help the community as well. He has also sought to understand the compensation process, which was explained to him.

He informed them that he had asked about the 61 additional PAH who settled in the village after the cut-off date was done. LTWP task force had then explained to him what happens when someone enters a project-affected area after the cut-off date. The meeting was informed that they must accept that what can be done for the 61 PAH are now through request and by forcing LTWP to comply.

He reiterated that only those who had been valued were the ones who were eligible for compulsory compensation. It was therefore a request by the community that the 61 PAH be also compensated in some way even if not in the same manner as those initially valued.

It was explained that if they were to first wait for LTWP to look into the 61 PAH it would stall the project hence it was fit that those initially valued to start moving as they looked into the 61.

The 61 names will be forwarded to LTWP all enlisted and signed so that there are now no more additions whatsoever. The councillor requested that food and labour be given to the 61 people so that they move together as a whole.

Hon. Mark informed them that the valuer who came to value their structures and engaged with them to determine the replacement cost and everyone will get what they rightfully deserve.

He urged them to ready themselves properly so as to make the relocation process easier.

He urged all complains to be channelled through Stephen and Stephen alone to avoid conflicting information.

The councillor then closed the meeting.

AOB

Stephen Nakeno will be given a short training by LTWP taskforce on how to mark boundaries for the PAHs in the relocation site.

Setting out of the relocation site will begin immediately.

The community expressed that they are still awaiting opportunity to work as casual labourers during the construction period.

**MINUTES OF SIRIMA STAKEHOLDER CONSULTATION MEETINGS HELD
AT SIRIMA VILLAGE 14:30 AM -16:00 PM ON 3RD NOVEMBER, 2014**

Present

Community

4. Community Members

LTWP Representatives:

3. Stephen Nakeno - (SN)

SN has held liberation discussion and consultative meeting with the PAH in line with the PAH Relocating to New Site and Verification of the Influx 61 PAH, the following agendas and were discussed.

Agenda/Purpose

8. PAH Relocation Mapping of New Site
9. PAH Relocation Strategy - 11 Nuclear Family
10. Verification of the Influx 61 PAH
11. Matters Arising

1.0 PAH Relocation Mapping of New Site

SN liberated with the PAH and the community elders on the best way to allocate spaces in the proposed new village resettlement site. The outcome was based on some cultural beliefs, safety and health, PAH vulnerability and other community needs. Some cultural practices considered were on how to allocate the space near the community entrance gates and space was to be given to community medics. The PAH also considered neighbours based approach whereby in-laws could not be immediate neighbours within the encampment in line with cultural marriage practices. SN and PAH also considered PAH nuclear family demography, mutual relationship and understanding with one another in mapping the layout plan of the proposed site.

The PAH also agreed to settle in a linear pattern traverse to wind direction and adequate distance between manyattas in parallel linear formation. The PAHs concluded that the distance between manyattas in linear formation was access, safety and security purposes. The PAH opined that in case of fire breakout the manyattas in linear traverse to wind direction will reduce the fire breakout impact given that the manyattas as compared to the PAH current nucleated settlement pattern where such cases are add to mitigate upon.

2.0 PAH Relocation Strategy

SN discussed with the PAH on the best relocation strategy to adopt and it emerged that the PAH were willing to relocate in accordance to their existing eleven composite families cluster within the entire community, the name in table below denote family leaders\family head. See table 1.0 below:

SN and the PAH also agreed that the relocation will be carried out in terms of the family cluster and that each family head will be involved and will help with relocation of his\her family cluster members in the best way possible. The PAH also opined that it will take them between two to three months to complete the process of relocating to the new site. The PAH also said that they will relocate in wholesome but SN told them that, it will not be applicable based on the huge work involved hence safety and quality could be compromised. SN further told them that they would have to relocate in groups\phases to avoid incidents that could be associated with the relocation process.

Table 1.0 Family Cluster (Note: Include extended family members)

11	FAMILY CLUSTER	GENDER	COMMENTS
1	Epungare Mora	Male	
2	Katiya Abalon	Male	
3	Erupe Esinyen (Naiso)	Male	
4	Ngare Emase (Agnas)	Female	
5	Nauwet Lokaraat	Female	
6	Lokoje	Male	
7	Simon Edukon Ekitoe	Male	
8	Lektranga	Male	
9	Nauyakwan	Male	
10	Poshoro	Male	
11	Lopsyok Longorkit	Male	

3.0 Verification of Influx 61 PAH

SN sought the opinion of the PAH to verify the validity of influx 61 PAH and with their blessings the activity was carried out SN found out that only 38 PAH were valid and had structures within the Sirima village and that the remaining 23 were 'ghost PAH'. SN together with the community elders will draft a letter to counter the previous letter with 61 PAH for accountability purposes.

