

LAGOS AND OGUN STATES TRANSMISSION PROJECT

RESETTLEMENT ACTION PLAN (RAP) Final Report



Transmission Company of Nigeria (TCN)

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EEMS Limited
ISO 9001:2015 Certified Organisation

No. 5 Eldoret Close, Off Aminu Kano Crescent, Wuse 2
Abuja, Nigeria. +234 8094206008,
info@eemslimited.com, www.eemslimited.com

PROJECT TEAM

KEY EXPERTS

NAME	QUALIFICATION	DESIGNATION/DISCIPLINE
Engr. Mamoud B. Abubakar	M.Eng	Project Manager
Dr Bassey Uzodinma	DVM	Quality Assurance
Emmanuel Nwanjibi	B.SC	Estate Valuer
Prof. S.S. Adefila	PhD	Waste Management
Engr Joseph Okafor	B.Eng	Electrical Engineer
Dr. Joseph Ebigwai	PhD	Ecologist
Osahon, Nosa	B.Sc	Microbiologist
Dr. Ujah, Terhide	PhD	Socio- Economic/Health Impact
Egbe, Alexander E	M.Sc	Botany
Mr. Onyia sunny	M.Sc	Air/Noise quality expert
Mr Usman Balarabe	M.Sc	GIS Expert
Surv. Joseph Amaglo	M.Sc	Land Surveyor

SUPPORT TEAM

Olatayo Olasehinde	B.Sc	Logistics/Field Coordinator
Justina Ogbolu	HND	Accounts/Admin
Ikechukwu Umunna	B.Sc	ICT
Tolulope Ogunleye	B.Sc	Technical Support/Documentation
Danlami Kuje	HND	Valuer/ Enumeration
Justine Shankodi	HND	Valuer/ Enumeration
Okaku Abdullahi	HND	Valuer/ Enumeration
Phillip Chukwuma	BSc	Enumeration officer
Muntaka Mohammed	ND	Enumeration officer
Emmanuel Eneh	BSc	Enumeration officer
David Sanni	BSc	Enumeration officer
Jude Uchendu	BSc	Enumeration officer
Oliseadubem Uzodinma	BSc	Documentation Support
Aisha Suleiman	BSc	Documentation Support

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UNITS AND ACRONYMS

Units

°C	Degree centigrade
°F	Degree Fahrenheit
Cfm	Cubic feet per minute
Cfu/ml	Colony forming unit per millilitre
cm	Centimeters
DB	Decibels
g	Grams
GWh	Gigawatts-hour (109 watts × 3600 seconds)
kg	Kilogram
kg/yr.	Kilogram per year
km	Kilometers (1000 m)
kph	kilometer per hour
kV	Kilovolts (1000 volts)
kW	Kilowatt
m	Meters
m ²	Square meter
m ³ /hr.	Metre cubic per hour
mm	Millimeter
mm/sec	Millimeter per seconds
mS/cm	Micro Siemens per centimeter
mV	Megavolts (10 ⁶ volts)
mW	Megawatts (10 ⁶ watts)
ppm	Parts per million
t	tonnes or tons
µg/L	Microgram per litre
µS/cm	Micro Siemens per centimeter

Acronyms

%	Percentage
(T)	Threatened species
AAS	Atomic Absorption Spectrometer
Ag	Silver
AIDS	Acquired immune deficiency syndrome
AIDS	Acquired immune deficiency syndrome
AIS	Air Insulated Substation
AIS	Invasive species
ALARP	As Low As Reasonably Practicable
AM	Ante meridian
ANFO	Ammonium Nitrate fuel Oil
APHA	American Public Health Association
AQN	Air Quality and Noise

ARD	Acid rock drainage
ASTM	American Standard and Testing Methods
ATR	Africa Traditional Religion
Ba	Barium
BAP	Biodiversity Action Plan
BAT	Best Available Technology
BCG	Bacillus Chalmette-Guerin
BMI	Body Mass Index
BODs	Biological Oxygen Demand
BREF	Best available technical Reference document
Ca	Calcium
CAS	Country Assistance Strategy
CBO	Community Based Organization
CCP	Cement Closure Plan
Cd	Cadmium
CDF	Community Development Fund
CDM	Clean Development Mechanism
CEMPS	Construction Environmental Management Plan
CEO	Chief Executive Officer
CHMP	Cultural heritage management plan
CHSP	Community Health and Safety Plan
CITES	Convention on International Trade in Endangered Species
Cm	Centimetres
CMP	Construction Management Plan
CNS	Central nervous system
CO	Carbon monoxide
CO ₂	Carbon dioxide
COD	Chemical Oxygen Demand
CPKO	Crude Palm Kernel Oil
Cr	Chromium
CRE	Chemical, Resettlement and Environment Unit of TCN
CRM	Compensation and Resettlement Manager
Cu	Copper
D	Menhinick's Index (D).
D	Margalef's Richness Index (d)
DB	Decibels
DBH	Diameter Breast Height
DCS	Distributed Control System
DD	Data Deficient
DNA	Deoxyribonucleic Acid
DO	Dissolved Oxygen
DPT	Diphtheria pertussis tetanus
E	EASTINGS of East (used in coordinate system)
EBRD	European Bank for Reconstruction and Development
EC	Electrical conductivity
EEMS	Engineering and Environmental Management Services Limited

Ef	Emission Factor
EHS	Environmental Health and Safety
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
EIS	Environmental Impact Statement
EMF	Electromagnetic Field
EMP	Environmental Monitoring Plan
EMPRITP	Environmental Monitoring Programme and Resources Implementation And Training Program
EMS	Environmental Management System
EN	Endangered
END	Environmental Noise Directive
EPA	Environment Protection Act
EPC	Engineering, Procurement and Construction
EPFI	Equator Principle Financial Institution
EPRP	Emergency Preparedness and Response Plan
ESAP	Environmental and Social Assessment Procedures
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and social management plan
ESPS	Environmental and Social Policy Statement
EU	European Union
FAS	Ferrous Ammonium Sulphate
Fe	IRON
FEPA	Federal Environmental Protection Agency (a defunct regulatory Agebcy replaced by FMENV)
FGDs	Focus groups Discussions
FGN	Federal Government of Nigeria
FLS	FL Smidth
FM	Frequency modulation
FMEA	Failure Mode and Effects Analysis
FMEEnv	Federal Ministry of Environment
FMPW&H	Federal Ministry of Power, Works and Housing
FS	Feasibility Study
G	Grams
GDP	Gross Domestic Product
GHG	Green House Gases
GHS	Globally Harmonized System
GIIP	Good Industry International Practice
GIS	Gas Insulated Substation
GIT	Gastro-intestinal Tract
GM	General Manager
GPS	Global Positioning System
GWP	global warming potential
H ₂ S	Hydrogen sulphide
Ha	Hectare
ha	Hectare
HIV	Human Immuno-deficiency virus
HofH	Head of Household

HPLC	High Performance Liquid Chromatograph
HRRP	Habitat removal and re-instatement plan
Hs	Shannon and Weiner diversity index
HSD	High speed diesel
HSE	Health, Environment and Safety
i.e.	That is
IAA	International Atomic Agency
IAEA	International Atomic Energy Agency
ICCL	International Cement Company Limited
ICNIRP	International Commission on Non-Ionizing Radiation Protection
IEC	Information Education and Communication
IEEE	Electrical and Electronic Engineers
IFC	International Finance Corporation
IFC	International Finance Corporation
ILO	International Labour Organisation
IMCO	Inter-governmental Maritime Consultative Organization
IPF	Intergovernmental Panel in Forests
IPIECA	The international petroleum industry environmental conservation association
IPPC	Integrated Pollution Prevention and Control
IQ	Intelligence quotient
ISO	International Organization for Standardization
ISQG	International Quality Sediment Guidelines
ISWMS	Integrated Solid Waste Management Scheme
ITCZ	Inter-tropical convergence zone
ITD	Inter-tropical discontinuity
IUCN	International Union for Conservation of Nature
J	Species Equitability
JICA	Japanese International Cooperation Agency
K ⁺	Potassium
KBA	Key Biodiversity Areas
LAMENV	Ogun State Ministry of Environment
LASEPA	Lagos State Environmental Protection Agency
LAWMA	Lagos State Waste Management Agency
LC	Least concerns
LCD	Liquid Crystal Detector
LCDA	Local Council Development Area
LCP	Large Combustion Plants
LFN	Laws of the Federation of Nigeria
LGA	Local Government Area
LIDAR	Light detection and ranging
Log	Logarithm
LPFO	Low Pour Fuel Oil
LRC	Local Resettlement Committee
LSG	Lagos State Government
MC	Mifor Consult
MCC	Manual classified Count

MCTC	Manual Classified Turning Count
MDAs	Ministries, Department and Agencies
Mg	Magnesium
MMA	Mathematical Method of multi-criteria Analysis
MMSD	Ministry of Mines and Steel Development
Mn	Manganese
MOU	Memorandum of Understanding
MSDSs	Material Safety Data Sheets
mT	Tropical Maritime
MTPA	Million Tonnes Per Annum
N	NORTHINGS or North (used in coordinate system)
N/A	Not Available
NA	Not Available or Not Applicable
NBS	The National Bureau of Statistics
NCF	Nigerian Conservation Foundation
NEEDS	National Economic Empowerment and Development Strategy
NESREA	National Environmental Standards and Regulations Enforcement Agency
NGN	Nigerian Naira
NGO	Non-Governmental Organization
NGOs	Non-Governmental Organizations
NIMET	Nigerian Meteorological Agency
NPC	National Population Commission
NT	Not- Threatened
NTDF	National Technical Forum on Land Administration
ODA	Official Development Assistance
OGEPA	Ogun State Environmental Protection Agency
OGMENV	Ogun State Ministry of Environment
OHS	Occupational Health and Safety Unit of TCN
OHSAS	Occupational Health and Safety Assessment Series
OP	Operational Procedures
OPGW	Optical Ground Wire
OPIC	Overseas Private Investment Corporation
OSG	Ogun State Government
PAG	Management of potentially acid generating
PAH	Polycyclic aromatic hydrocarbons
PAP	Project Affected People (the total population affected by the project, i.e. people living in households affected)
PCR	Physical Cultural Resources
PH	Power of hydrogen (hydrogen ion)
PHCN	Power Holding Company of Nigeria
PIU	Project Implementation Unit
PM	Post meridian
PM	Particulate Matter
PNS	Peripheral nervous system
PO ₄ ²⁻	Phosphates
PPE	Personal Protective Equipment

PPE	Personal protective equipment
PSD	Particulate Size Distribution
PTDF	Petroleum Trust Development Fund
PVC	Polyvinyl chloride
QA	Quality Assurance
QC	Quality Check
QHSE	Quality Health Safety and Environment
RAA	Registry of Affected Assets
RAP	Resettlement Action Plan
RBDPKO	Refined Bleached Deodorized Palm Kernel Oil
RDPO	Refined Bleached Deodorized Palm Oil
REDD	Reducing Emissions from Deforestation and Forest Degradation
RL	Reduced Level
ROW	Right of Way
RP	Regeneration potential
RTI	Respiratory Tract Infection
SCADA	Supervisory Control and Data Acquisition
SDOS	Sustainable development organizational structure
SDP	Sustainable Development Plan
SEMA	State Emergency Management Agency
SEPA	State Environmental Protection Agency
SIA	Social Impact Assessment
SMCL	Secondary Maximum Contaminant Level
SNCR	Selective Non-catalytic Reduction
SO ₂	Sulphure dioxide
SO ₄ ²⁻	Sulphates
SoI	Sphere of influence
SOPs	Standard Operating Procedures
SPL	Sound pressure level
SPM	Suspended particulate matter
SPO	Special Palm Oil
SPSS	Statistical package for the social sciences
SQM	Square meter
STDs	Sexually Transmitted Diseases
SUVs	Sport Utility Vehicles
T	Turbidity
TBA	Traditional Birth Attendants
TC	Tropical Continental
TC	Total Coli form
TCN	Transmission Company of Nigeria
TDS	Total Dissolved Solids
TFR	Total Fertility Rate
THB	Total Heterotrophic Bacteria
THC	Total hydrocarbon content
THF	Total Heterotrophic Fungi

THUB	Total Heterotrophic Utilizing Bacteria
THUF	Total Heterotrophic Utilizing Fungi
TLV	Threshold Limit Value
TOC	Total Organic Carbon
TOR	Terms of Reference
ToR	Terms of Reference
TOR	Terms of Reference
TPM	Total particulate matter
TSC	Time Species Count
TSS	Total Suspended Solid
TT	Tetanus toxoid
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNCBD	United Nations Convention on Biological Diversity
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEM	United Cement
UNIDO	United Nations Industrial Development Organization
USD	United States Dollar
USDA	United States Department of Agriculture
USEPA	United States Environmental protection Agency
UV	Ultra-Violet
V	Vanadium
VOCs	Volatile Organic Compounds
VU	Vulnerableness
WB	World Bank
WCMC	World conservation Monitoring Centre
WHO	World Health Organizations
WMF	Waste Management Facility
WPD	Wayleave and Property Departments of TCN
WRC	Watersheds Regulation Committee
YF	Yellow Fever
Zn	Zinc

EXECUTIVE SUMMARY

INTRODUCTION

Project Background

The Transmission Company of Nigeria (TCN) is one of the companies unbundled from the defunct Power Holding Company of Nigeria (PHCN), and the only one wholly owned by the Government. TCN is charged with the responsibility of transmitting electric power from the various power stations to the load centres across the country and beyond, ensuring efficient and cost-effective transmission, system operation, and improved service delivery. TCN is also responsible for the management of assets of the High Voltage Transmission System Operations, generation dispatch functions, as well as the development of the network through the construction of new transmission lines and substations for efficient transmission and system operations.

Nigeria has realized strong economic growth, until 2016 when the economy went into recession. However, stronger growth is projected for the future due the new anti-corruption posture of the Government as well as economic policies targeted at reducing capital flight. Meanwhile, power supply capacity is overwhelmingly insufficient. As a countermeasure of serious power shortage, Transmission Company of Nigeria (TCN) planned a project geared to achieving transmission capacity of 20,000 MW by 2020 in accordance with growth of generation capacity.

Presently, the transmission lines to the largest demand centre of Lagos are in a bottleneck situation so the generating capacities being built across the country cannot be fully utilized. Moreover, there are no detour routes for use when equipment failure occurs, and the system reliability is low.

The Lagos and Ogun States transmission project is targeted at improving power supply to Lagos and Ogun States, in line with the Transmission Lines network capacity development of achieving transmission capacity of 20,000 MW by 2020. This transmission line project in Lagos and Ogun States ("Lagos and Ogun States Transmission Project" or "the entire project") is to be financed through a loan (Japanese ODA loan) from Japan International Cooperation Agency (JICA). The Transmission Company of Nigeria (TCN) is the implementing agency and owners of the project when completed. This entire project plans reinforcement of transmission capacity, improvement of credibility of electricity supply and reduced electricity loss by installing transmission systems in southwest area Nigeria. It contributes acceleration of economy and development of the communities.

The entire project consists of about 207 km high voltage transmission lines and 6 high voltage substations. For the purpose of ESIA and RAP study, the project is divided into 3 sections, Lot1, Lot 2 and Lot 3. Transmission Company of Nigeria (TCN) has mandated the EEMS Limited to conduct Line Route Study, Environmental and Social Impact Assessment (ESIA), Environmental and Social Management Plan (ESMP) and Resettlement Action Plan for Lot 3 of the project (hereinafter "the project" or "proposed project") consisting of the following components;

- 330kV D/C Transmission Line from Ejio to Ajegunle -29.6 km.
- 132kv D/C Transmission Line from Ajegunle to Agbara -21.7 km.
- 132kv D/C Transmission Line from Ajegunle to Badagry – 36.2 km.
- New substation at Ejio (2x150MVA, 330/132kV + 2x60MVA 132/33kV)
- New substation at Ajegunle (2x150MVA, 330/132kV + 2x60MVA 132/33kV)

- New substation at Badagry (2x60MVA, 132/33kV).

Specifically, following studies were conducted.

- Line Route Study (LRS), to determine the optimum route for the lines.
- ESIA to identify and assess the potential environmental and social impacts and recommend appropriate mitigation strategies and prepare ESMP.
- This Resettlement Action Plans (RAP) prepared based on the international standards and principles presented in the Resettlement Policy Framework.

The project is financed through a loan from Japan International Cooperation Agency (JICA), as part of the development of power transmission infrastructure in the South-Western Region of Nigeria.

This type of project must undergo an environmental and social impact assessment as required by the EIA Act No. 86 of 1992. And also, resettlement action plan is needed as required by the Land Use Act and world bank operational policy -OP 4.12 as well as JICA guidelines for environmental and social considerations, the World Bank environmental and social safeguard policies and International.

Scope and Objectives

The policies of the JICA, World Bank, and the National Land Policies address involuntary resettlement. The RAP prepared for this project is consistent with the policies of the Government of Nigeria and that of JICA (adopted the World Bank Policy on Involuntary Resettlement -OP 4.12). The main objective of this RAP is to provide an agreed plan for the resettlement and compensation of Project Affected Persons (PAPs) affected by the proposed project, and this report presents the process for resettlement planning, elements of the compensation and eligibility program associated with the resettlement program as applied on people affected by the project. The draft was presented to Transmission Company of Nigeria (TCN), the PAPs and other stakeholders for comments. The information gathered will reduce concerns that may be raised by the PAPs, favouring their approval and their collaboration in project execution.

Specifically, the RAP was prepared in order to:

- Ensure that the land acquisition process comply with the requirements of Nigerian Laws and the World Bank policies;
- Raise awareness of the project and its consequences among the general public and particularly among those people who will be directly affected by the project;
- Establishing strategies to mitigate against adverse effects suffered by the PAPs including provision of channels and platforms for engagement and grievance resolution;
- Assess the potential extent of involuntary resettlement relating to the Project;
- Identify the possible impacts of such resettlement;
- Identify different categories of PAPs who will require some form of assistance, compensation, rehabilitation or relocation;
- Quantify different categories of PAPs who will require some form of assistance, compensation, rehabilitation or relocation;
- Provide guidelines to stakeholders participating in the mitigation of adverse social impacts of the project; and

- Estimate the costs necessary for resettlement and compensation.

Methodology

The preparation of the RAP commenced with review of the preliminary feasibility study report following reports about the project, prepared by JICA, and other relevant literature including the harmonised rates for compensation for South Western States, legal documents, World Bank and JICA guidelines, etc. Subsequently, the RAP study was conducted through;

- Consultations with a number of key stakeholders at the national, state and local levels (see Chapter 4).
- The presentation of the provisional line route to the TCN and other stakeholders including communities for comments;
- The development of a multi-criteria line route study conducted to reduce the potential impacts of the project including resettlement upfront (see the line route study report);
- The completion of a census of households, private and community assets and properties affected by the line route and substation sites (see Section 2.8 and Chapter 5);
- The completion of socioeconomic surveys of communities and households whose land will be crossed by the lines (see Section 2.8 and Chapter 5).
- Detailed enumeration of affected assets and valuation of same to establish comprehensive budget for effective RAP implementation (See Chapter 7).
- Presentation of preliminary RAP report to TCN and other stakeholders for comments.

The census and socioeconomic studies were conducted based on two (2) separate surveys. The first survey (December 2017) was meant to assess the affected households' assets and socioeconomic circumstances and the second survey assessed the community's characteristics and assets that would be affected by the project implementation. The data obtained at this stage is used as control group analyses (See Section 2.8). The second in January and February 2018 is the PAP census, which was analysed in Chapter 5.

The information gathering was undertaken using SnapSurvey Software on Android Tablets as well as Avenza Maps to aid navigation and identification of the line corridor clearance. The SnapSurvey software has data analyse capability and also ensure integrity of the data collected, because once survey is uploaded, it cannot be recalled or changed by the interviewer.

DESCRIPTION OF THE PROJECT

Project Justification

Lagos and Ogun States to a certain extent are industrial nerve centers of Nigeria. Hence, account for significant proportion of load demand from the national grid. The new power plants in the South normally transmits to the North through the areas of highest demand (Lagos). And presently the transmission system around the area has limited capacity as a result they constitute bottlenecks. Hence, the need to expand the network to improve stability and reliability.

The sustainability of the project has been considered on three premises – technical, economic, and environmental and social. Technically, the technologies, materials, equipment and personnel are available. On the economic premise, the funds for its execution are available and the project output is

awaiting uptake by the consumers through Ikeja, Eko and Ibadan DISCOs in return for tariff payments. Environmental and social sustainability stem from the complete acceptance of the project by host communities, the careful identification and mitigation of project negative impacts and TCN's commitment to the implementation of all developed project's management plans.

Project Location

The line routes, which is a linear project crosses three LGAs in Ogun State (Ewekoro, Ifo and Ado Odo/Ota) and one LGA in Lagos State, which is Badagry LGA. The three substations within the scope of Lot 3 are located at Ejio in Ewekoro LGA, Ajegunle in Ado Odo/Ota LGA and Badagry in Badagry LGA.

The Line Routes

The right of way for 330kV line is 50m (25m either side of the center line), and 30m 132kV (15m on either side of the center line). Factors considered include space to accommodate the lattice tower (wire zone) and safety buffer zone to provide safe limits for electromagnetic radiation as well as tower collapse and also to comply with Nigerian Electricity Regulatory Commission (NERC) requirements. Structures for residential or commercial or any other purpose is not allowed but farming and grazing are tolerated, provided that the crops do not exceed 4 m in height. Hence, agricultural land is not compensated, only the crops lost temporary during construction phase is compensated.

The 330kV line from Ejio to Ajegunle is 29.6km while the 132kV from Ajegunle to Agbara and from Ajegunle to Badagry are 21.7km and 36.2km respectively. These two 132kV share a common boundary (multi-circuit towers) of 6.2km, which means the effective length of corridor required for 132kV line is 51.7km and 81.3km for both 330kV and 132kV.

330kV DC line: Ejio to Ajegunle: This transmission line is 330kV double circuit which connects between the Ejio S/S and Ajegunle S/S, with a length of 29.6km. It crosses the Lagos-Abeokuta Expressway (Trunk A5) at 6.853224°N, 3.192264°E, after about 2.3km from the Ejio substation. It also has a crossing point with the existing 330kV single circuit transmission line between Osogbo S/S and Ikeja West S/S after about 7km from Ejio substation. The existing single circuit transmission line is to be cut at the point of crossing. The Osogbo-Ikeja West line will be looped in and out of the Ejio substation. The transmission line from Ejio SS to the crossing point is four circuit; double circuit x 2 (consist of two circuit going to Ajegunle, two circuits from Osogbo-Ikeja West going in and out of Ejio).

