

Nigeria Erosion and Watershed Management Project (NEWMAP)

Environmental and Social Management Framework (ESMF)

Executive Summary

Background

Nigeria faces severe problem of soil erosion – both sheet and gully erosion – due to both natural and human causes. Over 6000km² of land are affected by erosion and about 3400km² are highly exposed. Erosion has a devastating effect on many peoples' lives and destroys essential infrastructure for economic development and poverty alleviation. Gully erosion contributes to environmental problems and damage estimated at over \$100 million annually (mostly in South-Eastern Nigeria). This undermines economic growth and is a threat to the Federal Government of Nigeria's "Vision 202020". Recent assessment of the situation confirms that the scale of the problem transcends what communities, Local Governments, States and Federal Government can address without help from development partners. Consequently, the Federal Government of Nigeria (FGN) is seeking the support of the World Bank to tackle the age long but worsening problem of erosion and degraded watershed in southern Nigeria through an eight-year project titled "The Nigeria Erosion and Watershed Management Project (NEWMAP)". NEWMAP is aimed at rehabilitating degraded lands and reducing erosion and climate vulnerability in targeted areas. Specifically, NEWMAP would be implemented in seven States comprising Abia, Anambra, Cross Rivers, Ebonyi, Edo, Enugu and Imo.

The project has four primary components: (i) Investment in Erosion and Watershed Management; (ii) Institutional and Information Systems for Erosion and Watershed Management; (iii) Climate Change Adaptation and Mitigation; and (iv) Project Management.

In particular, the activities in component one will involve sub-projects each of which may include construction and/or rehabilitation of various identified erosion or flooding sites. These activities may lead to environmental and social impacts, which must be mitigated in accordance with today's tenets of sustainable development. This Environmental and Social Management Framework seeks to provide a clear process including action plans to integrate environmental and social considerations into the Nigeria Erosion and Watershed Management Project.

A separate document provides Resettlement Framework to address possible involuntary physical and economic displacements by the program's sub-projects.

Rationale, Scope and Coverage of ESMF

At the time of project preparation, the specific sites that the project would be implemented in are not known in sufficient details. Therefore, there is a need for an environment and social management framework to outline the principles and procedures that would be followed to ensure that implementation of NEWMAP meets with the existing EIA law in Nigeria and World

Bank Safeguards policies. To realize the objectives of this ESMF, the scope of work included a number of tasks as highlighted below.

- Task 1 - Environmental Screening and scoping
- Task 2 - Environmental Policy and Regulatory Framework
- Task 3 – Potential Environmental and Social Impacts
- Task 4 - Analysis of Environmental Impact Issues
- Task 5 - Development of Management Plan to Mitigate Negative Impacts
- Task 6 - Institutional Framework
- Task 7 - Training Needs
- Task 8 - Public Consultation

Policy and Regulatory Framework

There are several national and international environmental guidelines in Nigeria that are applicable to the operation of the NEWMAP. In Nigeria, the power to enforce all activities that might impact the environment is vested in the Federal Ministry of Environment (FMEnv). The ministry has a mandate to co-ordinate environmental protection and conservation of natural resources for sustainable development in Nigeria.

One of the most relevant legislation of interest in the NEWMAP project is the *Environmental Impact Assessment (EIA) Act No. 86 of 1992*. The act makes EIA mandatory for any development project, and prescribes the procedures for conducting and reporting EIA studies. It requires that development projects be screened for their potential impact. Based on the screening, a full, partial, or no Environmental impact assessment may be required. This is in tandem with the World Bank EA requirements for any development projects and her categorization (A, B, & C) of EA types. Furthermore, there are several relevant national and international environmental and social policies and regulations that are applicable to the NEWMAP and its sub-projects. A number of other government Ministries, Departments and Agencies (MDAs) have enabling laws, which support the objectives of this ESMF. Some of these laws also seek to eliminate or minimize environmental and social impacts of activities associated with their various functions.

Most of the project States have in place environmental regulations backed by State laws. Nigeria is signatory to a number of international treaties and conventions. These include those on climate, waste, oil and chemical pollution, labour and others.

Further, the World Bank provides a number of operational and safeguards policies, which aim to prevent and mitigate undue harm to people and their environment in any development initiative involving the Bank. The Nigerian EIA Act and the World Bank safeguard policies are similar. OP.4.01 and Nigerian EIA Act are also similar. World Bank EA Screening Category A is similar to Nigerian EIA Act category I, World Bank EA Category B is equivalent to Nigeria EIA Act Category II, World Bank EA Category C is equivalent to the Nigeria EIA Act Category III. However in the event of divergence between World Bank safeguard policies and the Existing Environmental laws in Nigeria during the implementation of the NEWMAP, the more stringent requirement will take precedence i.e., operationally, the World Bank may contact

interested/affected parties to confirm the validity and determine whether or not the process and outcomes comply with OP 4.12Project Description

The Nigeria Erosion and Watershed Management Project (NEWMAP) is a World Bank supported initiative of the FGN to tackle the problem of Erosion and Watershed management in the targeted project area.