See Below Photos of the Meeting



**MINUTES OF SIRDMA STAKEHOLDER CONSULTATION MEETINGS HELD
AT SIRDMA VILLAGE: 10:30 AM -11:45 AM ON 7TH NOVEMBER, 2014**

Present

Community

5. Community Members

LTWP Representatives:

4. Stephen Nakero - (SN)

SN held consultative meetings as requested by PAH in line with the PAH Relocating to New Site, the following agendas were raised, discussed and some pending feedback from LTWP office.

Agenda/Purpose

12. Construction Components (Labour Cost, Food, Duration, Materials-Soil)
13. Wholesale instead of Community Store as a Community Benefit
14. Elders Shelter instead of Bathroom as a Community Benefit
15. Entrance Gates

1.0 Construction Components – Labour Cost, Food, Duration, Soil

PAH asked SN to confirm for them the daily labour cost for they wanted to know what LTWP was going to give them as labour cost. SN confirmed to the PAH that they will be paid the current daily rate set by the Local Area NGOs of KES 500 and not the government rates which are a little less. The PAH accepted the rates and they were happy with the confirmation.

PAH then proposed that they would like to be given fourteen day to construct the main manyatta and ten days to construct the sitting rooms. They said that they required three days for demolition, eight days for setting up the skeleton cell and three other days for soiling and patching the walls and roof. This request is still pending feedback from LTWP management.

The PAH also told SN that they would like to be given money instead of food and they proposed sum of KES 250 per day per person. SN told the PAH that they were going to be given cooked food and not money given that LTWP had planned to give food to the labourers who will be the working and not money as a measure to reduce the impact of too much cash in the village. The PAH reacted to this idea of cooked food negatively and even claimed that they will not eat the food.

The PAH also informed SN that they would like LTWP to transport for them the soil to the new site as they do not want to get soil for soiling and patching the walls and roofs from the village. The PAHs opined that they could not get soil from within the new site as it will leave behind dam like hole, which are dangerous to them.

2.0 Wholesale instead of Community Store as a Community Benefit

The PAH also informed SN that even though they were for the idea of community store as a community benefit they would like the funds for that benefit to be used to construct wholesale. The PAHs said that they would like to have wholesale from where they can buy at a fair price. SN informed them that their request would be forwarded to LTWP office to deliberate on the best solution.

3.0 Elders Shelter instead of Bathroom as a Community Benefit

The PAH also informed SN that even though they were for the idea of bathroom as a community benefit they would like the funds for that benefit to be used to construct elders shelter, saying that the idea of common bathroom will pose great hygiene challenges and that each PAH can build his\her own bathroom within their compounds. SN informed the PAH that he will contact the office on the best way forward on the issue raised.

4.0 Community Entrance Gate and Wooden Doors for Manayatta

The PAHs also informed SN that they would like LTWP to consider giving four gates; two being larger ones and another two being small ones at strategic openings as they will decide during construction of the boundary fence.

The PAH also requested that they be given single leaf (600mm by 1500mm) ledged and braced wooden doors complete with doorframe and ironmongery for the main houses (big manayattas). SN informed the PAH that even as they request the above they need to know that their requests will not necessarily be accepted and so the onus was with LTWP to make the final decision.

**MINUTES OF SIRIMA STAKEHOLDER CONSULTATION MEETING HELD
AT SIRIMA VILLAGE: 11:30 AM -13:00 PM ON 13TH NOVEMBER, 2014**

Present

Community

6. Lopeyok Longorkit - Translator (Sirima PAH)
7. Ngare Emase (Female) - Translator (Sirima PAH)
8. Community members

LTWP Representatives:

5. Chris Swanepoel - (CS)
6. Peter O'Neill - (PPON)
7. Nick Taylor - (NT)
8. Peter Datche - (PD)
9. Stephen Nakero - (SN)

Lenders/MMD Representatives:

1. Maarten
2. Oana Raluca
3. Mariana
4. Felix
5. Alessandro

Agenda/Purpose

16. Monitoring of Project Compliance with Standards and Best Practices
17. Evaluation of PAH in Regard to Knowledge of Project and its Impact
18. Matters Arising

The meeting started with entertainment in form of traditional dances from women team followed by men team and a final performance from both teams.

Simon Edukon Ekitse then prayed as the meeting started.

