

# RESETTLEMENT ACTION PLAN (RAP)

ENUGU STATE

**NIGERIA EROSION AND WATERSHED MANAGEMENT PROJECT  
(NEWMAP)**

**FOR THE 9<sup>TH</sup> MILE GULLY EROSION SUB-PROJECT INTERVENTION SITE**

## FINAL REPORT



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## **FINAL REPORT**

**Submitted to:  
State Project Management Unit  
Nigeria Erosion and Watershed Management Project (NEWMAP)  
Enugu State  
NIGERIA**

**NOVEMBER 2014**



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## DEFINITIONS

**Children:** all persons under the age of 18 years according to international regulatory standard (convention on the rights of Child 2002).

**Community:** a group of individuals broader than households, who identify themselves as a common unit due to recognized social, religious, economic and traditional government ties or shared locality.

**Compensation:** payment in cash or in kind for an asset or resource acquired or affected by the project.

**Cut-off-Date:** the date of completion of inventory of losses during the preparation of the RAP.

**Economic Displacement:** a loss of productive assets or usage rights or livelihood capacities because such assets / rights / capacities are located in the project area.

**Entitlement:** the compensation offered by RAP, including: financial compensation; the right to participate in livelihood enhancement programs; housing sites and infrastructure; transport and temporary housing allowance; and, other short term provisions required to move from one site to another.

**Female Headed Household:** a household where a woman is the principal earning member of the family.

**Head of the Household:** the eldest member of the core family in the household, for the purpose of the project.

**Household:** a group of persons living together who share the same cooking and eating facilities, and form a basic socio-economic and decision making unit. One or more households often occupy a homestead.

**Involuntary Resettlement:** resettlement without the informed consent of the displaced persons or if they give their consent without having the power to refuse resettlement.

**Lost Income Opportunities:** lost income opportunities will be assessed and compensated on the basis of losses caused by the project. If a household or family has several adult members who will lose their incomes, all will be compensated.

**Operational Policy 4.12:** embodies the basic principles and procedures that underlie the World Bank Group approach to involuntary resettlement associated with its investment projects.

**Physical Displacement:** a loss of residential structures and related non-residential structures and physical assets because such structures / assets are located in the project area.

**Private property owners:** persons who have legal title to structures, land or other assets and are accordingly entitled to compensation under the Land Act.

**Project-Affected Community:** a community that is affected by the project.

**Project-Affected Household:** all members of a household, whether related or not, operating as a single economic unit, who are affected by the project.

**Project-Affected Person:** any person who, as a result of the project, loses the right to own, use or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.



**RAP:** documented procedures and the actions a project proponent will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by a project.

**Rehabilitation:** the restoration of the PAPs resource capacity to continue with productive activities or lifestyles at a level higher or at least equal to that before the project.

**Relocation:** a compensation process through which physically displaced households are provided with a one-time lump-sum compensation payment for their existing residential structures and move from the area.

**Replacement Cost:** the amount of cash compensation and/or assistance suffices to replace lost assets and cover transaction costs, without taking into account depreciation or salvage value.

**Resettlement Assistance:** support provided to people who are physically displaced by a project. This may include transportation, food, shelter, and social services that are provided to affected people during their resettlement. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.

**Resettlement:** a compensation process through which physically displaced households are provided with replacement plots and residential structures at one of two designated resettlement villages in the district. Resettlement includes initiatives to restore and improve the living standards of those being resettled.

**Squatters:** squatters are landless household squatting within the public / private land for residential and business purposes.

**Valuer:** the valuer of property, land and the level of compensation for all the affected persons.

**Vulnerable:** people who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantages, 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.

## ABBREVIATIONS AND ACRONYMS

RAP	Resettlement Action Plan
CBOs	Community Based Organizations
CDC	Community Development Commissions
CSR	Cooperate Social Responsibility
DP	Displaced Persons
CRC	Community Resettlement Committee
EA	Environmental Assessment
EN-SPMU	Enugu State Project Management Unit
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ETP	Effluent Treatment Plant
FEPA	Federal Environmental Protection Agency
FGD	Focus Group Discussion
FMEnv	Federal Ministry of Environment
GoN	Government of Nigeria
GRASS	Gully Rapid Action for Slope Stabilization
LGA	Local Government Authority
MDAs	Ministries Departments and Agencies
NBC	Nigeria Bottling Company
NBL	Nigeria Breweries Limited
NEWMAP	Nigeria Erosion Watershed Management Project
NGOs	Non- Governmental Organizations
OP	Operational Policy
PAD	Project Appraisal Document
PAPs	Project Affected Persons
PC	Project Coordinator
PIM	Project Implementation Manual
PMU	Project Management Unit
ROW	Right Of Way
RPF	Resettlement Policy Framework
SPMU	State Project Implementation Unit
SSI	Semi Structured Interview
SPMU	State Project Management Unit
USD	United States Dollars
WB	World Bank

## Currency and Equivalent

Currency Unit = Nigerian Naira  
US\$ = N160

## EXECUTIVE SUMMARY

### ES 1: Introduction

The Government of Nigeria is implementing the multi-sectoral Nigeria Erosion and Watershed Management Project (NEWMAP), which is financed by the World Bank, Global Environment Facility, the Special Climate Change Fund, and the Government of Nigeria (GoN). NEWMAP finances activities implemented by states and activities implemented by the Federal government. The project currently includes 7 states, namely Anambra, Abia, Cross River, Edo, Enugu, Ebonyi, and Imo.

In Enugu State, NEWMAP activities involve medium-sized civil works such as construction of infrastructure and/or stabilization or rehabilitation in and around the gullies themselves, as well as small works in the small watershed where gullies form and expand.

### ES 2: Project Components

The project has four primary components:

- Investment in Erosion and Watershed Management;
- Institutional and Information Systems for Erosion and Watershed Management;
- Climate Change Adaptation and Mitigation; and
- Project Management.

### ES 3: Aims and Objectives of the RAP

The main aim of preparing this RAP is to design methods and schemes for resettling or compensating the Project Affected Persons (PAPs) in the project area. The goal is to improve decision making as regards the resettlement and compensation of persons that would be affected by the proposed Gully Erosion Intervention project.

The specific objectives of the RAP are to:

- Conduct a census survey of affected persons and valuation of assets;
- Consult with the would be Project Affected Persons (PAPs);
- Describe compensation and other resettlement assistance to be provided; and
- Prepare a budget and time table for resettlement action.

### ES 4: Justification for RAP

NEWMAP has been classified as Category “A” and the activities of Component 1 will involve civil works in specific intervention sites – that is, construction of drainage works and/or rehabilitation of gullies. This could result in the acquisition of land or displacement of families, business or public infrastructure, thus triggering the World Bank *OP/BP 4.12 – Involuntary Resettlement*

Under the World Bank Safeguard Policy, OP/BP 4.12, a project is classified as an Abbreviated Resettlement Action Plan (ARAP) if the number of people to be displaced or affected is less than 200, and land take is less than 10 percent of the total holding, it advocates for. However, the Bank has decided that a full RAP is required to guide the intervention process for this project, because of the significantly high level of social impact of land in the project participating States.

A RAP is desirable where a major impact is anticipated that is i) if affected people will be physically displaced, ii) more than 10% of their productive assets/total land hold are lost/acquired and iii) more than 200 people are to be directly adversely affected.

#### **ES 5: RAP Methodology**

This RAP study involves a number of coordinated approaches and action plans such as meetings with the project proponent, collection of relevant documents, literature review, preliminary site visit and impact identification, identification of community leaders and project affected persons (PAPs) and enumeration of PAPs. PAPs were consulted and administered with survey instruments for resettlement planning. Public consultation began at the early stage and continued with a community wide consultation that offered PAPs opportunity to express their concerns and make inputs. Resettlement budget was prepared for efficient implementation of the RAP.

#### **ES 6: Description of Project Area**

9<sup>th</sup> Mile Gully Erosion Site at mile town in Udi L.G.A, Enugu State is situated within the outfall sub-zone of the Ajali river side tributaries southeastern Nigeria.

#### **ES 7: Legal and Regulatory Framework underlying the study**

This RAP was prepared in consistence with the applicable national Law- the Land Use Act of 1978 (modified in 1990) and the Involuntary Resettlement Policies- Operational Policy OP 4.12 of the World Bank.

Specifically, the RAP preparation was in line with the provisions of the Resettlement Policy Framework (RPF) of the NEWMAP supported by the World Bank. While the policy of the World Bank support compensation and assistance of PAPs irrespective of whether they have right to the land being occupied or not, the law of the Nigerian government only compensates people with legitimate land title. The more that better benefits the PAPs takes precedence which in this case is the policies of World Bank.

#### **ES 8: Baseline Analysis of PAPs**

Analysis based on the socio-economic survey/assessment carried out for PAPs include the following:

- 88 persons were affected being the owners of items/structures/farmlands/economic trees/kiosks captured under inventory;
- The percentage of male to female PAPs is 77:23 which implies a predominantly male PAPs;
- PAPs were relatively literate with at least 50 percent of them having WAEC/GCE qualification;
- PAPs constitute about 78% married persons, an indicator that PAPs are bread winners of their respective households; and
- PAPs were predominantly artisans (31%) and Civil Servants and Farmers (24%) each.

#### **ES 9: Major Findings/Impacts of the Project**

- No acquisition of land;

- There will be encroachment on shops/kiosks, farms and/or destruction of economic trees anticipated under this project.

The summary of the inventory of the affected items/structures shows as follows:

Items	Total
Economic trees	62
Farm lands	33
Shops	8
Metal container kiosks	9
<b>Total</b>	<b>112</b>

### **ES 10: Adverse socio-economic impacts**

The projects rehabilitation and intervention works are envisaged to have minimal potential negative social impacts on the PAPs. These include:

- A total of 88 persons hereby referred to as Project Affected Persons (PAPs) were identified;
- Disturbance of economic activities due to rehabilitation work on the gully erosion site
- Reduction in access to roads, business and restriction of movement around project area;
- Displacement of PAPs around the rehabilitation or intervention zone of influence;
- Removal of economic trees along project civil works perimeter zone;
- Temporal disturbance in the area of arable/agricultural land.

### **ES 11: Impact Reduction Measures Undertaken**

The following impact reduction measures for potential adverse social impacts taken in consultation and concurrence of the Enugu State Ministry of Environment and Mineral Resources are as follows:

- Consulting/communicating with the people of the project area and PAPs in particular on the day and time to expect civil work activities within their respective points;
- Gully stabilization, a good vegetative cover has to be established on the gully. This will prevent further gulling and allows the gully floor to gradually silt up reducing the fall over the gully head;
- Required perimeter within the gully side is kept at 10 meters since rehabilitation machineries will be used.

### **ES 12: Resettlement of PAPs and Livelihood and Restoration proposed**

Before any project activity is implemented, PAPs will need to be compensated or resettled in accordance with the entitlement matrix/budget plan established in this RAP. Alternative structures and relocation sites where applicable should have been prepared and witnessed by Enugu State Ministry of Environment and Mineral Resources, community leaders and CDCs. PAPs that would not need to relocate, especially those that their fence/balcony will be impacted must be informed or given the civil work schedule which at least provides a two weeks prior notice to PAPs before actual civil works in the area or site. Resettlement monitoring of income restoration measures shall however be continuous throughout the project cycle together with other project activity implementations.

The objective of income restoration measures for the vulnerable persons is to ensure that they are

reasonably assisted to overcome potential economic shock from the project, and maintain the quality of life not less than their pre-project state because; they are at higher risk than others based on their vulnerability disadvantage.

The kind/cash assistance for vulnerable groups and PAPs in general shall be administered by the proponent (SMEnv) through the resettlement committee or through NGOs in consultation with the PAPs. To ensure that income restoration measures are effective all the articulated resettlement measures will be carried out prior to the project implementation.

The income restoration plan (skill acquisition, assistance) to vulnerable PAPs shall be funded through the amount to be set aside for administration within the resettlement budget. This fund will be set aside by the SMEnv through its counterpart responsibility to project's due diligence and shall preferably be operated/administered by the resettlement committee/NGO to be appointed and supervised by the PMU during RAP implementation.

### **ES 13: Grievance Redress Mechanisms**

A Community Grievance Redress Committee will be set up by SPMU to address complaints from RAP implementation. This committee will be directly under the National Coordinator, NEWMAP-FPMU and its members will include State Coordinator, Enugu NEWMAP, legal representatives, accounts representative, traditional rulers, women organizations and NGOs. The legal expert from NEWMAP shall be the secretary of the committee and they shall meet twice every week. (See Annex 3: Sample Grievance and Resolution Form in RPF and Chapter 7 sub-section 7.5 Project Implementation Manual Vol.1 Manual):

The functions of the Community Grievance Redress Committee are to:

- Provide support to PAPs on problems arising from loss of private properties and business area.
- Record the grievance of the PAPs, categorize and prioritize the grievances that need to be resolved by the committee; and
- Report to the aggrieved parties about the developments regarding their grievances and the decision of the project authorities.
- Publicize within the list of affected persons and the functioning of the grievance redress procedure established;
- Evaluate grievances from affected persons concerning the application to them of the entitlement policy;
- Recommend to the Social/Livelihood specialist, SPMU as the case may be, solutions to such grievances from affected persons;
- Communicate the decisions to the claimants;
- Ensure that all notices, forms and other documentation required by claimants are made available in local language (Igbo) understood by people.

The main objective of this procedure will be to provide a mechanism to mediate conflict and cut down on lengthy litigation, which often delays such infrastructural projects. It will also provide people who might have objections or concerns about their assistance, a public forum to raise their objections and through conflict resolution, address these issues adequately.

The Community Grievance Redress Committee will provide ample opportunity to redress complaints informally, in addition to the existing formal administrative and legal procedures. However, the major grievances that might require mitigation include:

- PAPs not listed;
- Losses not identified correctly;
- Inadequate assistance;
- Dispute about ownership; and
- Delay in disbursement of assistance and improper distribution of assistance.

#### **ES 14: Training and Capacity Needs**

Based on the assessment of the institutional capacities of the Enugu State NEWMAP Project Management Unit (EN-SPMU) in the understanding and implementation of RAP, it is recommended that EN-SPMU contract technical assistance to provide training and operational support and other agencies involved in the RAP implementation.

#### **ES 15: Community Consultations**

In accordance with World Bank safeguards policy governing EA Category A projects, the GoN recognizes that stakeholder consultation is an important element of the NEWMAP and the EA process.

Public participation in this RAP included consultations and communications. Consultation included a two-way process in which ideas about the project and concerns of stakeholders and the project designers were shared and considered mutually by affected populations and other stakeholders including the Nigeria Bottling Company (NBC). Communication included the dissemination of information of NEWMAP activities to the concerned public about the project and other relevant issues.

Relevant stakeholders, namely relevant local government officials, Community leaders and other opinion leaders in the communities, PAPs and other individual people and special interest groups such as Trader Union, etc, were met. At the meetings the overview of the project and appreciation of RAP and other related information were presented to the stakeholders; and offered opportunities to participate in planning, implementing, and monitoring resettlement as well the grievance redress mechanism. In other words, the PAPs, specifically, were told that they have the opportunity to air their concerns and suggestions which will be incorporated to the extent possible in project design and implementation. They were made aware of their rights, which include compensation for impacts and alternatives – *even if they are willing* to give up land, assets and or livelihood in the general public interest. It was emphasized that compensation will only be for those who are affected in the course of the intervention work and not before. They also discussed their concerns and views about the intervention work.

#### **Cut – off Date**

The cut-off date for being eligible for compensation and/ or resettlement assistance is 9th April 2014. This is the last day during which the socio-economic survey was completed. This date was communicated to the communities including PAPs through community consultation and household RAP questionnaire administration.

#### **ES 16: Estimated Budget for RAP Implementation**

The total cost estimate for compensation of the PAPs is estimated at: **Seven Million and Forty Seven Thousand Nine Hundred and Thirty Six Naira Only (N7, 047,936)** and the budget for this RAP will be provided by the Enugu State Government.

	<b>DESCRIPTION</b>	<b>TOTAL (NAIRA)</b>
1	RAP Compensation Budget	3,901,760
2	Livelihood restoration and community development Initiatives	1,056,000
2	Capacity Building and enlightenment for RAP Implementation	1,000,000
3	Operating cost including Monitoring and Supervision of RAP Implementation (10 % of RAP compensation Budget)	390,176
4	Cost of engagement of NGO for compensation payment	700,000
	<b>TOTAL</b>	<b>7,047,936</b>

### **ES 17: Disclosure of RAP**

The RAP has been prepared in consultation with the SPMU, relevant state MDAs, CBOs/NGOs and some community groups. Following completion of the RAP, the RAP is submitted to the SPMU for approval. The RAP shall be submitted through SPMU for the review and clearance by the Enugu State Ministry of Environment and Mineral Resources and the World Bank to ensure compliance with relevant legislations and OP4.12, respectively.



## **1. INTRODUCTION**

### **1.1 Background**

The Government of Nigeria (GoN) is implementing the multi-sectoral Nigeria Erosion and Watershed Management Project (NEWMAP), which is financed by the World Bank, Global Environment Facility, the Special Climate Change Fund, and the Government of Nigeria. NEWMAP finances activities implemented by states and activities implemented by the Federal government. The project currently includes 7 states, namely Anambra, Abia, Cross River, Edo, Enugu, Ebonyi, and Imo.

In Enugu State, NEWMAP activities involve medium-sized civil works such as construction of infrastructure and/or stabilization or rehabilitation in and around the gullies themselves, as well as small works in the small watershed where gullies form and expand.

### **1.2 Project Development Objective**

The development objective of NEWMAP is: to rehabilitate degraded lands and reduce longer-term erosion vulnerability in targeted areas.

### **1.3 Objectives of the Resettlement Action Plan (RAP) of the Project**

This RAP provides a plan and rehabilitation of Project Affected Persons (PAPs) so that their losses would be compensated and their standard of living will at least, be restored to pre-project levels. The RAP also provides for economic rehabilitation measures so that income earning potentials of individuals is restored to sustain their livelihoods.

The specific objectives of the RAP include:

- To identify persons who are affected by the project either by necessary destructions of existing buildings, constructions or by the need to acquire land;
- To identify, through consultation, appropriate options for the resettlement and compensation of PAPs, which are consistent with Nigeria Laws and World Bank's Operational Policy 4.12
- To determine a process for resettlement, compensation and land acquisition, consistent with the project's objective.

### **1.4 Project Components**

The project has four primary components:

- Investment in Erosion and Watershed Management;
- Institutional and Information Systems for Erosion and Watershed Management;
- Climate Change Adaptation and Mitigation; and
- Project Management.

#### **Component 1: Erosion and Watershed Management Investments**

This component would aim to support on the-ground interventions to address, prevent and reverse land degradation. The primary focus would be on addressing severe gully erosion in southeastern Nigeria, focusing on but not limited to the Anambra-Imo and Cross River Basins. A strategic

combination of engineering, biological, and community-centered low-tech measures would be deployed to (i) stabilize severe erosion sites, (ii) prevent emerging erosion problems early on when intervention costs are low and (iii) provide the basis for longer term sustainable livelihoods practices. Accordingly, interventions will include structural, vegetative, and adaptive natural resource based livelihood measures, coupled with micro-catchment planning where necessary; examples include:

- Structural land management measures and civil works such as cross-drainages check dams, gabions, terracing and other slope stabilization works, river groynes, geotextiles, etc.
- Vegetative land management measures such as afforestation, agroforestry, grassing, bunds, live check dams, no tillage, buffer strips etc.
- Adaptive livelihood measures important for mobilization local stakeholders to carry out, maintain and monitor erosion management practices, and to reduce pressure on land.
- Strengthening of communities and local authorities to carry out participatory micro-catchment planning in targeted investment areas, establish community resource management areas, and participate in investment implementation and monitoring.

This component will be implemented with appropriate planning, preparation, stakeholder involvement, and monitoring.

A Gully Rapid Action for Slope Stabilization (GRASS) Facility is proposed to address the many emergency situations in existing gully propagation that pose immediate threats to lives, livelihoods and critical infrastructure. Investment priorities for GRASS facility will be informed by a rigorous typology of erosion problems. In addition, the component would support communities and local agencies to stem rills and incipient gullies in their early stages of formation, and address constraints to collective action.

## **Component 2: Erosion and Watershed Management Institutions and Information Services**

This component will address longer-term sustainability by strengthening the enabling environment to address erosion and watershed degradation problems in a comprehensive manner across sectors and states. The component will support modernization and coordination of the many institutions involved in planning, management, assessment, enforcement, and monitoring of watershed and erosion related activities from sub-watershed to basin scales. Again, communities will play a central role in developing sustainable planning and management practices. To reinforce good design and prioritization of investment, the component would also support improvements in the policy environment, data modernization, development and application of analytical and monitoring tools, and diagnoses of watershed problems. The component would tentatively finance:

- Development of watershed actions plans and monitoring arrangements based on analytical and stakeholder input including land use/land cover mapping and community based research on adaptive and sustainable land use planning and management.
- Development of coordination mechanisms for multi-sector and multi-scale planning, joint approaches; enabling policies, regulations, and by-laws; and harmonized guidelines for improved land and water management across actors at Federal and State levels; facilitation of local and community level plans;
- Strengthening of regulatory compliance, environmental assessments, and contract management related to erosion management at Federal and State levels; and establishment of a comprehensive Dynamic Information System as well as other analytical, data, ICT, and monitoring tools that would support planning, prioritization, outreach, and management of investment activities. These could include real time land/water data networks; such systems would also include community mobilization around monitoring and enforcement.

- Training to modernize federal and state institutions, coupled with outreach activities to help address land-degrading practices at all levels of implementation.
- Establishment of an innovation facility to pilot possible payments for environmental services, investment competitions, innovation fairs, natural resource based industries and other events.

### **Component 3: Climate Change Agenda Support**

The climate change component will support activities to both reduce climate vulnerability; and to promote low carbon development Activities to be supported by the project under this component include: (i) Background studies for the development of the climate change strategy; (ii) Mapping of renewable energy potentials of Nigeria; (iii) Preparation atlas to devise a set of measures to support climate smart agriculture in the (v) Equipment to conduct site-specific tests/ measurements to assess the viability of renewable implementation of the Agricultural transformation agenda; (iii) Pilot projects in selected states to demonstrate the potential of climate-smart agriculture technologies, and (iv) Consultation/ outreach activities and so on.

### **Component 4: Project Management**

This component would aim to support the government at Federal and State levels to implement this project. This will include support for project management, including fiduciary aspects (procurement, financial management, environmental and social safeguards), project M&E, strategic communications, and documentation, and community liaison/affairs. In particular, a strong monitoring and learning framework will be set up to learn from past and ongoing interventions for adaptive management all through the process of the project planning, implementation, and evaluation.