132kV DC line: Ajegunle to Existing Agbara Substation: This transmission line is 132kV double circuit from the proposed Ajegunle Substation to the existing Agbara Substation, with a length of 21.7 km. This line shares common corridor with the Ajegunle to Badagry line for 6.2 km up to Iberese and reduced footprint. The areas around Ajegunle for up to 2km and 5km radius from Agbara substation is dense residential and industrial area. The Agbara line separated from the Badagry line at Igbere and passes through Egudu Adesina, Idayin, Idoluba before terminating at the existing Agbara substation located within the Agbara Industrial Layout.

132kV DC line: Ajegunle to Badagry: This transmission line is 132kV double circuit connecting the proposed Ajegunle substation to Badagry S/S, and it is 36.2km in length and share 6km common corridor (multi-circuit towers) with the Agbara line as mentioned earlier. Four circuit tower will be used to accommodate both the Ajegunle to Badagry and Ajegunle to Agbara lines for up to a distance of 6km. The key challenge for this line is to negotiate riverine residential communities and the swampy nature of the uninhabited areas from about 10km from the Badagry substation.

The Substations

Three green field substations are within the scope of this RAP at Ejio, Ajegunle and Badagry, while the existing Agbara will require only an extension of the line bay and no additional land take will be required. The configuration of each of the substations as well as coordinates of location is shown below.

Substation Name	Location	Location (UTM Zone: 31N)	Size of land (ha)	Voltage class	Incoming bay / Outgoing bay for transmission line
Ejio Substation	Ewekoro LGA/ Ogun State	523203.709mE 756989.301mN	25.3	330/ 132/ 33kV	Incoming bay from Olorunsogo PS: 330kV-DC line Incoming bay from Osogbo S/S: 330kV-SC line Incoming bay from Ikeja West S/S: 330kV-SC line Outgoing to Ogijo S/S : 330kV-double circuit line Outgoing to Ajegunle S/S : 330kV-DC line Outgoing to New Abeokuta S/S : 132kV-DC line
Ajegunle S/S	Ado Odo/Ota LGA, Ogun State	507592.00 m E 735532.00 m N	25.1	330/132/ 33kV	Incoming bay from Ejio S/S : 330kV-DC line Incoming bay from Ikeja West S/S : 330kV-SC line Outgoing bay to Sakete S/S : 330kV-SC line Outgoing bay to Agbara S/S : 132kV-DC line Outgoing bay to Badagry S/S : 132kV-DC line
*Agbara S/S -	Ado Odo/Ota LGA, Ogun	509275.967mE 718978.996mN	2.85	132/ 33kV	Incoming bay from Ejio S/S: 132kV-DC line
Badagry S/S	Badagry LGA, Lagos	484303.490mE 710894.910mN	19.6	132/33kV	Incoming bay from Ajegunle SS : 132kV-DC line

*No new land take is needed in existing Agbara Substation

Other Project Components

Other components of the project include the following

- Earthing and Protection Systems
- Communication/Control System
- Campsites / Logistics Bases
- Access Track Repair / Upgrade / Construction

POLICY, LEGAL AND INSTITUTIONAL FRAMEWORK

The 1999 Constitution of the Federal Republic of Nigeria

Property ownership is guaranteed alongside other fundamental human rights like freedom of speech, association, and movement. Specifically, Sections 43 confers the right to acquire immovable property by citizens and Section 44 reserves government's power of eminent domain and prescribes how this power is to be exercised by the government.

Section 44 (1) provides that *"no moveable property or any interest in an immovable property shall be taken possession of compulsorily and no right over or interest in any such property shall be acquired compulsorily in any part of Nigeria except in the manner and for the purposes prescribed by a law that, among other things:*

(a) requires the prompt payment of compensation therefore and

(b) gives to any person claiming such compensation a right of access for the determination of his interest in the property and the amount of compensation to a court of law or tribunal or body having jurisdiction in that part of Nigeria.

This implies that non-compliance in respect to the manner (process), purposes recognised by law, and is met with promptitude in the payment of compensation and allowing claimant unfettered access to property being taken to ascertain claims and /or reserves affected persons to adjudicate on quantum of compensation would void an otherwise valid acquisition or resettlement. The basic land tenure law which is the Land Use Act Cap L5, LFN 2004 operationalizes the provisions of Section 44 of the Constitution.

National Land Policy

All lands belong to the Government, which is held in trust on behalf of the people by the Governor of a State. The administration of urban land is directly under the control and management of the Governor; whereas non – urban land is under the control and management of the Local Government Area.

The Governor grants Statutory Rights of Occupancy to all lands. Local Government has the right to grant Customary Rights of Occupancy over non-urban lands. The Governor also have the power to revoke both Statutory and Customary rights to land for the overriding public interest.

In doing so, the Act requires that compensation be paid to the current holder or occupier with equal value. The Act also requires the State or Local Government to provide alternative land for affected people who will lose farmlands and alternative residential plots for people who will lose their houses in lieu of monetary compensation.

The legal basis for land acquisition and resettlement in Nigeria is the Land Use Act Cap L5, LFN 2004, According to the Act, all lands in Nigeria is vested in the Governor of each State, to be held in trust for the use and common benefit of all people. Lands are further classified into urban and rural (non-urban) for administrative purposes.

National Social Protection Policy

The revised national policy on social protection was approved by the Federal Executive Council (FEC) in July 2017 to enhance social justice, equity and all-inclusive growth in the country. The framework seeks to achieve these using a transformative mechanism for mitigating poverty and unemployment in Nigeria. The social protection policy also includes the following schemes

- National Health Insurance Scheme (NHIS)
- National Pension Scheme
- National Primary Health Care (PHC)
- National Poverty Eradication Programme (NAPEP).

National Gender Policy

The policy seeks to promote gender equality and eliminate discrimination based on gender, ethnicity, religious beliefs, etc. The key policy areas are focused around 5 critical areas:

- (i) Culture re-orientation and sensitisation to change gender perceptions and stereotypes;
- (ii) Promotion of women’s human rights and in particular focusing on sexual and gender based violence (SGBV) and in supporting new legislations and legal rights of women;
- (iii) Promoting the empowerment of women and integrating gender within key sectors as highlighted within the NGP – (Agriculture/Rural Development; Environment/Natural Resource; Gender and HIV/AIDS; Health and Reproductive Health/Rights; Education/Training; Labour/Employment);
- (iv) Women’s political participation and engendered governance including gender and conflict management and
- (v) Supporting institutional development including the use of ICT and building strategic partnerships, including identifying new partnerships with men’s organisations, faith-based organisations and traditional institutions.

Land Use Act CAP L5, LFN 2004 and Resettlement Procedures

The Land Use Act Cap L5, Laws of the Federation of Nigeria 2004 is the key legislation that has direct relevance to this project. Relevant Sections of these laws as may relate to this project with respect to land ownership and property rights, resettlement and compensation are summarized in this section.

The Land Use Act is the applicable law regarding ownership, transfer, acquisition and all such 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 Governor administers the land for the common good and benefits of all Nigerians. The law makes it lawful for the Governor to grant statutory rights of occupancy for all purposes; grant easements appurtenant to statutory rights of occupancy and to demand rent. The Statutory rights of Occupancy are for a definite time (the limit is 99 years) and may be granted subject to the terms of any contract made between the state Governor and the Holder.

The Local Government Councils may grant Customary Rights of Occupancy for agricultural (including grazing and ancillary activities), residential and other purposes. But the limit of such grant is 500 hectares for agricultural purpose and 5,000 hectares for grazing except with the consent of the Governor. The LGA, under the Act is allowed to enter, uses and occupies for public purposes any land within its jurisdiction that does not fall within an area compulsorily acquired by the Government of the Federation or of relevant State; or subject to any laws relating to minerals or mineral oils.

The State is required to establish an administrative system with specific responsibilities including managing the revocation of the rights of occupancy, and payment of compensation for the affected parties. So, the Land Use Act provides for the establishment of a Land Use and Allocation Committee in each State that determines disputes as to compensation payable for improvements on the land. **(Section 2 (2) (c)).**

Where a Right of occupancy is revoked on the grounds either that the land is required by the Local, State or Federal Government for public good, the holder and the occupier shall be entitled to

Electric Power Sector Reform No. 6, 2005

This Act deals with acquisition of land and access right for electricity projects among other things. Section 77 of the Act empowers the Nigeria Electricity Regulatory Commission (NERC) to make a declaration that land is required by a license for purpose of generation or distribution of electricity. Section 77 (9) states: *“where the president issues a notice under sub-section 6, the Governor shall in accordance with the provisions of section 28(4) of the Land Use Act, revoke the existing right of occupancy respecting the land and grant a certificate of occupancy in favour of the concerned licensee in respect of the land identified by the commission in such notice.....who shall be entitled to claim compensation in accordance with the provisions of the Land Use Act”*.

Institutional Framework

This section gives highlights on relevant institutions through which planning, and implementation of the project will be affected. A number of institutions have been identified and will be involved in the overall implementation of this project. These include:

- The Federal Government of Nigeria (FGN);
- Federal Ministry of Power, Works & Housing (FMPWH)
 - ✓ Transmission Company of Nigeria (TCN)
 - ✓ JICA Project Implementation Unit (PIU)
 - ✓ Ikeja Electricity Distribution Company
 - ✓ Ibadan Electricity Distribution Company
 - ✓ Eko Electricity Distribution Company
- Federal Ministry of Environment
- Nigerian Electricity Regulatory Agency
- National Environmental Standards and Regulatory Enforcement Agency
- Lagos State Government
 - ✓ Bureau for Land Survey
 - ✓ Bureau for Physical Planning
 - ✓ State Ministry of Environment
- Ogun State Government
 - Bureau for Land Survey
 - Bureau for Physical Planning
 - ✓ Ogun State Ministry of Environment;
- Local Government Authorities (LGAs) :
 - Ewekoro LGA
 - Ifo LGA
 - Ado Odo/Ota LGA
 - Badagry LGA
- The Customary Chiefs District Councils and Village Heads

International LAWS, Procedures and Guidelines

World Bank Safeguard Policy (OP 4.12): Involuntary resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood¹) as a result of project-related land acquisition² and/or restrictions on land use. The policy has the following objectives;

- Minimize displacement
- Treat resettlement as a development program
- Provide affected people with opportunities for participation
- Assist displaced persons in their efforts to improve their incomes and standards of living, or at least to restore them
- Assist displaced people regardless of legality of tenure
- Pay compensation for affected assets at replacement cost
- Assistance to people referred to as special groups -women and children, very poor people, chronically ill or disabled, etc.

IFC Performance Standards for Investment: The IFC Performance Standards are directed towards clients, providing guidance on how to identify risks and impacts, and are designed to help avoid, mitigate, and manage risks and impacts as a way of doing business in a sustainable way, including stakeholder engagement and disclosure obligations of the client in relation to project-level activities.

JICA Guideline for Environmental and Social Considerations The objectives of the guidelines are to encourage Project proponents etc. to have appropriate consideration for environmental and social impacts, as well as to ensure that JICA's support for and examination of environmental and social considerations are conducted accordingly. The guidelines outline JICA's responsibilities and procedures, along with its requirements for project proponents etc., in order to facilitate the achievement of these objectives. In doing so, JICA endeavors to ensure transparency, predictability, and accountability in its support for and examination of environmental and social considerations.

STAKEHOLDER CONSULTATIONS

The consultation process was designed and implemented in order to facilitate the informed participation of the project affected persons (PAPs), communities and other stakeholders affected by or with interest in the project. The consultations were conducted at three stages, scoping, presentation of the line route and finally presentation of the preliminary results of ESIA and RAP. These meetings took place in May/Jun 2017, Oct./Nov. 2017 and Feb. 2018 respectively.

The following stakeholder groups participated in the consultation process

- Concerned agencies and organisations at State and National levels;
- State-level (Ogun and Lagos) agencies;
- LGA-level agencies
- Customary authorities in communities affected by the line; -Obas, Ba'ales and Village Heads crossed by the line route.

- Industrial and commercial actors affected by the line, including relevant TCN departments, and JICA.
- Security agencies, national civil security and defence corps, department of security service, and the Nigerian Police

First Stage Consultations

The first consultation stage took the combined format of individual semi-structured interviews with community members and customary chiefs as well as group meetings with institutional stakeholders (organisations at national, state and LGA level).

The following results were achieved from the consultations:

- The communities understood the objectives and requirements of the project and pledged support and cooperation;
- The relevant agencies are aware of the project and the ESIA process (team, objectives and schedules);
- The requirements of Ogun State and Lagos State Laws and Regulations relevant to the project were highlighted by the agencies and understood by TCN and its consultants;
- The main stakeholders' concerns and expectations were documented and have been considered for inclusion in the scope of the studies;
- A preliminary list of stakeholders was completed and the orientations of the Stakeholder Engagement Framework was enhanced;
- The Ogun State Governor established a committee to provide support for the project, while Lagos State Governor provided a high ranking cabinet member (Commissioner for Energy) to coordinate LAGos State support for the project.

Second Stages of Consultation

The second stage of stakeholder information and consultation to present the preliminary line route, as well as methodology and approach for ESIA and RAP study. At the same obtain feedback to refine the approach and the methodology and include concerns expressed in the study. About 30 communities known to have been affected by the line route at that time were consulted, in addition to the institutional stakeholders mentioned earlier.

Third Stage Consultation

The preliminary results of the ESIA and RAP was presented to Ogun and Lagos State team as well with representatives of the affected people. The reports were also shared with The Nigerian Conservation Foundation (NCF) an NGO dedicated to nature conservation and sustainable development in Nigeria.

Comments received were mainly observed errors in addressing some communities, and NCF requested for the inclusion of avian collision management plan in the ESMP.

SOCIO-ECONOMIC BASELINE OF THE PROJECT-AFFECTED PERSONS

Summary of the areas affected by the project are as follows;

Local Government Areas (LGAs)	Number of Affected Communities	Estimated Length of ROW across LGAs (km)	Baseline Census Dates
Ewekoro	9	15	16/01/2018 to 22/01/2018

Ifo	17	11.5	23-01-18
Ado-Odo/Ota	49	50	24/01/2018 to 10/02/2018
Badagry	7	11	11/02/2018 to 15/02/2018
TOTAL	82	87.5	

Demographics of affected people

Age and Sex Structure: According to projections by the national population commission, the population of the affected LGAs in 2016 are as follows, with 51% male and 49% female.

LGA	TOTAL POPULATION	AFFECTED	% OF TOTAL POPULATION AFFECTED
Ewekoro LGA	76,600	953	1.2%
Ifo LGA	750,000	539	0.1%
Ado-Odo/Ota LGA	733,400	1920	0.3%
Badagry LGA	327,400	66	0.02%
TOTAL	1,887,400	3,478	0.2%

Households Affected: The total number affected by the is 3,478 with Ado Odo LGA having the highest with 1,920 and Badagry LGA the least with 66 households. Female heads of households constitute 12.7% of the total households. These figures include those economically or physically affected or both.

Marital Status of Heads of Households: overall 21.2% of the heads of households are single, 63% married, while 8% and 7.8% are widowed and divorced/separated respectively.

Household Sizes: These are number of people living in the household, which has 3 to 5 people having the highest frequency of 54.3% followed by 6 to 10 with 29.1%. others are 1 to 2 people (6.3%), 11 to 15 people (6.1%) and the houses with more than 15 people constitutes the lowest (4.2%).

Dependency Rate: The total dependency ratio is the proportion of the population not in the work-force who are 'dependent' on those of working-age. Ado-Odo/Ota LGA has the highest dependency rate of 87.65% and If LGA have the lowest with 83%, while Ewekoro and Badagry LGA have 85.24% and 85.16% respectively. The national average for Nigeria 88.2% as reported by national bureau of statistics for the year 2015.

Education and Literacy: UNESCO defines literate person as one who can with understanding both read and write a short simple statement on his(her) everyday life in any language. Literacy rates are quite high in the project area ranging from 92.8% to 98.7% among men and 85.9% to 92.5% among women. Ogun and Lagos State average are 98.2% (men), 88.1% (women) and 99.4% (men), 99.3% (women) respectively.

Income and Livelihoods of Household

Income analyses of households from all sources show that, farming attracts the highest proportion of the respondents up to 72.2% and 71.8% in Ifo and Ado-Odo/Ota respectively practice farming and generate substantial income from it 87.3% and 78.3%. The people of Badagry practice farming the least but practice hunting or fishing the highest.

The people that are living in the abject poverty line (on less than N10,00/month equivalent to less than USD 1/day) has highest proportion in Badagry LGA (19.7%), while Ewekoro has the lowest (15.7%).

Educational Facilities: Field survey, information from questionnaires, and responses from respondents during FGD's revealed the presence of over 755 primary schools, 181 secondary schools and 1 tertiary institution in the project area. In addition, Ado-Odo/Ota LGA accounts for about 35% of these schools. About 90% of these schools are privately owned with high tuition fees that many of the households cannot afford. Most of the communities in the study area, especially in Ifo, Badagry and Ewekoro LGAs only have access to government owned secondary schools. The pupils in these communities often walk distances of 3 – 4 km to bigger communities such as Atan, Badagry, Bandu and Agbara to access government owned secondary schools.

Potable Water Supply: About 62.2% of communities in Ado-Odo/Ota LGA have access to water supply as against about 59.5% in Ewekoro, 50.6% in Ifo and 53.2% in Badagry LGA. Most of the water schemes in the area are privately owned boreholes and wells. Some communities in Ijegemo and Sowole depend almost exclusively on water sourced from rivers and streams

Electricity: Forty – one communities representing about 62% are linked to the national grid line for electricity supply. The breakdown indicated that all ten communities within the RoW in Badagry LGA are connected to the national grid as against 25 (53%) within the Ado-Odo/Ota Local LGA that is connected to the national grid. In Ewekoro LGA, Ejio community is connected while Sojuolu is not connected. Five (5) of the 9 communities in Ifo LGA are connected.

Health Facilities: The health facilities in the area comprise of nine (9) Primary Health Centres (PHC) and fifty-eight (58) hospitals. The grossly inadequate health facilities provide both out-patient and in-patient services. The ratio of public to private hospitals in the project area is about 3:2.

Household Facilities: The household facilities surveyed include power generators, televisions, cars/trucks, refrigerators, etc. TV and radio are the most common facility among households in the project area, where almost all households have them with 95.6% to 100% of the household reported to have used them.

Transport Facilities: The project area is traversed by several roads, amongst which are:

- The Lagos – Abeokuta Express Way
- Sango-Idi-Iroko Road
- The Sokoto road in Egbele Village
- Ado road
- The Coker – Atan Road
- Smaller feeder roads linking the major roads with the impacted communities, and
- Unpaved roads connecting small villages and settlements.

Apart from the tarred Lagos-Abeokuta express way and the Sokoto road, the Atan to Ado road, others are either partially tarred or not tarred

Housing Types

Field survey was conducted to identify quality of housing used by the PAPs. The materials used in construction surveyed

House Roofing Materials: Results on the roofing materials survey showed corrugated sheets has the highest percentage of 30.4% followed by asbestos (27.2%) with Bamboo/reed having the lowest (2.2%).

House Walling Materials: Results of survey of house walling materials show concrete block with the highest usage (56%), followed by mud bricks (15.2%). Others are ordinary mud (5.7%), wood (4.2% and thatch (6%).

House Flooring Material: Five flooring materials were observed to be in use. While smooth cement (49.8%), ceramic tiles (19.5%) and sand (15%) are the most used flooring materials across all the communities and LGAs, the use of woods/planks and smoothen mud were observed more among households in Ifo and Badagry LGAs.

IMPACT OF THE LINES AND THE SUBSTATIONS

The impacts of the project on the social, economic and livelihoods of the affected population were assessed using data collected from field surveys, relevant documents and consultations with various stakeholders and PAPs. Potential environmental and impacts are described in the ESIA report of the project.

The Lot 3 of the project require the construction 87.5km of electricity transmission lines, consisting of 29.6km of a 330kV line from Ejio to Ajegunle and 57.9km of 132kV from Ajegunle to Agbara and Ajegunle to Badagry. It also includes new substations at Ejio, Ajegunle and Badagry and expansion of the existing Agbara substation.

The construction, operations and maintenance activities of the ROW and transmission line will involve periodic access to the structures.

For the project affected households and communities, negative impacts occurring during the construction phase include:

- Dust, noise and exhaust gas emissions;
- Soil erosion and properties of affected land;
- Loss of arable land and crop damaged as a result of clearing the ROW of trees for mitigation measures and for temporary access, work areas and work camps;
- Degradation of water and soil quality resulting from an accidental spill of hydrocarbons and other material as well as disturbance and displacement of wildlife, which could be accentuated by poor waste management practices. The spill could occur from machinery and vehicles, in workplaces and in work camps;
- Disturbance and displacement of wildlife due to noise generated vehicular movement or from construction and maintenance activities;
- Conflicts or grievance related to resettlement of affected households;

- Potential perturbation of communities or households associated to the arrival of workers and conflict over the distribution of jobs and other economic activities related to line construction.

The main long-term impacts, at the tower and substation location, and clearance of the ROW are:

- Permanent loss of crop areas and tree plantation in the ROW;
- Prohibition of constructing any structure (houses, shed, etc.) in the ROW;
- Potential perturbation of communities or households associated with the arrival of workers and conflict over the distribution of jobs and other economic activities related to maintenance of ROW.

Economic and Physical Impacts

Structure: Structures affected by the project are mainly residential houses with few commercial structures as well as public and religious structures. There are a total 1297 structures affected by the project. There are 324 residential structures that are occupied, with a population of 1,592 that will have to be relocated. 844 residential structures are either unoccupied, mostly under construction and will be affected only economically. There are 30 commercial structures, mostly small shops imbedded in the residential structures described. Also affected are 16 public and religious buildings.

Farmlands: There are 2,647 households that would lose their farmlands and one government land.

The owners of these structures and farms will be compensated to reconstruct their houses outside the ROW. However, this relocation will result in loss of time, income and disruption of the organization for the daily life of affected households. It would need to be mitigated.