The attendees were asked on what basis they decided to change their minds on previously agreed structure compensation methodology of "Like for Like" for "Cash Compensation Methodology". The PAHs confirmed that they had discussed the approach among themselves and decided that if in the "Like for Like Compensation Methodology" the structure were going to be more the same with their current dwellings units they would rather construct them by themselves. They further said that they initially thought the new houses were going to be of block mortar house.

The attendees were asked if they communicated their decision change to LTWP team and how did they communicate their opinion change. The PAHs had to say that they had communicated to LTWP representative Mr. Nick Taylor and then on a later date communicated to Datche Peter and Robert Yambo during the LTWP fieldwork engagement on "Feedback Regarding Community Request to Change Previously Agreed "Like for Like" to "Cash Compensation Methodology".

The PAHs confirmed that the team of FD and RY had told them that based on their request to be compensated in "Cash Compensation Methodology" by LTWP; LTWP in consultation with the lenders agreed to abide by PAH wishes to Cash Compensation and that the lenders have concerns on the impact of such Cash Compensation to the PAH given that the village is illiterate to banking system and also very far from such financial institutions.

The PAHs were asked things they will do with their compensation money and they said they would use it for their businesses, built better houses, buy more livestock and even use other for daily household consumption.

The PAHs were asked if they are aware of the HIV/AIDS disease and its cause. Most of them said that they are not aware of the disease and they would like to be trained on its causes, effect and the necessary mitigation measures against the disease.

The attendees were also asked whether they were aware of post structure compensation activities related to the wind firm construction. The PAH said that they only know that there will be many trucks passing by and that there will be workforce influx.

The PAH were asked on how they will handle influx from the contractor workforce as well as danger of accidents from construction machinery during the wind firm construction phase. The PAH said that the village will be fenced and so they will expect the workforce team not to trespass into the community without prior consultation. The PAHs also confirmed that they would ensure the safety of their children by not allowing them to go to the construction site by their own.

Matters Arising

8. The PAH raised issues concerning the conflict they previously had with the Rendille community and that they are not ready to let the Rendille community stop the project through court cases. They further said that they are ready for the project and that they have welcomed the project in full effect based on its benefits to the community.
9. The PAH were keen to relocate and that they were ready waiting for instructions from LTWP.

See Below Photos of the Meeting



Appendix No 8: Labour Force Daily Log Template

LAKE TURKANA WIND POWER LABOUR REGISTER																				
Sl. No.	Full Name of Employee	ID No.	Gender	PART ID	Work/Activity	DAYS WORKED PER WEEK							Full Days (FD)	Half Days (HD)	Daily Rate (KSh)	Total Amount Payable (KSh)	Employee Sign	Paid YRS/MO	Arithmetic/Signature of Payment Receipt	Remarks on Work
						Mon	Tue	Wed	Thu	Fri	Sat	Sun								
1																				
2																				
3																				
4																				
5																				
6																				
7																				
8																				
9																				
10																				
11																				
12																				
13																				
14																				
15																				
16																				
17																				
18																				
19																				
20																				
21																				
22																				
23																				
24																				
25																				
26																				
27																				
28																				
29																				
30																				
31																				
32																				
33																				
34																				
35																				
36																				
37																				
38																				
39																				
40																				
41																				
42																				
43																				
44																				
45																				
46																				
47																				
48																				
49																				
50																				
51																				
52																				
53																				
54																				
55																				
56																				
57																				
58																				
59																				
60																				
61																				
62																				
63																				
64																				
65																				
66																				
67																				
68																				
69																				
70																				
71																				
72																				
73																				
74																				
75																				
76																				
77																				
78																				
79																				
80																				
81																				
82																				
83																				
84																				
85																				
86																				
87																				
88																				
89																				
90																				
91																				
92																				
93																				
94																				
95																				
96																				
97																				
98																				
99																				
100																				

Appendix No 9: Sirima Compensation Package Example Template

REF No: 1 *SIR-LO-056/1*



LAKE TURKANA WIND POWER LIMITED

AMENDED ACKNOWLEDGMENT OF RELOCATION OF PROJECT AFFECTED STRUCTURES (MANYATTAS)

UNIQUE REFERENCE NUMBER: *SIR-LO-056/1*
 AFFECTED VILLAGE: *SIRIMA*
 HOUSEHOLD NAME:
 ENTITLED PERSON:
 ENTITLED PERSON'S ID:
 TOTAL NUMBER OF AFFECTED STRUCTURES:
 NUMBER OF RESIDENTIAL STRUCTURES (13M):
 NUMBER OF EXTENSION STRUCTURES (10M):