The sub-project activities in components 1 triggered 4 World Bank safeguards policies and the project disclosure policy. The policies triggered are:

- OP/BP 4.01: Environmental Assessment
- OP/BP 4.04: Natural Habitats
- OP 4.11: Physical Cultural Resources
- OP/BP 4.12: Involuntary Resettlement  
Plus 1
- OP/BP 17.50: Public Disclosure

## **1.5 Justification for the Resettlement Action Plan (RAP)**

NEWMAP has been classified as Category “A” and the activities of Component 1 will involve civil works in specific intervention sites – that is, construction of drainage works and/or rehabilitation of gullies. This could result in the acquisition of land or displacement of families, business or public infrastructure, thus triggering the World Bank *OP/BP 4.12 – Involuntary Resettlement*

Under the World Bank Safeguard Policy, OP/BP 4.12, a project is classified as an Abbreviated Resettlement Action Plan (ARAP) if the number of people to be displaced or affected is less than 200, and land take is less than 10 percent of the total holding, it advocates for. However, the Bank has decided that a full RAP is required to guide the intervention process for this project, because of the significantly high level of social impact of land in the project participating states.

## **1.6 Involuntary Resettlement**

This policy covers direct economic and social impacts that both result from the World Bank-assisted investment projects, and are caused by:

- The involuntary taking of land resulting in:
  - relocation or loss of shelter;
  - loss of assets or access to assets, or
  - loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or not.
- The involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons. The Resettlement Policy Framework (RPF) report discusses the applicability of this policy in detail.

### **1.6.1 World Bank's Safeguards Policy (OP 4.12)**

The core requirements of OP 4.12 are as follows:

- Avoid or minimize involuntary resettlement where feasible, exploring all viable alternative project designs;
- Assist project affected persons in improving their former living standards, income earning capacity, and production levels, or at least in restoring them back to the former status;
- Encourage community participation in planning and implementing resettlement; and
- Provide assistance to affected people regardless of the legality of land tenure.

In this project, major land take are either publicly owned or acquired from communities of project influence with the understanding that the project is to serve the overall public interest. Similarly, thorough field survey will be undertaken to establish the nature of land ownership and ownership of other assets/structures to be affected by the projects civil works.

Under the World Bank Safeguard Policy, OP/BP 4.12, a project is classified as an Abbreviated Resettlement Action Plan (ARAP) if the number of people to be displaced or affected is less than 200, and land take is less than 10 percent of the total holding, it advocates for. However, the Bank has decided that a full RAP is required to guide the intervention process for this project, because of the significantly high level of social impact of land in the project participating States.

## **1.7 Approach and Methodology**

Resettlement planning is necessary whenever displacement or relocation occurs as part of project activities. Prior to implementation of the resettlement activities, socio-economic baseline data will be collected and potential social positive and negative impacts are identified and analyzed. Mitigation measures are then put in place to address negative social impacts and compensatory plans are designed and recommended.

Presented below are the methods/approaches used in carrying out the preparation of this RAP report.

- Initial meetings with EN-SPMU: This meeting offered the opportunity to clarify relevant issues in the terms of reference and to agree on deliverables and timelines. The outcome of this meeting included the collection of the RPF, maps and other relevant documents
- The next step undertaken was the review of the various literature and documents including the Resettlement Policy Framework (RPF), handbook on RAP preparation, the Land Use Act of 1978 (modified in 1990) and the Operational Policy (OP4.12) guideline.
- Reconnaissance visit:  
Reconnaissance visit on 22<sup>nd</sup> March 2014 was embarked upon at 9<sup>th</sup> mile gully erosion site with a view to identifying the PAPs/communities and familiarizing with the environmental, socio-cultural and economic peculiarities.

Activities conducted include the review of relevant Nigerian regulatory framework and World Bank safeguard policies (OP 4.12- Involuntary Resettlement), field surveys, data collection and public consultations/interviews.

### *1.7.1 Literature Review*

Project specific background documents would be collected and reviewed, such as:

- Engineering designs for the 9<sup>th</sup> Mile gully erosion sub-project and tender documents for the planned investments;
- Project Appraisal Document (PAD);
- Resettlement Policy Framework (RPF);
- Project Implementation Manual (PIM);
- Baseline information relating to the socio-economic environment of Udi Local Government, Enugu State;
- High resolution digital imagery acquired;
- The World Bank funded RAP reports;
- The World Bank safeguards policies;
- Nigerian Urban and Regional Planning Law No. 88, 1992; and
- The Land Use Act of 1978 (modified in 1990).

This also involves reviewing historical and current studies, census data, land use patterns, etc. Much of the literature reviewed are current and are relevant to the resettlement plan.

### *1.7.2 Initial/Reconnaissance Site Visit and Community Stakeholder Consultation*

This step was apt to determine the magnitude and nature of the anticipated impacts identify the affected communities, community leaderships and associations in which potential PAPs belong. It was also used to consult with the stakeholder MDAs whose assistances and cooperation is expected to ensure sustainable project implementation. Among the MDAs consulted are the Enugu State Ministry of Environment, Enugu State Ministry of Lands, Women Affairs, Works, Community Development Committees and NGOs.

### *1.7.3 Field Surveys*

Detailed field visits were carried out across the project area of influence and the sub-project intervention site for the planned civil works. The field visits was used to obtain baseline information of the gully affected community including:

➤ Socio-economic survey;

Based on the census, community meetings and other data were collected in the field. A socioeconomic profile of the affected community was prepared as part of the RAP. Some of the topics include:

- Demographic structure of the community;
- Leadership patterns and political process;
- Family structure;
- Services available in or near the community: schools, health facilities, credit facilities, religious organizations, government agencies;
- Debt/credit relationships;
- Existing organizations (e.g. age grades, religious groups) and capacity for community action;
- Conflicts and divisions (ethnic, religious, etc.) within the community or between communities;
- Important local customs and festivals;
- Educational Levels;
- Permanence of the community;
- Primary forms of livelihood;
- Community attitudes towards erosion and drainage;

➤ Environmental observations and descriptions;

#### *1.7.4 Identification of PAPS and Affected Assets*

Identification of project affected persons (PAPs) was based on the following considerations: Owners of assets/structures along the gully perimeter, about 10m from the gully sides where the intervention/rehabilitation will take place. Details on this are presented in chapter four.

#### *Field Interviews of PAPs*

Questionnaires were administered by well-trained and tested research assistants and enumerators, to the PAPs. These captured relevant information related with the potential loss of assets and economic displacement.

#### *Language of Communication*

The interviews were conducted mainly in Igbo (language of Ameke Ngwo Community) followed by English and Pidgin (broken English).

#### *Quality Control*

In order to ensure the integrity of the data, all project activities were conducted under close supervision. Appointed field supervisors provided round-the-clock supervision for the fieldwork and conducted spot-checks on the interviewers. Completed interview schedules were first screened by the supervisors and subjected to a second level of screening in the office, prior to data entry.

#### *1.7.5 Public Consultations and community engagement*

A preliminary stakeholder consultation was carried out in the NEWMAP office complex on the 14<sup>th</sup> of March 2014. It included representatives of MDAs such as the State Project Management Unit (SPMU),

Enugu State Ministry of Lands and Survey, Enugu State Ministry of Environment, Enugu State Water Board, Non- Governmental Organizations (NGOs), representatives of Ameke Ngwo Community Association etc. (See Chapter 9 Annex 5 for the summary of the consultation and list of persons met respectively).

Thereafter, a community engagement was held at the Igwe's Palace Ameke Ngwo Udi Local Government Area on the 22<sup>nd</sup> March 2014. The consultation was in form of a Focus Group Discussion (FGD) and key informant interviews. It included the Igwe Ameke Ngwo Community, Igwe's cabinet/council members, SPMU- NEWMAP, NEWMAP site community members, the youth group, Women Group, clan heads of Ifueke/Okwe Uwani; Amaabo; Umuozyonaba and Ibute Uwani families, and local authorities. The list of people consulted are listed in Appendix 6. Chapter 9 gives a summary of deliberations during the consultation.

The outcome of the meeting for the proposed rehabilitation works on 9<sup>th</sup> mile gully erosion was welcome with enthusiasm and they pledged on their part to fully support and participate in the implementation of the project. They also decided to convene a meeting of all project affected persons in order to properly identify actual PAPs.

Consultations and discussions with the PAPs with members of Ameke Ngwo Community were held on 8<sup>th</sup> April 2014 after a census survey of PAPs. The list of PAPs were screened and authenticated by the Igwe. Appendix 3 shows a census register for PAPs.

A stakeholder consultation was also held with staff of the Nigeria Bottling Company (NBC) at 9<sup>th</sup> Mile Corner Udi LGA on 3<sup>rd</sup> November 2014. The NBC assured cooperation with the NEWMAP, community members and other relevant stakeholders during rehabilitation and maintenance phases. (See Table 9.3 Chapter 9 and Appendix 7 for details).

## **1.8 Scope of Work**

The scope of work underlying this RAP is the identification of project social impacts and affected population through the following:

- Thematic maps;
- Engineering Drawings;
- Census that enumerates project affected persons (PAPs) and registers them according to location;
- An inventory of lost and affected assets at the household, enterprise, and community level;
- Analysis of surveys and studies to establish compensation parameters, to design appropriate income restoration and sustainable development initiatives;
- Identify baseline monitoring indicators;
- Consultation with affected populations regarding mitigation of impacts and development opportunities;
- Establish a "cut-off date" after which any new structures or arrivals along the Rights of Way will be barred from benefitting from the re-planning or resettlement exercises;
- Provide a definition of displaced persons and compensation eligibility criteria ;
- Valuation of and compensation for losses;
- Provide a description of resettlement assistance and restoration of livelihood activities;
- Provide a detailed budget and implementation schedule;
- Provide description of provisions for redress of grievances;
- Provide a description of organizational responsibilities; and,

- Provide a framework for monitoring, evaluation and reporting.

### **1.9 Major Sub-Activities of the RAP**

In the preparation of the RAP, stakeholders were sensitized of the project. The following have been conducted in developing the RAP:

- Identification of PAPs and affected assets;
- Census and socioeconomic survey of the affected households;
- Consultations and discussions with the PAPs;
- Categorization and valuation of assets to be affected;
- Preparation of an entitlement matrix detailing the PAPs names, affected assets and costs;
- Preparation of a budget and time table for the RAP;
- Grievance procedures which include reception and registration, resolution and appeals; and
- A framework for monitoring, evaluation and reporting.



## 2. DESCRIPTION OF PROJECT AREA

### 2.1 Overview of Enugu State

Enugu state is an inland state in southeastern Nigeria. Its capital is Enugu from which the state –created in 1991 from the old Anambra State – derived its name. The coordinates are 6° 30'N 7°30'E. The state shares borders with Abia and Imo States to the South, Ebonyi state to the East, Benue state to the Northeast, Kogi state to the Northwest and Anambra state to the West. The state spreads toward the North through a land area of approximately 8,727.1 square kilometers (3,369.6sqm).

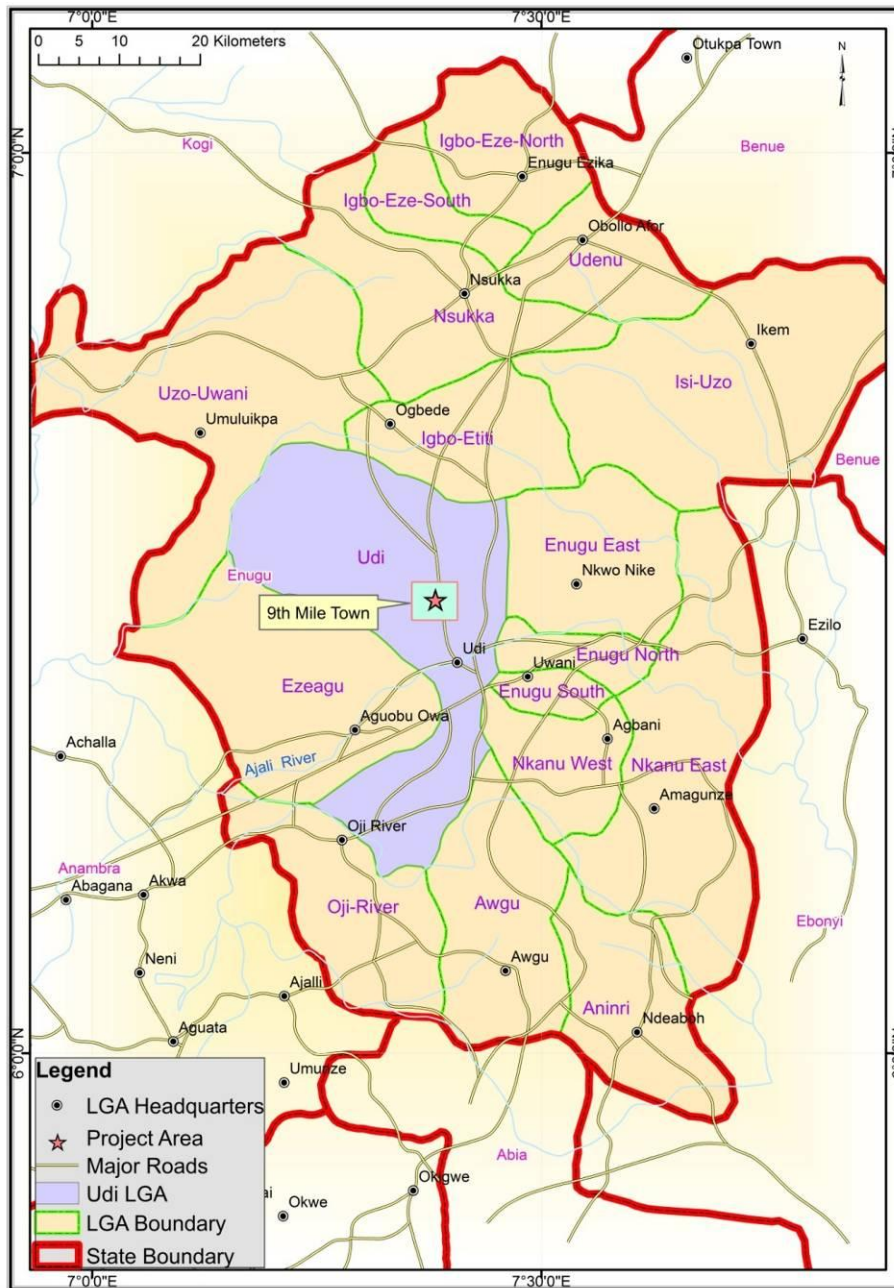


Figure 2.1: Map of Enugu State showing the project area

The general topography and geology of the zone made the state highly prone to gully erosion phenomenon.

As small as Enugu state is in terms of land mass, there are over 500 gully erosion sites within the state. Statistically, this means that there is an average of 22 gully erosion for each of the 17 local government areas of the state. This number is growing every day. The rate of growth is progressive in general and exponential in particular cases. Gully erosion menace has reached a stage where the socio-economic wellbeing and survival of the state is in question.

## **2.2 Local Government Areas**

Enugu State is currently made up of 17 Local Government Areas. These are: Aninri, Awgu, Enugu East, Enugu North, Enugu South, Ezeagu, Igbo-Etiti, Igbo-Etiti North, Igbo-Etiti South, Isi-Uzo, Nkanu East, Nkanu West, Nsukka, Oji River, Udenu, Udi and Uzo Uwani.

## **2.3 Udi Local Government Area**

Udi is a Local Government Area of Enugu State, Nigeria. Its headquarters is in the city of Udi on the A232 highway. It has an area of 897 km<sup>2</sup> and a population of 234, 002 at the 2006 census. Udi LGA comprises of the following communities:

Udi Local Government consist of the following communities: Nze, Akpakwume, Oghu, Affa, Okpatu, Awhum, Ukana, Abor, Umulungbe, Unuoka, Egede, Ebe, Eke, Ngwo Uno, Ngwo Assa, Nsude, Obioma, Abia, Udi, Agbudu, Amokwe, Nachi, Umuaga, Obinagu and Umabi.

## **2.4 Ngwo Town**

Ngwo is the only town in Nigeria that is in two Local Government Areas. Those Local Government Areas include: Udi and Enugu North Local Government Areas. This has been so, either for political reasons or for Ngwo being critical, as a major landlord, to the commercial nerve centres of those Local Government Areas, namely: Ninth Mile Corner and Enugu township. Geographically, Ngwo is bounded to the north by Abor, to the south by Nsude, to the west by Eké, and to the east by Niké. Ngwo remains a historically important place in Enugu state.

Development is fast enveloping Ngwo town considering the high spate of commercial activities both at Enugu township and Ninth mile Corner, Ngwo.

## **2.5 9<sup>th</sup> Mile Gully Erosion Site**

The 9th Mile gully site is situated at latitude 6o 25' 31" N and longitude 7o 24'09" E and situated on the scarp slope of Awka-Orlu uplands. The gully is located in Imezi Owa Eziagu Local Government Area of Enugu State. The gully trends approximately northwest-southeast direction. It is about 1 km long, the width varies from 3-15m and depth ranges from 2.5 m to 6 m. The gully is accessible by old Onitsha – 9th Mile Road.

## 2.6 Socioeconomics

### 2.6.1 Demography

The 2006 census in Nigeria put the population of Enugu State at 3,237,837. The population at Udi LGA (in bold) is estimated at 238,305 (See Table 2.1 below).

Table 2.1: Demographic Distribution of Enugu State

LGA	POPULATION	MALE	FEMALE
Igbo-Eze North	258829	126029	132760
Igbo-Eze South	147364	72619	74745
Udenu	178687	88381	90306
Isi-Uzo	148597	72497	76100
Igbo Etiti	208333	105262	103071
Nsukka	309448	149418	160030
Uzo-Uwani	127150	63759	63391
Ezeagu	170603	84446	86137
<b>Udi</b>	<b>238305</b>	<b>117914</b>	<b>120391</b>
Enugu East	277119	131214	145905
Nkanu East	153591	75008	78583
Enugu North	242140	118895	123245
Enugu South	198032	93758	104274
Nkanu West	147385	72706	74679
Aninri	136221	66225	69996
Awgu	197292	96132	101160
Oji-River	128741	61719	67022
Total	3,237,837	1,596,042	1,671,795

**Source:** Federal Republic of Nigeria official gazette of 2nd February 2009 No. 2 Vol. 96.

Ngwo town is located in the south-eastern state of Enugu, Nigeria, with a population of about 50,000 people. The towns' native population is of Igbo ethnicity.

### 2.6.2 Culture and People of the Project Area

Ngwo people descended from the man called Ngwu-Ako who lived at a place now called "Isi Okpoto" located around St. Mary Catholic Church, Ngwo with his two wives. Ngwu-Ako gave it the name "Okpoto" because the fruits and trees that grew there were of very large sizes and shapes. That is, for him, they were "okpotokpo" (very large/huge). Living there with his two wives, they begot their ten (10) male children who eventually metamorphosed into the ten villages of Ngwo, namely: Uboji, Amankwo, Ameke, Enugu, Etiti, Amachala, Ukaka, Amaebo, Okwojo, and Umuase. While the first three (3) got settled at a place now called Ngwo-uno, the last seven (7) settled at a place also now called Ngwo-asaa. That accounts for the two (2) big shades/components of Ngwo, namely: Ngwo-ato (Ngwo-ulo) and Ngwo-asaa (Ngwo-agu). While Ngwo-uno is made up of three main villages, namely: Amankwo, Amaeke, and Uboji, Ngwo-asaa is composed of seven villages, viz: Enugu, Etiti, Amachala, Ukaka, Amaebo, Okwojo, and Umuase.

### **2.6.3 Leadership patterns**

His Royal Highness, the Igwe of Ameke Ngwo Community is the head of the community. Ameke Ngwo consists of 4 families along the 9<sup>th</sup> mile gully erosion site namely:

- Ifueke/Okwu Uwani family;
- Amaebo family;
- Umuozonyaba family; and
- Ibute Uwani family.

These families comprises of the central youth councils and councils of elders.

### **2.6.4 Local Customs and Festivals**

#### *Mmanwu (Masquerade) Festival*

In Enugu State, masquerades are as much law enforcement agents as they are cultural entertainment. The masquerade institution is very important in Enugu State and its annual festival, which takes place every November, has become one of the state's greatest tourist attractions.

#### *New Yam Festivals*

The New Yam Festival, celebrated between August and October, is an occasion to offer special prayers to God for a fertile land and good harvest. It is marked with feasting and merry-making. Other activities that occur are chieftaincy coronation ceremonies, Ozo title-taking ceremonies, traditional marriage ceremonies and performances by cultural dance troupes.

The Odo Cultural Festival is also a unique festival in Ngwo.

### **2.6.5 Agriculture**

Agriculture, predominantly subsistence, ranks first in the people's economic activities. It can be divided into two types: Agriculture on the plateau is based on the extensive cultivation of the conventional staples of yam, cassava, maize, sweet potato, grain legumes, pawpaw, banana, plantain and vegetables.

Income from the farm is supplemented by earnings from the sale of products from local economic tree crops like oil palm, cashew, kola nut, coconut, mangoes, breadfruit (ukwa), castor beans, oil beans, et cetera. Most of these tree crops are located on the compound land farm plots.

### **2.6.6 Local Economy**

Economically, the community is predominantly rural and agrarian, with a substantial proportion of its working population engaged in farming. Trading and services respectively, are also important.

### **2.6.7 Tourism**

As a tourist destination, the state is unique in that its tourist attractions are quite distinctive from tourist attractions found in other state of the Federation. Enugu state is noted for her cultural diversity, beautiful sceneries and undulating plateau. In Enugu State Tourism is coal. The investment and charm comes from the unique forest dynasty of Ngwo Pine forest, Eziagu tourism complex, Iva valley coal mine, Awhum waterfall, Opi Lake Complex, Miiken hill, Ani Ozalla Lake, Silicon hill and other attractions to be patronized.

### 2.6.8 Amenities and Infrastructure

- **Schools:** There are 3 public primary schools and 1 public secondary school in the community. Other schools include some private institutions.
- **Healthcare Facilities:** There exist only private hospitals in the community. However, there is no existence of government hospitals.
- **Electricity:** The Ameke Ngwo community is connected to the national grid but often without power supply which accounts for the use of generator sets and lantern for many who cannot afford generators.
- **Transportation:** Prevalence in the area is the use of motor cycle (bike), cabs and buses as means of road transport.

### 2.6.9 Existing Grievance Redress Mechanism

In Ameke Ngwo community grievances and civil cases are resolved by a local grievance redress system. The existing local system is tied to the traditional administrative authority and requires that aggrieved persons in the community report their complaints to the Igwe. The Igwe and his cabinet members have the responsibility to invite the parties in dispute, and/or hear the issue under summon and find a resolution. However, criminal matters are not entertained by the traditional system but referred to the appropriate government security agencies.