As mentioned earlier, the consultations carried out as part of this preliminary assessment showed that many affected households are concerned about not receiving adequate and timely compensation for resettlement and loss of crops, trees or land. An adequate and timely compensation should therefore be given, and new houses of displaced households should be built before the beginning of construction or any other activities capable of disrupting the PAPs. Where properly managed, the envisaged impacts will be minimal.

Cumulative Impacts

The following proposed and existing projects within 10 km square radius are expected to exert cumulative impacts. They are

- Ewekoro cement Plant Line 1- An operating 1.3million tonnes per annum clinker cement plant
- Ewekoro cement Plant Line 2–An Operating 2.7 million tonnes per annum clinker cement plant
- Abeokuta Independent Power Project (Energy Culture)- A 147 megawatt gas powered power plant with a 500m transmission line
- Olorunsogo Gas Fired Power Plants Phase I and II (333MW open cycle and 750MW- combined cycle respectively)
- 132kv transmission line – An existing transmission line linking Ota to Abeokuta.
- 330kv transmission line – An existing transmission line linking Olorunsogo Power Plant to Ikeja West

- 330kV single circuit linking Osogbo to Ikeja West
- 132 kV line from Ikeja West to Agbara and to Ojo

The following cumulative impacts were identified;

Resettlement: All the existing project mentioned involve resettlement. However, since the projects did not happen all at the same time, the communities were able adjust after each one. Furthermore, due to the urban and semi urban nature of the most of the affected area the sensitivity of the communities is very low.

Air Quality and Noise: Given the findings of impact assessment and distance of the Ewekoro cement plant (line 1 and 2) from the project area, it appears unlikely that the cumulative impact on noise and air quality will not be significant. Also, the cumulative impact of Olorunsogo Power Plant Phase I & II from the project area will be localized to immediate environment.

Traffic: The construction phase will require large amounts of material and equipment to be transported to the Project site. It is expected that the Abeokuta IPP and ongoing construction of railway line project will use similar transport routes (Lagos – Abeokuta express way) which will place pressure on the local road network especially during the construction phases of the projects.

Given the foregoing, there is increased potential for accidents and disruption to the road traffic network for local users associated with the increase in traffic movements from overlapping construction traffic. It is expected that the traffic management plan to be developed for the project will consider other traffic movements associated with the development of the project in view which will help to mitigate this impact. However, in overall consideration, this impact is considered to be **moderate** due to the high likelihood of accidents occurring.

Economy, Employment and Skills: The operation of the various considered projects earlier outlined is proposed to occur simultaneously with the project in view. As such, the economic, employment and skills development opportunities will be greater for all the projects combined than a single project.

It should be noted that expectations regarding economic development, employment and skills development will be high amongst stakeholders in the local community and as such, in the event that one project does not meet expectations, there is the potential for all projects within the area to be the target of this negative outcome.

Based on the above, the cumulative impacts of the various proposed industrial projects on the economy, employment opportunities and skills development within the communities is expected to be positive.

Economic Impact of Construction and Maintenance

Livelihoods of the affected households may be affected with the acquisition of their lands. Appropriate compensation will be provided to replace economic loss. This risk is quite low since firstly, despite the land use density, it is possible to find alternative plots including through family and village solidarity. About 3000 families will loose a piece of cropland or house. These will be compensated adequately. In this context, the risk of loss will be greatly reduced.

The most important economic benefit generated by the project is the improved availability and reliability of electricity supply to Lagos and Ogun States. This can increase access to electricity, which

can improve economic activities and added convenience to people's lives. The project could also generate jobs for the operation and maintenance of the power lines and substations.

Impacts on Gender

Project impacts on women will primarily be felt during the construction phase. They are related to the fact that women are primarily responsible for field work and crops' production.

Only 552 of the affected households are headed or represented by women (15.9%). The project is likely to increase the vulnerability of women, since consultations in the project area have shown that, in general, women do not own land although the land law is such that the land belongs to the family. This makes women's situation unfavorable since men control resources such as land and other important assets.

Impacts on Vulnerable Groups

As mentioned previously, women that are heads in about 16% of the impacted households. There are no head of households younger than 18 years old. Specific mitigation measures, such as prioritizing local people and businesses for job opportunities and procurement, participation of able members of these households to work on their land (cutting, trees, reconstruction, etc.), leaving them the use of cut trees, salvage material from displaced houses or other structures (houses, shelter, etc.), could help these economically vulnerable households increase their revenues.

Administrative burden of compensation procedures should be reduced to minimal especially for the vulnerable households giving them timely information, enhanced access that reduces their strain in the compensation process and ultimately minimize incidental costs to them.

There are no groups that could be described as indigenous or minority in the area.

VALUATION AND COMPENSATION

Valuation of assets and other forms of losses occasioned by the project was conducted by a qualified Estate Surveyors and Valuers to ascertain individuals whose properties or livelihoods will be directly or indirectly affected by the project activities.

A general principle adopted in the formulation of the compensation valuation is that lost income and assets will be valued at their full replacement cost such that the project affected populations should experience no net loss. This is in accordance with World Bank Operational Policy on involuntary resettlement -OP 4.12 as well as the Nigerian Land Use Act

Eligibility Criteria

The World Bank Resettlement Policy/Guidelines require compensation for the lost assets and replacement costs to both titled and non-titled landholders and resettlement assistance for lost income and livelihoods.

In this project, the absence of formal titles will not constitute a barrier to resettlement assistance and rehabilitation. Furthermore, the principles adopted herein contain special measures and assistance for vulnerable affected persons, such as female-headed households, physically challenged persons, and the poor.

The social impact of the project on the affected persons shall be minimized by using the following measures.

- Economic Rehabilitation
- Asset Based Compensation
- Cash Compensation
- Mitigating Risks of Impoverishment
- Consultation with Affected Populations, and
- Grievance Redress Mechanisms

Notification: Prior to the conduct of surveys and administration of study questionnaires, the PAPs were officially notified of the enumeration exercise. Furthermore, the RAP team engaged all stakeholders in several consultations meetings held in each affected community. These public consultations served as avenue to educate them on the purpose of the project and the possible associated impacts and their respective rights.

Value of Land: The land use Act does not provide for compensation for land, only for assets and improvements. However, World Bank OP 4.12 provides for land replacement, asset replacement as well as restoration of livelihoods. Therefore, there is no justification to make presentation on the value for lands which the PAPs currently occupy under the laws of Nigeria. Nevertheless, going by the principles of payment of compensation adequate enough and in such a way that PAPs are not left poorer or impoverished because of the project, TCN will give adequate assistance to the PAPs to enable them obtain another land to relocate the affected assets to as well for restoration of livelihoods.

Entitlement Matrix for Resettlement Activities

This provides a framework for entitlement for each category of impacts of the project. To determine the eligible person for compensation the Land use Act and the Criteria set by the World Bank contained in OP 4.12 of the WB Operational Manual were both considered, and the more stringent applied.

The RAP for the project is aligned with the World Bank Operational Policy (OP 4.12) which indicates best practices to restoration 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 more stringent requirement will apply. This is ensure compliance with the OP 4.12 without going against the Land Use Act.

The principles adopted thus forms the basis for establishing eligibility and makes for the provision for all types of losses (land, structures, business / employment, and work day wages). All affected persons shall be compensated at full replacement costs.

Cut-Off Date: A comprehensive census of the PAPs and inventory of affected assets and property were conducted. Notice of entry was served on the communities as mentioned earlier. The notification also included the dates for census of PAPs and property enumeration in the communities. The date of commencement of the enumeration established the cut-off-date, which was 12th January 2018. Therefore, any improvements made by PAPs on their parcel or on structures shall not be eligible for compensation.

Proof of Eligibility: Various forms of evidence as proof of eligibility was considered and they cover the following:

- PAP with formal legal rights, documented in the form of land title registration certificates (certificate of occupancy or right of occupancy), 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.
- PAP with no formal or recognized legal rights-criteria for establishing non-formal, undocumented or unrecognized claims to eligibility shall be established paying attention to each situation and its peculiarities. Alternative means of proof of eligibility will include;
- Affidavit signed by landlords and tenants;
- Witnessing or evidence by recognized traditional authority, customary heads, community elders, family heads and elders and the general community.

However only PAPs enumerated during the baseline survey shall be eligible for either the compensation or resettlement. 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 resettlement.

Basis for Valuation of Losses and budgets

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.

PAPs Losing Structures: The mechanism for compensating loss of residential structures will be:

a) PAPs with legal rights of land use:

- The cash compensation reflecting full replacement cost of the structures without depreciation or deduction for salvaged materials.
- The provision of replacement residential land (house site and garden) of equivalent size, satisfactory to the PAPs or in cash at the replacement cost.
- 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 Six 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 feeding allowance for days for PAPs in a structure that is occupied as at the time of the survey.

- 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.
- business loss due to relocation, calculated based on the amount earnings lost during movement
- job losses to employees that may lose their jobs, due to relocation of business.
- Business premises registration cost (if required at new location).

PAPs Losing Agricultural Land and Crops: The mechanism for compensating loss of farm land includes:

- ✓ The provision of assistance to obtain alternative site of equal size within the same community;
- ✓ Cash compensation for lost of crops and/or economic tree at full market price of estimated produce. This is arrived at by employing the appropriate valuation methodology over the types of crops or acreage covered 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.

Compensation for Trees: Some of the households in the project area (along with the transmission route) have fruit trees. These trees will have to be cut and cannot be replanted in the area of the line. This will be a permanent loss over the years. Evaluation of the numbers of trees for each family has been done on the basis of the investigation results. These trees will be compensated at rates approved by Government for the region (i.e, the harmonised compensation rate for crops for South Western Region).

Access Roads and Workers Camps: The allowance required for workers to access roads to account for the damages or temporary impacts on land for which the owners must be compensated, shall be included in the EPC contract. Contractors shall include this in their quotations.

INCOME AND LIVELIHOOD RESTORATION STRATEGIES

The Transmission Company of Nigeria (TCN) shall use the guidelines below and involve the affected communities, local leaders, NGOs and other stakeholders to gather opinions in order to assess livelihood restoration procedures.

The World Bank (WB)'s OP, 4.12 paragraph (6c), states the following:

“Displaced persons should be offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and provided with development assistance, such as land preparation, credit facilities, training, in addition to the compensation they receive.”

Additionally, WB OP 4.12, paragraph (2c), requires that displaced individuals be given assistance for their efforts to improve their living standards or to at least restore them to the highest standard between pre-displacement or standards prevailing prior to the beginning of the project implementation.

In an effort to define income and develop livelihood restoration strategies, TCN should involve participation for purposes of fostering ownership at an early stage. Assistance will be especially critical to the individual that is to be relocated far away, due to reconstruction costs that may be otherwise avoided.

It is recommended to inform the PAPs of the project at least 3 months before the start of the construction. In all cases, PAPs shall be advised to construct new structures at locations near the previous ones within the affected community to reduce disruption of community life, established spatial organization and services.

Also worthy of mentioning is the fact that many communities along the ROW have experienced workers that can be hired during the construction phase. Local experienced workers and entrepreneurs with necessary experience and capacity should be given priority work opportunities, if applicable. Also, as suggested through consultations, the general contractor should liaise with village chiefs to maximise local hiring as well as the purchase of relevant local materials and services.

Different restoration packages will be required for each of the various categories of PAPs and will depend on the type and magnitude of loss suffered, the vulnerability level of the PAPs' household, the indicated preferences associated to their family characteristics and other relevant circumstances.

Land base: The households that will lose a piece of land will receive sufficient compensation to be able to buy a new land, off-set loss of crops and rehabilitate the land to similar production level.

Further investigations paired with experience on similar projects indicate that in most cases it would be difficult and cumbersome for the TCN to find and propose replacement land for different reasons (risk of speculation, administrative burden, PAP lack of trust, etc.). It is thus preferable to pay cash compensation to the PAPs to provide them with an opportunity to purchase new land and condition it themselves and continue farming. The PAPs also prefer cash payments.

However, to limit impoverishment risk, adequate compensation level and implementation conditions are essential. The measures include providing sufficient time for PAPs to find and evaluate their options, support for all legal aspects of the transaction and the "transaction costs".

PAPs whose crops are to be negatively impacted by the project should be assisted to purchase seedlings and seeds, land improvement, etc

Trees: Trees will be destroyed during the construction of the transmission line since no trees taller than 4 meters are being kept in the wayleave. Compensation to households will be allocated according to the prescribed rates up to replace these trees. The PIU specialist will help the affected households to plant trees to restore their source of income and livelihoods.

Structures: In addition to cost of structure replacement and land, each affected household will receive additional compensation to cover the following expenses:

- A moving allocation to pay for moving their goods and belongings;
- An income support for of the household to mitigate the inconvenience and time constraints related to the resettlement.
- Cost of land administration, taxes and other charges associated with land acquisition, will be waived for the PAPs by the State Government.

Vulnerable Groups: A special focus must be given to the livelihood improvement of vulnerable groups prior to the construction of the project. Vulnerable groups include low income families, women, child (under 18 years heading a household) or handicap headed households.

Vulnerable households will be consulted at the onset of the operation to evaluate their concerns and needs. Special help that could be provided include, among others to open bank account, help for administrative transactions and relocation logistics support

Non-Financial Components: These include employment from the communities during construction, and allowed to take salvaged materials including demolished building materials, wood from vegetation clearance, etc.

INSTITUTIONAL ARRANGEMENTS FOR RAP IMPLEMENTATION

Actors involved and organisational structure

These include:

- The Federal Government of Nigeria (FGN);
- Federal Ministry of Power, Works and Housing (FMPW&H);
- Transmission Company of Nigeria (TCN);
- Federal Ministry of Environment (FMENV);
- Lagos and Ogun State Government responsible for;
 - Lands administration;
 - Physical Planning,
 - Agriculture
 - Women and Social Services
- Affected Local Government Authority (LGA):
- The Customary Chiefdoms, District Council and Village Chiefs.

Procedures and Responsibilities

- TCN is responsible for the compensation and ensuring the RAP is implemented adequately.
- FGN provides sovereign guarantee for the loan
- The Minister of FMPW&H approves the compensation budget
- FMENV along with State Ministries of Environment are is the regulatory agency for ESMP and certain aspects of RAP.
- Land Administration is responsible for land administration including ROW permit
- Ministry for Agriculture provides support for agricultural land rehabilitation
- Women and Social services Ministry provides social support toolbox to women and children on how to deal with relocation stress.

Witness NGO: To enhance transparency and trust from PAPs it is suggested that a witness NGO, recognized and credible in the project area, be hired, through a public proposal and selection process, by the PIU to provide independent advice and report on RAP implementation and management focusing on consultation activities, compensation and resettlement related activities and grievances management. This NGO could be a recognized and credible Human Right advocacy group or a NGO active in rural development.

This 'outside' look will ensure that proper procedures and stated compensation processes are followed, that PAP grievances are well taken care of, and that PAPs are treated with fairness.

Stakeholder Engagement Program

To ensure the interests of the affected persons are fully entrenched in the RAP process and income restoration, an engagement program shall be developed at the onset of the RAP implementation process. These program goals are transparent information and meaningful participation of PAPs, representatives of affected and interested groups and of the various administrative and government departments all through the project.

This participation will be done through PIU, the LRC and a vigorous program of information and consultation of affected communities and PAPs. These information and consultation will concern compensation rules and procedures, livelihoods program, PAPs rights, grievance mechanisms, etc.

Many means should be used leaflets, community meetings with graphical display to help illiterate people, radio messages in local languages, recorded approval of the project by local authorities, etc.

Grievance Mechanisms

During implementation of the project activities, it is possible that disputes/disagreements between the project developer and the PAPs will occur especially in terms of compensation, boundaries, ownership of crops or land, etc.

The practice of grievance arbitration over resettlement issues in Nigeria is conducted within the framework of the Land Use Act (LUA) of 1978, reviewed under Cap 202, 1990. Three stages have been identified in the grievance procedure in the following order:

1. An aggrieved person first report to the Baale or the RAP implementation Consultant, for the resolution of issues such as ownership tussle, management of deceased property, boundary issues, etc.
2. Customary mediation and
3. Judicial hearing

MONITORING, REVIEW AND EVALUATION

The purpose of resettlement monitoring is to ensure that measures developed for compensating the losses were effective in restoring PAPs living standards and income levels. Monitoring will be implemented by the PIU.

During monitoring phase, the existing grievance mechanism will be regularly reviewed for improving and correspondingly, additional and more user friendly forms, which enable the field staff to forward complaints and demands of local people to the PIU.

Throughout the Project lifecycle, monitoring and evaluation activities will be reviewed; restructured or removed in case that the previously produced tools and forms are inefficient.

Monitoring and Evaluation (M&E) procedures establish the effectiveness of all land and asset acquisition and resettlement activities, in addition to the measures designed to mitigate adverse social impacts. The procedures include internal track keeping efforts as well as independent external monitoring.

The purpose of resettlement monitoring for the proposed Transmission Line Project will be to verify that:

- Actions and commitments described in the RAP are implemented;
- Eligible project affected people receive their full compensation prior to the start of the rehabilitation activities on the corridor;
- RAP actions and compensation measures have helped the people who sought cash compensation in restoring their lost incomes and in sustaining/improving pre-project living standards;
- Complaints and grievances lodged by project affected people are followed up and, where necessary, appropriate corrective actions are taken; and
- If necessary, changes in RAP procedure are made to improve delivery of entitlements to project affected people.

The World Bank operational policy (OP 4.12) states that the project sponsor (TCN) is responsible for adequate M&E of the activities set forth in the resettlement instrument.

Monitoring will provide both a warning system for the PIU and the project sponsor (TCN) and a channel for the affected persons to make known their needs and their reactions to resettlement execution.

PIU monitoring and evaluation activities and programs shall be adequately funded and staffed. PIU monitoring will be verified by the witness NGO to ensure complete and objective information.

The monitoring and evaluation framework consists of three elements:

- PIU monitoring;
- External monitoring undertaken by the Witness NGO; and
- Independent RAP Completion Audit.

Indicators have been established in order to measure RAP activities, results, objectives and goals. There are five categories of indicators for performance monitoring.

The first three (3) Internal Performance Monitoring are: *input, output and process indicators*.

They are mostly used for medium term measures to ensure that the RAP is relevant, effective and efficient.

The last two Impact monitoring are: *outcome and impact indicators*. They are mostly used for long term measures for assessing the results.

RAP monitoring and evaluation activities will be adequately funded, implemented by qualified specialists and integrated into the overall PIU budget and activities.

PIU monitoring and evaluation activities will be supplemented and verified by monitoring efforts of the witness NGO.

The establishment of appropriate indicators in the RAP is essential since what is measured is what will be considered important. Indicators will be created for affected people as a whole, for key stakeholder groups, and for special categories of affected groups such as women.

The most important indicators for the RAP in the near term concern outputs, processes and outcomes since they define whether the planned level of effort is being made and whether early implementation experience is being used to modify/redesign RAP features. Over the medium to long term, outcome and impact indicators are critical since they are the ultimate measure of the RAP's effectiveness in restoring people's livelihoods.

Monitoring indicators are defined, which may be reviewed or re-defined during the course of project in response to changes to project-related conditions. Consequently, implementation and mitigation measures may have to be adopted to incorporate these changes into the M&E plan.

RAP IMPLEMENTATION BUDGET AND SCHEDULE

The budget was prepared based on the entitlement matrix in Table 7.2. the summary are as follows, while details are in Appendix 1.

Element	Amount (NGN)
Crops	400,905,574.24
Structures	2,146,630,564.12
Sub-total for structures and crops	2,547,536,138.36
Allow for Security, bank charges, stamp duty and other logistics, for compensation payment (2.5%) for crops	10,022,639.36
Allow for Security, bank charges, stamp duty and other logistics, for compensation payment (2.5%) for structures	53,665,764.10
Support to vulnerable groups (Base on Entitlement matrix Table 7.2)	16,236,000.00
Allow for demolition and salvage of structures (5%)	107,331,528.21
Allow 5% contingency for structures and crops	127,376,806.92
Subtotal	314,632,738.59
Total	2,862,168,876.95

Schedule

The RAP implementation should be completed before land take over. It is envisaged that it can be completed within a period of one and a half year. These will include, hiring of implementation



consultant and NGO, establishing local resettlement committees in each LGA, engagement with PAPs, payments to and assistance to PAPs, grievance redress, monitoring and evaluation and livelihood restoration. It is important that all structures to be rebuilt and payments for compensation are completed before project construction is commenced. This can be done progressively so construction can start on one end.

CHAPTER ONE

1.0 INTRODUCTION

1.1 PROJECT BACKGROUND

The Transmission Company of Nigeria (TCN) is one of the companies unbundled from the defunct Power Holding Company of Nigeria (PHCN), and the only one wholly owned by the Government. TCN is charged with the responsibility of transmitting electric power from the various power stations to the load centres across the country and beyond, ensuring efficient and cost-effective transmission, system operation, and improved service delivery. TCN is also responsible for the management of assets of the High Voltage Transmission System Operations, generation dispatch functions, as well as the development of the network through the construction of new transmission lines and substations for efficient transmission and system operations.

Nigeria has realized strong economic growth, until 2016 when the economy went into recession. However, stronger growth is projected for the future due the new anti-corruption posture of the Government as well as economic policies targeted at reducing capital flight. Meanwhile, power supply capacity is overwhelmingly insufficient. As a countermeasure of serious power shortage, Transmission Company of Nigeria (TCN) planned a project geared to achieving transmission capacity of 20,000 MW by 2020 in accordance with growth of generation capacity.

Presently, the transmission lines to the largest demand centre of Lagos are in a bottleneck situation so the generating capacities being built across the country cannot be fully utilized. Moreover, there are no detour routes for use when equipment failure occurs and the system reliability is low.

The Lagos and Ogun States transmission project is targeted at improving power supply to Lagos and Ogun States, in line with the Transmission Lines network capacity development of achieving transmission capacity of 20,000 MW by 2020. This transmission line project in Lagos and Ogun States ("Lagos and Ogun States Transmission Project" or "the entire project") is to be financed through a loan (Japanese ODA loan) from Japan International Cooperation Agency (JICA). The Transmission Company of Nigeria (TCN) is the implementing agency and owners of the project when completed. This entire project plans reinforcement of transmission capacity, improvement of credibility of electricity supply and reduced electricity loss by installing transmission systems in southwest area Nigeria. It contributes acceleration of economy and development of the communities.