The project will seek to increase infrastructure service levels and quality through an 8year institutional development and PPPI financing program. The project will also contribute to strengthened institutional governance over key factor markets, improving risk and cost determinants.

The current financial packet available for the project is a \$500 million IDA investment funds credit and GEF/FCPF grants. The Federal Government of Nigeria and the States have committed to make available counterpart funding in cash and kind to ensure the successful implementation of the project.

Potential Environmental and Social Impacts:

A although most of the planned activities are of category B in nature and scope, overall, the project is a Category A. The anticipated positive impacts of the project are significant including environmental, economic and social benefits and clearly out-way potential adverse impacts.

Positive Environmental Impacts

- Reduction in the phenomenon of erosion in the project area
- Reduction in the phenomenon of flooding in the project area
- Rehabilitation of degraded lands and their conversion into productive land
- Increase in the land area covered by vegetation
- Building resilience to climate change
- Biodiversity Conservation
- Increasing efficiency and speed in the ESIA process
- Reducing disaster risks in the project area
- Improved environmental performance and governance

Positive Social Impacts

- Employment generation
- Improved economic growth
- Community development programmes
- Increased opportunities for easy inter-state movement and business development.
- Initiation/ kick-off of rapid production systems and agricultural practices.
- Increase in social interactions
- Improved livelihood enhancing activities

- Increased urbanization
- Reduced level of land disputes and ethnic violence
- Increase in business/commerce during and after the construction works.
- Job creation opportunities.

Adverse Impacts

The corollary of analysis of the potential impact of the Nigeria Erosion and Watershed Management Project is that while many of the on-the-ground investment will have positive environmental and social impacts, there will be some adverse impacts. When taken together, the implementation of NEWMAP could have significant, sensitive, and commutative adverse impacts typical of EA category “A” projects requiring full Environmental Assessment.

Adverse impacts have been identified for the project and also for sub-project activities. The associated and potential impacts will also be categorised under negative Environmental impacts and Social Impacts.

Adverse Environmental Impacts

- Increased Traffic
- Air and Noise Emissions
- Solid Wastes Generation and Handling
- Effluents
- Use of Natural Resources
- Earth movements such as Landslides, Earth flow, Mud flow, etc
- Occupational and Public Health issues
- Biodiversity Loss, Endangered and Exotic Species
- Flooding

Adverse Social Impacts

- Population Influx
- Loss of Cultural Resources
- Occupation of private lands during works;
- Land acquisitions/use resulting in involuntary resettlement and/or loss of livelihoods or access to economic resources.
- Social exclusion and poor ethnic/regional coverage
- Increased corruption and rent seeking

Mitigation Measures

Mitigation measures are actions taken to enhance positive impacts and minimize negative ones, have been recommended for NEWMAP.

Impact mitigation measures proffered in this report are general guidelines for dealing with program and sub-project impacts. In recommending mitigation measures as has been considered appropriate and practical, the following principles have been taken into consideration.

- Design changes
- Avoidance
- Preservation
- Minimization
- Rehabilitation
- Restoration
- Replacement
- Resource compensation
- Improvement
- Development
- Diversification

It is noted that the application of each mitigation measure will be affected by differences in project types, and environmental and social nuances. Moreover, some measures may be too costly or completely impractical to implement under certain conditions. In pursuing any of the proffered mitigation measures, therefore, it is important that for each sub-project component to assess the following also:

- Feasibility;
- Ease of implementation;
- Local suitability;
- Institutional requirements;
- Training requirements;
- Monitoring requirements;
- Cost (capital and operating); and
- Cost-effectiveness.

Implementing the ESMF

This ESMF document incorporates a number of elements into an overall Environmental and Social Management process for the NEWMAP and its sub-projects. The process involves distinct steps and associated activities that are linked to deliver a robust and veritable management framework in line with the stated objectives of the ESMF.

Project Screening, Scoping and Categorization

All potential project intervention sites will be screened for Environmental and Social (E&S) impacts prior to approval by the PMU. A designated officer and/or consultant of the PMUs can carry out the screening. The screening process will include robust assessment of the project to determine:

- The appropriate project categorization EA;
- Applicable World Bank environmental and social safeguards;
- Potential for environmental and social liability; and,
- Cultural or other sensitivities.