## 2.7 Socio-Economic Baseline Conditions of Project Affected Persons (PAPs)

Socio-economic data of PAPs were collected which will be relevant for measuring and monitoring the progress of RAP implementation. Table 2.2 below shows the socio-economic baseline conditions of PAPs.

Table 2.2: Socio-economic baseline conditions of PAPs

Item	Category	Total
Sex	Male (%)	77
	Female (%)	23
Age	21-30 years	11
	31-40years	19
	41-50 years	25
	51-60 years	20
	61- above	13
Marital Status	Single	7
	Married	78
	Widow	3
Highest Educational Level	No Education	0
	FSLC	7
	WASC/GCE	50
	TCH/OND	9

	HND/BSc	22
Occupation	Civil Servants	21
	Artisans	27
	Traders	14
	Framers	21
	Students	5
	Income per day	N100-N500
	N 600- N 1000	32
	N 1100- N2400	33
	N 2500+	4
Average household size		4

Source: Field Survey 2014

### 2.7.1 Gender Distribution of PAPs

As seen in table 2.2, majority of the PAPs (about 77%) are males while a lower percentage of 23% was identified for females. Male respondents are predominant because they represent household heads that own parcels of lands as well as houses. Also, vulnerability concerns require that livelihood restoration measures be properly and thoroughly carried out in consultation with PAPs. See figure 2.2 below.

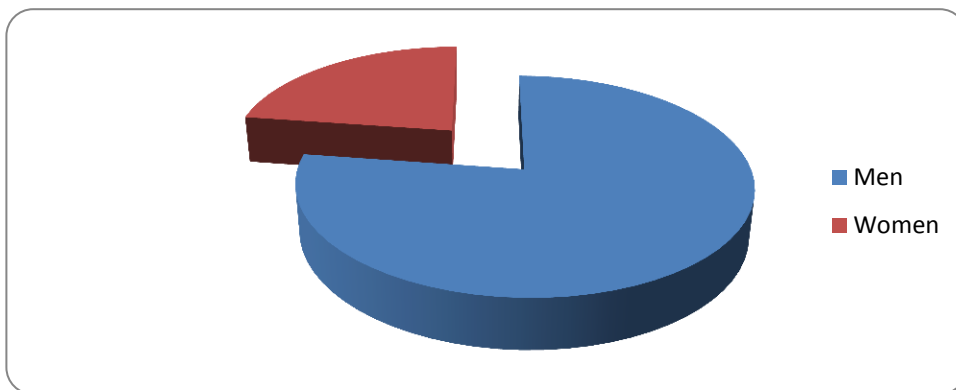


Figure 2.2: Gender Distribution of PAPs

### 2.7.2 Age Distribution of PAPs

Census of PAPs shows that adults range from 21 to 74 years. Figure 3 below shows that those between ages 31-40 years and those within 41-50 years constitute the dominant population of PAPs with a combined proportion of about 50 percent. The least age group among PAPs belongs to those from 21-30 years. See table 2.2 and figure 2.3.

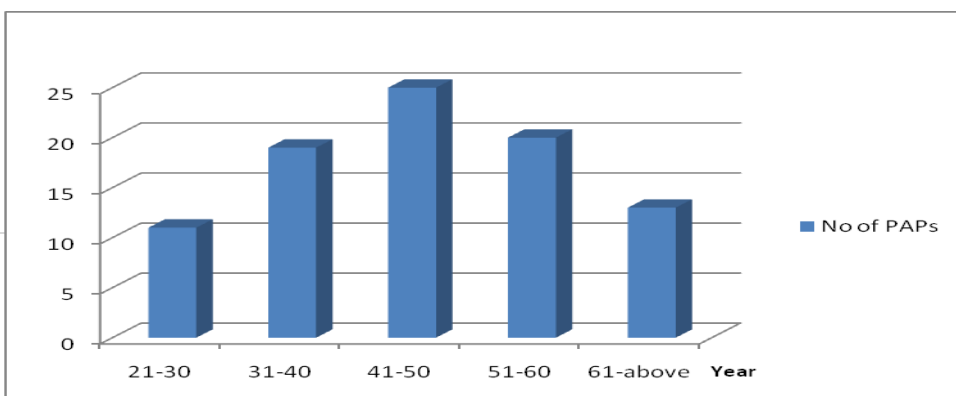


Figure 2.3: Age Distribution of PAPs

### 2.7.3 Marital Status of PAPs

Table 2.2 shows that PAPs are predominantly married people (about 87 %) while singles and widows account for 8 % and 5% respectively. The significance of this result is that PAPs are majorly men and women who are the bread winners and help mates in their respective households. See figure 2.4 below.

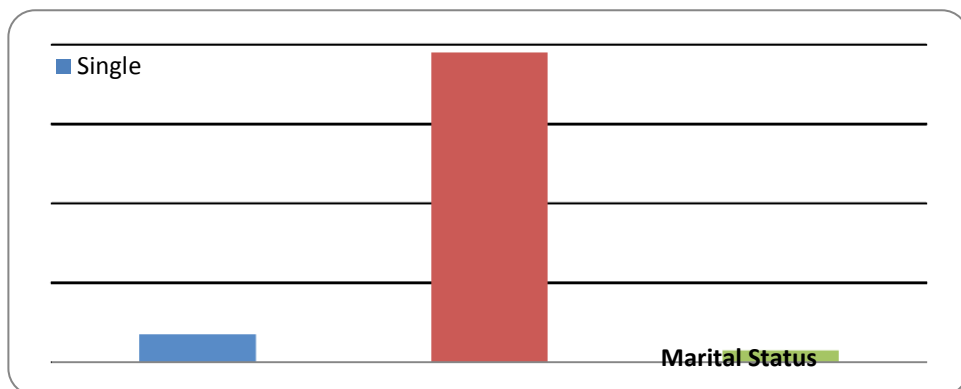


Figure 2.3: Marital Status of PAPs

### 2.7.4 Educational Status of PAPs

Information from the census survey shows that secondary education is the highest attainment for majority of the PAPs which accounts for 49 % followed by higher national diploma (HND/BSc) in which about 20% of the respondents fall in. 6% of the PAPs attained the First School Leaving Certificate while PAPs with TCH/OND account for 9% . The project community can be generally classified as being literate with about 94% of the PAPs having the ability to read and write. See figure

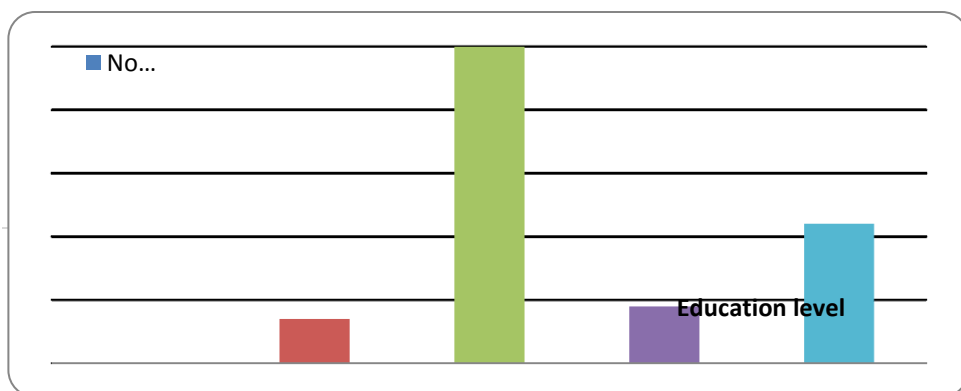


Figure 2.4: Educational Status of PAPs

### 2.7.5 Average Household size of PAPs

The average household size of PAPs surveyed is 4 (Table 2.2). Figure 2.5 below shows that the highest figures of 24 surveyed PAPs have 5 dependants. This is followed by 15 PAPs with 4 dependants and 11 PAPs with 6 dependants. Only 1 PAP each has 8, 9 and 10 dependants respectively.

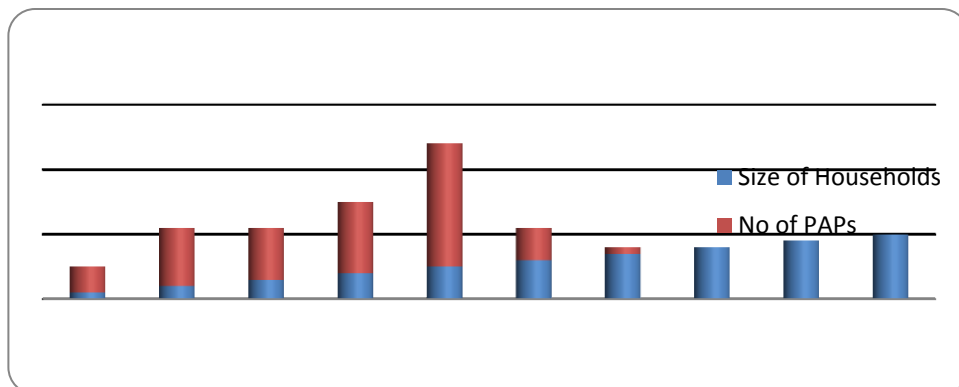


Figure 2.5: Average Household size

### 2.7.6 Income Status of PAPs

Figure 2.6 below shows that dominant income groups amongst PAPs lie between N600-N1000 and N1, 100-N2, 400 per day which accounts for 36% and 38% respectively. The survey also shows that about 19% fall within the income of N 100- N 500 per day while about 5% of PAPs earn about N 2500 or more per day.

Based on the later statistic, PAPs in the project area earn on the average, about \$2600 per annum. This figure puts PAPs in the class of middle income economy group according to World Bank development indicators (2004).

Although this results imply that PAPs can maintain reasonably, good standard of living, it is however, not inconceivable that impacts on their sources of livelihood may have adverse impacts on their income



sustenance and standard of living, especially with the low rate of saving culture in the less developed countries.

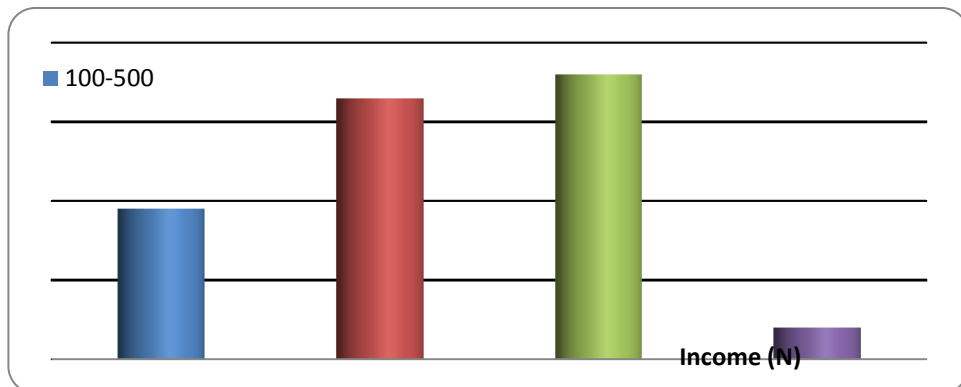


Figure 2.6: Income Status of PAPs

### 2.7.7 Occupation of PAPs

PAPs surveyed shows that 31% are artisans/technicians. Civil Servants and farmers account for 24% each of surveyed PAPs. The least are traders and students which account for 16% and 6% respectively. See table 2.4 and figure 2.7.

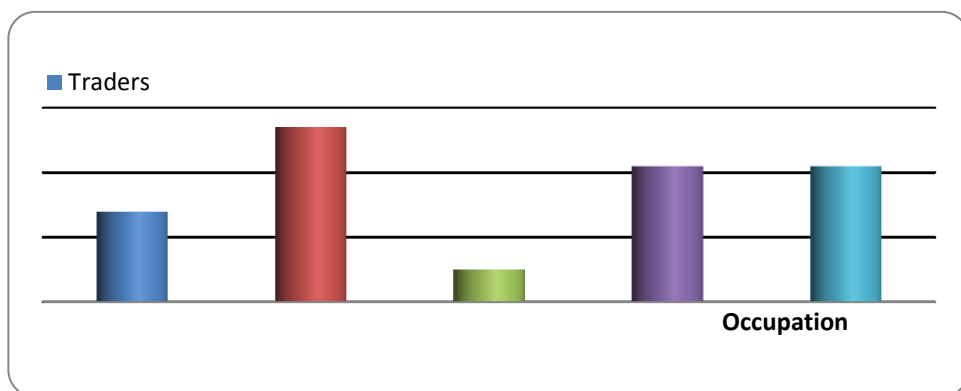


Figure 2.7: Occupation of PAPs

### 2.7.8 Land use activities of the areas destroyed by Erosion

Land use activities of the areas destroyed by erosion include farming crops such as cassava, maize, cocoyam etc, economic trees such as cashew, palm trees, mango as well as trading and other artisan services such as welding and carpentry.

### 3. POLICY LEGAL REGULATORY AND ADMINISTRATIVE FRAMEWORK

The following policy and regulatory frameworks guided the preparation of this RAP.

#### 3.1 World Bank Safeguard Policies

The World Bank has 10 + 2 Safeguard Policies to reduce or eliminate the negative environmental and social impacts of potential projects, and improve decision making. Details of the safeguard policies (OP 4.12) can be seen in Appendix 2.

In addition to the RPF, the following Operational Policies of the World Bank were reviewed as presented below:

- OP/BP 4.01: Environmental Assessment
- OP/BP 4.04: Natural Habitats
- OP 4.09: Pest Management
- **OP/BP 4.12: Involuntary Resettlement**
- OP 4.10: Indigenous Peoples
- OP 4.11: Physical Cultural Resources
- OP 4.36: Forests
- OP/BP 4.37: Safety of Dams
- OP/BP 7.50: Projects on International Waters
- OP/BP 7.60: Projects in Disputed Areas

#### Plus 1

- OP/BP 17.50: Public Disclosure

With respect to this RAP report, the OP/BP 4.12 (Involuntary Resettlement) and OP/BP 17.50 (Public Disclosure) is applicable. The above-mentioned policy is reviewed in section 1.6 of chapter 1 of this report. (Also see Appendix 2).

#### 3.2 The Resettlement Policy Framework (RPF) of the NEWMAP

The Resettlement Policy Framework (RPF) was prepared as a guide to set out the general terms under which land acquisition/encroachment, and/or any form of involuntary displacement of persons from the land or right of way of the project can take place, to comply with the World Bank Operational Policy (OP 4.12 - Involuntary Resettlement). The RPF specified that during implementation stage and following the identification of sub-projects and sites for the developments, individual resettlement action plans should be prepared that must be consistent with the provisions of the RPF. It also provided a generic process for the preparation of resettlement plans. The RPF specified that in addressing impacts, resettlement plans must include measures to ensure that the displaced persons are:

- Informed about their options and rights pertaining to resettlement;
- Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives;
- Provided prompt and effective compensation at full replacement cost for losses of assets and access attributable to the project; and

- Enabled to restore and preferably improve their living standards compared to the pre-project condition.

In the overall, a major objective of the RPF was to ensure that PAPs are meaningfully consulted, participated in the planning process and are adequately compensated to the extent that at least their pre-displacement incomes have been restored and in a fair and transparent process.

The RPF specified that occupants who must be displaced will be moved at minimum cost and at short distance as possible. It also states that occupants who must be moved will be assisted physically by inclusion of preparatory site work in the works programme of the contractor and/or by payments to move shops and items of livelihoods to alternative locations. It also recommended the setting up of a dispute resolution mechanism that will address complaints and grievances that may emanate from the resettlement or compensation process.

The preparation of this RAP is consistent with the guidelines and recommendations of the RPF of NEWMAP which is also found to be in agreement with the guidelines of the World Bank on involuntary resettlement.

### **3.3 Nigeria Regulatory Framework**

With regards to management of the bio-physical environment throughout Nigeria, the overall responsibility was held by the now defunct Federal Environmental Protection Agency (FEPA), which was absorbed into the Federal Ministry of Environment (FMEnv) in 1999. The State Environmental Protection Agencies or, as the case maybe, State Ministries of Environment performs this function at state and local levels.

#### *3.3.1 The Federal Ministry of Environment (FMEnv)*

The Federal Ministry of Environment's mandate includes the establishment of federal water quality standards and effluent limitations, protection of air and atmospheric quality; protection of the ozone layer; control the discharge of hazardous substances; inter alia and ensures that all major development projects in Nigeria are subject to mandatory Environmental Impact Assessment (EIA) pursuant to EIA Act. No. 86 (Decree No. 86) of 1992

As contained in FEPA Acts 58 of 1988 and 59 of 1992. All lands in Nigeria belong to the Federal Government and are entrusted to the State Governors of the respective states to hold in trust for the public and for public interest. In the event of use of land for public interest, the Act specifies as follows:

- That the government should resettle and/or compensate occupants of land with Certificate of Occupancy (C of O); or
- Issue notice to occupiers of land prior to displacement of land for public project.

In practice, government does not compensate known rightful owners of land/asset when the affected land/assets are located within the right of way of utilities. Rather, the government enforces involuntary displacement by demolition of the structures and assets that are located within the land mapped for project.

### 3.3.2 *Nigeria Land Use Act (1978)*

The Land Use Act Cap 202, 1990 Laws of the Federation of Nigeria is the applicable law regarding ownership, transfer, acquisition and all dealings on land. The provisions of the Act vest every parcel of land in every state of the Federation in the Executive Governor of the State. He holds such parcel of land in trust for the people and government of the state. The Act categorized the land in a state to urban and non-urban or local areas. The administration of the urban land is vested in the Governor, while the latter is vested in the Local Government Councils. At any rate, lands irrespective of the category belongs to the state while individuals only enjoys a right of occupancy as contained in the certificate of occupancy, or where the grants are “deemed”.

Thus the Land Use Act is the key legislation that has direct relevance to resettlement and compensation in Nigeria. Relevant Sections of these laws with respect to land ownership and property rights, resettlement and compensation are summarized in this section.

#### 3.3.2.1 *Requirements of the Nigeria Land Use Act (1978)*

The land-use Act of 1978 states that “...It is also in the public interest that the rights of all Nigerians to use and enjoy land in Nigeria and the Natural fruits thereof in sufficient quality to enable them to provide for the sustenance of themselves and their families should be assured, protected and preserved’. This implies that acts that could result in the pollution of the land, air, and waters of Nigeria negates this decree, and is therefore unacceptable.

Furthermore, the Land Use Act of 1978 (modified in 1990) remains the primary legal means to acquire land in the country. The Act vests all land comprised in the territory of each state in the Federation in the Governor of the state and requires that such land shall be held in trust and administered for the use and common benefit of all Nigerians in accordance with the provisions of this Act. According to the Act,

- All land in urban areas shall be under the control and management of the Governor of each State. and
- All other land shall, subject to this Act, be under the control and management of the Local Government, within the area of jurisdiction of which the land is situated.

State Governors are given the right to grant statutory rights of occupancy to any person or any purpose; and the Local Government will have the right to grant customary rights of occupancy to any person or organization for agricultural, residential and other purposes

### 3.3.3 *Nigerian Urban and Regional Planning Law No. 88, 1992*

Section 333 requires every developer of Land exceeding 4000m<sup>2</sup> or four floors to submit a detailed EIA report to an appropriate Development Control Department in the area of project location.

## 3.4 **State Regulatory Framework**

### 3.4.1 *Enugu State Ministry of Environment and Mineral Resources*

The Enugu State Ministry of Environment and Mineral Resources were established in the year 2004. Some of its functions include:

- General protection and development of the environment, conservation of biodiversity, natural resources and sustainable development of the state;
- Preparation of comprehensive state policy for the protection of the environment and conservation of biodiversity; and
- Preparation of procedures for Environmental Impact Assessment and Environmental Audit for new industries and existing facilities in the state

### 3.5 Comparison between Land Use Act and World Bank OP 4.12

Table 3.1: Comparison of Nigerian Land Use Act (1978) and World Bank's OP 4.12

CATEGORY	NIGERIAN LAND USE ACT	WORLD BANK
Land Owners	Cash compensation based upon market value	Recommends land-for-land compensation, or cash compensation at replacement cost.
Land Tenants	Entitled to compensation based on the amount of rights they hold upon land.	Entitled to some form of compensation subject to the legal recognition of their occupancy.
Land Users	Not entitled to compensation for land; entitled for compensation for crops	Entitled for compensation for crops and may be entitled for land replacement and income loss compensation for minimal of the pre-project level.
Owners of Non permanent Buildings	Cash compensation based on prevailing market value	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.
Owners of permanent Buildings	Cash compensation based on prevailing market value	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.

The RAP for the 9<sup>th</sup> Mile gully erosion site in Udi LGA Enugu will be aligned with the World Bank Operational Policy (OP 4.12) which indicates best practices to rehabilitation of livelihoods of people affected by the implementation of the project. Hence, where there are gaps between the Land Use Act (1978) and the World Bank Policy (OP 4.12), in regard to compensation of PAPs, the World Bank's Policy will apply since it is to fund the project. Refer to the RPF (Annex 001).

#### 4. IDENTIFICATION OF PROJECT IMPACTS AND PROJECT AFFECTED PERSONS

Section 1.7, chapter 1 provides methodology for impacts and PAPs identification which included census/inventory survey and consultation with the PAPs. Consultation with the project community and PAPs was continuous and started during the preliminary visit in March 2014. The inventory taken showed that there are no project impacts in the categories of loss of land property, shrines/cultural property, etc.

However, impacts involving involuntary displacement are anticipated in some parts of the gully sides. Consequently efforts were made in line with the policy of the World Bank to reduce/avoid impacts as much as possible.

##### 4.1 Impact Reduction Measures Undertaken

The following are technical steps taken in consultation and concurrence of the Enugu State NEWMAP SPMU which have resulted in the reduction of adverse impacts of the project:

- Consulting/communicating to the people of the project area and PAPs in particular on the day and time to expect civil work activities within their respective points;
- Required perimeter along the gully sides is kept at 10 meters only for the gully rehabilitation machineries to operate.

##### 4.2 Inventory of Affected Assets/Structures in the Project Area

Following the above impact reduction measures the inventory of impacts/structures was carried out. A total of 112 structures/items were identified.

This project does not however, involve land acquisition as land for proposed new installations are not envisaged. However, land will be temporarily acquired for the purpose of the intervention and not necessarily permanent by the project. If the project area is fenced/secured, individuals will not have access to the land and vice versa. Should the project want to retain/maintain the land, the project should develop a perimeter fence.

The matrix and categorization of inventory of affected assets in the project area is presented in Appendix 4.