The entire project consists of about 207 km high voltage transmission lines and 6 high voltage substations. For the purpose of ESIA and RAP study, the entire project is divided into 3 sections, Lot1, Lot 2 and Lot 3. Transmission Company of Nigeria (TCN) has mandated the EEMS Limited to conduct Line Route Study, Environmental and Social Impact Assessment (ESIA), Environmental and Social Management Plan (ESMP) and Resettlement Action Plan for Lot 3 of the project (hereinafter "the project" or "proposed project") consisting of the following components;

- 330kV D/C Transmission Line from Ejio to Ajegunle -29.6 km.
- 132kv D/C Transmission Line from Ajegunle to Agbara -21.7 km.
- 132kv D/C Transmission Line from Ajegunle to Badagry – 36.2 km.
- New substation at Ejio (2x150MVA, 330/132kV + 2x60MVA 132/33kV)

- New substation at Ajegunle (2x150MVA, 330/132kV + 2x60MVA 132/33kV)

Specifically, following studies were conducted.

- Carry out the Line Route Study (LRS), to determine the optimum route for the lines.
- Conduct the ESIA to identify and assess the potential environmental and social impacts and recommend appropriate mitigation strategies and prepare ESMP.
- Prepare out the Resettlement Action Plans (RAP), based on the international standards and principles presented in the Resettlement Policy Framework.

The project is financed through a loan from Japan International Cooperation Agency (JICA), as part of the development of power transmission infrastructure in the South-Western Region of Nigeria.

This type of project must undergo an environmental and social impact assessment as required by the EIA Act No. 86 of 1992. And also resettlement action plan is needed as required by the Land Use Act and world bank operational policy -OP 4.12 as well as JICA guidelines for environmental and social considerations, the World Bank environmental and social safeguard policies and International.

1.2 PROJECT LOCATION

The project components in Lot 3 consists of about 87.5km high voltage transmission lines, including about 6 km common corridor for Ajegunle to Agbara and Ajegunle to Badagry lines and 3 high voltage substations. The line routes, which is a linear project crosses three LGAs of Ogun State (Ewekoro, Ifo and Ado Odo/Ota) and Badagry LGA of Lagos State. The three substations within the scope of Lot 3 are located at Ejio in Ewekoro LGA, Ajegunle in Ado Odo/Ota LGA and Badagry in Badagry LGA. Location Maps are in Figures 1.1 and 1.2, while Figure 1.3 contain show affected communities.

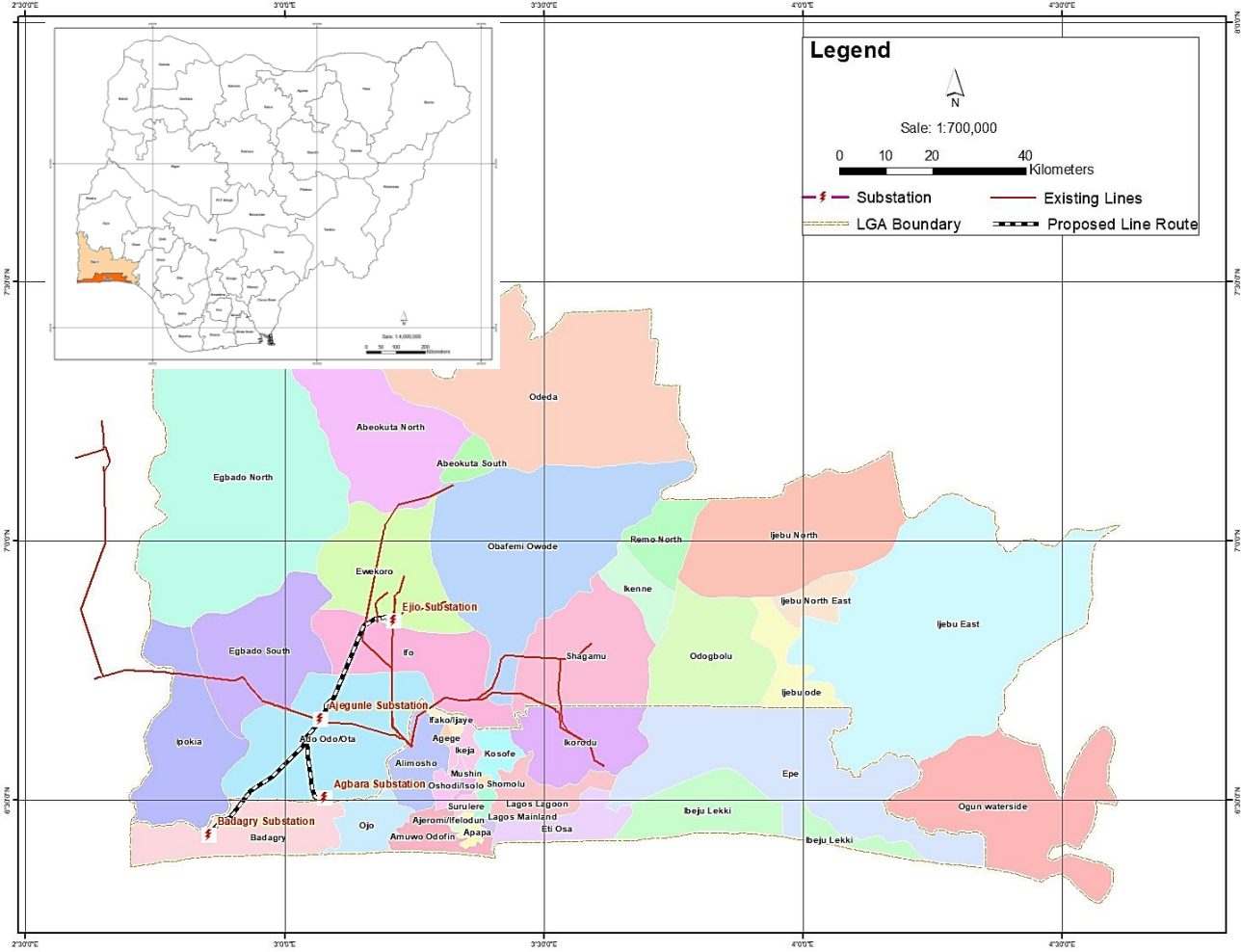


Figure 1.1 Lot3 Project Location in LGAs of Ogun and Lagos States, Nigeria

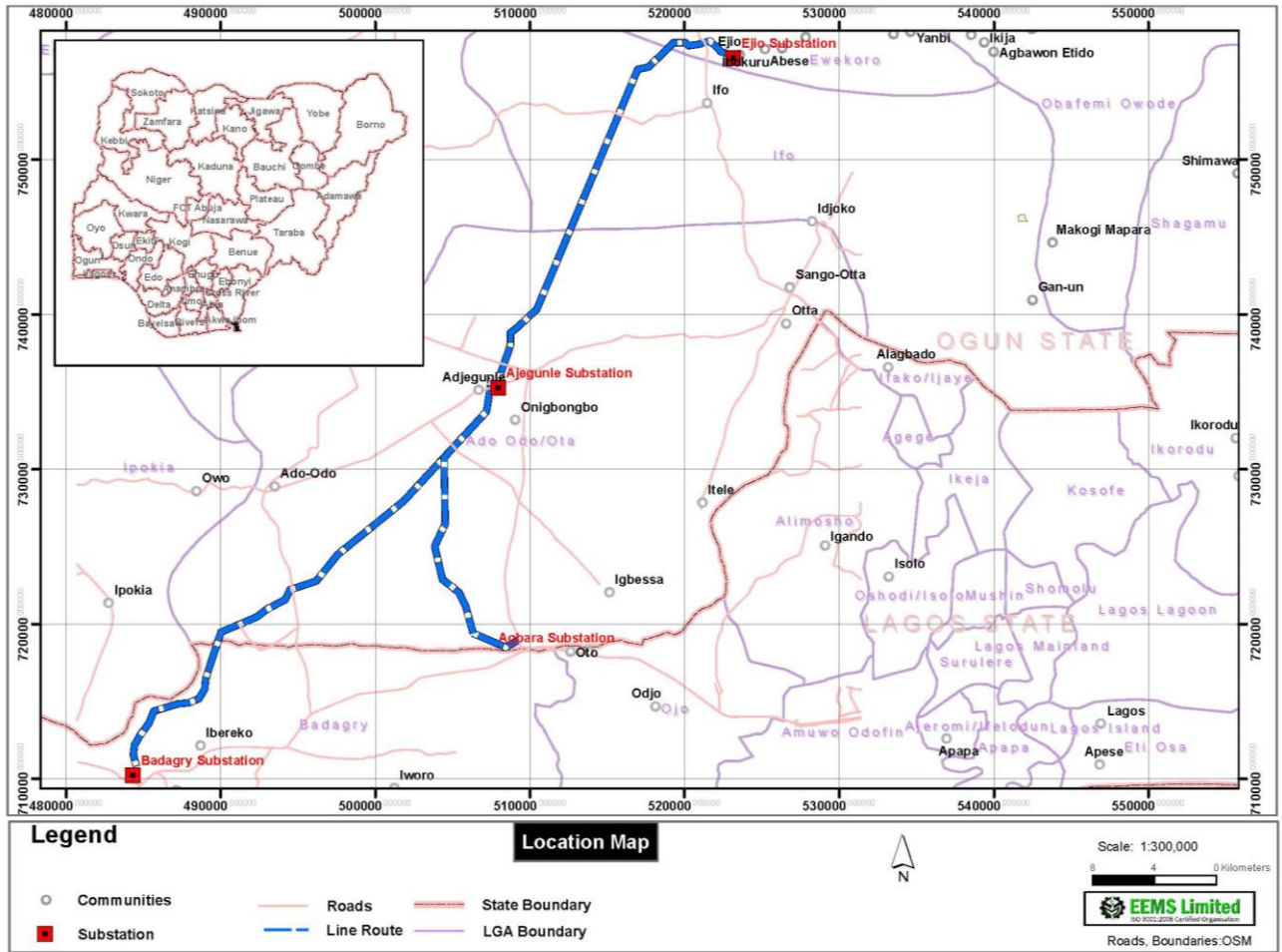


Figure 1.2 Specific Location of the Project (Lot3)

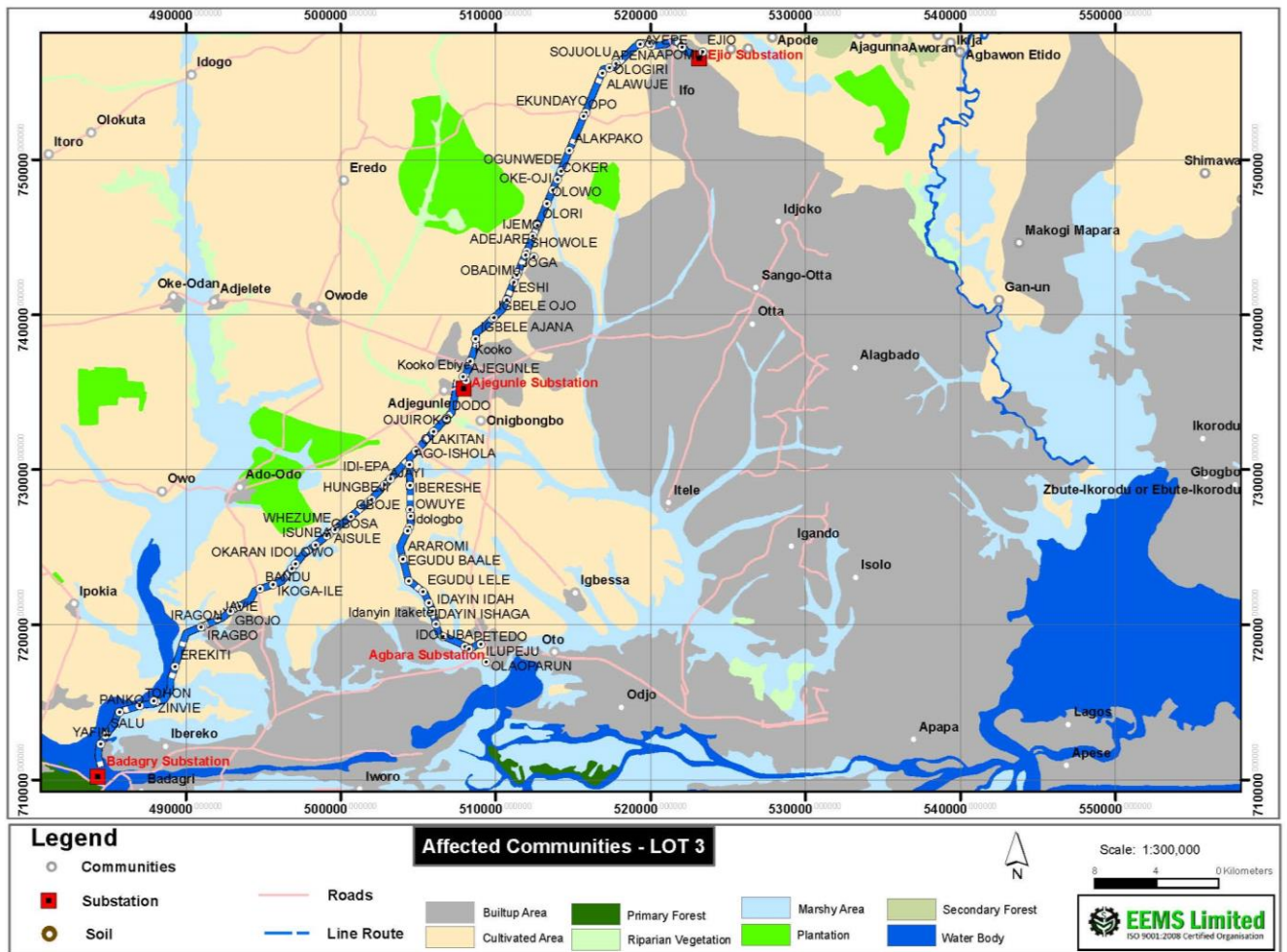


Figure 1.3 Communities Affected by the Project in Lot3

1.3 SCOPE AND OBJECTIVES OF THE RAP STUDIES

The policies of the JICA, World Bank, and the National Land Policies address involuntary resettlement. The RAP prepared for this project is consistent with the policies of the Government of Nigeria and that of JICA (adopted the World Bank Policy on Involuntary Resettlement -OP 4.12). These policies on involuntary resettlement cover both physical displacement and economic dislocation (loss of assets or access to assets that leads to loss of livelihood) because of land acquisition or restrictions on land use. Resettlement is involuntary when those affected cannot refuse, because expropriation could occur, even if those displaced willingly agree to compensation.

The main objective of this RAP is to provide an agreed plan for the resettlement and compensation of Project Affected Persons (PAPs) affected by the proposed project, and this report presents the process for resettlement planning, elements of the compensation and eligibility program associated with the resettlement program as applied on people affected by the project. The draft was presented to by the Transmission Company of Nigeria (TCN), the PAPs and other stakeholders for comments. The information gathered will reduce concerns that may be raised by the PAPs, favouring their approval and their collaboration in project execution.

Specifically, the RAP was prepared in order to:

- Ensure that the land acquisition process comply with the requirements of Nigerian Laws and the World Bank policies;
- Raise awareness of the project and its consequences among the general public and particularly among those people who will be directly affected by the project;
- Establishing strategies to mitigate against adverse effects suffered by the PAPs including provision of channels and platforms for engagement and grievance resolution;
- Assess the potential extent of involuntary resettlement relating to the Project;
- Identify the possible impacts of such resettlement;
- Identify different categories of PAPs who will require some form of assistance, compensation, rehabilitation or relocation;
- Quantify different categories of PAPs who will require some form of assistance, compensation, rehabilitation or relocation;
- Provide guidelines to stakeholders participating in the mitigation of adverse social impacts of the project; and
- Estimate the costs necessary for resettlement and compensation.

The thrust of this draft report includes: explanation of the RAP components and associated costs of compensation and assistance measures, organizational and institutional arrangements for the implementation of the RAP, eligibility criteria, and the planned grievance management mechanism. The actual number of households and the agricultural area that will be affected is also presented.

1.4 METHODOLOGY

The preparation of the RAP commenced with review of the preliminary feasibility study report following reports about the project, prepared by JICA, and other relevant literature including the harmonised rates for compensation for South Western States, legal documents, World Bank and JICA guidelines, etc.

Subsequently, the RAP study was conducted through;

- Consultations with a number of key stakeholders at the national, state and local levels (see Chapter 4).
- The presentation of the provisional line route to the TCN and other stakeholders including communities for comments;
- The development of a multi-criteria line route study conducted to reduce the potential impacts of the project including resettlement upfront (see the line route study report);
- The completion of a census of households, private and community assets and properties affected by the line route and substation sites (see Section 2.8 and Chapter 5).

- The completion of socioeconomic surveys of communities and households whose land are crossed by the lines (see Section 2.8 and Chapter 5). This survey covered all the households affected (100% coverage).
- Detailed enumeration of affected assets and valuation of same to establish comprehensive budget for effective RAP implementation (See Chapter 7).
- Presentation of preliminary RAP report to TCN and other stakeholders for comments.

The census and socioeconomic studies were conducted based on two (2) separate surveys. The first survey was meant to assess the affected households' assets and socioeconomic circumstances and the second survey assessed the community's characteristics and assets that would be affected by the project implementation.

The information gathering were undertaken using SnapSurvey Software on Android Tablets as well as Avenza Maps to aid navigation and identification of the line corridor clearance. The SnapSurvey output was subsequently exported to Microsoft excel worksheets and analysed.

The first household census and enumeration survey was undertaken in December, 2017 and the second in January and February, 2018.

CHAPTER TWO

2.0 DESCRIPTION OF THE PROJECT

2.1 PROJECT JUSTIFICATION

Lagos and Ogun States to a certain extent are industrial nerve centers of Nigeria. Hence, account for significant proportion of load demand from the national grid. The new power plants in the South normally transmits to the North through the areas of highest demand (Lagos). And presently the transmission system around the area has limited capacity as a result they constitute bottlenecks. Hence, the need to expand the network to improve stability and reliability.

The sustainability of the project has been considered on three premises – technical, economic, and environmental and social. Technically, the technologies, materials, equipment and personnel are available. On the economic premise, the funds for its execution are available and the project output is awaiting uptake by the consumers through Ikeja, Eko and Ibadan DISCOs in return for tariff payments. Environmental and social sustainability stem from the complete acceptance of the project by host communities, the careful identification and mitigation of project negative impacts and TCN's commitment to the implementation of all developed project's management plans.

2.2 THE PROPONENT: TRANSMISSION COMPANY OF NIGERIA (TCN)

Transmission Company of Nigeria (TCN) is the project proponent. The company was incorporated in November 2005, emerging from the defunct National Electric Power Authority (NEPA) as a product of the merger of the Transmission and Operations sectors on April 1, 2004.

Being one of the 18 unbundled Business Units under the Power Holding Company of Nigeria (PHCN), TCN was issued a transmission license on 1st July, 2006 by the Nigerian Electricity Regulatory Commission (NERC) to carry out electricity transmission, system operation and electricity trading which is ring fenced.

The mandate of TCN includes the following

- i. Management of assets of the High Voltage Transmission System Operations as well as generation dispatch functions.
- ii. Operate as the provider of open access transmission service based on regulated transmission tariff and non-discriminatory system operations and economic dispatch services within a regulatory framework provided by the Nigerian Electricity Regulatory Commission (NERC), the Grid Code and the Market Rules.
- iii. Load forecasting and system expansion planning.
- iv. Acquiring the necessary ancillary service for defined reliability and quality service standards.
- v. Managing the market settlement system.
- vi. Development of the network through the construction of new transmission lines and substations for efficient Transmission and System operations, hence all stakeholders should observe the Grid Code, Distribution Code and Market rules.

TCN has a Health Safety and Environment (HSE) Department, headed by a General Manager. The department is responsible for environmental and social safeguards of the company's activities and operations. The department also facilitates liaisons with communities as well as government agencies

and local government departments to facilitate stakeholder consultations, as well as interfaces with the Federal Ministry of Environment for the approval of the ESIA.

2.3 DESCRIPTIONS OF THE LINE ROUTE

The description of the coordinates used in this report is based on the UTM WGS84 DATUM ZONE31. Furthermore, angle points and turning points are described in number of degrees it turns away from its rectilinear direction. Summary of the line route parameters is in Table 2.1. A 50m width clearance for 330kV line and 30m width of right of way for 132kV line projects is allowed for Nigeria standard. The 330kV line from Ejio to Ajegunle is 30km while the 132kV from Ajegunle to Agbara and from Ajegunle to Badagry are 21.7km and 36.5km respectively. These two 132kV share a common boundary (multi-circuit towers) of 6km, which means the total length of corridor required for 132kV line is 52.2km and 81.7km for 330kV and 132kV.

TABLE 2.1 THE TRANSMISSION LINES AND LAND SIZE FOR SUBSTATIONS

LINE ROUTE	VOLTAGE	LENGTH (km)	ROW (m)	LAND AREA (ha)
Ejio to Ajegunle	330kV DC	29.6	50	148.0
*Ajegunle to Agbara	132kV DC	21.7	30	65.1
*Ajegunle to Badagry	132kV DC	36.2	30	108.6
Total		87.5		321.7

*The 132kV lines utilizes 6.2km of common corridor, equivalent to 18.6 ha savings in land take. Hence, total footprint for lines reduces to 303.1 ha

2.3.1 330kV DC line: Ejio to Ajegunle

This transmission line is 330kV double circuit which connects between the Ejio S/S and Ajegunle S/S, with a length of 29.6km. It commences from the Ejio substation at point (523223.522 mE, 756723.323) and move towards the East along a bearing of 285.5° for about one kilometre, where it took a right turn of 30.62° from its rectilinear direction, in order to avoid the densely populated Ejio Town. Furthermore, to avoid a Shrine in the Ejio Forest, an angle point of 15.34° to the left was introduced at point AP-002. About 700 m from this point another angle point of 65° to the left, to avoid crossing over a Mobil Petrol Station and the Lafarge Housing Estate.