In addition, each project will be screened to identify relevant stakeholders and the nature and extent of engagement for each stakeholder category. The report of the screening exercise will be sent to the World Bank for review and approval after project proposal preparation has been completed and initial environmental examination (IEE/preliminary assessment has been conducted according to the Nigerian EIA Law (decree 86 of 1992). Following the review of the screening and scoping, the terms of reference (TOR) and the reports of the ESIA/ESMP that would ensue will be sent to the World Bank for review and approval prior to disclosure in Nigeria and at World Bank Info-Shop.

Environmental and Social Management Plan (ESMP)

The project and all sub projects shall be required to maintain comprehensive ESMP underpinned by an Environmental and Social Impact Assessment (ESIA) to achieve health, safety, and environmental regulatory compliance objectives, institutional responsibilities, and other related commitments. An ESMP is an important element of the NEWMAP's overall Environmental and Social Management strategy to ensure environmental, social, and health performance of the entire project and sub-projects. To this end, the ESMP focuses on policy, management personnel, competence building, communications with the public, and monitoring.

Environmental and Social Management Plans for each sub-project will be required at two stages. During the proposal stage, each intending State PMU will as part of its proposal, submit an overview of how environmental and social issues of the project will be addressed on a continuous basis. The plans will also specify standards proposed for the sub-project to ensure environmental sustainability and social acceptability. Standards and plans proposed to address social issues including involuntary resettlement and legacy issues (people who would have lost their houses, lands, livelihood and other assets to erosion prior to the commencement of NEWMAP) will be particularly important. ESMP will also, be required for the sub-projects construction and implementation stages.

Capacity Building and Training

In order to achieve the goal of the ESMF, there is an urgent need for capacity building and strengthening of relevant competencies on environmental and social management at Federal, States, LGAs and community levels including contractors. To this end, capacity building should be viewed as more than training. It is human resource development and includes the process of equipping individuals with the understanding, skills and access to information, knowledge and training that enables them to perform effectively. It also involves organizational development, the elaboration of management structures, processes and procedures, not only within organizations but also the management of relationships between the different organizations and sectors (public, private and community).

Given the nature of the environmental and social management requirements and provisions outlined in this ESMF, competencies and capacity building will be required in the following areas:

- Environmental Impact Assessment Process - Screening, scoping, impact analysis, mitigation measures and monitoring, reviewing EIA Reports
- Environmental Due Diligence - Types of due diligence, screening projects for liabilities, scoping due diligence investigations and reviewing due diligence reports

S/N	ESMF activity	Cost \$ (USD)
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- Monitoring and Evaluation - Understanding the

importance of M&E in project implementation, M&E requirements for environmental and social sustainability of projects

Budget to Implement ESMF

An indicative budget of US\$ 8,030,000 has been prepared for the implementation of the ESMF bearing in mind the elements that make up the implementation process. Assumptions to provide clarity on the basis of the budget have also been given. The budget covers:

- Routine E & S duties of the PMU;
- Capacity Building for the PMU and other stakeholders;
- Engagement of Environmental and Social Specialists
- Environmental and Social Due Diligence investigations and or Audits;
- Environmental and Social Impact Assessment (ESIA) Studies commissioned directly by the PMU of the participating States and by the PMU at the Federal level
- Monitoring and evaluation activities of the PMU

The total estimated budget for implementing the ESMF is given below.

1.	Trainings	650,000
2.	ESIA/ESMP(including production of Safeguards manual)	7,120,000
3.	Monitoring	260,000
	Total	8,030,000

Delimitation of NEWMAP Boundaries

In some cases, the Borrower may initiate the preparation of detailed safeguards assessments and plans for specific sites. The project ESMF and RPF will guide the preparation of environmental and social impact assessments (ESIAs)/environmental and social management plans (ESMPs), resettlement action plans (RAPs), and/or other safeguards instruments that will be prepared for NEWMAP, some of which will may be financed by the Bank.

Translations into Major Languages in the Project Area

In order to ensure that communities in the project area especially “potential project affected persons (PAPs)” understand the involved issues, the executive summary of the report was translated into the three major languages in the sub-projects area (Igbo, Edo and Efik).

Disclosure

The ESMF has been prepared in consultation with the Federal level PMU, State MDAs, CBOs/NGOs and some community groups. The ESMF is expected to be disclosed publicly as a separate and stand alone document for review and comment through the Federal/State Ministries of Environment at designated locations at Federal and in the participating States, and in World Bank Info-Shop. Individual EIAs/EMPs will be prepared for each sub-project based on the guidelines and procedures highlighted in this ESMF and would be disclosed in like manner.