Table 4.1: Matrix and Categorization of Inventory of Affected Assets

Items	Total
Economic trees	62
Farm lands	33
Shops	8
Metal containers	9
<b>Total</b>	<b>112</b>

##### 4.3 Census of Project Affected Persons (PAPs)

Census of PAPs surveyed shows that 88 persons were affected being the owners of items/structures/farmlands/economic trees captured under inventory. The census register for this RAP

which describes the names of PAPs, means of identification/contact and affected items is presented in Appendix 3.

#### 4.4 Number of Vulnerable Groups during RAP census

Vulnerable groups identified amongst PAPs during the census included female household heads, women, the elderly (above 60) with dependents and HIV-AIDS persons. There were no physical challenged persons i.e hard of hearing, mentally disabled, blind or crippled PAPs. Table 4.2 below shows the number of vulnerable PAPs per group.

Table 4.2: Number of Vulnerable Groups during RAP census

Item	Total Number
Female household heads (Widows)	3
The elderly(above 60) with dependents	13
Physical challenged persons (Blind, Crippled, mentally disabled)	0
HIV-AIDS	1
Women	20

#### 4.5 Income Restoration Measures for the PAPs and Vulnerable Groups

Whether implemented by Community Associations, the NGO or a firm, all livelihoods activities supported will be selected by communities themselves, guided by a list of potential activities, with sensitization carried out and informed by exposure visits to other project sites. The community liaison and support professional will provide technical services to the Community Association and facilitate the overall process, backstopped by the NEWMAP Technical Officer. As activities are selected, and groups and/or individuals develop appropriate plans, trainers with expertise in specific livelihood activities will be retained for short periods to provide hands-on instruction for participants.

*Emphasis must be direct on people most in need of livelihood support of livelihood support, for example those most affected by erosion and intervention works (the poor, landless, disabled and female-headed households).*

The objective of income restoration measures for the vulnerable persons is to ensure that they are reasonably assisted to overcome potential economic shock from the project, and maintain the quality of life not less than their pre-project state because; they are at higher risk than others based on their vulnerability disadvantage.

The kind/cash assistance for vulnerable groups and PAPs in general shall be administered by the proponent Enugu State Ministry of Environment and Mineral Resources through the resettlement committee or through NGOs in consultation with the PAPs. To ensure that income restoration measures are effective all the articulated resettlement measures will be carried out prior to the project implementation.

The income restoration plan (skill acquisition, assistance) to vulnerable PAPs shall be funded through the amount to be set aside for administration within the resettlement budget. This fund will be set aside by the Enugu State Ministry of Environment and Mineral Resources through its counterpart responsibility to

project's due diligence and shall preferably be operated/administered by the resettlement committee/NGO to be appointed and supervised by the SPMU during RAP implementation.



## **5. VALUATION AND COMPENSATION OF AFFECTED STRUCTURES AND PROPERTY**

### **5.1 Introduction**

Valuation of assets to be affected by the implementation of the project was conducted using a general principle adopted in the formulation of the compensation valuation which follows the World Bank's Policy that lost income and asset will be valued at their full replacement cost such that the PAPs should experience no net loss.

The asset valuation was conducted by a qualified estate surveyor and valuer based on the current market prices in Enugu State of all affected materials and assets.

### **5.2 Entitlement Policy**

Certified evidence shows that major part of land to be used during rehabilitation is owned by the Government of Enugu State or by the community benefiting from the project. Similarly, the outcome of the preliminary public consultation with the stakeholders, SPMU and project communities in particular, showed that there will be no land take involved during the implementation of the project.

However, the land is owned by the community after re-vegetation by the project interventions. To avoid conflict after civil works and reclamation of the erosion site, it is recommended that the state should delineate the drainage perimeter setback.

Therefore, PAPs are mainly those whose structure (shops), economic trees and farm/agricultural crops will be displaced. As a result of the rural nature of the project area, the gully intervention works may have no major impact on businesses, houses or means of livelihoods. Minor impacts to be experienced, will be temporal.

As a result, PAPs would be entitled to the following types of compensation and rehabilitation measures.

#### **5.2.1 PAPs Losing Residential Land and Structures**

- PAPs with legal rights of land use:

The mechanism for compensating loss of residential land and structures will be:

- The provision of replacement residential land (house site and garden) of equivalent size, satisfactory to the PAPs or in cash at the replacement cost.
- The cash compensation reflecting full replacement cost of the structures without deduction or depreciation for salvaged materials.
- If the residential land and /or structure is only partially being affected by the project and the remaining residential land is not sufficient to rebuild the residential structure lost in accordance with the prevailing standards, then at the request of the PAPs, the entire residential land and structure will be acquired at full replacement cost, without depreciation.
  - All relocated PAPs will be provided with transportation and subsistence allowances as specified in OP 4.12 Policy.

- Tenants who have leased a house for residential purposes will be provided with a cash grant of three months rental fee at the prevailing market rate in the area, and will be assisted in identifying alternative accommodation.
  - Severely affected PAPs and vulnerable groups will receive shelter or other forms of economic rehabilitation from the Enugu State Government if deemed necessary and where applicable.
  - In case of partial impact on structures and where the remaining structures remain viable for continued use, PAPs will also be entitled to additional allowance for repair of remaining structure.
- PAPs without legal rights of land use.
    - There will be no land compensation, but their houses, structures and other assets on land will be compensated as PAPs with legal rights of land use.

### **5.2.2 PAPs Losing Agricultural Land and Crops**

- The mechanism for compensating loss of farm land includes:
  - The provision of alternative site of equal size within the same community;
  - Cash compensation for lost of crops and/or economic trees at full market price of estimated produce. This is arrived at by counting the number of crops or ridges as well as the economic trees to be affected.
- PAPs will also be provided with compensation at full replacement cost, without deduction or depreciation for salvaged materials or any other fixed assets in part or in total by the project, such as tombs and water wells.
- In cases where community infrastructure such as schools, factories, water sources, roads and sewage systems are damaged, the Enugu State Government/NEWMAP will ensure that these would be restored or repaired as the case may be, at no cost to the community.

### **5.2.3 PAPs requiring Relocation Assistance**

PAPs will be assisted by cash or in kind for the cost of moving their belongings and assets such as movable lockup shops and other personal belongings, as applicable in the case of this project, to a new place of relocation.

### **5.3 Eligibility Criteria for Affected Persons**

Any person who will suffer loss or damage to a building, business, trade or loss of access to productive resources, as a result of the project will be considered eligible for compensation and/ or resettlement assistance.

The cut-off date for being eligible for compensation and/ or resettlement assistance was the 9<sup>th</sup> April 2014, which is the last day during which the socio-economic survey was completed.

PAPs also include:

- Those who have formal legal rights of land (including customary and traditional rights recognized under the laws of the country);
- Those who do not have formal rights to land at the time the census begins but have a claim to such land or assets and become recognized during the survey; as well as
- Those who have no recognizable legal rights or claim to the land they are occupying.

#### **5.4 Cut - off Date**

The cut-off date for being eligible for compensation and/ or resettlement assistance is 9th April 2014, which is the last day during which the socio-economic survey was completed. This date was communicated to the communities including PAPs through community consultation and household RAP questionnaire administration. More importantly, inventory and census of all affected assets and PAPs were comprehensively completed within this period so that no PAPs were left out.

After this date, no compensation will be made to families or persons who install themselves within the affected area or for improvements made to homes or other structures. The purpose of the cut-off date is to avoid speculative investments inside the affected area by persons seeking entitlements. If two years or more pass after the declaration of a cut-off date, the census must be repeated and new valuations computed for assets.

#### **5.5 Proof of Eligibility**

The SPMU will consider various forms of evidence as proof of eligibility as stated in the RPF, to cover the following:

- PAPs with formal legal rights, documented in the form of land title registration certificates, leasehold indentures, tenancy agreements, rent receipts, building and planning permits, business operating licenses, and utility bills among others: unprocessed/unregistered formal legal documents will be established in the RAP.
- PAPs with no formal or recognized legal rights-criteria for establishing non-formal, undocumented or unrecognized claims to eligibility shall be established paying particular attention to each situation and its peculiarities. Alternative means of proof of eligibility will include:
  - Affidavit signed by landlords and tenants; and
  - Witnessing or evidence by recognized traditional authority, customary heads, community elders, family heads and elders and the general community.
- PAPs are expected to produce their code number (eg ENU/UDI/9<sup>th</sup> M/01) which will be sent to them via their GSM phone lines.
- PAPs with no phone numbers will be identified by their association leader/CDC leader so long as the name being used for claim is one recognized in the census register.

However only PAPs enumerated during the baseline survey shall be eligible for either the compensation or supplemental assistance. In other words the date of completion of baseline survey (9<sup>th</sup> April 2014) is the cut-off date for receipt of compensation or any assistance. Any new structures or additions to existing structures carried out after the cut-off date and their occupants will not be eligible for compensation or supplemental assistance.

## 5.6 Notification

All properties affected by the proposed civil works have been valued and assessed according to laid down procedure.

Owners of affected properties have been notified in several ways. These included one on one notification during the socio-economic survey, and also during public consultation. A compensation valuation of all affected properties was carried out to assess commensurable values.

## 5.7 Valuation methodology

Valuation of assets to be affected by the implementation of the project was conducted using a general principle adopted in the formulation of the compensation valuation which follows the World Bank Safeguards Policy that lost income and asset will be valued at their full replacement cost such that the PAPs should experience no net loss. The asset valuation was conducted based on the current market prices in the project area.

Below is the outcome of the market survey carried out on April 2014 in Udi Enugu State, Nigeria.

### 5.7.1 Valuation of physical structures

Table 5.1: Valuation of physical structures

Category	Materials	Unit	Amount (Naira)
Shops	Cement	1 bag	1800
	Corrugated iron sheet	1 sqm	2500
	Wood door	1	25,000
	Block-Cement	1 sq,	3000
	Wood/plank	1	400
	Iron rod	1	1500
	Emulsion paint	20 L	2000
	Truck Hire within the town		1
Labour cost: Mason, carpenter etc		1 artisan per day	3000
Total			50,700

### 5.7.1 Valuation of economic plants

Current market values were derived from pricing these farm products in the local market. Derived estimates are provided in table 5.2 below.

Table 5.2: Valuation of economic plants and crops

Category	Unit	Rate (Naira)
Compensation for destruction of economic tree	1	10, 000
Compensation for destruction of cassava crops per ridge	-	50 per ridge of farmland

## 5.8 Valuation methodology for compensation

Based on the assertion that land acquisition is not anticipated in this project, no land resettlement will be carried out. Therefore, valuation of assets for this project is concerned with compensation of permanent/immoveable and temporal/moveable assets to be displaced and the income restoration for loss of income by PAPs due to the project. The method of valuation has been communicated to and dialogued with the PAPs during consultations as presented below:

### *Replacement Cost Method*

- The Replacement Cost Method, which is used in estimating the value of the property/structure, is based on the assumption that the capital value of an existing development can be equated to the cost of reinstating the development on the same plot at the current labour, material and other incidental costs. The estimated value represents the cost of the property as if new.

### *Land Resettlement*

- Owners of land are provided with an area of land equivalent to their displaced land. Land restoration should be in a location that has similar value as the one displaced to the project.
- In this project however, there will be no land displacement. All affected lands (disturbance) are owned by the communities, and are going to be restored to occupants by the community and the compliance will be monitored by the SPMU/resettlement committee.

### *Disturbance and Other Incidental Contingencies*

- Affected business premises which will have to close shop or be relocated will be given compensation for loss of business time or assistance for transportation.

## 5.9 Payment of Compensation

### Compensation to Owners of Immovable Structures

In accordance with the World Bank operational policy on involuntary resettlement (OP 4.12), EN-SPMU will ensure that the conditions of the PAPs are restored to the status that is at the minimum commensurate to their pre-project status. Owners of immovable structures will be paid compensation that will be based on assessed values of their properties. The compensation will be paid by NEWMAP EN-SPMU which is the implementing agency.

Compensation to owners of structures will be based on the:

- cost of replacement of structure; and

- cost of agricultural crops/economic trees to be affected at full market price.

## 5.10 Entitlement Matrix

Based on the comparison between Nigeria Law and OP4.12, entitlement matrix presented in this RAP is designed to assist the process by bridging the gaps between requirements under Nigeria Law and the World Bank OP4.12.

In comparison and bridging the gaps between the requirements under Nigeria Law and the World Bank OP4.12 (Table 3.1), it is emphasized that the higher of the two standards/instruments (*the more beneficial to the project affected persons*) should be followed as it also satisfies the requirements of the lesser standard.

Table 5.3: The Entitlement Matrix for Various Categories of PAPs

Type of Loss	Entitled Person	Description of Entitlement
1. Permanent loss of land 1.1 Cultivable/residential /commercial land	1.1 (a)Legal owners of land (b)Occupancy/Hereditary tenant	1.1 (a) Land for land compensation is preferred priority, or Cash compensation at replacement value based on market rate plus 10% compulsory acquisition surcharge as second option (b) & (c) Compensation will be paid as plus a one- time lump sum grant for restoration of livelihood and assistance for relocation. .
2. Damage to land (such as abutting sub-project site) 2.1. By excavation etc. from borrows for earth for construction. 2.2 By severance of agricultural holding	2.1. (a)Legal owner/s (b) Village/s or clan/s with customary ownership 2.2. (a)Legal owner/s (b) Village/s or clan/s with customary ownership	2. 1 (a) & (b) Restoration of land to pre-construction condition or cash compensation at prevailing rates for necessary bulldozer/ tractor hours to restoring level and/or truckloads of earth for fill 2.2 Provision of water course to connect severed segment with source of water
3. Loss of income and livelihood 3.1. Temporary loss of access to land for cultivation	3.1.Cultivator occupying land	3.1. Estimated net income for each lost cropping season, based on land record averages of crops and area planted in the previous four years
3.2. Loss of agricultural crops, and fruit and wood trees. 3.3 Loss of income by agricultural tenants because of loss of land they were cultivating	3.2. (a) Owner/s of crops or trees. Includes crops trees owned by encroachers/squatters (b) /tenant 3.3 Persons working on the affected lands	3.2. (a) Cash compensation for loss of agricultural crops at current market value of mature crops, based on average production. Compensation for loss of fruit trees for average fruit production years to be computed at current market value.  Compensation for loss of wood-trees at current market value of wood (timber or firewood, as the case may be). 3.2. (b) Partial compensation to tenants for loss of their crops/trees as per due share or agreement (verbal or written) 3.3 One-time lump sum grant to agricultural tenants (permanent, short-term or long-term agricultural labor (this will be in addition to their shares in crop/tree compensation) a) <b>Tree/perennial crops:</b> Harvesting of the crops will be given a first priority but where harvesting is not possible, counting of the affected crops will be done in the presence of the owner. Computation of the costs will be done according to market rates b) <b>Annual crops:</b> Crops will be harvested by the owner and therefore no compensation will be paid for crops. Where crops cannot be harvested, compensation at the

Type of Loss	Entitled Person	Description of Entitlement
		market rate will be paid
4. Permanent loss of Structures 4.1 Residential and commercial structures	4.1. (a) Owners of the structures whether or not the land on which the structure stands is legally occupied  (b) Renters	4.1. (a) Cash compensation for loss of built-up structures at full replacement costs Owners of affected structures will be allowed to take/reuse their salvageable materials for rebuilding/rehabilitation of structure. In case of relocation, transfer allowance to cover cost of Shifting (transport plus loading/unloading) the effects and materials will be paid on actual cost basis or on current market rates. (b) One-time cash assistance equivalent to 4 months rent moving to alternate premise. Transfer allowance to cover cost of shifting (transport plus loading/unloading) personal effects paid on actual cost basis or on current market rates.
4.2. Cultural, Religious, and community structures /facilities School, church, water channels, pathways, and other community structures/installations	4.2. Community	4.2. Complete rehabilitation/restoration by the Project; or, Cash compensation for restoring affected cultural/community structures and installations, to the recognized patron/custodian.
5. Special provision for vulnerable PAPs 5.1. Restablishing and/or enhancing livelihood	5.1 Women headed households, disabled or elderly persons and the landless	5. Needs based special assistance to be provided either in cash or in kind.
5.2 Change in Livelihood for women and other vulnerable PAPs that need to substitute their income because of adverse impact	5.2. (a) Vulnerable PAPs, particularly Women enrolled in a vocational training facility 5.2. (b) owner/s whose landholding has been reduced to less than 5 acres	5.2 (a) &(b).Restoration of livelihood (vocational training) and subsistence allowance @ agreed rate per day for a total of 6 months while enrolled in a vocational training facility
Unanticipated adverse impact due to project intervention or associated activity	The Project team will deal with any unanticipated consequences of the Project during and after project implementation in the light and spirit of the principle of the entitlement matrix.	

The **entitlements**, as the case may consist of replacement housing, replacement land, building lots, or cash compensation. *Under Bank Policy, cash compensation is only appropriate when there is an active market in land or housing and where such assets are actually available for purchase.*

Communal rights to land and other assets are recognized. Clans, lineages and other community property have been subjected to the same procedures as for privately held land.

**Tenants** may be granted resettlement entitlements along with owners or they may be given a subsidy to find a new rental property. Entitlements shall include transitional support such as moving expenses, assistance with food and childcare during a move and other needed support.

All PAPs irrespective of their status, whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the project area before the cut-off date.

All persons residing, conducting activities or earning income within the project affected areas at the cut-off-date, which is the last day of inventory of loss will be entitled to compensation and resettlement assistance. To determine their eligibility, PAPs are classified as follows:

- Person who have formal right to land (including customary and traditional rights recognised under Nigerian Law
- Persons with temporary or leased rights to use land; and
- Persons who do not have formal legal right to lands or other assets at the time of the census, but who have claim to such legal rights by virtue of occupation or use of those assets.
- Businesses within the community

Those who do not have the legal title to land but reside in the affected area before the cut-off-date will be compensated for properties such as houses and other investment on the land, but will not be compensated for the land. The eligibility criteria for compensation are outlined in Table 5.3.



## 6. INSTITUTIONAL ARRANGEMENT AND RESPONSIBILITIES

### 6.1 Introduction

The major institutions that are involved in the Resettlement process are the Enugu State Ministry of Environment and Mineral Resources, Nigeria Erosion Watershed Management Project-State Project Management Unit (NEWMAP-SPMU), and the Community Resettlement Committee (CRC) made up of the Community Associations and Site Committees members in the project designated area.

### 6.2 Institutional Arrangement

The roles and responsibilities of the institutions regarding Resettlement Implementation and Grievance Redress are shown in table 6.1 below.

Table 6.1: Institutional Arrangement and Responsibilities for RAP

S/No	Stakeholders/ Institutions	Responsibilities
	<b>Enugu State Ministry of Environment and Mineral Resources</b>	<ul style="list-style-type: none"> <li>Compliance overseer at State Level on matters of compensation and other resettlement issues,</li> <li>Review of draft RAP report receiving comments from stakeholders, public hearing of the project proposals, convening a technical decision-making panel, monitoring and evaluation process and criteria.</li> </ul>
1	<b>NEWMAP-SPMU</b>	<ul style="list-style-type: none"> <li>Establishment of Community Grievance Redress Committee (CRC).</li> <li>Ensuring that the project conforms to World Bank safeguard policies, including implementation of the Resettlement Action Plan (RAP), as required.</li> <li>Engaging the services of contractors and consultants to carryout preparation and implementation of RAP and subsequent engaging the service of external monitors for the RAP implementation.</li> <li>Approval of payments to consultants for RAP activities carried out under the project.</li> <li>Internal monitoring and evaluation of RAP activities.</li> <li>Preparation of quarterly and annual progress reports on RAP implementation.</li> <li>Submission of Reports to Enugu State Government, and World Bank for review.</li> </ul>
2	<b>World Bank</b>	<ul style="list-style-type: none"> <li>Prior review of safeguard instruments RAP</li> <li>Accompany implementation.</li> <li>Recommend additional measures for strengthening the management framework and implementation performance.</li> </ul>
3	<b>Monitoring and Evaluation Officer/Social and Livelihood Officer</b>	<ul style="list-style-type: none"> <li>Ensure that there are sufficient resources (time, money and people) to supervise the environmental issues of the works.</li> <li>Ensure that any changes during implementation process that have significant environmental or social impact are communicated to the NEWMAP-SPMU in time and advice on actions to be taken and costs involved.</li> <li>Ensure that the SPMU is sufficiently informed on monitoring results.</li> </ul>
4	<b>Community Resettlement Committees (CRCs)</b>	<ul style="list-style-type: none"> <li>Being responsible for guiding compensation and resettlement activities in community areas.</li> <li>Form a survey team to carry out Detailed Measurement Survey (DMS) for affected houses and assets; finalize DMS and Entitlement forms for each PAP.</li> <li>Checking the unit prices of compensation as used in RP, suggestions for adjusting the unit prices in conformation with market prices/replacement costs (if required) to Project Management Unit for approval.</li> <li>In co-ordination with NEWMAP-SPMU, organize meetings with PAPs, communal authorities disseminate copies of Resettlement Information Booklet (RIB) and entitlement forms.</li> <li>Based on the policy and proposed process/mechanism in RAP, the CRCs prepare the detailed implementation plan (quarterly, semi-annual, annual plans) and the together with NEWMAP-SPMU pay entitlements to PAPs and implement for other activities in a timely manner.</li> <li>Settling the complaints and grievances raised by complainants and suggest solutions for the outstanding issues to responsible institutions for improving of the RAP</li> </ul>

		<ul style="list-style-type: none"> <li>implementation.</li> <li>Organize seminars to disseminate the RAP report to relevant stakeholders, communities, etc.</li> <li>Assisting local people in overcoming the difficulties during the implementation period</li> </ul>
5	<b>Project Affected Persons (PAPs)</b>	<ul style="list-style-type: none"> <li>Giving their own opinions and, or support on alternative project designs during Focused Group Discussion,</li> <li>Support Community- based developmental project.</li> <li>Attend meetings, workshops and capacity building meetings for this RAP</li> <li>Comply with agreements reached during consultations to ensure successful implementation and livelihood restoration.</li> </ul>
6.	<b>Safeguards Officer</b>	<ul style="list-style-type: none"> <li>Ensure that complaints received are treated with utmost urgency</li> <li>Liaise with Project Coordinator on all matters on grievance complaints</li> <li>Supervise safeguard implementation including RAP</li> <li>Review RAP and ensure its compliance to the applicable policies of the Bank</li> <li>Evaluate the implementation of the RAP</li> <li>Supervise and ensure the implementation of RAP prepared and, acting in collaboration with the supervising engineer, ensure contractor compliance with the contract on safeguards issues</li> <li>Provide technical inputs into the livelihoods component through design and piloting of livelihood strategies (in partnership with local stakeholders) to expand PAP's economic potential as entrepreneurs, producers and home-based workers etc. in the targeted communities.</li> <li>Interact continuously with the NGOs and community groups that would be involved in the project.</li> <li>Conduct needs assessment with the view to identifying potential economic interventions for PAPs to improve their economic opportunities and household livelihoods</li> <li>Provide technical inputs into the livelihoods component through design and piloting of livelihood strategies (in partnership with local stakeholders) to expand PAP's economic potential as entrepreneurs, producers and home-based workers etc. in the targeted communities.</li> <li>Liaise with LGAs and Community Associations to verify adequacy of resettlement location and provide clearance for such sites. Provide replacement infrastructure in relocation areas. Assist community support professionals and communication specialists in designing and carrying out awareness campaign for the proposed sub-projects, amongst relevant grass roots interest groups</li> </ul>
7.	<b>NGO</b>	<ul style="list-style-type: none"> <li>Work with CRC, Community Associations Leaders to identify and consult with PAPs on compensation process and timetable</li> <li>Document agreement with PAPs on choice of compensation</li> <li>Ensure that compensation plan and PAPs bank account details are documented</li> <li>Work with SPMU to ensure finalization and payment of entitlements.</li> </ul>
8.	<b>Community Grievance Redress Committee</b>	<ul style="list-style-type: none"> <li>Provide support to PAPs on problems arising from loss of private properties and business area</li> <li>Record the grievance of the PAPs, categorize and prioritize the grievances that need to be resolved by the committee;</li> <li>Report to the aggrieved parties about the developments regarding their grievances and the decision of the project authorities and'</li> <li>Ensure that grievances are settled locally and in time as much as possible.</li> </ul>

### 6.3 Grievances and Appeals Procedure

The objective of a proposed mechanism for complaint is to respond to the complaints of the PAPs in a timely and transparent manner. The provision of the RPF of the NEWMAP on grievance and appeal procedures was incorporated and detailed as follows: (See Annex 3: Sample Grievance and Resolution Form in RPF and Chapter 7 sub-section 7.5 Project Implementation Manual Vol.1 Manual):

- The sub-project RAP team will establish an independent grievance mechanism. This may be set up through Local Authorities, including a Resettlement or Land Committee and through community leaders.
- All PAPs will be informed about how to register grievances or complaints, including specific concerns about compensation and relocation.