This transmission line crosses the Lagos-Abeokuta Expressway (Trunk A5) at 6.853224°N, 3.192264°E, after about 2.3km from the Ejio substation. It also has a crossing point with the existing 330kV single circuit transmission line between Osogbo S/S and Ikeja West S/S after about 7km from Ejio substation. The existing single circuit transmission line is to be cut at the point of crossing. The Osogbo-Ikeja West line will be looped in and out of the Ejio substation. The transmission line from Ejio SS to the crossing point is four circuit; double circuit x 2 (consist of two circuit going to Ajegunle, two circuits from Osogbo-Ikeja West going in and out of Ejio). The crossing point is located at Latitude 6.838162° N, Longitude 3.154384° E and about 7km from the Ejio substation. The terminal tower at Ajegunle substation is 6.65854°N, 3.07254°E.

The altitude of Ejio (Ejio) S/S site is approximately 80m and the altitude of the distance of 5km westward is approximately 110m, transmission line is gradually upslope from Ejio S/S to the westward. The altitude of Ajegunle S/S is about 32m, the transmission line is gradually downslope by the Ajegunle SS. The route map is shown in Figure 2.4.

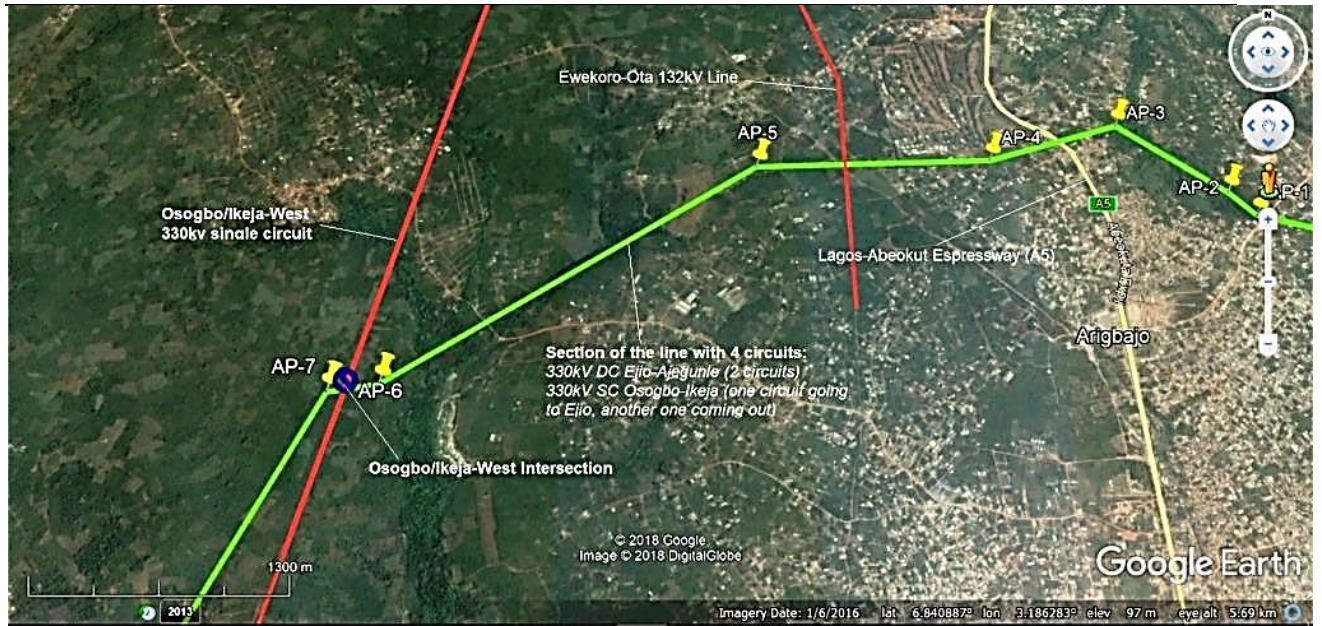


Figure 2.4 Intersection Point with the Existing Osogbo-Ikeja West Line

2.3.2 132kV DC line: Ajgunle to Existing Agbara Substation

This transmission line is 132kV double circuit from the proposed Ajgunle Substation to the existing Agbara Substation, with a length of 21.7 km. This line shares common corridor with the Ajgunle to Badagry line for 6.2 km, where they separated at Iberese Village and reduces the footprint (See Figure 2.6). The areas around Ajgunle for up to 2km and 5km radius from Agbara substation is dense residential and industrial area (see Figure 2.6 and 2.7).



Figure 2.5 The 132kV Lines Showing Multi-Circuit Sections



Figure 2.6 Dense Residential Area Around Ajegunle Substation



Figure 2.7 Dense Industrial Area of Agbara

2.3.3 132kV DC line: Ajegunle to Badagry

This transmission line is 132kV double circuit connecting the proposed Ajegunle substation to Badagry S/S, and it is 36.2km in length. It will also require an ROW of 30m width. As mentioned in Section 3.8.2, four circuit towers will be used to accommodate both the Ajegunle to Badagry and Ajegunle to Agbara lines up to Iberese Village, a distance of 6.2km. The key challenge for this line is to negotiate riverine residential communities and the swampy nature of the uninhabited areas from about 10km from the Badagry substation. Hence, the line was moved towards the swampy area in order to minimise impacts on human settlement as indicated by the green lines in Figures 2.7 and 2.8, instead of the yellow lines.

SMALL COMMUNITY SETTLEMENTS vs SWAMP



Figure 2.7a Small Community Settlements Vs Swamp (Erekiti)

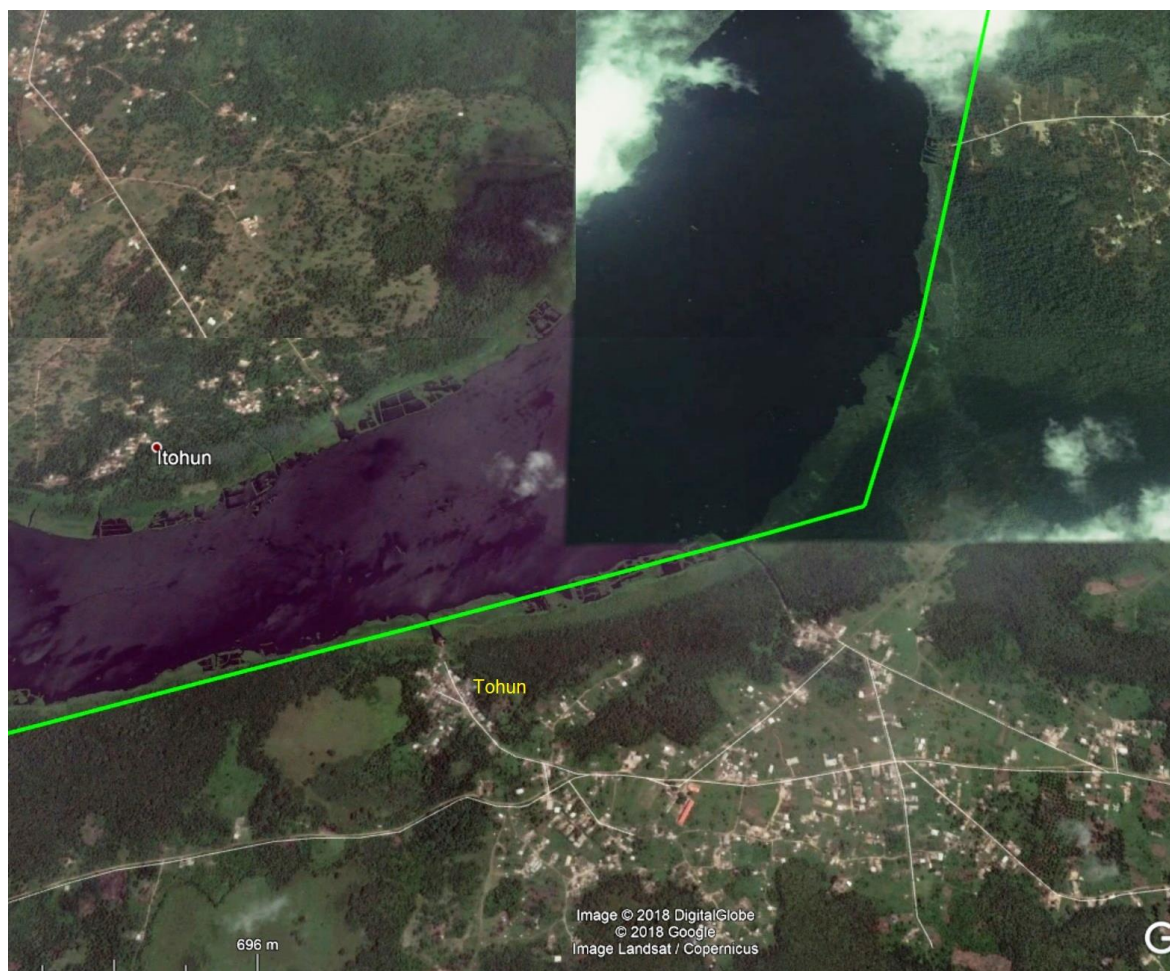


Figure 2.7b Small Community Settlements Vs Swamp (Tohun)



(a) Single Circuit (Not used in the Project)



(b) Double Circuit (used in all routes)



(c) Multi Circuit (used in common corridor Sections)

Figure 2.8 Types of Lattice Transmission Towers

2.4 DESCRIPTION OF THE SUBSTATIONS

2.4.1 General Descriptions

A substation is part of an electrical generation, transmission, and distribution system. Substations transform voltage from high to low, or the reverse, or perform as a buffer to provide continuous power to the consumers even if there is a shortfall of power from the source. Electric power may flow through several substations between generating plant and consumer, and its voltage may change in several steps. A substation may include transformers to change voltage levels between high transmission voltages and lower distribution voltages, or at the interconnection of two different transmission voltages.

Substations are normally outdoors and are enclosed by a wire fence. However, in residential or high density areas, the substation may be indoors and even housed inside a building to restrict the humming noise of the large transformers. The elements of a substation are shown in Figure 2.9.

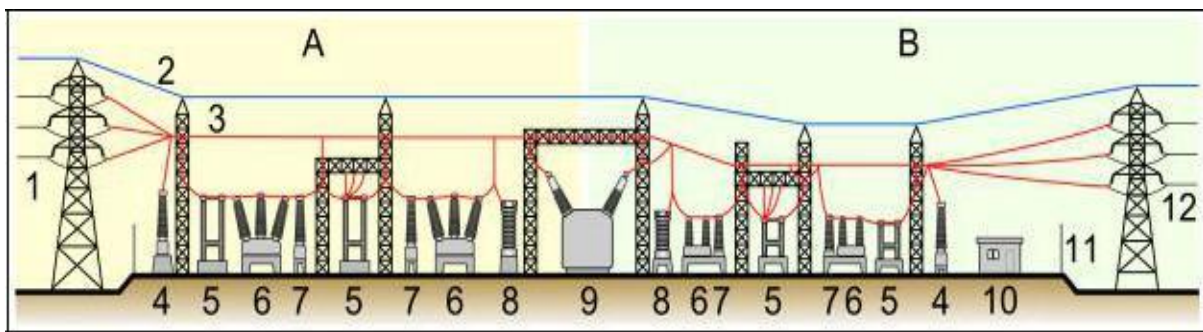


Figure 2.9 Elements of a substation

A: Primary power lines' side

B: Secondary power lines' side

1. Primary power lines 2. Shield wire 3. Overhead lines 4. Transformer for measurement of electric voltage 5. Disconnect switch 6. Circuit breaker 7. Current transformer 8. Lightning arrester 9. Main transformer 10. Control building 11. Security fence 12. Secondary power lines

For this project, all the substations will use Air Insulated Substations (AIS).

The AIS (see Figure 2.10) uses air as the primary dielectric from phase to phase, and phase to ground insulation. They have been in use for years before the introduction of Gas Insulated Substation (GIS). Most substations across all regions are AIS, which are in extensive use in areas where space, weather conditions, seismic occurrences, and environmental concerns are not an issue such as rural areas, and favourable offsite terrain. The indoor AIS version is only used in highly polluted areas, and saline conditions, as the air quality is compromised.



Figure 2.10 A Typical AIS Substation (with transformers zoomed in)

The AIS has the following features:

- The primary choice for areas with extensive space
- With quality design, the system is viable due to the low construction costs and cost of switchgear
- Less construction time, thereby more suited for expedited installations
- Easy maintenance as all the equipment is within view.
- It is easy to notice and attend to faults.

2.4.2 Configuration of the Substations

Three green field substations are within the scope of this RAP at Ejio, Ajegunle and Badagry, while the existing Agbara will require an extension of the line bay and no additional land take will be required. The configuration of each of the substations as well as coordinates of location is in Table 2.2 and the layout plans are in Figures 2.11 and 2.12.

TABLE 2.2 LOCATION AND CONFIGURATION OF SUBSTATIONS

Substation Name	Location	Location (UTM Zone: 31N)	Size of land (ha)	Voltage class	Incoming bay / Outgoing bay for transmission line
Ejio Substation	Ewekoro LGA/ Ogun State	523203.709mE 756989.301mN	25.3	330/ 132/ 33kV	Incoming bay from Olorunsogo PS: 330kV-DC line Incoming bay from Osogbo S/S: 330kV-SC line Incoming bay from Ikeja West S/S: 330kV-SC line Outgoing to Ogijo S/S : 330kV-double circuit line Outgoing to Ajegunle S/S : 330kV-DC line Outgoing to New Abeokuta S/S : 132kV-DC line
Ajegunle S/S	Ado Odo/Ota LGA, Ogun State	507769.196mE 735269.385mN	34.13	330/132/ 33kV	Incoming bay from Ejio S/S : 330kV-DC line Incoming bay from Ikeja West S/S : 330kV-SC line Outgoing bay to Sakete S/S : 330kV-SC line Outgoing bay to Agbara S/S : 132kV-DC line Outgoing bay to Badagry S/S : 132kV-DC line
*Agbara S/S -	Ado Odo/Ota LGA, Ogun	509275.967mE 718978.996mN	2.85	132/ 33kV	Incoming bay from Ejio S/S: 132kV-DC line
Badagry S/S	Badagry LGA, Lagos	484303.490mE 710894.910mN	19.6	132/33kV	Incoming bay from Ajegunle SS : 132kV-DC line

*No new land take is needed in existing Agbara Substation

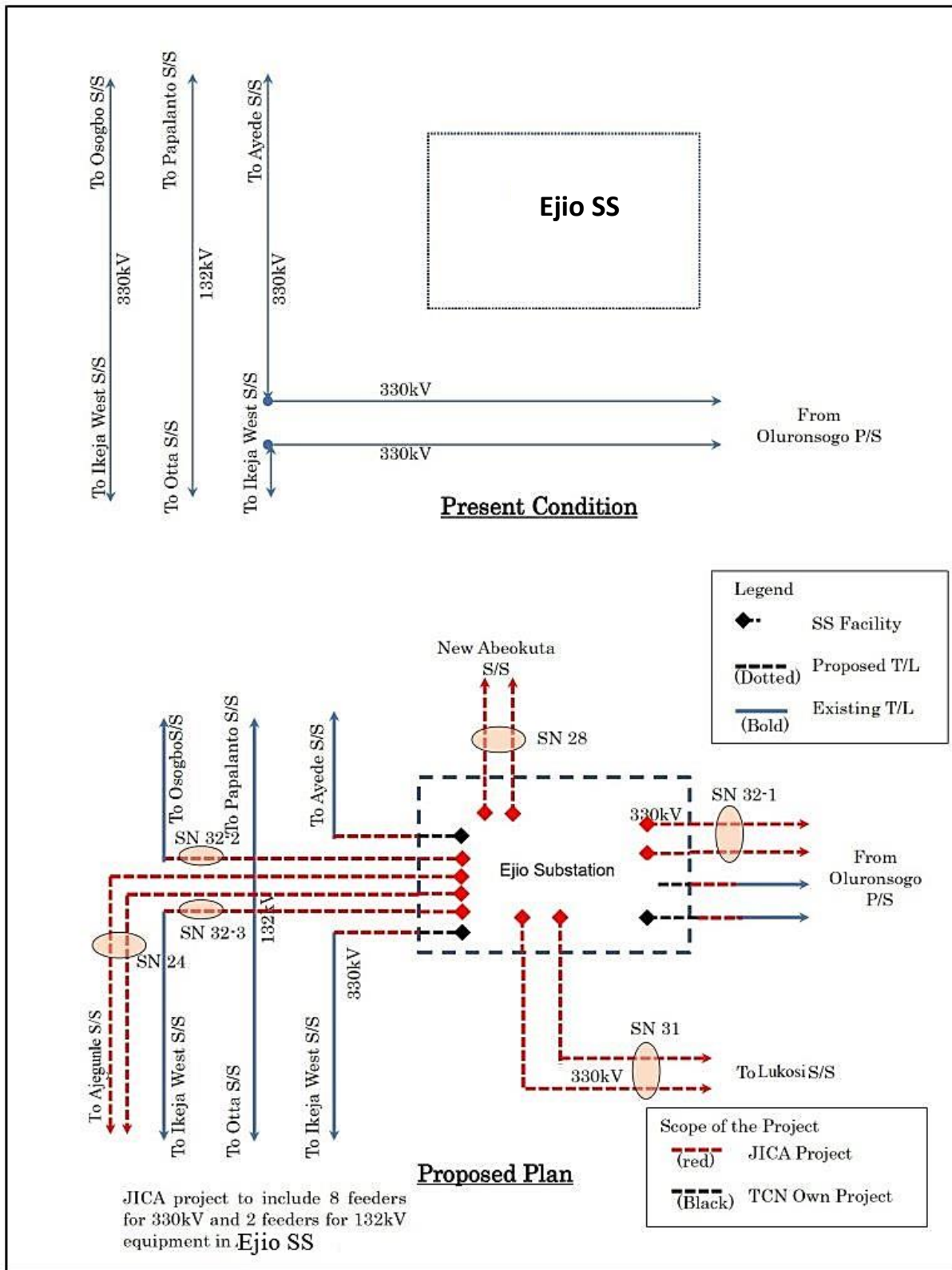


Figure 2.11 Layout Plan for Ejio Substation

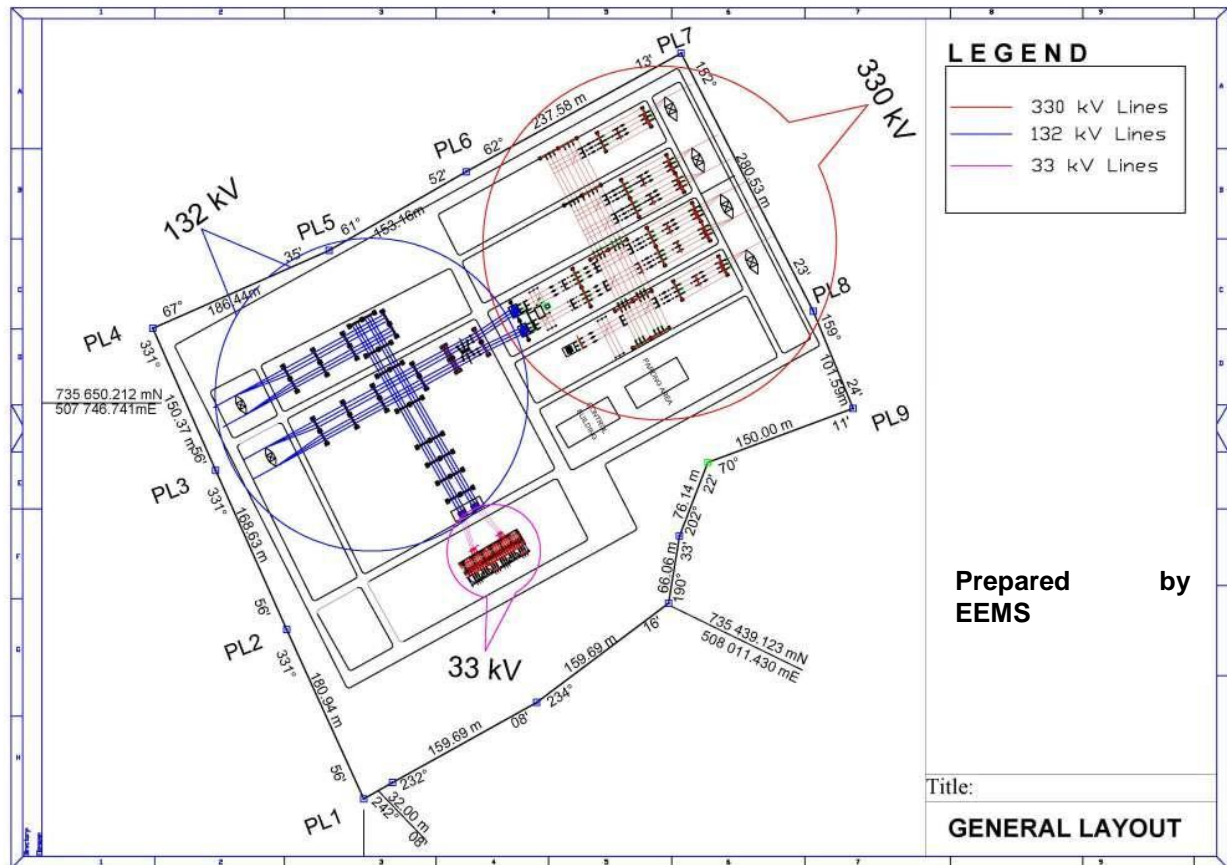


Figure 2.12 The Layout Plan for Ajegunle Substation

2.4.3 Functions of the Substations

The proposed substations are designed to function as follows:

- As voltage control mechanism through the transformers to step-up or step-down the system voltage as case might be, thereby lowering transmission losses.
- Correction of power factor in the circuits when the reactive loads are there to protect the generating plants and increase efficiency.
- For load shedding purposes on the distribution network there maintaining system balance.
- For the purposes of safety by switching and isolating the network during maintenance work, using circuit breakers and isolators including load demand sharing.
- Bus bar splitting for power distribution arrangement.

2.4.4 Substation Facilities

The spaces are meant to accommodate the following, in the minimum:

- All transformers of the following sizes and ratings.
 - a) Ejio (2x150MVA, 330/132kV + 2x60MVA 132/33kV)
 - b) Ajegunle (2x150MVA, 330/132kV + 2x60MVA 132/33kV)
 - c) Badagry (2x60MVA, 132/33kV).
 - d) Agbara (2x60MVA, 132/33kV).
- All breakers and isolators.

- All auxiliary transformers – Voltage, current, reactor, instrument etc.
- Line Bays as required.
- Cable trenches, oil sumps and drainage channels.
- Control room for system operations with offices, battery rooms, communication section, conveniences, clock rooms, parking slots, cable/junk yard etc.