AMENDED AFFECTED STRUCTURES COMPENSATION BREAKDOWN

Structure No.	USE OF STRUCTURE	DESCRIPTION OF STRUCTURE	Original Circumference (M)	Replacement Circumference (M)	Estimated Replacement Value , KES	15% D.A, KES	TOTAL ESTIMATED COMPENSATION
1							
2							
3							
4							
5							
6							
TOTAL COMPENSATION, KES							-

OUTSTANDING QUERIES

NO	NATURE OF QUERY	ACTION ITEMS

DISCLOSURE STATEMENT

- a) I/ We acknowledge that a settlement relocation area has been agreed with LTWP and the area identified including the layout and construction of entitled structures is acceptable to I/We. We will demolish, relocate and construct our structures as agreed and as per traditional practices. My/ Our structure(s)\ materials can be salvaged for the reconstruction of new structures to be relocated at the new settlement area;
- b) Manyattas and other structures, such as sitting rooms, will be constructed to the agreed standard sizes for all affected structures (circumferences increased to the max 13m for manyattas and 10m for sitting rooms) as agreed between LTWP and ourselves;
- c) LTWP will procure sufficient construction materials so that the construction of the structures conform to the increased size, transport the materials to Site, use labour from Sirima community, pay standard daily rates for labour as per the agreed construction period and provide food and water during construction of the Manyattas at the new settlement;
- d) I/We understand that the cut-off date of the entitlement register is March 2012 and any new structures build after the cut-off date can be salvaged and removed by Myself/ Ourselves and relocated in the new settlement area. I/We agree that LTWP will not compensate for these structures or the labour to reconstruct these additional structures at the new relocation site;
- e) I/ We agree not to use our old structures in the old Sirima community settlement during the construction period due to the environmental, health and safety construction impacts as agreed with LTWP.
- f) I/We agree to participate during the construction of the Manyattas and be paid for labour for the days I/We worked in accordance with the agreed allotted time for construction. LTWP will provide a relocation overnight manager who will monitor and provide guidance in the construction process to ensure that the structures confirm to the correct size and are compliant with the design specification so that they can accept the additional benefits being provided by LTWP; The LTWP manager will monitor progress and is responsible for making labour payments to those that participate in the construction of the new structures.
- g) I/ We have been fully consulted as to the agreed relocation site for construction of My/Our entitled structures, the additional benefits offered (covers, solar panels) labour rates and time for construction, labour will be paid in cash to the individuals labourers following completion of each homestead and their associated structures in conformity to the design requirements. The entitled structures owners will be paid a cash compensation lump sum at the Full Replacement Value of all entitled structures following completion and in the form agreed by the entitled owners. I/We have no further claims whatsoever against LTWP in respect to this agreement.

YES / NO

Further comments based on the above responses to be added below:

Dated at (place) this day of the year

Full name of the entitled person: 0 Signature/Thumb print

Witnessed by (local administration officer):-

Name Designation ID No Signature

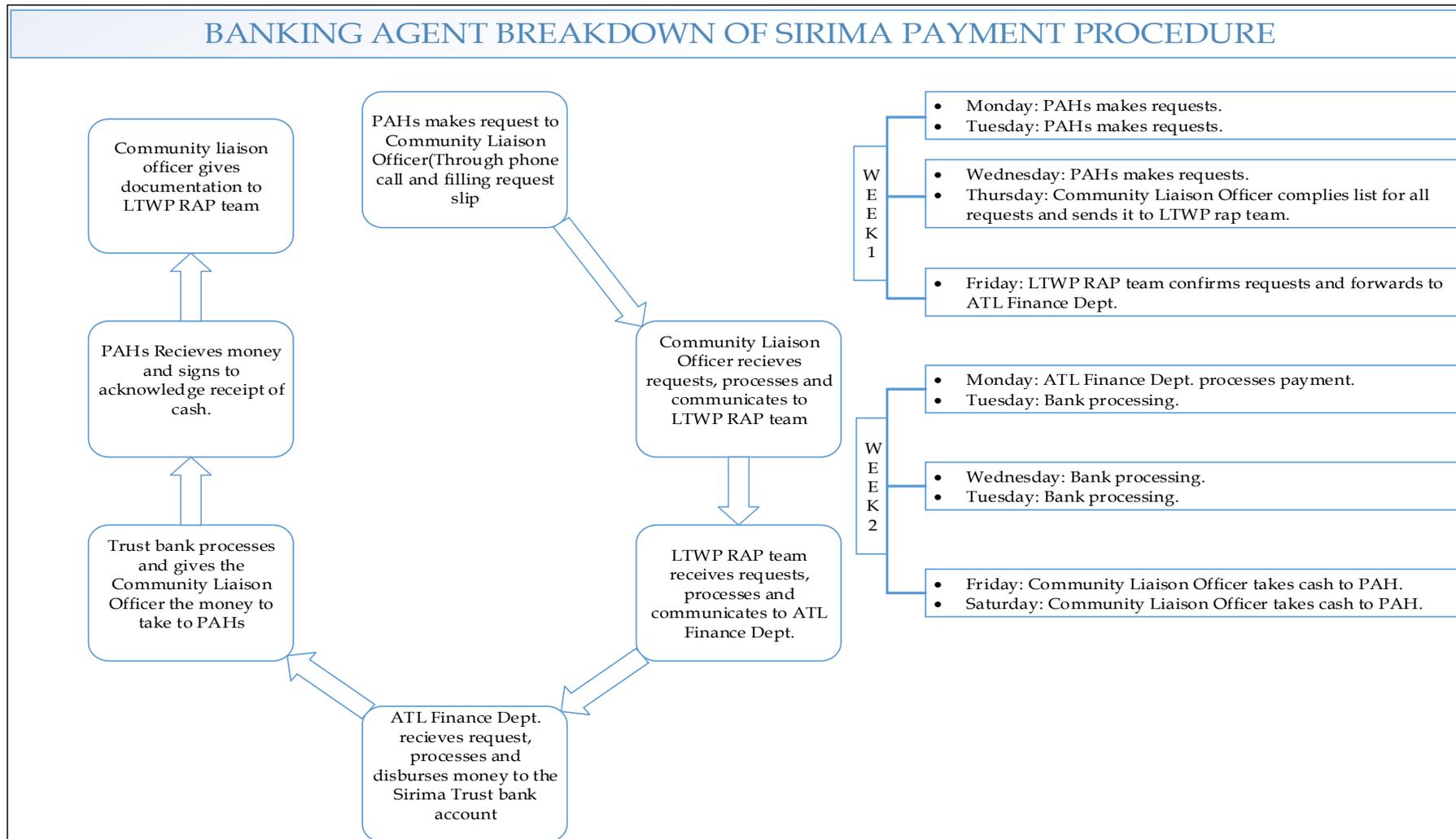
In the presence of LTWP representatives:-

- 1) Name
- Designation
- Signature
- 2) Name
- Designation
- Signature

Appendix No 10: PCOD Household Demographics and Structures

LIST OF SIRIMA POST-CUT-OFF DATE (PCOD) HOUSEHOLDS, DEMOGRAPHY AND STRUCTURES									
Sequence Number	PDOC Unique Reference Number	STRUCTURES			DEMOGRAPHY				
		23 Residential Manyatta	23 Sitting Room	46 Total Structures	21 Head	23 Spouse	65 Boys	56 Girls	165 Total PAPs
1	PCOD_1	1	1	2	1	2	8	1	12
2	PCOD_2	1	1	2	1	1	2	2	6
3	PCOD_3	1	1	2	1	2	3	8	14
4	PCOD_4	1	3	4	1	2	10	5	18
5	PCOD_5	1		1	1	1	3	5	10
6	PCOD_6	1	2	3	1	1	2	1	5
7	PCOD_7	1		1	1	1	3	3	8
8	PCOD_8	1		1	1	1	1	2	5
9	PCOD_9	1	1	2	1	1	3	2	7
10	PCOD_10	1	1	2	1	2	4	1	8
11	PCOD_11	1	1	2	1	1	1	3	6
12	PCOD_12	1	1	2	1	1	0	4	6
13	PCOD_13	1	1	2	1	0	0	0	1
14	PCOD_14	1	1	2	1	0	0	0	1
15	PCOD_15	1		1	0	1	4	3	8
16	PCOD_16	1		1	1	1	3	3	8
17	PCOD_17	1	1	2	1	1	1	7	10
18	PCOD_18	1	3	4	1	1	5	0	7
19	PCOD_19	1	2	3	1	0	0	0	1
20	PCOD_20	1	1	2	1	1	4	2	8
21	PCOD_21	2		2	1	1	5	2	9
22	PCOD_22	1	2	3	1	1	3	2	7

Appendix No 11: Banking Agent Procedure



Appendix No 12: Implementation Schedule