- The PAPs should also be informed about the dispute resolution process, specifically about how the disputes will be resolved in an impartial and timely manner.
- The RAP Team will produce a report containing a summary of all grievances. If needed, the dispute resolution process should include Nigerian Courts of Law, but traditional institutions can be an effective first step in both receiving and resolving grievances.

### **6.3.1 Grievance Redress Mechanisms**

A Community Grievance Redress Committee will be set up by SPMU to address complaints from RAP implementation. This committee will be directly under the National Coordinator, NEWMAP-FPMU and its members will include State Coordinator, Enugu NEWMAP, legal representatives, accounts representative, traditional rulers, women organizations and NGOs. The legal expert from NEWMAP shall be the secretary of the committee and they shall meet twice every week. (See Chapter 7, sub-section 7.5 Project Implementation Manual Vol.1 Manual and Annex 10, Process chart of Grievance Mechanisms). The functions of the Community Grievance Redress Committee are to:

- Provide support to PAPs on problems arising from loss of private properties and business area.
- Record the grievance of the PAPs, categorize and prioritize the grievances that need to be resolved by the committee; and
- Report to the aggrieved parties about the developments regarding their grievances and the decision of the project authorities.
- Publicize within the list of affected persons and the functioning of the grievance redress procedure established;
- Evaluate grievances from affected persons concerning the application to them of the entitlement policy;
- Recommend to the Social/Livelihood specialist, SPMU as the case may be, solutions to such grievances from affected persons;
- Communicate the decisions to the claimants; and
- Ensure that all notices, forms and other documentation required by claimants are made available in local language (Igbo) understood by people.

The main objective of this procedure will be to provide a mechanism to mediate conflict and cut down on lengthy litigation, which often delays such infrastructural projects. It will also provide people who might have objections or concerns about their assistance, a public forum to raise their objections and through conflict resolution, address these issues adequately.

The Grievance Redress Committee will provide ample opportunity to redress complaints informally, in addition to the existing formal administrative and legal procedures. However, the major grievances that might require mitigation include:

- PAPs not listed;
- Losses not identified correctly;
- Inadequate assistance;
- Dispute about ownership; and
- Delay in disbursement of assistance and improper distribution of assistance.

The Process Chart of Grievance Mechanisms is shown in Appendix 12.

## **7. MONITORING AND EVALUATION**

### **7.1 Internal Monitoring**

Implementation of the RAP will be regularly supervised and monitored by the Monitoring and Evaluation/ Social & Livelihood Officer in coordination with staff of the NEWMAP- SPMU.

The findings will be recorded in quarterly reports to be furnished to the NEWMAP - SPMU, and the World Bank.

#### **7.1.1 Tasks of the Monitoring and Evaluation Officer**

The tasks of the monitoring and evaluation officer include:

- Verify that the baseline information of all PAPs have been carried out and that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements has been carried out in accordance with the provisions of this policy framework and the respective inventory and RAP;
- Oversee that the RAP is implemented as designed and approved;
- Verify that funds for implementing the RAP is provided to the respective local level (district) in a timely manner in amounts sufficient for their purposes and that such funds are used by the Enugu State Ministry of Environment and Mineral Resources in accordance with the provisions of the RAP;
- Ensure the identification and signature/thumb print of PAPs before and during receipt of compensation entitlements; and
- Record all grievances and their resolution and ensure that complaints are dealt with in a timely manner.

### **7.2 Independent Monitoring**

An independent agency will be retained by the Enugu State Ministry of Environment and Mineral Resources to periodically carry out external monitoring and evaluation of the implementation of the RAP. The independent agency will be either an academic or research institutions, non-governmental organizations (NGO) or an independent consulting firm. They should have qualified and experienced staff and their terms of reference acceptable to World Bank.

In addition to verifying the information furnished in the internal supervision and monitoring reports, the independent monitoring agency will visit a sample of 10% of the Project Affected Population in the relevant community, six months after the RAP has been implemented to:

- Determine whether the procedures for PAPs participation and delivery of compensation and other rehabilitation entitlements have been done in accordance with the Policy Framework and the respective RAP;
- Assess if the RAP objective or enhancement or at least restoration of living standards and income levels of PAPs have been met;
- Gather qualitative indications of the social and economic impact of project implementation on the PAPs;
- Suggest modification in the implementation procedures of the RAP, as the case maybe, to achieve the principles and objectives of this policy framework; and

The terms of reference for this task and selection of qualified agency will be prepared by the NEWMAP-SPMU in collaboration with the World Bank at the beginning of project implementation stage.

### 7.3 Implementation Schedule

Table 7.1 below summarizes the implementation schedule of the Resettlement Action Plan by phase, responsibilities and completion time for the 9<sup>th</sup> Mile Gully Erosion Site.

Table 7.1: Summary of Responsibility for Implementation of Resettlement Action Plan

9 <sup>TH</sup> MILE GULLY EROSION PROJECT CYCLE	PHASE	ACTIVITIES	RESPONSIBILITIES
<b>PLANNING</b>	Scoping and Screening	<ul style="list-style-type: none"> <li>✓ Initial site visit &amp; consultations.</li> <li>✓ Identification of Resettlement and Social issues</li> <li>✓ Application of safeguard policies</li> <li>✓ Categorization</li> <li>✓ Action plan</li> <li>✓ Screening Report</li> <li>✓ <i>WB No-Objection</i></li> </ul>	Consultant; Supervision by Enugu State Ministry of Environment and Mineral Resources and NEWMAP-SPMU
<b>DESIGN</b>	Preparation of RAP and consultations	<ul style="list-style-type: none"> <li>✓ Draft RAP</li> <li>✓ Consultations</li> <li>✓ <i>WB No-Objection</i></li> </ul>	Consultant; Supervision by Enugu State Ministry of Environment and Mineral Resources and NEWMAP-SPMU
	Disclosure	<ul style="list-style-type: none"> <li>✓ Disclosure of RAP locally &amp; to WB Info Shop</li> </ul>	Enugu State Ministry of Environment and Mineral Resources and NEWMAP-SPMU World Bank
	Finalization and Incorporation	<ul style="list-style-type: none"> <li>✓ Final version of RAP</li> <li>✓ Incorporation of RAP into contract documents</li> <li>✓ <i>WB No-Objection</i></li> </ul>	Consultant; Supervision by Enugu State Ministry of Environment and Mineral Resources and NEWMAP-SPMU
<b>EXECUTION</b>	Implementation and monitoring	<ul style="list-style-type: none"> <li>✓ Implementation</li> <li>✓ Monitoring &amp; reporting on environmental and social mitigation measures</li> <li>✓ Monitoring and reporting of Resettlement and livelihood issues</li> </ul>	Contractors Supervision by Enugu State Ministry of Environment and Mineral Resources and NEWMAP-SPMU / and the community
<b>OPERATIONS (POST-IMPLEMENTATION)</b>	Operations and maintenance	<ul style="list-style-type: none"> <li>✓ Maintenance</li> <li>✓ Monitoring and reporting of Resettlement and social livelihood issues</li> </ul>	Contractors Supervision by Enugu State Ministry of Environment and Mineral Resources and NEWMAP-SPMU / and the community

## 8. COMPENSATION FUNDING ARRANGEMENT AND TIMETABLE

### 8.1 Budget for Resettlement activities related with the NEWMAP

Compensation budget for this RAP implementation is to be fully funded by the Enugu State Ministry of Environment and Mineral Resources.

### 8.2 Timetable for RAP

The timetable and schedules for the completion of the RAP can be seen in Table 8.1 below. The RAP has to be completed and PAPs adequately compensated before operation in the designated affected areas.

The timeline in table 8.1 is only indicative since the external factors not envisaged at this period such as delay in reviewing and addressing comments and other administrative and operational matters may cause a delay in the project time line.

Table 8.1: Timetable for Resettlement Action Plan

No.	Activities	Completion time
	CUT OFF DATE	9 <sup>th</sup> April 2014
1.	Submission of Draft RAP Report	May 2014
3.	Field Verification and Comments	May 2014
4.	Update of Comments	May 2014
5.	Submission of Final RAP Report	November 2014
6.	Advertisement in Two Local Newspapers in Country	November 2014
7.	Posted in the World Bank Info Shop	November 2014
8	Commencement of RAP	December 2014
6	Completion of RAP Implementation	December 2014
7.	Commencement of Civil Work	January 2015

### 8.3 Training Needs

Based on the assessment of the institutional capacities of the NEWMAP implementation of the RAP, it is recommended that Enugu State Government through the NEWMAP Contract technical assistance to provide training and operational support to the project implementation unit (SPMU) and other agencies involved in the RAP implementation. The training needs for the responsible institutions are identified in Table 8.2.

Table 8.2: Recommended Training and Awareness

item	Module	Course Content	Who to be Trained	Estimated Amount(Naira)
Day 1	Involuntary Resettlement and Rehabilitation Protocol	1. Principles of Resettlement Action Plan 2. Monitoring & Evaluation of RAP Implementation	EN-SPMU CRC and CDC	400,000

Day 2	Grievance Redress Mechanism	Conflict Management and Resolution in RAP	EN-SPMU , CRC and CDC	400,000
Day 3	Basics of Livelihood Restoration	1. Cash Management and Monitoring 2. Record Management & Book keeping 3. Making investment Decisions	All 88 PAPs	200,000
<b>TOTAL</b>				<b>1,000,000</b>

#### 8.4 Estimated Budget for RAP Implementation

Based on the preliminary valuation of affected assets and affected people presented in Appendix 4 the budget for resettlement activities associated with the implementation plan of the RAP is as follows:

Table 8.3: Estimated Resettlement Budget

	DESCRIPTION	TOTAL (NAIRA)
1	RAP Compensation Budget	3,901,760
2	Livelihood restoration and community development Initiatives	1,056,000
2	Capacity Building and enlightenment for RAP Implementation	1,000,000
3	Operating cost including Monitoring and Supervision of RAP Implementation (10 % of RAP compensation Budget)	390,176
4	Cost of engagement of NGO for compensation payment	700,000
	<b>TOTAL</b>	<b>7,047,936</b>

The total cost estimates for compensation of the PAPs is estimated at: **Seven Million and Forty Seven Thousand Nine Hundred and Thirty Six Naira Only (N7, 047,936)**; and the budget for this RAP will be provided by the Enugu State Government.

## **9. PUBLIC CONSULTATION**

### **9.1 Introduction**

In line with best practices for social impact assessment and as a procedure in Nigeria and the World Bank public consultation was a major driver of this social safeguard assignment. Public consultation and participation are essential because they afford potential PAPs the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood for conflicts between and among PAPs and the participating state utilities. The socio-economic situation prevailing in Nigeria makes public consultation with communities, indispensable. Furthermore, it is the local, urban and semi-urban communities who are to claim ownership of this project and are the intended beneficiaries ultimately; and for this project to be successfully meaningful, effective and close consultation with local communities is a pre-requisite. In recognition of this, particular attention is paid to public consultation with potentially affected individuals/households and communities.

Public consultation was used amongst other things to identify the population affected by the project. It also served the purpose of creating an enabling environment for input and feedback mechanism among the stakeholders. The principle outcome of the public consultation process was:

- The identification of PAPs;
- Identification of concerns of the affected persons and community;
- Communication of project objective to the concerned communities, and
- Identification of indicators for measuring performance of the RAP implementation based on the socio-economic peculiarities of the affected project communities.

### **9.2 Objectives of the Public Consultation**

- To create general public awareness and understanding of the project, and ensure its acceptance;
- To develop and maintain avenues of communication between the project proponent, stakeholders and PAPs in order to ensure that their views and concerns are incorporated into project design and implementation with the objectives of reducing, mitigating or offsetting negative impacts and enhancing benefits from the project;
- To inform and discuss about the nature and scale of adverse impacts and to identify and prioritize the mitigation measures for the impacts in a more transparent and direct manner;
- To document the concerns raised by stakeholders and PAPs so that their views and proposals are mainstreamed to formulate mitigation and benefit enhancement measures; and
- To sensitize other MDAs, local authorities, Non-governmental Organizations (NGOs) and Community Based Organizations (CBOs) about the project and solicit their views and discuss their share of the responsibility for the smooth functioning of the overall project operations.

### **9.3 Stakeholders Identification**

The Consultants alongside the Enugu State Ministry of Environment and Mineral Resources, Enugu State Ministry of Lands and Urban Development NGOs etc worked together to identify the key stakeholders that should be consulted at various stages of project implementation. This process



was completed with the identification of project-affected areas, residents and relevant governmental stakeholders.

The identified stakeholders for consultations were selected as follows:

**1. State Government Organizations:** This level of stakeholders constituted staff and representatives from the Enugu State Ministry of Environment and Mineral Resources, Enugu State Ministry of Lands and Urban Development, Enugu State Ministry of Agriculture etc

**2. Civil Groups/Non-governmental Organizations:** This level comprised NGOs, community development commissions (CDCs), civil society groups etc. These were represented by organization such as POVINA, Women Community Association (WCA) etc.

**3. Communities, Residents and Businesses:** This cadre comprised mainly of PAPs, local residents, Community Development Councils, Site Committee Members, traders etc

#### **9.4 Scope of the Consultation Meeting**

The following were taken into full account:

- That the project will be a massive rehabilitation of the gully erosion site and due to the magnitude of the project, there will be foreseeable environmental and social impacts, especially on both the people and structures during rehabilitation works;
- That the project aims at impacting more positively to the environment and social conditions, and will devise suitable, practicable mitigation measures through an ESMP to reduce or eliminate negative impacts;
- That positive impact of sub-project activities will be enhanced; and
- The priority concerns raised by project-affected persons (PAPs) and other relevant stakeholders are taken into account and incorporated in project planning.

#### **9.5 Major Concerns and Conclusions of the Stakeholder Consultation and Community Engagement**

The concerns raised by the stakeholders during the consultation, responses provided by the proponent and the consultant have been summarized and presented in table 9.1, 9.2 and 9.3 below. Also see Appendix 9 for pictures captured during the consultations.

Table 9.1: Summary of preliminary stakeholder consultation

ITEMS	DESCRIPTIONS
<b>DATE</b>	14/03/2014
<b>VENUE</b>	Nigeria Erosion & Watershed Management Project (NEWMAP) Office, no. 73, Coal city garden estate, GRA
<b>START TIME</b>	11: 00 am
<b>CLOSE TIME</b>	12.30pm
<b>OPENING REMARKS:</b>	<p>Mr. Simeon M. Nwankwo the Project Coordinator declared the meeting open and gave a quick overview of the agenda and led the introduction of Consultants and stakeholders present at the meeting.</p> <p>The objective of the stakeholder meeting was to bring to the front burner and overview of the project and the objective of the safeguards study to be carried out. It involved key officers from MDAs and community heads.</p>
<b>REACTIONS AND CONCERNS</b>	<p>Mr. Christian Ukwuani, the President General of the Nsude Town Union said that the inventory of gully erosion sites in the State were inadequate and advocated for site inspections to be carried out to unravel more threatening sites.</p> <p>Chief Donald Eze said that in the past, government officials had visited gully erosion sites and made “empty promises” concerning remediation processes.</p> <p>The PC observed that the cattle rearers have over time been a continuous menace to the pipelines carrying effluents from the Coca-Cola Bottling Company and Seven-Up Bottling Company as they vandalised them in order to provide drinking water for their cattle</p> <p>Engr. Chidozie E. Eze, the representative of the Managing Director of Water Board mentioned that Nsude is not enjoying water supply from the Corporation because of the threats their facilities are under. He said that the effluents from Coca-Cola is washing off the sand fast, exposing their underground pipes and fast approaching the twin tanks, making distribution of water to other parts of Enugu impossible. He also said that efforts in the past to repair the pipes with concrete conveyance method and PVC have proved abortive because of the soil structure which is loose.</p> <p>The Agric Perm. Sec’s. Representative said that from his experience in the Ministry, there was great need for this project’s proponents to appoint desk officers. He also added that bureaucracy could kill the pace or success of this project if specifications for persons needed as desk officers for the project is not made.</p> <p>Mr. Onyema Nwodo responded that his Ministry may be able to help by recommending and planting soil stabilizing plant species and that these species could be given to farmers to be spread along erosion prone sites. He also stressed that the forestry division of the Ministry worked hand in hand with the Ministry of Environment.</p> <p>He also pointed out another problem of overgrazing by the cattle that grazed over the farms and green areas that had been reserved to check erosion. He noted that the influx of cattle and the rearers from the neighbouring Benue and Nassarawa States as result of the deadly clashes between the herdsmen and farmers had led to that and thus increased the number of erosion sites.</p>
<b>CONSULTANTS RECOMMENDATION</b>	Public consultation with the stakeholders should be a continuous step through the life cycle of the project.

Table 9.2: Summary of Community Stakeholder Consultation

ITEMS	DESCRIPTIONS
DATE	22/03/2014
VENUE	Igwe's Palace Ameke Ngwo Community Udi LGA
START TIME	10: 45 am
CLOSE TIME	12.30pm
OPENING REMARKS:	<p>Mr. Ikenge Okwor Everistus of the Igwe's cabinet gave a welcome address from the Igwe to the consultant team and declared the meeting open. The Igwe responded and reassured that his community, cabinet members and the youth will cooperate with the consultant throughout the assignment.</p> <p>Mrs. Ani Scholarstica, Social and livelihood specialist NEWMAP, gave a quick overview of the agenda and overview of the NEWMAP project</p> <p>The Igwe led the introduction of consultants and stakeholders present at the meeting.</p>
REACTIONS AND CONCERNS	<p>Okoro Christopher hoped that it was not a repeat of an awarded contract in the past because contracts had been awarded so many times at the gully site.</p> <p>The Igwe added that there had been consultants and engineers who had abandoned the project in previous years.</p> <p>Hon. Uche Alor, Counsellor, Ngwo-uno stated that the erosion has done harm to their community and that the community will cooperate with project to achieve success.</p> <p>The Social and livelihood specialist NEWMAP assured that the project will cooperate with the community and pleaded for same.</p> <p>Ikega, Ozor to the Igwe emphasized further on cooperation ties for successful project implementation.</p> <p>Agu Augustine, the youth leader noted that there is a particular gully bigger than 9<sup>th</sup> mile gully site set for intervention. He stressed that the State Government and NEWMAP look into the issue. He further mentioned that Enugu State Ministry of Environment and Mineral Resources forced Coca-cola bottling company to rehabilitate the gully area because Coca-cola contributed to the menace. He also noted that a bigger gully (not at 9<sup>th</sup> mile) was awarded many years ago and that so many people from the community had written for the abandoned project to resume.</p> <p>The Social and livelihood specialist NEWMAP noted that she did not have the capacity to say or do anything concerning the abandoned project but the State Ministry of Environment and Mineral Resources won't allow such to happen.</p> <p>Mr Everistus mentioned that the community had had casualties during each rainy season through the bigger gully mentioned earlier because the bigger gully is more important to them than the 9<sup>th</sup> mile erosion site but are still grateful to the State Government for the intervention at 9<sup>th</sup> mile gully erosion site taking place.</p> <p>The Social and livelihood specialist NEWMAP appealed with the community to support the project.</p> <p>The Communication Specialist NEWMAP, Mr. Agbo Obinna said the Igwe and the cabinet members have shown appreciation concerning the approved project and also told the community not to reject the approved project at hand and things should be taken stepwise.</p> <p>The youth leader, Mr Augustine complained concerning the projects that has been abandoned for many years appealing that this intervention by NEWMAP should see the light of day.</p> <p>The Igwe gave support by sending some delegates to the 9<sup>th</sup> mile erosion site for the identification of PAPs.</p>

	Hon. Uche advised that original owners of affected property should be available at the site for proper identification
<b>CONSULTANTS RECOMMENDATION</b>	Public consultation with the community should be a continuous step through the life cycle of the project.