The substations are highly earthed to take care of excessive current at fault condition. A robust environmental management system has been put in place to meet international standard and local environmental regulations.

In addition, the substations are to be graveled even after laying a nylon cover on the ground as a modern method to:

- Keep the weeds away from growth.
- Allow easy water run-off to drain channels.
- Improve the earthing system.
- Keep the environment clean and clear.

2.5 OTHER PROJECT COMPONENTS

2.5.1 Earthing and Protection Systems

Transmission line system protection has both electrical and mechanical aspects.

- For mechanical protection, Buchholz, high temperature, oil level relays including no-load time changer protection, and all will be incorporated.
- The electrical aspect on the other hand shall consist of numerical low impedance differential protection, high impedance restricted earth fault for each star connected transformer winding.

2.5.2 Communication/Control System

Radio communication between the technical crew in the Substation with the other Substations in the Transmission network, or between the control room officer and other field officers is considered very important for effective system operations. Hence highly sophisticated equipment shall be employed in this project.

2.5.3 Campsites / Logistics Bases

Campsites / logistics bases will be located at and adjacent to the substation locations at Ejio and Ajegunle as well as at Agbara Industrial Estate. No construction of residences will be needed for these base camps as there good hotels around the areas can accommodate workers close to all the worksites. However, storage facilities for equipment and materials will be needed.

2.5.4 Access Track Repair / Upgrade / Construction

Access to each structure location may be required for a crane, elevated platform, trucks transporting the materials and construction equipment, materials, and vehicles. Access will also be required to temporary sites needed for storing conductor drums, winching and braking equipment during the overhead earth wire stringing. Certain areas around Iragon, Erekiti, Tohun and Yafin may require access to tower location by boat. This may involve about 5 to 6 towers along the Ajegunle-Badagry line.

2.5.5 Workforce and Hours of Operation

Labour requirements for this project will generally be a maximum of 32, comprising approximately 10 on access track and foundation work, 10 on structure erection and 12 on stringing work, with a number of others engaged on miscellaneous other activities.

Due to the nature of activities to be undertaken, most of the construction program will include work that will be done at night time and weekend periods as required.

2.5.6 Operations and Maintenance of the Transmission Line

TCN shall be responsible for the maintenance of the proposed transmission line. The maintenance process shall include:

Structure and Conductor Maintenance: upon completion of the transmission line, maintenance patrols will make periodic inspections of the structures, the easement and the conductor as well as line hardware, taking particular note of clearance conditions, damage to components or evidence of vandalism.

Easement Maintenance: As outlined in TCN Easement and Access Track Maintenance Policy maintenance of the transmission line easement is necessary to ensure that the safe electrical clearances are not infringed due to growth of vegetation.

Rehabilitation Program

Rehabilitation of work sites will be carried out as work proceeds and as soon as possible after the completion of work on each site. However, a rehabilitation plan shall be included in the project's ESMP.

2.5.7 Right of Way

The right of way for 330kV line is 50m (25m either side of the center line), and 30m 132kV (15m on either side of the center line). Factors considered include space to accommodate the lattice tower (wire zone) and safety buffer zone to provide safe limits for electromagnetic radiation as well as tower collapse and also to comply with Nigerian Electricity Regulatory Commission (NERC) requirements (see Figure 2.13). Structures for residential or commercial or any other purpose is not allowed but farming and grazing are tolerated, provided that the crops do not exceed 4 m in height. Hence, agricultural land is not compensated, only the crops lost temporary during construction phase is compensated.

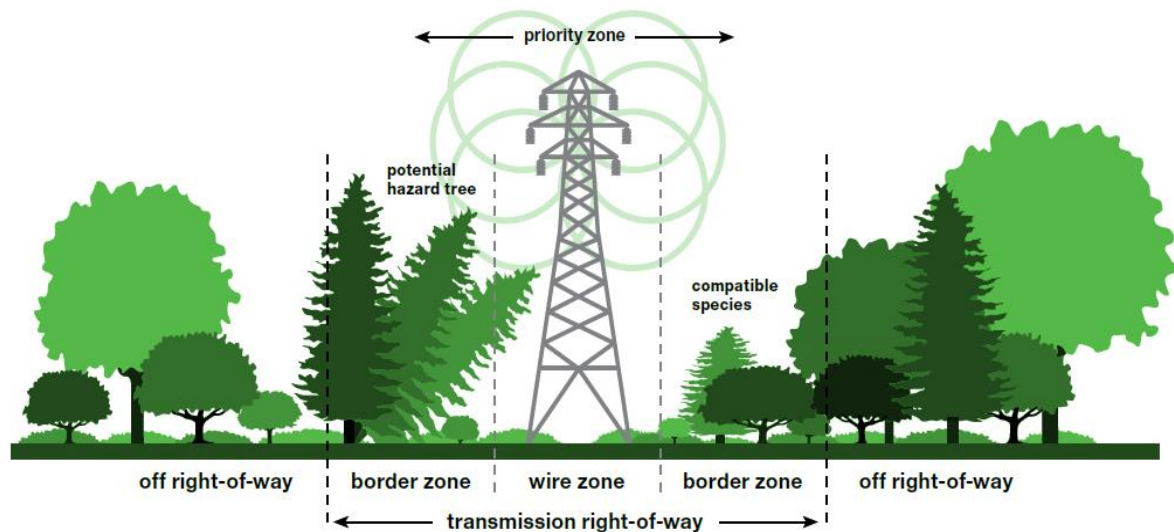


Figure 2.13 Transmission Right of Way

2.6 PROJECT COST AND SCHEDULE

2.6.1 Project Cost

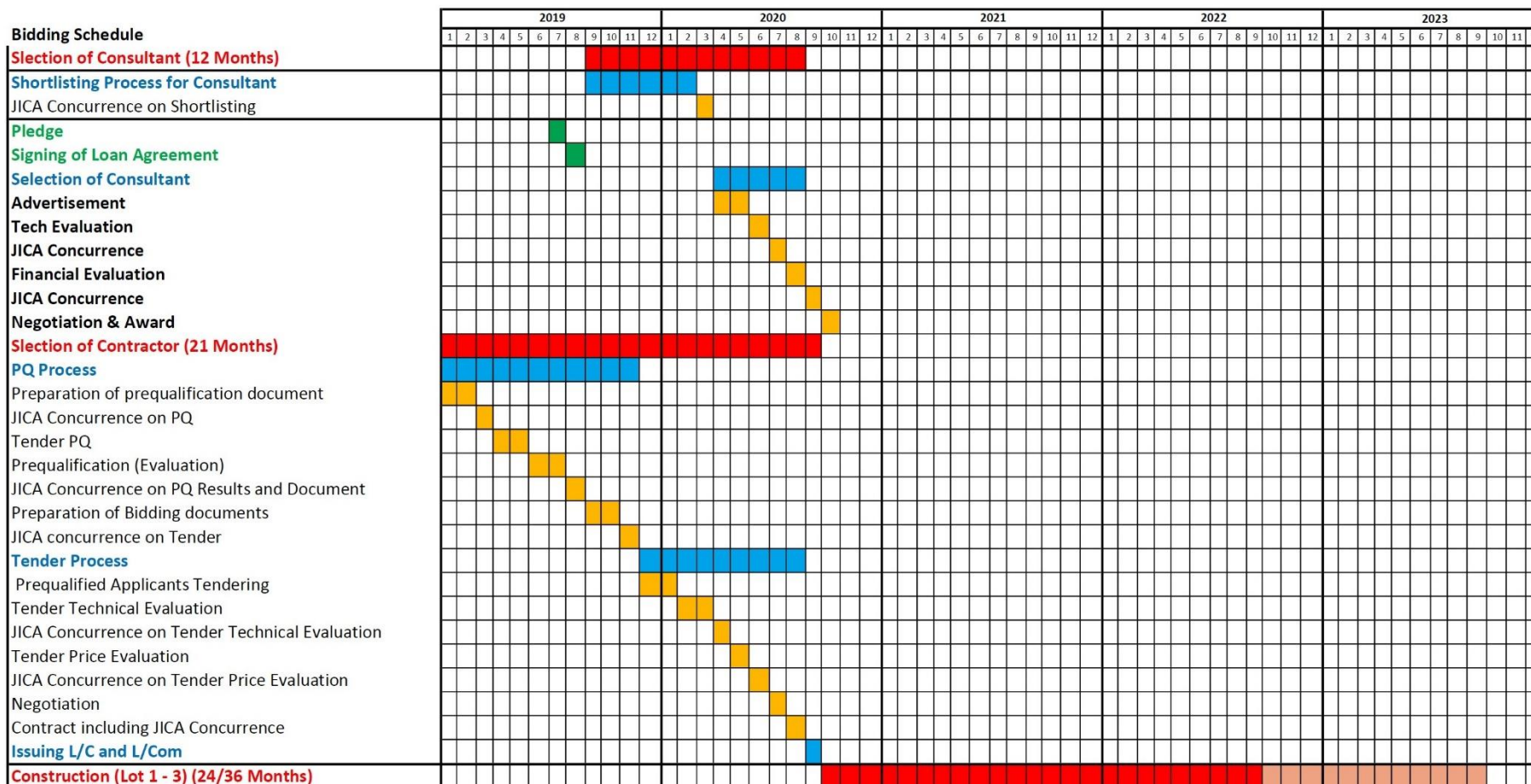
Estimated budget for the project is about USD 200 million, which will be provided by JICA as a loan. However, cost of ESIA, RAP and land acquisition is provided by TCN.

2.6.2 Project Schedule

The implementation schedule for the construction of the transmission lines and substations is in Table 2.3.

TABLE 2.3 PROPOSED PROJECT IMPLEMENTATION SCHEDULE

Implementation Schedule (TCN proposal)



Note: (1) Consultant requires only for supervision as owner Engineer. TCN Project team has the expertise to implement the procurement process for the selection of both Consultant and the Contractors for the project. This is similar to arrangement for other Donors funding projects undertaken by TCN.

(2) Shortlist process for Consultant begins after the signing of the loan and continues with the selection process later after signing. However, PQ process for the selection of contractor expected to start January 2019 (6 months before the pledge while the actual tender process continues after the signing of the loan).

2.7 SOCIAL BASELINE AROUND PROJECT AREA (CONTROL GROUP)

The data presented in this section were based on information from literature as well as interviews and field survey conducted in the affected communities in December 2017. Interviews were conducted with community leaders in the affected communities to supplement data obtained from National Bureau for Statistics. Interviews were also conducted with households that are in the corridor but within the affected communities as a control group. The analyses of the census data of affected people is in Chapter 5.

The Local Government Areas affected are in Table 2.1.

TABLE 2.1 LGAs AFFECTED

Lot #	State	LGA
LOT3	Lagos	Badagry
	Ogun	Ewekoro
		Ifo
		Ado-Odo/Ota

2.7.1 Political and Administrative Structure

Nigeria is a Federal Republic made up of 36 States and a Federal Capital Territory. Nigeria became an independent state in 1960 and a republic in 1963. It started off with three regions namely Eastern, Northern and Western regions until a fourth; the Mid-West region was created in 1963. Nigeria experienced the first military coup in 1966, and a thirty-month civil war from 1967 to 1970. The military government created 12 states from the four regions in 1967. Between 1967 and 1996, the 12 states were further divided into 19, then 21 and finally 36 states. Ogun State was created in 1976 out of the Western State. Ogun State currently has 20 LGAs, including Ifo, Ewekoro and Ado-Odo/Ota. Each of the LGAs is run by an elected Executive Chairman and elected Counselors. The Chairman appoints a cabinet to assist in performing the executive functions of the local government. Lagos state was created on the 27th May 1967 by virtue of the state creation and Transitional Provisions Decree No.14 of 1967. Lagos state is known as the financial hub of Nigeria, it currently has 20 LGAs including Badagry. Badagry is not part of the Metropolitan Lagos.

Nigeria operates a presidential system of governance that conducts public administration through three arms of government at the federal and state levels. The arms are the executive, the legislature and the judiciary. The executive arm is made up of elected and appointed officers. The legislatures at both levels are elected. The legislature at the federal level is bicameral, made up of the 109-member Senate and 360-member House of Representatives. Ogun State has three seats in the Senate and nine in the House of Representatives. Ifo, Ewekoro and Ado-Odo/Ota LGAs are in Ogun east senatorial zone and represented by a Senator.

The LGA administration is run by an elected Executive Chairman and appointees of the Chairman representing the executive arm of local government administration. There is also the legislature made up of ten Counselors elected from the wards in the LGA. The Chairman is the chief security officer of the LGA and the office is important in the operations of the proposed project.

Communities within the project area are governed by traditional rulers otherwise called Baales. Each Baale rules his community with his Chiefs-in-Council. The Council is responsible for all administrative, customary issues and conflict arbitration. Thus, in these communities, leadership structure is made up of the traditional rulers, religious leaders, youths and women leaders. Traditional leaders usually initiate and approve projects for implementation while religious; youths and women leaders assist in sensitization and mobilization of community members for fund raising. In each community, there is a Community Development Committee (CDC) whose concern is on community development advocacy and project/programme implementation. Youth Council with an elected president and executive is usually responsible for law enforcement, social and environmental development in each community. No doubt, the observed leadership structure in the communities is a useful tool for mobilizing residents for increased participation in decision making, planning and implementation of development programs and projects.

2.7.2 Land Planning and Uses

Land ownership in the project site is either by community or family. However, by virtue of the Public Lands Acquisition Law, the state government may acquire land compulsorily for public purpose from individual land owners subject to the payment of compensation to such landowners. Some lands in the project area is currently leased to migrant farmers, especially of Igede and Ogoja ethnic groups. These lands are cultivated extensively for commercial production. A lot of grazing activities are also practiced by the Fulani pastorals. The wayleave is served by the existing road infrastructure and other rural roadways from which access along the wayleave is provided.

The residential areas are mixed urban such as Ejio, Arigbajo, Apou, Kokoo, etc, and mostly rural settlements, with few semi-urban settlements especially in communities such as Sojuolu, Igbele, Bandu, Panko and Yafin. The line route map showing location of affected communities is in Figure 2.3. The population in these communities is predominately made up of middle to high income earners, and their residential areas and the surrounding sub-places consist largely of single unit residential homes. On the other hand, the rural settlements such as Uji, Olori, Olowo and Ijegemo-Taiwo are sparsely populated with low cost, single unit dwellings on small stands.

In addition, existing or planned land use areas that shall be lost due to the project were identified as shall be found in this section and the yet to be submitted Resettlement Action Plan. Generally, the land is currently used for estates (residential, industrial and plantation), farmlands, and cultural purposes.

2.7.3 Demography

Following the 2006 census, the National Population Commission (NPC) published the population of Nigeria as 140,431,790 comprising 71,345,488 males and 69,086,302 females. The NPC estimated annual population growth at 3.2% (NDHS, 2008). The current population, projected at 3.2% annual growth and using the exponential model is 180,735,714, with a density is 198.6 per square kilometer. A higher male population and sex ratio of 103 was recorded for the country. Children (age 0-14) constituted 41.8% of the population while those less than 20 years were 52.3% and those less than 25 years 61.9%. The elderly (65 years and above) were 3.2% of the population. The age dependency ratio was 82.0. Given these proportions, the population of Nigeria is quite young. Average household size in Nigeria is 4.9 (NBS 2012).

According to the 2006 census, Lagos State has a population of 10,694,915 (NBS, 2012), with a projected population of 12,130,986.7 for the year 2015 (NBS, 2012). The population of Ogun State according to the 2006 census is 4,424,096, with a projected population of 5,037,594.173 for the year 2015 (NBS, 2012). The density of Lagos state and Ogun state are 3304.55 and 307.17 square kilometers respectively. In Lagos state, children aged (0-14 years) constituted 30.3% of the population, those from (15-44 years) constitute 49.3%, (45-64 years) constitute 15.28% while 2.8% of the population are 65 years and above. The age dependency ratio of the population in the state is 70.9%. Similarly, children (age 0-14 years) in Ogun state constituted 38.3%, those within (15-44 years) are 39.9%, those within (45-64 years) are 15.3%, while the elderly (65 years and above) occupy 3.6% of the population. The age dependency ratio of the population in the state is 88.5%.

The project cuts across Ifo, Ewekoro and Ado-Odo/Ota Local Government Areas (LGA) in Ogun state, and Badagry Local Government Area in Lagos state. In Ogun state, Ifo LGA has a total population of 539,170 comprising of 269,206 males and 269,964 females, Ado-Odo/Ota is made up of 527,242 persons comprising of 261,523 males and 265,719 females while the population of Ewekoro is 55,156, comprising of 28, 212 males and 26,881 females. Conversely, in the Lagos axis, Badagry LGA has a total population of 237,731 comprising of 119,821 males and 117,910 females. According to the National Bureau of Statistics (NBS) 2012, the literacy level in Ogun state is 78.8%, with Ifo, Ado-Odo/Ota and Ewekoro LGA’s recording 64.6%, 60.0% and 67.7% respectively. Also, the literacy level in Lagos state is 80.5%, with Badagry LGA recording 81.3%. Data on infant mortality and life expectancy of Ogun state from NBS revealed that Ogun state has an infant mortality level of 67% and life expectancy of 53 years, while Lagos state has an infant mortality level of 45% and life expectancy of 51 years. This information is presented in Table 2.4

TABLE 2.4 RELEVANT LIVELIHOOD INDICES IN THE PROJECT STATES

Livelihood Indices	Ogun state		Lagos state	
Population	4,424,096		10,694,915	
Literacy	78.8		80.5	
Youth Literacy in any language (%)	Male	Female	Male	Female
	98.2	88.1	99.4	99.3
Adult literacy in English language (%)	Male	Female	Male	Female
	80.3	77.2	95.8	92.3
Infant Mortality	67		45	
Life expectancy	53years		51years	

Source: NBS (2012)

TABLE 2.5 GENDER DISTRIBUTION IN THE PROJECT AREA

Age Bracket		Ewekoro		Ifo		Ado-Odo/Ota		Badagry		Average	
Years	Percent (%)	Male (%)	Female (%)	Male (%)	Female (%)	Male (%)	Female (%)	Male (%)	Female (%)	Male (%)	Female (%)
01-18		52.4	47.6	49.2	50.8	51.2	48.8	50.4	49.6	50.8	49.2
19-39	30.7	48.3	51.7	51.2	48.8	50.3	49.7	49.3	50.7	49.8	50.2
40-65		47.6	52.4	50.2	49.8	49.7	50.3	49.6	50.4	49.3	50.7
>65	14.4	45.4	54.6	49.8	50.2	51.2	48.8	47.4	52.6	48.5	51.6

Source: EEMS Survey 2017

Persons within the age bracket of (19-39) years formed the bulk of the population (above 30%) across the LGAs, while those above 65 year of age were the least (below 15%) represented in the project area. This also implies that the communities have able-bodied labour force that could participate actively in the various activities that will take place during the construction and operation phase of the transmission line. Generally, the average population of females (50.4%) was slightly higher than that of males (49.6%) across the four project LGAs.

2.7.4 Ethnic Composition

Eight ethnic groups were recorded to be present within the project area. These ethnic groups and their respondent populations in each affected LGA are presented in Table 2.6.

TABLE 2.6 ETHNIC GROUPS OF THE PROJECT AREA (%)

Ethnicity	Local Government Areas				Average (%)
	Ewekoro	Ifo	Ado-Odo/Ota	Badagry	
Yoruba	75.3	66.9	61.5	17.4	55.3
Egun	10.2	14.8	23.1	69.6	29.4
Igede	4.0	3.9	3.8	1.7	3.4
Ogoja	3.0	1.0	2.3	2.6	2.2
Aja	2.0	3.9	0.8	0.9	1.9
Ihori	2.0	1.0	0.8	1.7	1.4
Igbo	1.0	4.8	3.8	4.3	3.5
Hausa	2.5	3.9	3.8	1.7	3.0
	100%	100%	100%	100%	100%

Source: EEMS Survey 2017

The Yoruba and the Eguns of Badagry and Benin Republic extraction made up about four-fifths of the respondent populations (Note that the Eguns prefer to be so- called rather be referred to Yoruba). While the presence of the Igede, Ogoja, Aja and Ihori ethnic groups in the area is owed largely to availability of land for farming purposes, the presence of the Igbo and the Hausa (Fulani) is owed to commerce and pastoral purposes respectively.

2.7.5 Religion

The study revealed that the people are adherents of three religions. These are Islam, Christianity, Animist/ African Traditional Religion (ATR). Christianity was the most practiced religion with about 54% of the respondents across the LGA’s. This was followed by Islam with an average of 35.5%. While about 10% were adherents of the ATR in one form or the other. This information is presented in Figure 2.14

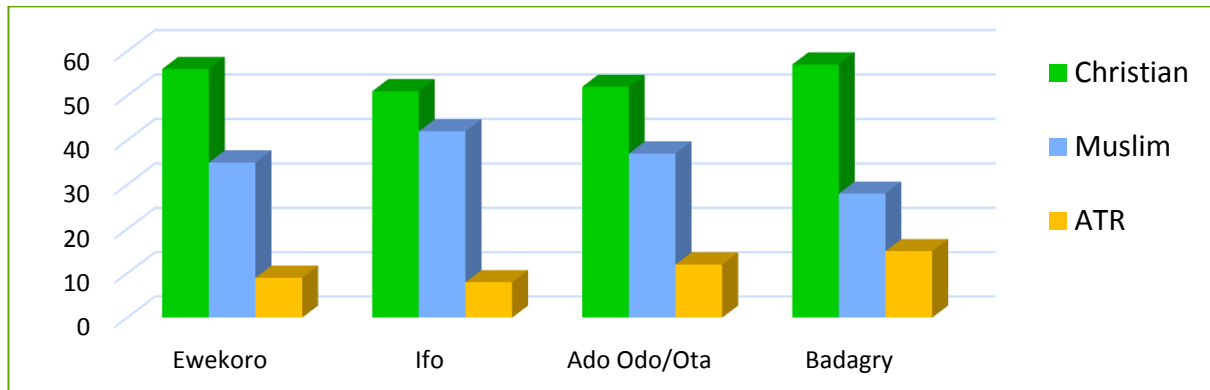


Figure 2.14 Main Religious Groups in the LGAs

Source: EEMS Survey 2017

The adherents of these various religions observe one festival or the other. For example notable ATR festivals in the area include Etutu Ilu, Obaluwaye, Oluweri, Egungun, Oro, Ogun, Ogun-Ajobo, Ikore, Eyinbi, Yemoja, Esu, Okesa, Igbo Ore, Igbo Omowoko, Lasu, Zangbeto, Yoho, Todan and Sango-dore among others. The Islamic and Christianity adherents in the area observe the world wide traditional Muslim and Christian festivals respectively.