Table 9.3: Summary of Stakeholder Consultation with Nigeria Bottling Company (NBC) Plc

ITEMS	DESCRIPTIONS
DATE	03/11/2014
VENUE	Nigeria Bottling Company (NBC) Plc 9 <sup>th</sup> Mile Corner Ameke Ngwo Enugu
START TIME	1: 00pm
CLOSE TIME	2.35pm
OPENING REMARKS:	<p>The Honourable Commissioner Enugu State Ministry of Environment and Mineral Resources gave a welcome address and a quick overview of the agenda and the NEWMAP in Enugu State.</p> <p>He also led the introduction of stakeholders/participants present at the meeting.</p>
REACTIONS AND CONCERNS	<p>The Honourable Commissioner stated that NEWMAP involves an integrated approach with engineering solutions and watershed management involving alternative livelihood solutions to ensure that the causes of the gully erosion is reversed and poverty reduced. He raised concerns about the constant flow of storm water from a broken discharge pipe and explained how the NBC is a critical player in solving the gully erosion problem. He also noted that the existing drainage system of the church beside the NBC is not adequate and needs to be improved for future rain water harvesting.</p> <p>The Project Coordinator (PC) summarized the activities of the NEWMAP and gave an overview of the various failed interventions in the past since 2005 the NBC undertook to solve the erosion menace stating that stakeholders have not been carried along from the onset. The PC also made mention of Fulani herdsmen who constantly disrupt waste water disposed by the NBC by breaking these discharge pipes for cattle to drink.</p> <p>Mr. Ekuma, Regional PAC Manager East/Central NBC, expressed his excitement on the proposed integrated approach for NEWMAP implementation. He referred to a Joint Channelization Project of production water carried out by the Nigerian Breweries Limited (NBL), Nigeria Bottling Company (NBC) and 7up company in Udi LGA which was sabotaged. He sought for the Ministry of Environment and Mineral Resources assistance in spearheading sensitization programs to ensure the community understands the objectives of the NEWMAP.</p> <p>The Hon. Commissioner iterated on the aim of NEWMAP- including afforestation measures, watershed management which will impact on the livelihoods of the PAPs. The World Bank safeguards policies and the objective of the RAP and ESMP studies was also pointed out. The Hon. Commissioner sought for the effort of all stakeholders to cooperate during implementation especially for the communities to be part of the process stressing that Enugu State should see NEWMAP as their own.</p> <p>Egwuatu Modestus,, Ag. Plant Manager NBC also commended the approach of the stakeholder consultation and involvement.</p> <p>The Hon. Commissioner enquired on the Corporate Social Responsibility (CSR) of the NBC. Mr. Ekuma, REG PAC Manager East/Central NBC remarked that CSR is a strategy embedded in NBC's business. He noted that NBC have renovated schools, provided boreholes, 5KVA transformer to each community, empowered widows with bonuses to start their livelihoods etc. He further stated that after NEWMAP the NBC would continue to positively impact the community.</p> <p>Ikenge, Okwor, Onowu Ameke Ngwo raised concerns about the NBC's CSR effort in the community. He stated that the Igwe and his cabinet were not happy with the NBC especially on some social responsibilities. He cleared the notion made by the Mr. Ekuma, REG PAC Manager East/Central NBC saying that the worst hit of the gully erosion is on Ibute community citing that their farmlands have been engulfed by the gully.</p> <p>The Hon. Commissioner assured the representatives of the Igwe that the NBC will cooperate and that all stakeholders would be carried along.</p>
	The Permanent Secretary Enugu State Ministry of Environment and Mineral Resources

	<p>appreciated the comments of the Onowu and sought for more awareness and unity amongst stakeholders during NEWMAP intervention.</p> <p>The Social and livelihood officer NEWMAP SPMU reaffirmed and noted that Igwe is the custodian/leader of the community and assured that all communities would be carried along and also stressed that representatives from each community would be incorporated as members in the site committee.</p> <p>The RAP consultant enquired about the continuous flow of storm water from the chamber/pipe leading to the gully head. In response, Mr. Egwatu Modestus, Ag. Plant Manager NBC said the company has a project team that will address the flow before civil works commence.</p> <p>Mrs. Okeke Comfort, Quality Assurance Manager when asked by the RAP consultant mentioned that storm water is channeled to the normal drains while production water is channeled to an Effluent Treatment Plant (ETP) piped to a Waste Stabilization Pond and finally to Ajali River. She noted that daily treatment is carried out under the responsibility of the Quality Assurance Department, NBC.</p> <p>The NBC assured cooperation with the NEWMAP, community stakeholders as well as with the Enugu State Ministry of Environment and Mineral Resources during rehabilitation and maintenance phases.</p>
<p><b>CONSULTANTS RECOMMENDATION</b></p>	<p>Due diligence, community inclusion and participation in the entire implementation process should be fostered.</p>

## Appendix 1: Terms of Reference

### Background

The Government of Nigeria is implementing the multi-sectoral Nigeria Erosion and Watershed Management Project (NEWMAP), which is financed by the World Bank, Global Environment Facility, the Special Climate Change Fund, and the Government of Nigeria. NEWMAP finances activities implemented by States and activities implemented by the Federal government. The project currently includes 7 states, namely Anambra, Abia, Cross River, Edo, Enugu, Ebonyi, and Imo.

The lead agency at the Federal level is the Federal Ministry of Environment (FME), Department of Erosion, Flood and Coastal Zone Management. State and local governments, local communities and CSOs are or will be involved in the project, given that the project is a multi-sector operation involving MDAs concerned with water resources management, public works, agriculture, regional and town planning, earth and natural resources information, and disaster risk management.

The development objective of NEWMAP is: *to rehabilitate degraded lands and reduce longer-term erosion vulnerability in targeted areas*. In Enugu State, NEWMAP activities involve medium-sized civil works such as construction of infrastructure and/or stabilization or rehabilitation in and around the gullies themselves, as well as small works in the small watershed where gullies form and expand. This particular works trigger the World Bank's Safeguard Policies including Environmental Assessment OP 4.01; Natural Habitats OP 4.04; Cultural Property OP 11.03; and Involuntary Resettlement OP 4.12.

The environmental and social safeguards concerns are being addressed through two national instruments already prepared under the project: an Environmental and Social Management Framework (ESMF) and a Resettlement Policy Framework (RPF). These framework instruments need to be translated into specific costed, measurable, and monitorable actions for specific intervention sites through the preparation of site-specific management and action plans.

*ESMF.* In general, the ESMF specifies the procedures to be used for preparing, approving and implementing **(i) environmental/social assessments** (ESAs, or alternately both an SA or an EA) and/or **(2) environmental/social management plans** (ESMPs, or alternately both an EMP and SMP) for individual civil works packages developed for each project. ESMPs are essential elements for Category B projects.

*RPF.* The RPF applies when land acquisition leads to the temporary or permanent physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources due to project activities. It sets out the resettlement and compensation principles, organizational arrangements and design criteria to be applied to meet the needs of project-affected people, and specifies the contents of a Resettlement Action Plan (RAP) for each package of investments. A Resettlement Policy Framework (RPF), which serves as a practical tool during the programme formulation, design, implementation and monitoring, was prepared for NEWMAP which serves as a guide for the present terms of reference.

The activities of Component 1 will involve civil works in specific intervention sites – that is, construction of drainage works and/or rehabilitation of gullies. This could result in the acquisition of land or displacement of families, business or public infrastructure, thus triggering the World Bank OP/BP 4.12 – Involuntary Resettlement

## Objective and Scope of the Consultancy

The objective of the consulting services is to prepare a Resettlement Action Plan (RAP) for the 9<sup>th</sup> Mile gully erosion sub-project in Enugu State intervention site(s).

**9<sup>th</sup> Mile Gully Erosion Site:** The Site is situated within the outfall sub-zone of the Ajali river side tributaries. There are two very closely located contributing gully fingers with GIS coordinate of 6 0 25.652' N and 70 23.999'E. The GIS imagery illustrates the spatial relationships between the gully active zone and the socio-economic infrastructures. The first major active finger of the gully erosion is principally caused by the unchecked/uncontrolled discharge from the coca cola factory. The factory has made attempts to mitigate the problem by constructing long stretch of ring culvert of which intention is to transmit the factory effluent all the way down to the watershed. This effort did not address water inflow from local roadside gutter within the catchment zone. As a result, undercutting and structural failures occurred along the stretch of the construction. The other major contributing finger is also primarily caused by unchecked and uncontrolled discharge from phase 2 of the same factory. The same problem persists. This site is a gully of approximately 800m long, 3m deep and 12m wide has developed at 9th mile town in Udi.L.G.A, Enugu State. The gully has affected farm areas, public utilities (churches and market) and residential houses. Cause of the gully erosion was concentrated flow coming from a drainage gutter and effluent discharge from nearby beverage factories. The Project Site has 3 contributory catchment area/funnels: Catchment area of C is 4.8 km<sup>2</sup>, that of B (the confluence point of flows from C and the Coca Cola factory) is 5.5 km<sup>2</sup> and A (the outlet of the gully) is 11.4 km<sup>2</sup>. From the hydrological analysis, the design discharge at point C is estimated as 35 m<sup>3</sup>/s, that at point B is 40 m<sup>3</sup>/s and that at point A is 76 m<sup>3</sup>/s, noting that the effluent from the factory (labeled as H) is estimated as 6 m<sup>3</sup>/s. The values above represent 100-Year return period.





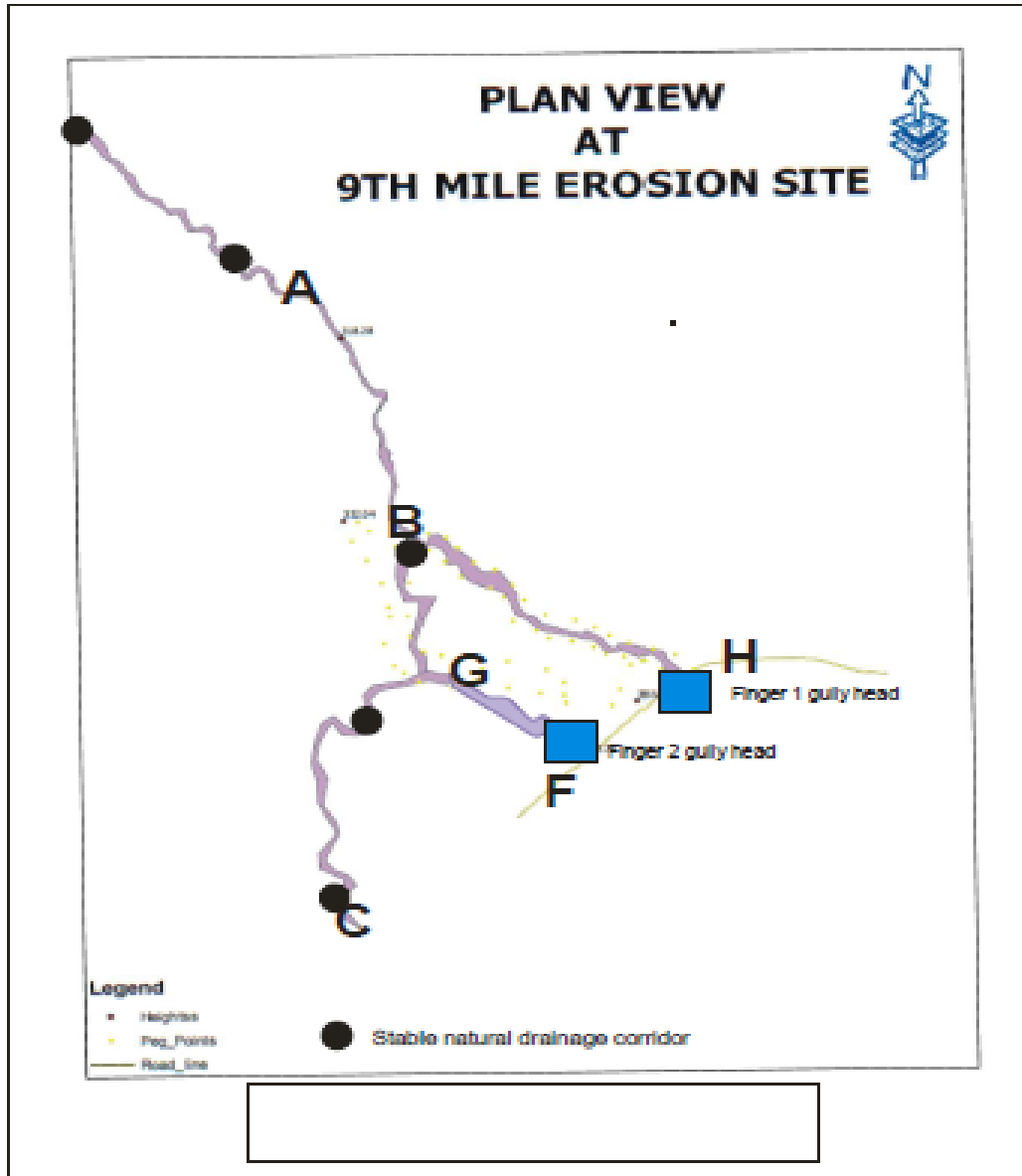


Figure 3: Pictorial statements of active gully zones – Current situation

The preparation of the RAP requires that an engineering design for the site is available for reference reasons. For instance, the detailed descriptions of the project components include the following:

- 1 number R.C.C.C. (Reinforced Concrete Chute Channel) of total drop height of 15 m from the gully head to stilling basin. (Length of channel = 250 m);
- 7 numbers gabion check dams of drop height 2 m per check dam at various locations along the gully;
- 75 m of 1.5 m x 1.3 m depth inlet control drainage channels;

- 12 m long inlet control culvert 1.5 m width by 1.3 m depth immediately upstream of finger 1 gully head;
- Structured vegetation and bio-engineering works along the backfilled sides of the concrete channel and the embankments of the gully.

It is also strongly recommended that high resolution digital imagery be acquired for each proposed site intervention.

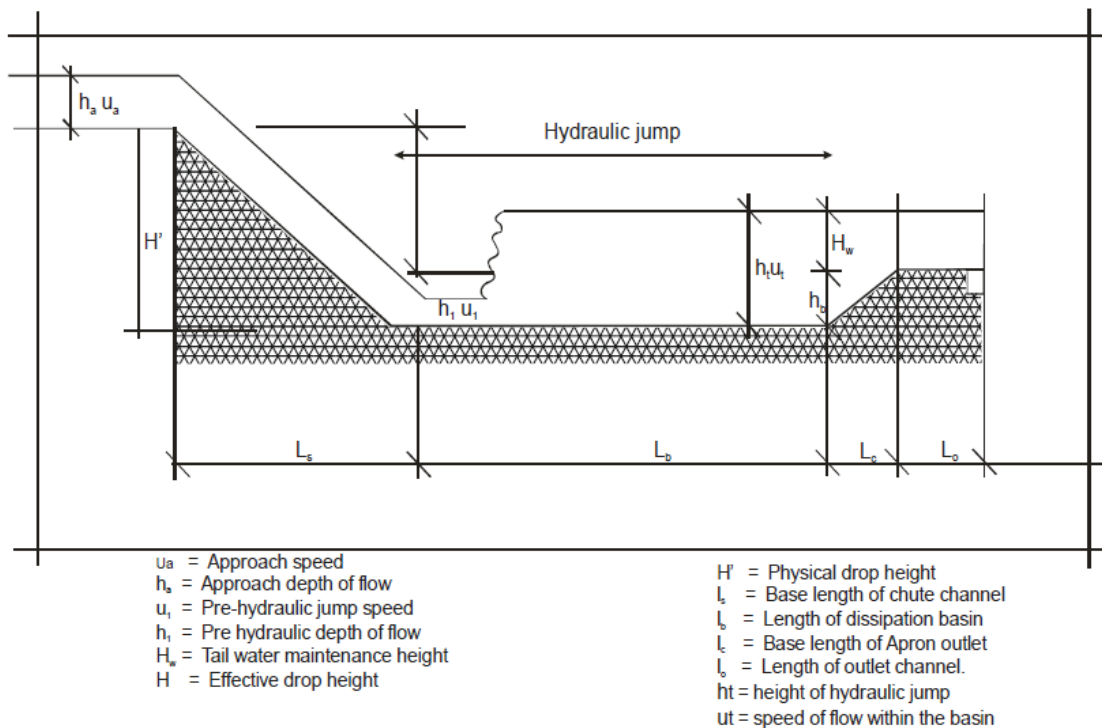


Figure: 5a: Control volume for hydraulic calculations.

### Objective of the RAP:

The aim of the RAP is to identify and assess the human impact of the proposed works at the 9<sup>th</sup> Mile gully erosion site as described above, and to prepare an Action Plan to be implemented in coordination with the civil works in line with World Bank Policy and Nigeria policies and laws. Experience has shown that involuntary resettlement can cause loss of income, assets, and community ties that, especially among the poor, can be essential for survival and well being. In extreme cases, involuntary resettlement can lead to the dissolution of families, impoverishments and health problems. The Abbreviated Resettlement Plan will identify the project affected persons (PAPs), engage them in participatory discussions regarding the plan and formulating a plan of action to adequately compensate people for their losses.

The Policy of the World Bank is to ensure that persons involuntarily resettled caused by the taking of land in the context of a project supported by the Bank, have an opportunity to restore or improve their level of living to at least the pre-project level. Project affected people should participate in the benefits of the project and they should be given options regarding how they restore or improve their previous level of living. In the NEWMAP project it is not sufficient for communities to passively accept project works and

the impacts of these works. Rather they must be mobilized to contribute actively to project design and implementation and to maintain the works following implementation. This feature underscores the need for accurate analysis of local social organization.

#### **Kinds of Resettlement Plans:**

Three kinds of Resettlement Plans can emerge from this process depending on the degree of impact. They are:

Resettlement Action Plan (RAP)

Abbreviated Resettlement Plan (ARAP)

Land Acquisition Plan

- The RAP is prepared when more than 200 people are displaced by the project works;
- The ARAP is a simplified plan suitable only when fewer than 200 people are displaced (see OP4.12, Annex A);
- The LAP is prepared when no displacement occurs but land is acquired for the purpose of project implementation.

#### **Responsibility for the RAP:**

Before resources can be allocated to a specific erosion project, the State Project Management Unit (SPMU) must prepare an ARAP satisfactory to the World Bank. Advice and suggestions on the preparation of RAPs may be obtained from the relevant specialists in the Federal PMU (FPMU) in the Ministry of Environment. Normally, specialized consultants prepare plans but the SPMU is accountable for the quality and timeliness of such plans.

#### **First Step in Preparing an RAP:**

The first step in preparation of a RAP is engagement with the community. This must begin from an early date and a relationship of trust must be formed between the executing agency and the affected community in which both sides have an opportunity to air their views. In general, small neighbourhood meetings are preferable to large public audiences where there is a greater tendency for matters to be politicized and people tend to “grandstand” and posture rather than exchange information in an atmosphere of cooperation. It is necessary that member of the SPMU and the engineering firm that will design the works be present at these meetings. Hopes and demands expressed by community members should be taken seriously and, if possible, incorporated into plans.

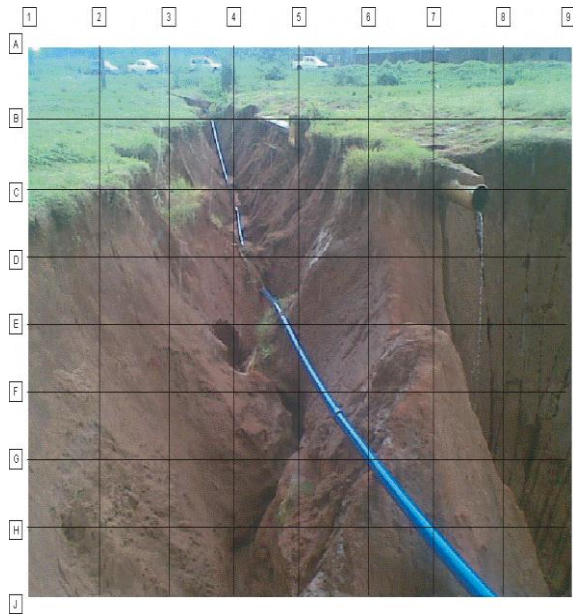
The next step in RAP preparation is to identify the perimeter within which people and land will be affected by displacement or land acquisition. For this purpose, maps, engineering drawings, satellite imagery are necessary.

Third, a complete census survey shall be done of all the families, businesses, public buildings, farms and other infrastructure located within the perimeter. GIS technology is highly recommended for this purpose with all man-made features being georeferenced. The use of hand held GPS device will facilitate establishing the coordinates of each property identified. The census includes data on age, gender, occupation, income, sources of livelihood of all persons who live on or derive a living from the area of land as well as information on houses, businesses and other structures in use in the affected area.

The size (in m<sup>2</sup>) of each identifiable landholding affected by the project shall be recorded in addition to the area (in m<sup>2</sup>) of the area actually affected by the project. In cases where the engineering design will result in the loss of most of the land area or when the land remaining is not suitable for cultivation or other use, the owner may request compensation for the entire area. Likewise, owners may demand compensation for areas that become inaccessible as a result of project works

Each land parcel and structure should be numbered, geo-referenced, photographed, and described in detail. Construction materials, roofing, and measurements should be noted in accordance with the standards in use in the particular state or federal standards. All information should be kept in a single folder (physical or virtual) for easy retrieval and cross tabulation. The use of a simple database manager is recommended such as Access or Foxpro.





In Nigeria and Enugu State in particular, it is important to include such feature as family compounds, places of worship, schools, health posts, sports fields, burial grounds and places held sacred by local populations where applicable. Farm structures such as fencing, storage buildings and the like are also to be included.

Each structure included in the census should be valued according to its replacement value in the local market (see below).

Because of the linear nature of streams, erosion gullies and roads, it is important to identify existing features or aspects of the engineering design that could impact on communities. If land is taken for the purpose of erosion control or drainage, there is likely to be an impact on communication within and among communities. Barriers to access caused by project works should be considered in the RAP and, where necessary, mitigation plans should be included.

### **Socioeconomic Study:**

Based on the census, community meetings and other data collected in the field, a socioeconomic profile of the affected community should be prepared as part of the ARAP. Some of the topics that shall be included are:

- Demographic structure of the community;
- Leadership patterns and political process;
- Family structure;
- Services available in or near the community: schools, health facilities, credit facilities, religious organizations, government agencies;
- Debt/credit relationships;

- Existing organizations (e.g. age grades, religious groups) and capacity for community action;
- Conflicts and divisions (ethnic, religious, etc.) within the community or between communities;
- Important local customs and festivals;
- Educational Levels;
- Permanence of the community;
- Primary forms of livelihood;
- Community attitudes towards erosion and drainage;
- Relevant aspects of gender relations; women's vs. men's roles.

The entire range of social characteristics shall be woven together by a sociologist or other social scientist to paint a coherent picture of how the community is likely to respond to change and how best to make community members active participants in the changes that must take place.

### **Development of the Resettlement Plan:**

Based on the census and socioeconomic study, a resettlement plan is designed. For projects that involve only land acquisition, it is important to identify all landowners, farmers, cattle breeders and those who have claims on the land that will be taken. The primary issue is to ascertain the impact that the project will have on livelihoods. This applies not only to land owners but also land users, such as tenant farmers, renters and the like. The impact may range from nil to virtually destroying the livelihood of persons who depend heavily on the land for income. The design for the project and the Environmental and Social Management Plan (ESMP) shall take account of social organization and propose entry points, communication techniques, incentives and other necessary features of project design that will ensure active community participation before, during and after implementation.