Plate 2.1: Central mosque in Alapako Oke Community



Plate 2.2: Methodist Church in Olori Community



Plate 2.3: A typical shrine in Ekundayo Community

These festivals are celebrated with pomp and pageantry and have spiritual, traditional, socio-economic and financial implication for both the indigenes and settlers. Traditional festivals offer opportunities for the people to seek divined favour, prosperity, bumper harvest, peace, security, long lives and good health for the communities.

2.7.7 Land Use

The proposed transmission line's wayleave lies within the south western zone of the country. Derived savanna and riparian forest were the two identified habitats (see Figure 2.15) The area has undulating beautiful scenery. Farming constitutes the major land use activity in Ado-Odo/Ota, Ewekoro and Ifo LGAs, while fishing and farming both constitute the major land use in Badagry LGA. Oil palm (*Elaeis guineensis*) plantation, Banana plantation and crop farming. Other notable land uses

include fishing. Building of residential houses and cottage industries are some of the apparent changes in land use pattern observed around the study area.

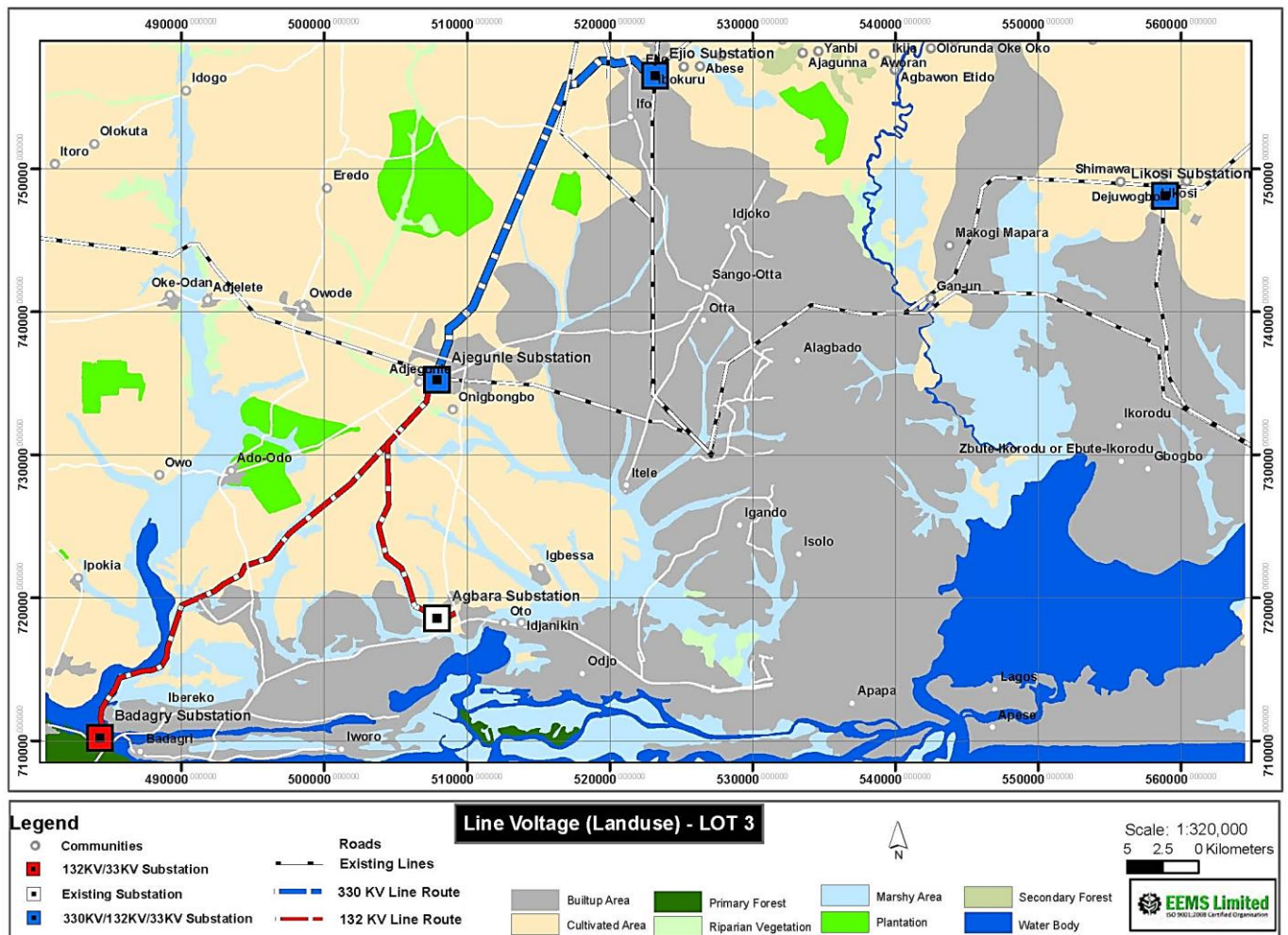


Figure 2.15 Land Use Map

2.7.8 Educational Attainment

The educational attainment among respondents in the Project LGAs is presented in Table 2.7.

TABLE 2.7 EDUCATIONAL STATUS AMONG THE RESPONDENTS IN THE PROJECT AREA

	Ewekoro	Ifo	Ado-Odo/Ota	Badagry	Average (%)
No formal education	3.4	4.1	2	1.7	2.8%
Primary	7.7	16.7	17	15.5	14.2%
Secondary	48.7	33.3	62.5	22.4	41.7%
CoE and polytechnic	18.8	25.1	6	20.7	17.7%
University Degree	21.4	20.8	12.5	39.7	23.6%

Source: EEMS Survey 2017

The high literacy levels in the project area is exemplified by the about 83% of the respondent population having up to secondary school or tertiary education. Those having no formal education or primary education summed up to be 17%. Ado-Odo/Ota had the highest number of respondents who have acquired primary and secondary school education recording a total of 17% and 62.5% respectively. On the other hand, Ifo LGA had the highest number of respondents without formal education.

2.7.9 Occupation

The economic life of the communities revolves mainly around farming and fishing. The percentage occupational distribution of the people is shown in **Table 2.8**.

TABLE 2.8 OCCUPATIONAL DISTRIBUTION IN THE PROJECT AREA

OCCUPATION	Ewekoro	Ifo	Ado-Odo/Ota	Badagry	Average (%)
Farmer	66	87	80	61	72.3
Pastoralist	2	0	1	0	0.7
Self-employed	17	6	7	8	9.4
Private sector employee	7	2	3	5	4.2
Public sector employee	3	4	3	5	3.7
Trading and Fishing	5	3	7	21	8.9

Source: EEMS Survey 2017

It is clear from the above that majority of the inhabitants in the project area are farmers with about 72.3% of the respondents across the LGAs practicing farming. This occupation was observed to be the attracting index for the Igede and Ogoja ethnic groups present in the study area. The self-employed were the second largest respondent population with 9.4%. The least practiced occupation is livestock rearing (pastoralist) taking about 0.7% of the population in Ado-Odo/Ota and Ewekoro LGAs. This occupation type is not practiced in communities within Ifo and Badagry LGAs.

The most commonly cultivated crops in the project area are cassava, maize, rice, banana, okra, pepper and vegetables. Fruit trees are also cultivated in this area. They include mango, cashew, and guava among others. The area is also blessed with oil palm products. Those engaged in hunting, kill animals (games) of various types especially grass cutters, hares, antelope and rabbits. The fishing settlements are found mainly in Badagry LGA, and they include Tohan, Panko, Isalu, Zenvie, Igboviye and Yafin Communities. Brewing of local gin is also common.



Plate 2.4: Cassava Production

Plate 2.5: Oil palm plantation in Iberese

2.7.10 Health and STD

This section presents the baseline health data based on information generated from sampled groups in the study communities. Data obtained from these facilities were subsequently compared with state and National data and averages that are available.

The commonest and most prevalent diseases affecting all age groups in the communities are Malaria Fever (32.8%), Upper Respiratory Tract Infection (21.8%), Typhoid Fever (11.7%), Diarrhea/vomiting (10.5%) and Rheumatism (7.5%). Other common ailments in across all project LGAs: include Worm Infestation, Diabetes Mellitus, Lower Respiratory Tract Infection, and Arthritis. The high prevalence rate of malaria could be explained by the following factors:

- The abundance of mosquitoes (the insect vector of malaria, which consists predominantly of *Plasmodium falciparum*, and less of *Plasmodium vivax* and *Plasmodium malariae*);
- Presence of stagnant water;
- Absence of pest control practices, and
- Inadequate prophylactic drug supply.

A cursory look at Table 2.9 shows that water related diseases have the highest prevalence percentage. Upper Respiratory Tract Infection has the second highest prevalence occurrence in the region. This could be due to bush clearing/ burning and unpaved surfaces.

TABLE 2.9 PREVALENCE OF DISEASES IN THE PROJECT AREA

S/N	Disease	Proportion of Infection (%)
1	Malaria Fever	30.8
2	Upper Respiratory Tract Infection	19.8
3	Typhoid Fever	11.7
4	Hypertension	7.5
5	Vomiting and Diarrhea	10.5
6	Worm Infestation	5.7
7	Diabetes Mellitus	5.1
8	Lower Respiratory Tract Infected	4.3
9	Arthritis	2.4
10	Others	2.5

Source: **EEMS Survey 2017**

Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) have become very important public health concern in Nigeria. However, there are no data on sexual practices, knowledge and beliefs about HIV/AIDS and other Sexually Transmissible Infections (STIs) in the study area. Therefore, several questions were included in this study to ascertain the level of their awareness about these health problems. Both men and women were asked about their sexual

practices. They were also asked about what they believed was the mode of transmission of HIV and where they sought treatment for STIs. Condom use and availability were also reported.

TABLE 2.10 SEXUAL PRACTICES AMONG INHABITANTS

No of Sexual Partner	Percentage (%)				Average %
	Ewekoro	Ifo	Ado-Odo/Ota	Badagry	
1	42.3	49.3	37.5	50.3	44.85
2	34.1	30.1	58.6	29.5	38.075
3	10.4	9.3	17.4	10.5	11.9
4	8.1	7.1	12	7.7	8.725
5	3.8	3.2	8.5	2.0	4.375
Above 6	1.3	1	3.5	0	1.45

Source: EEMS Survey 2017

About 83% of the respondents who were sexually active had only one or two sex partners. However, keeping of two sexual partners was the most commonly practiced behavior among respondents in Ado Odo/ Ota.

CHAPTER THREE

3.0 POLICY, LEGAL AND INSTITUTIONAL FRAMEWORK

It is imperative to analyse the Acts and bye-laws relevant to this project. This will help in understanding the legalities and procedures in implementing the project and identifying gaps that need to be strengthened in order to comply with the JICA as well as World Bank's Policy on resettlement and rehabilitation of project affected persons.

The following subsections summarize policy, legislative and institutional framework in which the projects shall be implemented with respect to social issues as well as World Bank policy on resettlement & rehabilitation and indigenous population.

3.1 POLICY FRAMEWORK

3.1.1 Land Acquisition and Compensation Policies

Land required for the construction, operation and maintenance of the project shall be acquired and allocated to the project by the Government.

The legal framework provides the basis for three key elements of the Resettlement Action Plan (RAP). They include:

- Establishing rates for compensation;
- Determining eligibility for compensation and resettlement assistance, including development initiatives aimed at improving the social and economic well-being of affected populations;
- Establishing mechanisms to resolve grievances among affected populations related to compensation and eligibility.

Land ownership in Nigeria is subject to a range of diverse cultural and traditional practices and customs. Land can be classified according to the following broad categories:

Communal land: consists mostly of under-developed forests and is owned by the community collectively and not a particular individual. Those individuals who clear it first claim ownership.

Clan or family land: is owned by clans and families, as the name suggests.

Institutional land: land allocated to traditional institutions such as traditional authorities and chiefs.

Individual land: land acquired by an individual, which may be inherited by the immediate family, depending on customary practices

The legal framework for land acquisition and resettlement in Nigeria is the Land Use Act (LUA) of 1978, reviewed under Cap 202, 1990 and now Cap L5, Laws of the Federal Republic of Nigeria (LFN), 2004.

The relevant World Bank policy (OP) 4.12, which addresses land acquisition and resettlement, was adopted in 2001.

The differences between the Land Use Act and the Bank's OP 4.12/JICA Guidelines mostly concern rehabilitation measures, which are neither proscribed, underprovided for, nor mandated in the Act.

3.1.2 National Land Policy

The legal basis for land acquisition and resettlement in Nigeria is the Land Use Act Cap L5, LFN 2004, According to the Act, all lands in Nigeria is vested in the Governor of each State, to be held in trust for the use and common benefit of all people. Lands are further classified into urban and rural (non-urban) for administrative purposes.

The administration of urban land is directly under the control and management of the Governor; whereas non – urban land is under the control and management of the Local Government Area.

The Governor had the right to grant Statutory Rights of Occupancy to all lands. Local Government has the right to grant Customary Rights of Occupancy over non-urban lands.

The Land Use Act gives Governor the power to revoke both Statutory and Customary rights to land for the overriding public interest.

In doing so, the Act requires that the State or Local Government should pay compensation to the current holder or occupier with equal value. The Act also requires the State or Local Government to provide alternative land for affected people who will lose farmlands and alternative residential plots for people who will lose their houses in lieu of monetary compensation.

There is need for an integrated approach towards land use planning and coordination of activities of all stakeholders in land use in the context of this project. Specifically, the involvement of land owners, community groups, women, youth and the less privileged in making land use related decisions that affect them is considered critical to the successful implementation of the proposed use policy.

The imperative for the transmission line to have a ROW with land adequate for the planned purpose predisposes the adoption of this policy in this project.

3.1.3 National Social Protection Policy

The revised national policy on social protection was approved by the Federal Executive Council (FEC) in July 2017 to enhance social justice, equity and all-inclusive growth in the country. The framework seeks to achieve these using a transformative mechanism for mitigating poverty and unemployment in Nigeria. Specifically, the policy covers the six-social investment programmes in Figure 3.1



Figure 3.1 Focal Social Investment Programmes

The social protection policy also includes the following schemes

National Health Insurance Scheme (NHIS): The National Health Insurance Scheme established under Act 35 of 1999 Constitution is aimed at providing easy access to healthcare for all Nigerians at an affordable cost through various prepayment systems. NHIS is totally committed to securing universal coverage and access to adequate and affordable healthcare in order to improve the health status of Nigerians, especially for those participating in the various programmes/products of the Scheme. Participants in the scheme pay a fixed regular affordable amount, and the funds are pooled, allowing the Health Maintenance Organisations (HMOs) to pay for those needing medical attention. It is primarily a risk sharing arrangement which can improve resource mobilisation and equity.

National Pension Scheme: is a contributory scheme where employees contribute is established by the Pension Reform Act 2004 with the following objectives:

- To ensure that every person who worked in either the Public Service or Private Sector receives his retirement benefits as and when due;

- To assist individuals by ensuring that they save to cater for their livelihood during old age and thereby reducing old age poverty;
- To ensure that pensioners are not subjected to untold suffering due to inefficient and cumbersome process of pension payment;
- To establish a uniform set of rules, regulations and standards for the administration and payments of retirement benefits for the Public Service of the Federation, Federal Capital Territory and the Private Sector; and
- To stem the growth of outstanding pension liabilities.

National Primary Health Care (PHC): To provide technical and programmatic support to states, LGAs, and other stakeholders in the functioning, planning, implementation, supervision and monitoring of PHC services in Nigeria. In pursuance of this overall mission, the scheme has seven goals namely:

Control Preventable Diseases: Eradicate polio and limit the occurrence and impact of diseases using education, immunization and other proven interventions.

Improve access to Basic Health Services: Make basic health services available by ensuring communities have access to health facilities, services and basic health insurance.

Improve quality of care: Ensure basic health services are people-oriented and delivered according to established quality standards and protocols.

Strengthen the institution: Strengthen Zonal structures, State representation, internal communications, monitoring and evaluation, procurement and the financial management system.

Develop high-performing health workforce: Organize systems and structures to deliver effective support services through, for example, PHC guidelines, norms and enabling acts for states and LGAs

Strengthen partnerships: Mobilize and coordinate stakeholders such as Ministries, Departments and Agencies and development partners to support the implementation of PHC.

Strengthen community engagement: Promote community participation, ownership and responsibility for health through Ward Development Committees and communication and programmes.

National Poverty Eradication Programme (NAPEP): is a 2001 program by the Nigerian government aiming at poverty reduction, in particular, reduction of absolute poverty. It was designed to replace the Poverty Alleviation Program and coordinate and oversee various other institutions, including ministries, and develop plans and guidelines for them to follow with regards to poverty reduction. NAPEP goals include training youths in vocational trades, to support internship, to support micro-credit, create employment in the automobile industry, and help VVF patients. The program is seen as an improvement over the previous Nigerian government poverty-reduction programmes. According to a 2008 analysis, the program has been able to train 130,000 youths and engaged 216,000 people (Karl, et al 2008).

3.1.4 National Gender Policy

The policy seeks to promote gender equality and eliminate discrimination based on gender, ethnicity, religious beliefs, etc. The key policy areas are focused around 5 critical areas:

- (i) Culture re-orientation and sensitisation to change gender perceptions and stereotypes;
- (ii) Promotion of women’s human rights and in particular focusing on sexual and gender based violence (SGBV) and in supporting new legislations and legal rights of women;
- (iii) Promoting the empowerment of women and integrating gender within key sectors as highlighted within the NGP – (Agriculture/Rural Development; Environment/Natural Resource; Gender and HIV/AIDS; Health and Reproductive Health/Rights; Education/Training; Labour/Employment);
- (iv) Women’s political participation and engendered governance including gender and conflict management and
- (v) Supporting institutional development including the use of ICT and building strategic partnerships, including identifying new partnerships with men’s organisations, faith-based organisations and traditional institutions.

3.2 LEGAL FRAMEWORK

3.2.1 The 1999 Constitution of the Federal Republic of Nigeria

Property ownership is guaranteed alongside other fundamental human rights like freedom of speech, association, and movement. Specifically Sections 43 confers the right to acquire immovable property by citizens and Section 44 reserves government’s power of eminent domain and prescribes how this power is to be exercised by the government.

Section 44 (1) provides that *“no moveable property or any interest in an immovable property shall be taken possession of compulsorily and no right over or interest in any such property shall be acquired compulsorily in any part of Nigeria except in the manner and for the purposes prescribed by a law that, among other things:*

(a) requires the prompt payment of compensation therefore and

(b) gives to any person claiming such compensation a right of access for the determination of his interest in the property and the amount of compensation to a court of law or tribunal or body having jurisdiction in that part of Nigeria.

This implies that non-compliance in respect to the manner (process), purposes recognised by law, and is met with promptitude in the payment of compensation and allowing claimant unfettered access to property being taken to ascertain claims and /or reserves affected persons to adjudicate on quantum of compensation would void an otherwise valid acquisition or resettlement. The basic land tenure law which is the Land Use Act Cap L5, LFN 2004 operationalizes the provisions of Section 44 of the Constitution.

3.2.2 Land Use Act CAP L5, LFN 2004 and Resettlement Procedures

The Land Use Act Cap L5, Laws of the Federation of Nigeria 2004 is the key legislation that has direct relevance to this project. Relevant Sections of these laws as may relate to this project with respect to land ownership and property rights, resettlement and compensation are summarized in this section.

The Land Use Act is the applicable law regarding ownership, transfer, acquisition and all such 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, all land irrespective of the category belongs to the State while individuals only enjoy a right of occupancy as contained in the certificate of occupancy, or where the grants are “deemed”.

The Governor administers the land for the common good and benefits of all Nigerians. The law makes it lawful for the Governor to grant statutory rights of occupancy for all purposes; grant easements appurtenant to statutory rights of occupancy and to demand rent. The Statutory rights of Occupancy are for a definite time (the limit is 99 years) and may be granted subject to the terms of any contract made between the state Governor and the Holder.

The Local Government Councils may grant Customary Rights of Occupancy for agricultural (including grazing and ancillary activities), residential and other purposes. But the limit of such grant is 500 hectares for agricultural purpose and 5,000 hectares for grazing except with the consent of the Governor. The LGA, under the Act is allowed to enter, uses and occupies for public purposes any land within its jurisdiction that does not fall within an area compulsorily acquired by the Government of the Federation or of relevant State; or subject to any laws relating to minerals or mineral oils.

The State is required to establish an administrative system with specific responsibilities including managing the revocation of the rights of occupancy, and payment of compensation for the affected parties. So, the Land Use Act provides for the establishment of a Land Use and Allocation Committee in each State that determines disputes as to compensation payable for improvements on the land. **(Section 2 (2) (c)).**

In addition, each Local Government is required to set up a Land Advisory Committee, to advise the Local Government on matters related to the management of land. The holder or occupier of such revoked land is entitled to the value of the unexhausted development as at the date of revocation. **(Section 6 (5)).** Where land subject to Customary right of Occupancy and used for agricultural purposes is revoked under the Land Use Act, the local government can allocate alternative land for the same purpose **(section 6 (6)).**

If Local Government refuses or neglects within a reasonable time to pay compensation to a holder or occupier, the Governor may proceed to effect assessment under section 29 and direct the Local Government to pay the amount of such compensation to the holder or occupier. **(Section 6(7)).**

Where a Right of occupancy is revoked on the grounds either that the land is required by the Local, State or Federal Government for public good, the holder and the occupier shall be entitled to compensation for the value at the date of revocation of their unexhausted improvements. Unexhausted improvement has been defined by the Act as:

“anything of any quality permanently attached to the land directly resulting from the expenditure of capital or labour by any occupier or any person acting on his behalf, and

increasing the productive capacity, the utility, or the amenity thereof and includes buildings, plantations of long-lived crops or trees, fencing walls, roads and irrigation or reclamation works, but does not include the result of ordinary cultivation other than growing produce”.

Developed Land is also defined in the generous manner under **Section 50(1)** as follows:

“land where there exists any physical improvement in the nature of road development services, water, electricity, drainage, building, structure or such improvements that may enhance the value of the land for industrial, agricultural or residential purposes”.