Where people actually occupy the land, the impact of the project may fall on housing, businesses, public infrastructure and other structures.

### **Mitigation Measures:**

Resettlement is about finding adequate ways of compensating people for loss of place of business or farmland. However the task does not end with relocation. Perhaps the single most important feature of post-resettlement rehabilitation is the restoration of livelihoods. In some cases, livelihoods are not affected and people are able to continue in their chosen economic activities as before with no loss of income. In other cases, however, loss of farmland, residence or business clientele can create a spiral leading to impoverishment. In such cases, the Resettlement Plan can include specific measures to restore or improve livelihoods.

Mitigation of resettlement can take various forms. When affected people depend primarily on land for their livelihood, Bank Policy strongly recommends offering land in compensation for lost land so that the land-based economy can be maintained. In some cases, cash compensation for lost assets is allowed, but only where there is a free and active market for land, housing or other lost assets. The Bank does not approve of compensation packages that lead people to squat illegally on public land or that sets them back deeper into poverty. Where poor people are involved, it is often necessary to provide special assistance to assure that people manage their compensation adequately. Other forms of compensation involve retraining people for other professions for which there is a demand. Special care should be taken with vulnerable people who lack social support necessary to allow them to restore their prior life style. Cash compensation may be used, but only under certain conditions. Cash compensation is acceptable

only when there is an active market in land or other assets that people can acquire in order to restore their livelihoods. Works may not begin until resettled people have been adequately compensated according to the RAP. Temporary resettlement is generally not acceptable, except in cases where the works require people to move away from their homes and lands and then allows them to return to the same places.

Design of mitigation plans involves three tools: (a) asset valuation; (b) the definition of entitlements; and (c) an eligibility matrix. Entitlements are goods, services and sometimes cash made available to affected people to offset their losses caused by the taking of land. Note that business losses not caused by the taking of land are not covered by this policy.

- (a) Valuation of Assets: Assets that will be lost such as land, homes, fencing, un-harvested crops, permanent crops such as fruit trees, etc. should be valued at replacement cost that is the current cost of replacing the asset with a similar asset on the open market. Depreciation is not to be considered in valuing assets. Many states maintain a standard table of values for homes, land, crops, etc for expropriation purposes, but these tables are often out of date and do not reflect actual prices practiced on the market. It may be necessary to conduct a new survey using up-to-date information. Tax records in which the landowner declares the value of his/her land are notoriously inaccurate because landowners frequently understate the value of their homes or land in order to reduce their tax bills. The purpose of valuation is to make it possible for the affected party to acquire new assets that will be equivalent to or better than the assets lost. Depreciation is not to be considered in this survey. Various methods can be used to estimate the value of property such as data on land transactions made within the past year or two, construction costs, estimates by real-estate professionals, and others. The goal is to determine the replacement value of each affected structure for the purpose of compensation.
- (b) Definition of entitlements. Entitlements are goods and services provided to offset losses caused by expropriation of land, houses, farm buildings, shops, etc. Entitlements are intended to offset the losses incurred by people when land is expropriated for project purposes so they should be roughly equal in value. There are some exceptions, however. Entitlements are sometime set at a minimum level to allow people to be resettled without a significant loss of living style. This is often the case with squatters who have lived in place for a long time but who lack legal title to the land they occupy. Entitlements may consist of land, land with improvements (e.g. irrigation), new housing, building materials to build houses, cash payments, training for a new profession, especially where it is not possible to continue in a previous activity because of the resettlement.
- (c) Eligibility Matrix. The eligibility matrix matches categories of affected people with specific entitlements or a selection of entitlements. For example, farmers who lose up to one-half of their land may be eligible to receive plot of land equivalent to the land lost or cash compensation for the portion lost. On the other hand, farmers who lose a large portion of their land may be entitled to a new lot equivalent to the entire plot they farmed previously or to cash compensation. The reason is that when a large portion of a farm is taken, it may lose its economic viability and the farmer may opt to be compensated for the entire farm. The eligibility matrix must be crafted carefully to satisfy the needs of the displaced families and the available financial envelope. There is no one-size-fits-all eligibility matrix. Rather the matrix must be worked out in consultation with the community and in accordance with availability of resources. In some cases, for example, land may be so scarce that it will be

impossible to provide land-for-land. Annex B provides an example of an eligibility matrix that is illustrative of how such matrices are constructed.

**Cut - off Date:**

A cut-off date shall be set and announced to the affected community. Usually the cut-off date corresponds to the date of completion of the census. After this date, no compensation will be made to families or persons who install themselves within the affected area or for improvements made to homes or other structures. The purpose of the cut-off date is to avoid speculative investments inside the affected area by persons seeking entitlements. If two years or more pass after the declaration of a cut-off date, the census must be repeated and new valuations computed for assets.

**Businesses:**

Businesses and service establishments may be displaced by erosion control projects. In such cases, business owners may be compensated with cash, with a new place of business or other benefits. Service providers, such as auto repair shops should be provided with a building site in a location where they will be able to attract customers or keep existing ones. Business owners are entitled to compensation for lost profits during the time they are unable to operate due to displacement or while they rebuild their clientele. Small, informal businesses present a problem because they normally do not keep records nor do they pay taxes. In such cases, an estimate of profits may be based on daily turnover, on inventory or other methods of estimation.

**Vulnerable People:**

The census shall be used to identify vulnerable people among the affected population. Vulnerable people shall be defined as elderly people who lack a social support network to assist them in moving to a new location; persons suffering from a mental or physical disability, single mothers of small children and very poor persons living below the poverty line. The entitlement table shall include this category as having special entitlements including personal assistance with moving, reestablishment of household, reestablishment of a social network and appropriate assistance from informal or formal sources. This role is normally played by social workers.

**Conflicts and Clouded Titles:**

Sometimes it is not possible to compensate landowners and homeowners because of conflicting claims or unsettled estates. In cases, of inheritance, for example, where the heirs to a property cannot all be found, it may be necessary to deposit funds into an escrow account held by a reliable financial or government entity until all claims are settled. The proponent agency has an obligation to proactively assist the affected parties and claimants to settle their differences in a timely manner. In no case, is it acceptable for people to be evicted from their homes or farms without having made provisions for them to be re-housed and rehabilitated.

**Public Facilities:**

Public facilities such as schools, houses of worship, sports facilities that are displaced or become inaccessible because of the taking of land should be rebuilt at project expense at a location and in a manner acceptable to the users of that facility.



**Disclosure:**

After the resettlement plan has been developed, it must be disclosed in a manner that is accessible to the community and other interested parties in the language used by members of the community. Printed copies may be deposited at local agencies and posted on line. Prior to implementation, additional community meetings should be held to discuss the plan and how it will be implemented.

**Implementation:**

Resettlement must be closely coordinated with construction. A timetable shall be included in the resettlement plan and compliance with this timetable shall be monitored. Deviations from the timetable shall be justified in monitoring reports (see below). It is not acceptable for construction to begin with the demolition of homes or schools before appropriate measures have been taken to replace housing and other structures. If cash compensation is used, it must be paid before people are obliged to move.

**Responsibilities and Accountabilities:**

The plan shall contain a matrix listing all entities (public and private) responsible for designing and implementing the resettlement plan. It shall include columns indicating the role of each agency, the resources allocated to it and the source of these resources and the legal instrument to be used to assure performance (e.g. contract, MOU, operating agreement). It is essential that the development of the plan include contact with the management of each agency and their agreement to perform their particular role in a timely fashion. For example, if land is allocated to displaced farmers, the local land registrar must agree to register each land parcel and issue the appropriate certificates of occupancy and land titles in a timely fashion. Such arrangements must not be left until after implementation has begun.

**Financing**

The Resettlement Plan shall include a detailed budget, a budget justification and a financing plan that shows the source of funding for the overall resettlement plan. Bank financing may be used to pay for studies, prepare resettlement plans, and to pay salaries to social workers and other staff needed to work with the population. Where entitlements include the construction of new housing or infrastructure, loan funds can be used for site preparation, design, and construction. The same procurement rules that apply to other project activities apply to resettlement activities. Solutions that involve environmental impacts such as clearing forested land for new farmland and other activities with significant should be subjected to environmental impact assessments. Loan funds may not be used for land acquisition or for cash compensation. These costs shall be paid out of local counterpart funds. The costs of resettlement shall be included in the overall project costs.

**Grievance Procedure:**

Each Resettlement plan shall include clear procedures for filing and resolving grievances from the affected population. Grievance procedures fall into the following steps.

Reception and registration: Affected people shall have the right to file complaints or grievances with regard to any aspect of the resettlement project. They may do so verbally, in writing or through a representative. Grievances shall be recorded by the implementing agency with the name of the griever, address and location information, the nature of the grievance and the resolution desired. Receipt of grievances shall be acknowledged within 48 hours of receipt by an official authorized to receive grievances

**Resolution:** All grievances shall be referred to the appropriate party for resolution and shall be resolved within 15 days after receipt. If additional information is needed, project management can authorize and additional 15 days for resolution. Results of grievances shall be disclosed to the griever in writing with an explanation of the basis of the decision.

**Appeals:** Grievors dissatisfied with the response to their grievance may file an appeal. In such cases, the responsible authority shall assemble a committee to hear cases including at least one disinterested party from outside the company or agency responsible for the resettlement project. There will be no further redress available outside the resettlement project. In such cases, grievances would need to be pursued through the legal system.

*Monitoring:* During project implementation and for at least 3 months following the conclusion of the project, monthly reports will be prepared by the responsible agency regarding the number and nature of grievances filed and made available to project management and included in the trimester reports by the SPMU and FPMU.

### **Monitoring and Evaluation:**

The Resettlement Plan must include a timetable and performance indicators. Among the indicators shall be:

- Meetings held with community (date, attendees, topics discussed)
- Date of conclusion of census and Announcement of Cutoff Date
- Presentation of Plan to World Bank through SPMU
- Date of Presentation of Plan to Community and Posting
- Date of first compensation (e.g. moving families to new housing);
- Date of midpoint in project implementation
- Date at which last family or business leaves the affected area

Monthly monitoring reports shall be filed by the agency or company carrying out the resettlement plan referring to these dates.

After project implementation at the time by which all families and businesses shall have been resettled and compensated and rehabilitation measures carried out, an evaluation shall be carried out using evaluation reports and interviews with the resettled families, farmers and businesses. While satisfaction of the resettled families is an important factor, it can be expected that many people will be dissatisfied with having had to move at all. The most important feature of resettlement is the extent to which resettled people have had the opportunity to rebuild their livelihoods at a level similar to or better than the pre-project level. Surveys that examine the satisfaction of people with the resettlement they underwent are not usually helpful.

### **Format of Resettlement Plan:**

The RAP will include the following sections:

- Cover page
- Table of contents
- List of acronyms and their definition
- Executive Summary
- Introduction

- Description of the proposed project/
- Description of the area of influence and social baseline conditions;
- Summary of consultations with relevant stakeholders and affected persons
- Summary of relevant local and federal policy, legal, regulatory, and administrative frameworks;
- Discussion of the social impacts of the proposed project
- The Proposed Resettlement Plan
  - The Valuation Methodology
  - Entitlements
  - Eligibility Matrix
- Budget and Financing Plan
- Institutional Matrix
- Timetable of events coordinated with the construction project
- Monitoring plan including suitable indicators for the proposed project;
- Annex: Spreadsheet showing all project affected households and businesses, the amount of land taken, the total remaining landholding, the entitlements selected.

### Qualifications and Experience of the Consultant:

The Consultant should have M.Sc. or M.A. in the social sciences, humanities or social work with a minimum of five (5) years working experience in social assessment, involuntary resettlement other relevant field. It is highly desirable that the consultant have experience with working with international development institutions like the World Bank, and on infrastructure related projects. Knowledge about World Bank safeguard policies and experience in similar operation is vital.

Activities	Week 1	Week2	Week6	Week7	Week8
Contract Signing	X				
Inception		X			
Submission of Draft Report			X		
Submission of Draft Final Report				X	
Submission of Final Report					X

### Deliverables and timing:

- **Inception report or interview:** The SPMU shall double-check and ensure that the consultant has actually commenced work and that the consultant understands tasks
- **Week 4:** A draft ARAP will be submitted for comments in **Four weeks** from the date of signing the contract. It will identify all the areas, the mitigation measures, and the environmental and social issues associated with the site intervention sub-projects, as well as the adequacy of the monitoring and institutional arrangements for the upper and lower watersheds in the intervention site.
- **Week 6:** The draft final ARAP Report will take into account all comments, and will be submitted to the SPMU at the end of **six weeks** after commencement of contract.

- **Week 8:** The Final RAP will be submitted to the SPMU Eight weeks after commencement of the consultancy.

**Project-specific background documents**

- Environmental and Social Management Framework
- Resettlement Policy Framework
- NEWMAP Project Appraisal Document (PAD);
- NEWMAP Project Implementation Manual (PIM)
- World Bank safeguards policies
- Intervention design

**Payment Schedule**

10% of Contract sum on successful conclusion of inception deliverable

30 % of Contract sum on submission of Draft Report

40% of Contract sum on submission of Draft Final Report

10% of Contract sum of submission and Acceptance of Final Report

## **Appendix 2: Summary of World Bank Social Safeguard Policy –OP 4.12- Involuntary Resettlement.**

### *Involuntary Resettlement (OP 4.12)*

#### **Policy Objectives**

Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. For these reasons, the overall objectives of the Bank's policy on involuntary resettlement are the following:

(a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.

(b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons<sup>3</sup> should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

(c) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

This policy covers direct economic and social impacts that both result from Bank-assisted investment projects, and are caused by (a) the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets, or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (b) the involuntary restriction of access to legally designated parks and protected areas resulting in negative impacts on the livelihoods of the displaced persons.

This policy does apply to the 9<sup>TH</sup> Mile Project site Enugu State.

### Appendix 3: Census register for PAPs

no	Name of PAPs	Gender	Phone number
1		FEMALE	
2		FEMALE	
3		FEMALE	
4		FEMALE	
5		MALE	
6		FEMALE	
7		MALE	
8		MALE	
9		FEMALE	
10		MALE	
11		MALE	
12		MALE	
13		MALE	
14		MALE	
15		MALE	
16		MALE	
17		MALE	
18		MALE	
19		MALE	
20		MALE	
21		MALE	
22		MALE	
23		MALE	
24		MALE	
25		MALE	
26		MALE	
27		MALE	
28		MALE	
29		MALE	
30		MALE	
31		MALE	
32		MALE	
33		MALE	
34		MALE	
35		MALE	
36		MALE	
37		MALE	
38		MALE	
39		MALE	
40		MALE	
41		MALE	
42		MALE	
43		MALE	
44		MALE	
45		MALE	
46		MALE	
47		MALE	
48		MALE	
49		MALE	
50		MALE	
51		MALE	
52		MALE	
53		MALE	
54		MALE	
55		MALE	

56		MALE	
57		MALE	
58		MALE	
59		MALE	
60		MALE	
61		MALE	
62		MALE	
63		MALE	
64		MALE	
65		FEMALE	
66		FEMALE	
67		FEMALE	
68		MALE	
69		MALE	
70		FEMALE	
71		MALE	
72		FEMALE	
73		MALE	
74		FEMALE	
75		FEMALE	
76		FEMALE	
77		FEMALE	
78		MALE	
79		FEMALE	
80		FEMALE	
81		FEMALE	
82		MALE	
83		MALE	
84		MALE	
85		MALE	
86		FEMALE	
87		FEMALE	
88		MALE	

#### Appendix 4: Matrix and categorization of inventory of affected assets

CODE	PAPs NAME	AFFECTED STRUCTURE	USE OF ITEM	TYPE OF MATERIALS	TOTAL SIZE /RIDGES	WORKING SIZE/NO OF RIDGES
		SHOP	SHOP	METAL CONTAINER BLOCK METAL PIPE LABOUR	47x16 12x24x6 12x24x6	16 guage  1.5" square
		FARM	FARMLAND	MAIZE CROPS		120
		FARM	FARMLAND	CASSAVA CROPS BITTER LEAF		10 10
		SHOP	SHOP	METAL CONTAINER BLOCK CEMENT FLOOR CORRIGATED IRON SHEET LABOUR	12x12 12 x24 10 x24 10 x24	4coach
		SHOP	SHOP	METAL CONTAINER BLOCK CEMENT FLOOR CORRIGATED IRON SHEET LABOUR	6x6 12 x24 12 x24 12 x24	3coach
		SHOP	SHOP	METAL CONTAINER BLOCK CEMENT FLOOR CORRIGATED IRON SHEET LABOUR	12x12 12 x24 12 x24 12 x24	3coach
		SHOP	SHOP	UNUSED LABOUR	NA	NA
		SHOP	SHOP	METAL CONTAINER BLOCK CEMENT FLOOR CORRIGATED IRON SHEET LABOUR	10x11 12 x24 10 x20 12 x24	1coach
		FARM	FARMLAND	CASSAVA CROPS	NA	20
		FARM	FARMLAND	CASSAVA CROPS BITTER LEAF	NA	30 6
		SHOP	SHOP	WOOD CORRIGATED IRON SHEET BLOCK	24x16 24 x16	



				CEMENT FLOOR CORRIGATED IRON SHEET (ROOF) LABOUR	26 x24 26 x24	6coach
		SHOP	SHOP	METAL CONTAINER  OPEN ZINC ROOF LABOUR	8x10 12x12 8x10	NA
		FARM	FARMLAND	CASSAVA CROPS		20
		FARM  ECONOMIC TREE	FARMLAND  ECONOMIC TREE	BITTER LEAF CASSAVA 1 MANGO 28 PLANTAIN 7 PAWPAW 1 ORANGE 1 PEAR 4 GUAVA 3 UKWA 4 PEPPER 5 PINEAPPLE 3 SCENT LEAF		40 14
		ECONOMIC TREE	ECONOMIC TREE	14 CASHEW 2 CASHEW 7 OHOGBU 9 GUAVA	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	4 PALM TREE 2 GUAVA	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	5 GUAVA	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 MANGO 4 GUAVA 1 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 PALM TREE 4 GUAVA	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	3 PALM TREE 1 GUAVA	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	2 MANGO 1 PALM TREE 1 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 BREAD FRUIT 1 UTURU UKPA 1 PALM TREE	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 MANGO 1 PALM TREE 1 OGBONO	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	2 MANGO	NA	NA

				1 MANGO 1 PALM TREE 1 OGBONO		
		ECONOMIC TREE	ECONOMIC TREE	1 MANGO 2 PALM TREE	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 PALM TREE	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	10 CASHEW 5 PALM TREE	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	2 UCHAKRU 3 PALM TREE 2 PALM TREE	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 BREAD FRUIT 1 PALM TREE	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 CASHEW 1 PALM TREE	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	5 CASHEW 3 PALM TREE	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	6 PALM TREE 1 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	3 PALM TREE 3 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 PALM TREE 1 UCHAKURU 1 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 MANGO 4 GUAVA 1 CASHEW	NA	NA
		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	CASSAVA CROPS WATER MELON 3 UCHAKELE 4 UGBA	NA	50
		ECONOMIC TREE	ECONOMIC TREE	11 CASHEW 1 UCHAKELE	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 CASHEW 2 UCHAKELE 4 AGBA	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	2 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	2 CASHEW 3 UCHAKELE 2 AGBA	NA	NA
		FARM	FARMLAND	CASSAVA CROPS	12*12	144
		FARM	FARMLAND	CASSAVA CROPS		40
		FARM	FARMLAND	CASSAVA CROPS		30
		ECONOMIC TREE	ECONOMIC TREE	1 OIL BEAN 2 CASHEW	NA	NA

				1 ICHELLIN		
		FARM	FARMLAND	CASSAVA CROPS		20
		ECONOMIC TREE	ECONOMIC TREE	5 OIL BEAN 9 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 CASHEW 2 PAWPAW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	2 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	2 PLANTAIN 2 CASHEW 1 PALM TREE	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	4 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	3 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	2 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	2 CASHEW 1 PALM TREE	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	4 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	8 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	2 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	2 CASHEW 1 GUAVA	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	3 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	3 CASHEW	NA	NA
		FARM	FARMLAND	CASSAVA CROPS	40M <sup>2</sup>	70
		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	CASSAVA CROPS 1 BREAD FRUIT	NA	30
		FARM	FARMLAND	CASSAVA CROPS	40M <sup>2</sup>	50
		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	CASSAVA CROPS 1 UCHAKELE	NA	25
		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	CASSAVA CROPS 1 UCHAKELE	10M <sup>2</sup>	10

		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	CASSAVA CROPS 1 PLAM TREE	NA	25
		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	CASSAVA CROPS 1 UCHAKELE	NA	70
		FARM	FARMLAND	CASSAVA CROPS	NA	25
		FARM	FARMLAND	CASSAVA CROPS	NA	60
		FARM	FARMLAND	CASSAVA CROPS	NA	25
		FARM FARM FENCE	FARMLAND	CASSAVA CROPS	NA	40
		FARM	FARMLAND	MAIZE	NA	90
		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	CASSAVA CROPS 1 CASHEW	NA	20
		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	BITTER LEAF 2 CASHEW	NA	3
		FARM	FARMLAND	CASSAVA CROPS	NA	40
		FARM	FARMLAND	CASSAVA CROPS	NA	100
		FARM	FARMLAND	CASSAVA CROPS	NA	100
		ECONOMIC TREE	ECONOMIC TREE	1 CASHEW	NA	NA
		FARM	FARMLAND	CASSAVA CROPS MELON	NA	70 30
		FARM	FARMLAND	CASSAVA CROPS	NA	150
		MOVABLE BLOCKS	MOVABLE BLOCKS	MOVABLE BLOCKS	NA	200
		ECONOMIC TREE	ECONOMIC TREE	1 UCHAKELE 1 MBEMBE	NA	NA
		MOVABLE BLOCKS ECONOMIC TREE	MOVABLE BLOCKS ECONOMIC TREE	MOVABLE BLOCKS BAMBOO	NA	200 3
		ECONOMIC TREE	ECONOMIC TREE	2 BAMBOO	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	2 BAMBOO 1 CASHEW	NA	NA
		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	CASSAVA CROPS BITTER LEAF 1 UCHAKELE	NA	10 10
		FARM	FARMLAND	CASSAVA CROPS BITTER LEAF	NA	10 5
		FARM	FARMLAND	MAIZE	NA	80

		FARM	FARMLAND	MAIZE	NA	80
		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	CASSAVA CROPS BITTER LEAF 2 CASHEW 1 PLAM TREE	NA	20 5
		FARM	FARMLAND	CASSAVA CROPS BITTER LEAF	NA	15 4
		ECONOMIC TREE	ECONOMIC TREE	1 CASHEW	NA	NA
		ECONOMIC TREE	ECONOMIC TREE	1 CASHEW	NA	NA
		FARM	FARMLAND	CASSAVA CROPS	NA	20
		FARM	FARMLAND	CASSAVA CROPS VEGETABLES	NA	10 10
		ECONOMIC TREE	ECONOMIC TREE	1 GUAVA 3 PLANTAIN	NA	NA
		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	BITTER LEAF 1 PLAM TREE	NA	10
		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	CASSAVA 2 PAWPAW	NA	10
		FARM ECONOMIC TREE	FARMLAND ECONOMIC TREE	BITTER LEAF 4 PAWPAW 2 BANANA	NA	7
		ECONOMIC TREE		2 CASHEW	NA	

**Appendix 5: List of People Consulted (Stakeholder Consultation)14-03-2014**

S/N	NAME	GENDER	ORGANIZATION	DESIGNATION	Email	Phone number
1.	Engr. S.M. Nwankwo	M	EN-SPMU	Project Coordinator	smnwankwo@yahoo.com	08033415539
2.	Dr. Basse Chukwuma		Consultant	Consultant		08037135876
3.	Dr. Lola Okwusa	F	Consultant	Consultant	lokwuosa@yahoo.com	08066823007
4.	Onuoha Omezikam Eze	M	Consultant	Consultant	Omezikam@yahoo.com	08106928160
5.	Oliver Nwuju	M	Consultant	Consultant	onwuju@gmail.com	08034110341
6.	Engr. El-Gideon, Joseph J.	M	Consultant	Consultant		
7.	Eze Hyacinth O.	M	NEWMAP	Environmental Officer		08034962376
8.	Ozonu, Maureen	F	NEWMAP	Project Secretary		08034936974
9.	Engr. F.C. Ajibo	M	NEWMAP, Enugu	Project Engineer	ajibo_festus@yahoo.com	08036704952
10.	Ezeagawo Eber	F	NEWMAP, Enugu	Project Cashier		07030852355
11.	Ikpa, Pamela N.	F	NEWMAP, Enugu	M/E	pretypamela2@yahoo.com	08037128254
12.	Odo, Henrietta	F	NEWMAP, Enugu	Accountant		08063544436
13.	Ani, Scholastica Nkechi	F	NEWMAP, Enugu	Social/Livelihood Officer	scholyani@gmail.com	08064645389
14.	Arum Sunday	M	NEWMAP SPMU Enugu	MIS	Nnaemekaru1@yahoo.com	08053310518
15.	Engr. C.E. Eze	M	Enugu State Water Corp.	HOD Engineering	Eze.chidozie@yahoo.com	08037720375
16.	Mr. Nebechi Ugwuozor	M	POVINA NGO	Executive Director	povinae@yahoo.co.uk	08037720375
17.	Clement Amaliefoh	M	Clement Elosia Fame	Director	canoeiefoh@gmail.com	08033778384
18.	Nwankwo, C.E.	M	ESEPC	Chief Planning Officer (Exec. Sec. Rep)	Eme.nwankwo@yahoo.com	08067703668
19.	Mr. Livinus Ugwu	M	Nsude			08034448701
20.	Mr. Celestine Onoh	M	Nsude			08037217403
21.	Engr. Christian Ozochi	M	Ameke		ozor@yahoo.com	08032953915
22.	Chief Donald Eze	M	Ameke, Ngwo	President General		07030809217
23.	Christian Ukwuani	M	Nsude	President General		07038144000
24.	Onoh Innocent	M	Nsude	Executive Nsude	Cino2020@hotmail.com	08034005844
25.	Ugo Cletus O.	M	Ministry of Environment	Director of Admin (Perm. Sec. Rep.)	eaglander@yahoo.com	08068732692
26.	Engr. Callistus C. Ngwu	M	Ameke, Ngwo		callistusngwu@yahoo.com	08033334413
27.	Onyema Nwodo	M	Ministry of Agriculture	Program Manager (Perm. Sec. Rep.)		08033401968
28.	Udenwani Geoffrey I.	M	Ministry of Lands and Urban Dev. Enugu	Permanent Secretary	udenwanigeofry@gmail.com	08037112633
29.	Ndubisi Ikegwu	M	Multiple Dev. Services Ltd.	Zonal Coordinator	ndjasikegwu@gmail.com	07038075577

30.	Engr. Victor Ukwuanu	M	Nsude, Udi	Asst, President General		08132983048
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**Appendix 6: List of People Consulted –Community Stakeholder Consultation**

ENUGU STATE  
NIGERIA EROSION AND WATERSHED MANAGEMENT PROJECT (NEWMAP)  
PUBLIC CONSULTATION FOR THE PREPARATION OF THE ABBREVIATED RESETTLEMENT ACTION PLAN (ARAP) FOR  
9TH MILE GULLY EROSION SITE

Date: 22/03/2014

Venue: Igwes Palace Ameke Ngwo Community Udi LGA

ATTENDANCE

S/NO	NAME	GENDER	DESIGNATION	ORGANIZATION	PHONE	EMAIL
1	IKENGE EKINOR EVERESTS	Males	PA to HRA/SHWES/06	IGWE CABINET	08133467249	tema.evans@nwa.gov.ng
2	Okolo Christopher	M	PRINCIPAL	CHS ULIANA	08035499902	okolochris@perhas.com
3	Mr Bons Ozoim	M	Business	Ibute	08037469117	Om/1
4	Ikenge Amu Nicholas	M	Member Igwe in Council		08067416858	
5	Engr (Mrs) Victorious Abor	F	Secretary Ameke Community Association	Ameke Women Community Association	08033150938	nwalor2000@ yahoo.co.uk
6	Ozo Amujiogu	M	OZO	UMUZEGANI	08035314141	
7	Ozo C. Amujiogu	M	OZO	Umuzegani	08169952771	gabriel.ekide@yaho.com
8	Hon uche Abor	m	Councillor	Npwo-uno	08033448223	uchenmiche@yaho.com

ENUGU STATE  
NIGERIA EROSION AND WATERSHED MANAGEMENT PROJECT (NEWMAP)  
PUBLIC CONSULTATION FOR THE PREPARATION OF THE ABBREVIATED RESETTLEMENT ACTION PLAN (ARAP) FOR  
9TH MILE GULLY EROSION SITE

Date: 22/03/2014

Venue: Igwes Palace Ameke Ngwo Community Udi LGA

ATTENDANCE

S/NO	NAME	GENDER	DESIGNATION	ORGANIZATION	PHONE	EMAIL
9	Ngo Michael Ozoim	M	Member Igwe in Council	Ibute	08030361808	ngo@igwe.com
10	Comrade Amarah B.A.	F	Chairman Umuzegani	Umuzegani	08039100859	Amarah@igwe.com
11	Engr. Ferdinand	M	Chairman Ibute	Ibute	08036737744	Ferdinand@igwe.com
12	Uche Sunday	M	Chairman	Umuzegani	0703132023	Uche@igwe.com
13	Amu George	m	do -	Umuzegani	08102531805	Amu@igwe.com
14	Onoh Mercy	F	Member	Ibute	08037517414	Onoh@igwe.com
15	Gabriel Ozoim	M	Member	Ibute	08160645193	Gabriel@igwe.com
16	Amu Asim	m	Chairman	Ibute	08036748106	Amu@igwe.com



**ENUGU STATE**  
**NIGERIA EROSION AND WATERSHED MANAGEMENT PROJECT (NEWMAP)**  
**PUBLIC CONSULTATION FOR THE PREPARATION OF THE ABBREVIATED RESETTLEMENT ACTION PLAN (ARAP) FOR**  
**9<sup>TH</sup> MILE GULLY EROSION SITE**

Date: 22/03/2014

Venue: Igwé's Palace Amaka Ngwo Community Udi LGA

**ATTENDANCE**

S/NO	NAME	GENDER	DESIGNATION	ORGANIZATION	PHONE	EMAIL
20	AGU UCHENNA	M	Member ✓	umuezeani	0703388240	achenna49@yahoo.com
21	UGWU CHRISTOPHER	✓	✓	✓	08034962404	
22	UGWU PETER A.	—	✓	✓	07062121219	
23	AGU CHINEDI J.	M	✓	✓	08034160313	
24	OZOUAGU STAN	m	✓	✓	08033527377	
25	UGWU CHITTA	m	✓	✓	08083120110	
26	AGU MICHAEL	✓	✓	✓	08022627491	
27	AGU ABIOYE	✓	✓	✓	08035524205	

**ENUGU STATE**  
**NIGERIA EROSION AND WATERSHED MANAGEMENT PROJECT (NEWMAP)**  
**PUBLIC CONSULTATION FOR THE PREPARATION OF THE ABBREVIATED RESETTLEMENT ACTION PLAN (ARAP) FOR**  
**9<sup>TH</sup> MILE GULLY EROSION SITE**

Date: 22/03/2014

Venue: Igwé's Palace Amaka Ngwo Community Udi LGA

**ATTENDANCE**

S/NO	NAME	GENDER	DESIGNATION	ORGANIZATION	PHONE	EMAIL
28	OZOUAGU LINDAS	✓	✓	✓	08032773260	
29	OZOLLE UENNA	✓	✓	✓	09031280001	
30	OZOUAGU ARINZE	M	youth sec. umuezeani	umuezeani	07032338559	
31	IKPE CHUKWU	M	✓	umuezeani	08032713095	
32	AGU SAMUEL	M	youth council chairman	umuezeani	08161940741	
33	ULWU VECINWA	F	member	Ibute		
34	EMELKA AGYI	✓		Ibute	07060522343	
35	ONAN SANDOZ	m	member	umuezeani	08037689894	

**ENUGU STATE**  
**NIGERIA EROSION AND WATERSHED MANAGEMENT PROJECT (NEWMAP)**  
**PUBLIC CONSULTATION FOR THE PREPARATION OF THE ABBREVIATED RESETTLEMENT ACTION PLAN (ARAP) FOR**  
**9TH MILE GULLY EROSION SITE**

Date: 22/03/2014

Venue: Igwé's Palace Anake Ngwo Community Udi LGA

**ATTENDANCE**

S/NO	NAME	GENDER	DESIGNATION	ORGANIZATION	PHONE	EMAIL
36	Ozoike Basil	Male	Member	-	08037100805	6ozoike@yahoo.com
37	Igwé Uchendu M	M	Member		08032531466	
38	Agwu Herbert M	m	-		08122647084	
39	Ozoike Peter M	m	✓		08063620797	N20
40	High Chief Agwu S. M.	M.	✓		08035314141	
41	Agwu Ben Obinna M	M	Comm. Specialist	NEWMAP	08055662474	 benobinnafayou@yahoo.com
42	Mkpá Pamela f	f	M/E specialist	NEWMAP	08037128254	Pamela.mkpá@yahoo.com
43	Oziam Frank M	M	MEMBER	Umuzegwu	0806365072	

**ENUGU STATE**  
**NIGERIA EROSION AND WATERSHED MANAGEMENT PROJECT (NEWMAP)**  
**PUBLIC CONSULTATION FOR THE PREPARATION OF THE ABBREVIATED RESETTLEMENT ACTION PLAN (ARAP) FOR**  
**9TH MILE GULLY EROSION SITE**

Date: 22/03/2014

Venue: Igwé's Palace Anake Ngwo Community Udi LGA

**ATTENDANCE**

S/NO	NAME	GENDER	DESIGNATION	ORGANIZATION	PHONE	EMAIL
44	Mrs. Mercy Agwu Eneje	F		Igwé-Anake	-	M/E
45	AGU IKENMA M	M		Umuzegwu Anake	08037734675	
46	ALOR CHIRUROR M	M		Umuzegwu Anake	08068092418	alorenkoro@yahoo.com

**Appendix 7: List of People Consulted–Stakeholder Consultation with Nigeria Bottling Company (NBC)**

**ENUGU STATE**  
**NIGERIA EROSION AND WATERSHED MANAGEMENT PROJECT (NEWMAP)**  
**FOR THE 9<sup>TH</sup> MILE GULLY EROSION SUB-PROJECTS INTERVENTION SITE(S)**

DATE: 03-11-2014      **STAKEHOLDER CONSULTATION**

NO	NAME	DESIGNATION	ORGANIZATION	PHONE	EMAIL	SIGNATURE
1	Dr. Nwanneke Chinyere	Hon Commissioner for Enugu State	Ministry of Environment	08051242411	nwanneke.chinyere@unipos.edu.ng	7/3
2	Engr. Nwankwo Samuel N.	Project Coordinator	ENPMU-ENUGU	08033415539	snwankwo@fala.com.com	[Signature]
3	Ani Scholastica N.	Social/Livelihood officer	NEWMAP	08064645389	Scholyani@gmail.com	[Signature]
4	Agbo, Benedict Obinna	Community Officer	NEWMAP	08035662494	bengbo67@gmail.com	[Signature]
5	Dr. Hyacinth O. Eze	Enviro. officer	NEWMAP	08034962376	ezeht033@yahoo.com	[Signature]
6	Patrick Onu	P/S	MOE/EPZ	08036738871		PS
7	Chinwe Chinwe	HOD Pollution Control Dept	MOENR	0811468200	chinwe@fahad.com	[Signature]
8	Engr. Cajalema	Asst. Project Mgr.	ENSWC	09030944929	agucajalema@gmail.com	[Signature]

**ENUGU STATE**  
**NIGERIA EROSION AND WATERSHED MANAGEMENT PROJECT (NEWMAP)**  
**FOR THE 9<sup>TH</sup> MILE GULLY EROSION SUB-PROJECTS INTERVENTION SITE(S)**

DATE: 03-11-2014      **STAKEHOLDER CONSULTATION**

NO	NAME	DESIGNATION	ORGANIZATION	PHONE	EMAIL	SIGNATURE
9	EGWUATU MODESTUS	Ag. Plant Manager	NBC LTD	08070792585	egwuatmodestus@egwuatmodestus@chellenic.com	[Signature]
10	OKERE COMFORT	Quality Ass mgr	NBC LTD	08070792789	Comfort.okere@chellenic.com	[Signature]
11	IKENGE OKWOR E.C.	OWNER	AMERIKENGO	08022467849	tonigengem@vodafone.com	[Signature]
12	Mr Ogor. D. A.	Rep. Of Amalce	Amalce News	07067478944		[Signature]
13	Lawal. A. Ibrahim	PM's office	NBC Ltd	080-33165650	lawal@ibrahim@chellenic.com	[Signature]
14	Onuoka Omezikom	RAP Consultant		08106928160	Omezikom@yahoo.com	[Signature]
15	EKUMA EZE	REG. LAC MGR EAST/CENTRAL	NBC LTD	080-70994454	ekuma.eze@chellenic.com	[Signature]
16						

## Appendix 8: Socio-Economic Inventory and Census for Project Affected Persons (PAPs)

### SECTION A: IDENTIFICATION

#### Identity of Respondent/PAP

1. Name of Household Head .....
2. Household Head: Male..... Female.....
3. Age.....
4. Sex (M)..... (F).....
5. House Address .....
6. Phone number.....
7. Highest level of education.....
8. Religion (Christian)..... (Moslem)..... (Traditional)..... (Others)..... **(Please Tick One)**
9. Marital Status (Single)..... (Married)..... (Divorced)..... (Widow/Widower)..... **(Please Tick One)**
10. How long have you lived in this community .....
11. Specify any society, group or association which you belong to within your community.....

#### Livelihood Indicators

12. Occupation (main)..... Income/Week .....
13. Occupation (Support)..... Income/Month.....

14	Other Household Members		Options (Tick the applicable)				
	Surname	First Name	Gender	Age	Relationship to /HH	Present Education Status	
	<i>Wife / Husband</i>						
	<i>Member 1</i>						
	<i>Member 2</i>						
	<i>Member 3</i>						
	<i>Member 4</i>						
	<i>Member 5</i>						
	<i>Member 6</i>						
	<i>Member 7</i>						
	<i>Member 8</i>						
	<i>Member 9</i>						
	<i>Member 10</i>						
15	HOUSEHOLD VULNERABILITY STATUS						
	FHH with under aged children	Aged Person (65+) on low income		No of PDP	No of MDP	No of CHH	

#### Key

FHH: Female headed household  
 PDP: Physically disadvantaged person  
 MDP: Mentally disadvantaged person  
 CHH: Child headed household

**SECTION B: FOR AFFECTED STRUCTURES/ECONOMIC TREES /CROPS/FARMS/PAPs only**

16) Identity of Affected Asset/Structure

- (a.) Barren Land..... (b) Farm land ... (c) House.....(d) Fence.....  
 (e) Shop.....(f) Economic tree (g) others, Please state) .....

17). **For Structure/House:** What type (s) of roofing materials were used for the affected structure?

- (a) Bamboo /palm/grass... (b) Wood /planks & Corrugated iron sheets (c) Wood & Asbestos/Aluminum  
 (d) iron roof &Corrugated iron sheets (e) Aluminum... (f) Others (Please state)

18). Type of affected structure (i) Movable..... (ii) Immovable.....**(Please Tick One)**

19).What is the material of the floor and wall of the Affected Structure? **(Please Tick One)**

- a.) Cement..... (b) Mud ... (c) Tiles..... (d) Wood..... (e) others, pls state) .....

20) State the size of land/structure affected in meter (m/m<sup>2</sup>).....

21) Estimated Age of Affected Structure .....

22). Condition of Affected Structure: **Please tick appropriately**

AFFECTED STRUCTURE NAME	CONDITION OF AFFECTED STRUCTURE				
	VERY GOOD	GOOD	AVERAGE	POOR	VERY POOR

23).How many rooms are in the Affected House? .....

24).Who owns the affected structure/house? **(Please Tick One)**

- (a)Personal..... (b) Landlord..... (c) Company ..... (d) Local Govt.....  
 (e) State Govt..... (f) Federal Govt..... (g) Others (Pls Specify).....

25).If rented, how much do you pay annually? .....

26) Where do you intend to move?.....

27) State the type of crops/economic tree in the farm/ land.....

28) State the number count of each type of crop/tree in the farm land.....

**SECTION C: FOR BUSINESS PREMISES LOSS OF MAN HOUR**

29) What type of business would be affected?

30) What category does the business fall under? (i) Small scale (ii) Medium scale (iii) Large scale

31) What is your average daily income /sale? .....

32).How many days in the week do you operate your business.....

33).How many staff/workers have the business employed? .....

34) What implication will relocating have on your business?

- (i).....
- (ii).....
- (iii).....

35) How do you think this impact can be minimized?

- (i).....
- (ii).....

**Appendix 9: Pictures during field visits and stakeholder/community consultations**



**Plate 1: Community Consultation at the Igwe's Palace**



**Plate 2: Cross-section of Community Stakeholders**



**Plate 3: Cross -section of Community Stakeholders**



**Plate 4: PAPs identification at Gully site 9<sup>th</sup> mile corner**



**Plate 5: Livelihood Officer, SPMU addressing PAPs**



**Plate 6: Consultant addressing PAPs**





**Plate 7: PAPs identification of affected assets**



**Plate 8: Some PAPs during identification of affected assets**

**Plate 9: Communication Officer SPMU recording proceedings**  
**Plate 10: Gully Site 9<sup>th</sup> mile corner**



**Plate 11: Gully Site 9<sup>th</sup> mile corner**

**Plate 12: Gully Site showing NBC's collapsed effluent discharge pipe**



**Plate 13: Gully Site showing storm water discharge from NBC**



**Plate 14: Gully Erosion Site close to Nnsukka High way**





**Plate 15: Gully Site 9<sup>th</sup> mile corner**



**Plate 16: Some Identified economic trees inventoried**



**Plate 17: Some Identified economic trees inventoried**



**Plate 18: Some Identified economic trees inventoried**



**Plate 19: Cross-section of Stakeholders Consultation at NBC**



**Plate 20: Cross-section of Stakeholders Consultation**



**Plate 21: Stakeholders visit Gully Site with NBC staff**

**Plate 22: Video Conference with REG PAC MGR East/ Central NBC**



**Plate 23: Stakeholders during consultation with NBC From L-R: Communication Officer, NEWMAP SPMU; Representative of Amaeke Ngwo Udi LGA Enugu; RAP Consultant; Onowu Ameke Ngwo Udi LGA Enugu; Hon. Commissioner, Ministry of Environment and Mineral Resources; Quality Assurance Manger, NBC; Ag. Plant Manager, NBC; Permanent Secretary, Ministry of Environment and Mineral Resources; Social and Livelihood Officer, NEWMAP SPMU; Project Coordinator, NEWMAP SPMU; HOD pollution Control, Ministry of Environment and Mineral Resources; Environment Officer, NEWMAP SPMU; Assistant Project Engineer, Enugu State Water Corporation**



**Appendix 10: Monitoring Indicator for the Performance of RAP Income Restoration**

<b>NAME OF MONITORING OFFICER:</b>			
<b>NAME OF PAP:</b>			
<b>TYPE OF IMPACT CAUSED TO PAP BY PROJECT:</b>			
<b>Choice made by PAP between cash and in-kind compensation:</b>			
<b>Proposed Use of Payments:</b>			
<b>Date of Monitoring:</b>			
<b>Indicators</b>	<b>Baseline Status (date)</b>	<b>New Status (Date)</b>	<b>Comment</b>
Income of PAP			
Occupation of PAP			
Number of grievances and time and quality of resolution			
Skill acquisition/training			
Assistance received from Project			
Number of Children			
Number of children in school			
Type of place of dwelling			
Ownership of shop/structure?			
Value of Stock			
Turnover			
Condition of affected structure/Asset			

### Appendix 11: Baseline Impact of Socio-Economic Indicators of PAPs

Category of Indicator	Baseline (March 2014)	Month 6	Month 12	Month 24	Month 36	Month 48
<b>Social</b>						
Number of Persons in Primary School (Male)						
Number of Persons in Primary School(Female)						
Number of Persons in Secondary School (Male)						
Number of Persons in Secondary School (Female)						
Number of Persons in Tertiary Education (Male)						
Number of Persons in Tertiary Education (Female)						
Average Number of Children per Household						
Number of Female household heads						
Number of PAPs Drinking Portable Water						
<b>Economic</b>						
Average Annual Income (₦)	(%)					
• Below 100,000						
• 1,000-1,000,000						
• 11,000-50,000						
• Above 50,000						
Average Daily Sales (₦)						
• Below 1,000						
• 1,000-10,000						
• 11,000-50,000						
• Above 50,000						

## Appendix 12: Process Chart of Grievance Mechanisms