It follows from the foregoing that compensation is not payable on vacant land on which there exist no physical improvements resulting from the expenditure of capital or labour. The compensation payable is the estimated value of the unexhausted improvements at the date of revocation.

Payment of such compensation to the holder and the occupier as suggested by the Act may appear confusing as it raises the following question: Does it refer to holder in physical occupation of the land or two different parties entitled to compensation perhaps in equal shares? The correct view appears to follow from the general tenor of the Act.

First, the presumption is more likely to be the owner of such unexhausted improvements. Secondly, the provision of **Section 6(5)** of the Act, which makes compensation payable to the holder and the occupier according to their respective interests, gives a pre-emptory directive as to who shall be entitled to what.

Again the Act provides in **Section 30** that where there arises any dispute as to the amount of compensation calculated in accordance with the provisions of **section 29**, such dispute shall be referred to the appropriate Land Use and Allocation Committee. It is clear from **Section 47 (2)** of the Act that no further appeal will lie from the decision of such a Committee. If this is so, then the provision is not only retrospective but also conflicts with the fundamental principle of natural justice, which requires that a person shall not be a judge in his own cause.

The Act must, in making this provision, have proceeded on the basis that the Committee is a distinct body quite different from the Governor or the Local Government. It is submitted, however, that it will be difficult to persuade the public that this is so since the members of the committee are all appointees of the Governor.

Where a Right of occupancy is revoked for public purposes within the state of the Federation; or on the grounds of requirement of the land for the extraction of building materials, the quantum of compensation shall be as follows:

- In respect of the land, an amount equal to the rent, if any, paid by the occupier during the year in which the right of occupancy was revoked.
- In respect of the building, installation or improvements therein, for the amount of the replacement cost of the building, installation or improvements to be assessed on the basis of prescribed method of assessment as determined by the appropriate officer less any depreciation, together with interest at the bank rate for delayed payment of compensation.

With regards to reclamation works, the quantum of compensation is such cost as may be substantiated by documentary evidence and proof to the satisfaction of the appropriate officer.

- In respect of crops on land, the quantum of compensation is an amount equal to the value as prescribed and determined by the appropriate officer.

Where the right of occupancy revoked is in respect of a part of a larger portion of land, compensation shall be computed in respect of the whole land for an amount equal in rent, if any, paid by the occupier during the year in which the right of occupancy was revoked less a proportionate amount calculated in relation to the area not affected by the revocation; and any interest payable shall be assessed and computed in the like manner.

Where there is any building installation or improvement or crops on the portion revoked, the quantum of compensation shall be entitled to compensation for the value at the date of revocation of their unexhausted improvements on the portion revoked.

3.2.3 Electric Power Sector Reform No. 6, 2005

This Act deals with acquisition of land and access right for electricity projects among other things. Section 77 of the Act empowers the Nigeria Electricity Regulatory Commission (NERC) to make a declaration that land is required by a license for purpose of generation or distribution of electricity. Section 77 (9) states: *“where the president issues a notice under sub-section 6, the Governor shall in accordance with the provisions of section 28(4) of the Land Use Act, revoke the existing right of occupancy respecting the land and grant a certificate of occupancy in favour of the concerned licensee in respect of the land identified by the commission in such notice.....who shall be entitled to claim compensation in accordance with the provisions of the Land Use Act”.*

3.3 INSTITUTIONAL FRAMEWORK

This section gives highlights on relevant institutions through which planning, and implementation of the project will be affected. A number of institutions have been identified and will be involved in the overall implementation of this project. These include:

- The Federal Government of Nigeria (FGN);
- Federal Ministry of Power, Works & Housing (FMPWH)
 - ✓ Transmission Company of Nigeria (TCN)
 - ✓ JICA Project Implementation Unit (PIU)
 - ✓ Ikeja Electricity Distribution Company
 - ✓ Ibadan Electricity Distribution Company
 - ✓ Eko Electricity Distribution Company
- Federal Ministry of Environment
- Nigerian Electricity Regulatory Agency
- National Environmental Standards and Regulatory Enforcement Agency
- Lagos State Government

- ✓ Bureau for Land Survey
- ✓ Bureau for Physical Planning
- ✓ State Ministry of Environment
- Ogun State Government
 - Bureau for Land Survey
 - Bureau for Physical Planning
 - ✓ Ogun State Ministry of Environment;
- Local Government Authorities (LGAs) :
 - Ewekoro LGA
 - Ifo LGA
 - Ado Odo/Ota LGA
 - Badagry LGA
- The Customary Chiefs District Councils and Village Heads

3.3.1 The Federal Government of Nigeria (FGN)

Responsibilities for commitments proposed in the RAP exist within Federal Government of Nigeria, ratifications of multilateral and endorsed agreements and conventions, and are delegated internally to the relevant Ministry, which in this case is the Federal Ministry of Power, Works and Housing.

3.3.2 Federal Ministry of Power, WORKS & Housing (FMPWH)

All consultation efforts are co-ordinated by the Ministry of Power, Works & Housing through the Transmission Company of Nigeria (TCN). The FMPWH is responsible for the approval of payment of compensation to PAPs. Payment is effected by TCN.

3.3.3 Transmission Company of Nigeria (TCN)

TCN as the implementation agency for the project on behalf Federal Government of Nigeria. The TCN established the Project Implementation Unit (PIU) the end to end delivery of the project on its behalf.

3.3.4 Project Implementation Unit (PIU)

Is a unit established by TCN with responsibility for the end to end delivery of all JICA funded projects, including planning, feasibility, ESIA, ESMP, RAP, engineering, procurement and construction. PIU, headed by a substantive Project Director with members representing relevant departments serves as the interface with other relevant agencies for this project and the overall coordinator of all efforts for realizing this project.

3.3.5 Electricity Distribution Company (DISCO) -Ikeja, Ibadan and Eko

The three Electricity Distribution Companies are part of the 11 power distribution companies that was unbundled from defunct PHCN and successfully privatized and handed over to new investors in November 2013. The Ikeja DISCO is responsible for electricity distribution in Lagos Mainland, while Eko DISCO covers the Lagos Island and Ibadan DISCO covers Ogun State.

The DISCOs own and maintain the distribution network and supporting equipment. In addition, they manage meter installations, carry out servicing and billing, co-ordinate consumer credit and revenue collection. This role makes the DISCOs the direct customers and a major stakeholder in realizing the overall objectives of this project, because they collect revenue from consumers on behalf all other stakeholders in the supply chain from generation to transmission and distribution.

3.3.6 Federal Ministry of Environment

This Ministry is responsible for the overall environmental policy of the country. It has the responsibility for ESIA/ESMP implementation, and has developed certain guidelines and regulations to protect the environment and promote sustainable development. It will approve the ESIA/ESMP before the project can go ahead and also monitor the implementation of the ESMP, when the project commences. Furthermore, it can issue directives to the project implementation unit on specific actions related to the environment in the project area. The Ministry normally involves the State and at certain stages the Local Governments in this responsibility depending on the specific activity.

3.3.7 Lagos and Ogun States Governments

Lagos State Lands Bureau: was established in 1999 to ensure optimal utilisation of land resources to for sustainable development of the state, with the following as its responsibilities;

- (i) Land Policy and Land Matters
- (ii) Acquisition of Land for State purposes
- (iii) Land Registry (Administration & Control) in conjunction with Ministry of Justice
- (iv) Subsequent Transaction including Assignment, Mortgage, Leases, Power of Attorney
- (v) Resolving Land disputes between individuals in conjunction with Ministry of Justice
- (vi) Neighborhood Improvement Charge (NIC) in areas not enumerated
- (vii) Servicing and Monitoring of Land Use Allocation Committee
- (viii) Allocation of Land reclamation in conjunction with other relevant Agencies
- (ix) Compensation for acquired Lands
- (x) Land Use and Allocation Matters
- (xi) Issuance and Revocation of Certificates of Occupancy
- (xii) Dispute resolution on Land Matters
- (xiii) Creation and Management of Residential and Industrial Schemes
- (xiv) Any other duty as may be assigned by the Governor.

Lagos State Ministry of Environment: The Ministry of the Environment has the following responsibilities;

- Environmental service matters
- Policy matters on air and other forms of pollution
- Beautification and development of open spaces in the State except horticulture
- Control of outdoor advertisements and signposts
- Field laboratory and geo-physical survey in conjunction with other stakeholders

- Collation of data on industrial hazards and setting of standards
- Monitoring of cemeteries
- Liaison with NAFDAC, NDLEA, FMENV and Lagos State Environmental and Special Offences and Enforcement Unit on any related matter
- Supervision of Lagos State Environmental Protection Agency (LASEPA), Lagos State Waste Management Agency (LAWMA), Lagos State Signage and Advertisement Agency (LASAA) and Lagos State Waste Water Management Office (LSWMO)
- Development, control and maintenance of public parks and gardens
- Evaluation of Environmental Impact Assessment (EIA) and Environmental Audit Report (EAR).
- Control, management and monitoring of public toilets
- Co-ordination of environmental sanitation exercise and protection services
- Initiation, formulation, execution and monitoring of all issues relating to climate change towards mitigating the negative impact of climate change
- Ground water hydrology
- Control of water pollution and hygiene
- Identification and management of gullies and degraded areas
- Preparation of master plan of drainage system in Lagos State
- Collection and disposal of storm water
- Supervision and management of donor agencies assisted projects
- Development and management of drainage plans
- Design, construction and maintenance of primary and secondary collectors
- Supervision of projects on major channels being funded by World Bank
- Laboratory services for sewage, water and environmental pollution
- Control of water pollution and hygiene
- Treatment of waste water
- Liaison with Water Corporation on other related matters.

Lagos State Ministry of Physical Planning and Urban: Has the following responsibilities;

- Vetting and Approval of Building Plans
- Undertaking Comprehensive Land use, Re-planning, Improvement (i.e. Reclamation and Re-
- Planning of Oko-Awo and Idumagbo Area
- Housing Development and General Development of Lagos State

Lagos State Ministry of Women Affairs and Social Development: has the responsibility

- To promote Gender Equality and provide Empowerment facilities for Socio-economic Development for people displaced by the project in Lagos State
- To promote the survival, protection, participation and development of children

- To promote family harmony and reduce juvenile delinquency
- To provide care, support, rehabilitation and empowerment for the vulnerable groups(challenged persons, older persons, destitute and the likes)

To collaborate and network with Non-Governmental Organisations, Professional Institutions and other MDAs on issues affecting women, children/vulnerable ones

Ogun State Bureau for Lands and Survey: This bureau is responsible for the issuance of right of way (ROW) and certificate of occupancy (C of O) for portions of line route and substation sites that falls within Ogun State. Other functions of the Agency include

- Preparation and issuance of Certificates-of-Occupancy and other certificate evidencing titles.
- Preparation and issuance of Right-of-Occupancy.
- Production and printing of Titled Deed Plan (TDP).
- Street naming and house numbering in Ogun State.
- Provision of Geospatial information infrastructure.
- Textual and graphic data on Ogun State, including land record, aerial photographs, satellite images, engineering drawing, and scanned pictures of building.
- Property search and verification of land record.
- Land application processing and administration.

Ogun Ministry of Urban and Physical Planning: is responsible for the formulation of Physical Planning policies and the coordination of physical development within the State. Though the Ministry is the policy making body, it has the Urban and Regional Planning Board as its parastatal and is responsible for:

- (i) controlling all various physical developments be it Residential, Commercial, Industrial, Public, and Institutional uses.
- (ii) Monitoring all the development in order to control the growth of Urban Sprawl in Ogun State.

Ogun State Ministry of Women Affairs and Social Development: has the responsibility

- To promote Gender Equality and provide Empowerment facilities for Socio-economic Development
- To promote the survival, protection, participation and development of children
- To promote family harmony and reduce juvenile delinquency
- To provide care, support, rehabilitation and empowerment for the vulnerable groups(challenged persons, older persons, destitute and the likes)
- To collaborate and network with Non-Governmental Organisations, Professional Institutions and other MDAs on issues affecting women, children/vulnerable ones.

Ogun State Ministry of Agriculture is the organ of Government responsible for formulating policies on food and agriculture for the State. The ministry is to enhance self-sufficiency in food production, provide raw materials for agro-based industries, generate employment opportunities and obtain desirable levels of export in order to improve the country's foreign exchange earnings.

Ogun State has 1.2million hectares of arable land which is 74% of the State's total land area. Only 30% of this arable land or 35,000 hectares is under cultivation. The major crops grown or cultivated in the State include: Cassava, Rice, Maize, Oil-Palm, Cocoa, Rubber, Citrus, Cotton, Soya-Bean, Vegetable, Pine apple, Sugar-Cane, among others. Livestock and fish farming are strong and viable in the State.

The mandate of the ministry include;

- Formulating and implementing agricultural policies and programmes for Ogun State.
- Regulation of farm practice and certification of farm produce.
- Ensuring food safety and food security.
- Promotion of mechanized agriculture.
- Ensuring availability and provision of quality agricultural inputs
- Coordinating agricultural cooperative societies and commodity groups
- Promoting and managing Irrigation Schemes
- Delivery of agricultural research proven technologies to farmers for adoption through effective Extension Services
- Promoting the development of the Livestock and Fishery industries in the State.

Ogun State Ministry of Environment: The Ministry of Environment was established in July 2003 with the aim of creating better living and conducive environment for the entire people of Ogun State. The Ministry has five (5) departments and two (2) sister Agencies namely, Ogun Environmental Protection Agency (OGEPA) and Ogun State Emergency Management Agency (SEMA).

- Department of Administration & Supplies: is involved in the management, co-ordination and facilitation of the activities of other Departments.
- Department of Environmental Conservation & Resources Management: is responsible for environmental Sanitation, landscaping and beautification, environmental and natural resources conservation, meteorological services, water shed management and water quality monitoring, climate change, etc.
- Department of Planning, Research & Statistics: plan, undertake research and gather data or information which will allow the Ministry to grow and develop.
- Department of Finance & Accounts: responsible for budgeting and other financial management responsibilities.
- Department of Flood & Erosion Control: Management of flood and erosion issues, including planning, designing, and construction and maintenance of control structures.

3.3.8 Local Government Authorities

The project will pass through four LGAs, three in Ogun State -Ewekoro, Ifo and Ado Odo/Ota as well as Badagry LGA in Lagos State. These LGAs are involved in the ESIA approval process. According to the EIA act, the LGAs will have representatives in the panel that will review the report and advise the Minister to make decisions on the project. The LGAs also have roles in the administration of lands in rural areas and hence, will be involved in the resettlement process as well as sites for the substations.

3.3.9 The Customary District Councils

The line route will pass through the Chiefdoms as several villages under them. The Obas (traditional head of chiefdom) and Community or Village Heads (Baales) have important role to play in the project with respect to mobilization of the community members to support the project, grievance redress, peace and security of personnel, equipment and facilities to be installed. Close contact and regular consultation shall be maintained with customary chiefs throughout the life of the project.

3.3.10 Traditional / Political Governance & Community Organization

Three broad groups are identifiable in each of the communities – male elders, youths and women. The role of male elders is traditional governance of the communities. They dominate the political arena and the decision-making positions, while the youth leaders are usually at the bottom rungs of the ladder of authority. The traditional role of the youths includes constituting a labour force in development projects, security of the community and to enforce law and order.

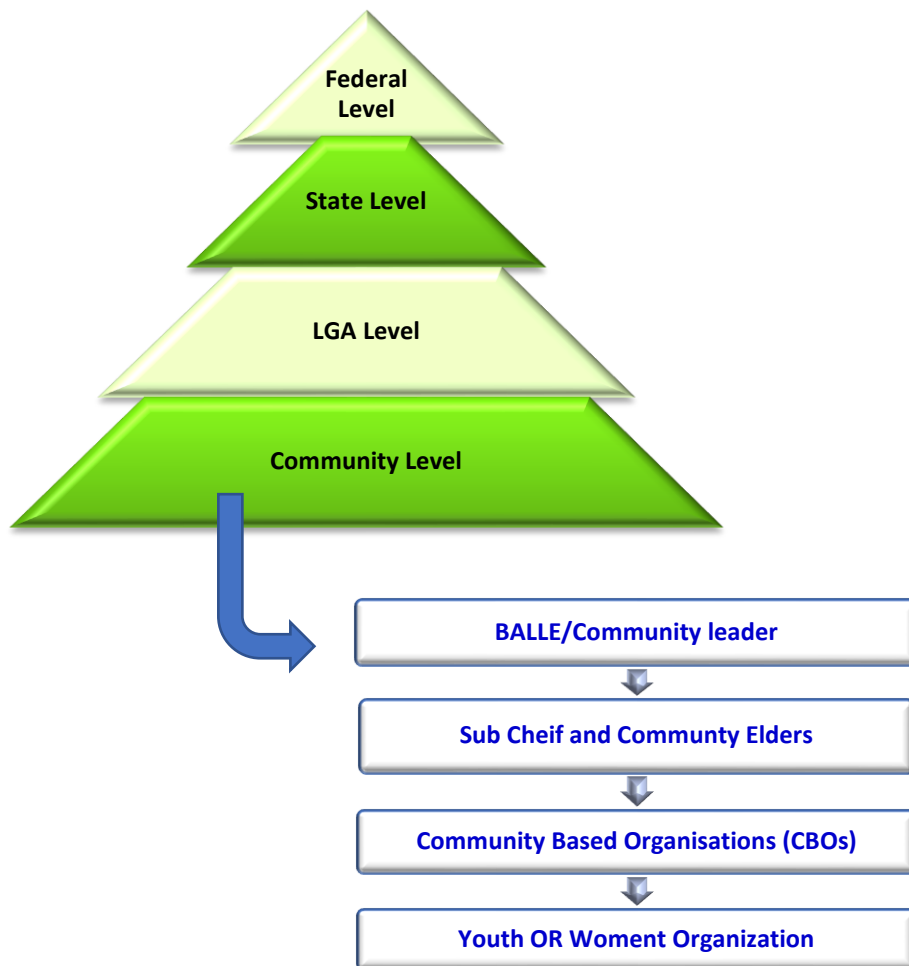


Figure 3.2 Traditional Governance Structure at Village Level

3.3.11 Witness NGO

To enhance transparency and trust from PAPs it is suggested that a witness NGO, recognized and credible in the project area, be retained, through a public proposal and selection process, by the PIU

to provide independent advice and report on RAP implementation and management focusing on consultation activities, compensation and resettlement related activities and grievances management. This NGO could be a recognized and credible Human Right advocacy group or an NGO active in environmental management or rural development.

This outside look will ensure that proper procedures and stated compensation processes are followed, that PAP grievances are well taken care of, and that PAPs are treated with fairness.

This NGO will revise reports of compensation payment process, meet with PAPs, check implementation of the measures, reconstruction, etc. in the field, and provide comments and recommendations. All PAPs will be informed of the NGO role and function and need to have access to its representatives, in a confidential manner if necessary, to explain and discuss their difficulties of grievances.

3.3.12 Contractors

Each contractor shall appoint a qualified environmental manager who, after approval by the PIU, will be responsible for daily management on-site and for the respect of management measures from the ESMP and RAP. This manager will report regularly to the environment specialist of the PIU during the entire construction period.

Contractors must hold all necessary licenses and permits before the work begins. It will befall on them to provide the PIU with all the required legal documents, including the signed agreements with owners, authorizations for borrow pits and for temporary storage sites, etc.

3.3.12 TCN HSE Department

The HSE department of TCN shall be responsible for ensuring implementation of management measures during operation phase (post-commissioning), including audits, compliance monitoring and preparation of periodic reports required by regulations.

3.4 INTERNATIONAL FUNDER POLICIES, PROCEDURES AND GUIDELINES

3.4.1 World Bank Safeguard Policy (OP 4.12)

Involuntary resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood¹) as a result of project-related land acquisition² and/or restrictions on land use. The policy has the following objectives;

- Minimize displacement
- Treat resettlement as a development program
- Provide affected people with opportunities for participation
- Assist displaced persons in their efforts to improve their incomes and standards of living, or at least to restore them
- Assist displaced people regardless of legality of tenure
- Pay compensation for affected assets at replacement cost
- Assistance to people referred to as special groups -women and children, very poor people, chronically ill or disabled, etc.

3.4.2 IFC Performance Standards for Investment

The IFC Performance Standards are directed towards clients, providing guidance on how to identify risks and impacts, and are designed to help avoid, mitigate, and manage risks and impacts as a way of doing business in a sustainable way, including stakeholder engagement and disclosure obligations of the client in relation to project-level activities. There are 8 performance standards;

1. Assessment and Management of Environmental and Social Risks and Impacts
2. Labor and Working Conditions
3. Resource Efficiency and Pollution Prevention
4. Community Health, Safety, and Security
5. Land Acquisition and Involuntary Resettlement
6. Biodiversity Conservation and Sustainable Management of Living Natural Resources
7. Indigenous Peoples
8. Cultural Heritage

3.4.3 JICA Guideline for Environmental and Social Considerations

The objectives of the guidelines are to encourage Project proponents etc. to have appropriate consideration for environmental and social impacts, as well as to ensure that JICA's support for and examination of environmental and social considerations are conducted accordingly. The guidelines outline JICA's responsibilities and procedures, along with its requirements for project proponents etc., in order to facilitate the achievement of these objectives. In doing so, JICA endeavors to ensure transparency, predictability, and accountability in its support for and examination of environmental and social considerations.

3.5 GAP ANALYSIS

The results of gap analysis are presented in the Table 3.1.

TABLE 3.1 GAP ANALYSIS: LAND USE ACT VS WORLD BANK/JICA REQUIREMENTS

Type of property	National Legislation	TCN Policies	OP 4.12 of the WB/JICA Guidelines	GAP between National Legislation/TCN Policy and WB/JICA guideline	Proposal to fill the gap
	COMPENSATION				
Lands	Land Use Act (LUA) 1978 - alternative land can be allocated by the issuing authority for the same purpose based upon the rights held upon such land.	In Nigeria, the Land Use Act of 1978 bestowed land in the hands of government for use of overriding public interest therefore no compensation is paid for lands. Compensation is paid in cash to PAPs	Compensations in kind are recommended. Assistance should be provided for the restoration of productivity and achieving production levels (at least equivalent to the land replaced). The cash compensation is possible if the affected lands account for less than 20% of the household's land.	WB/JICA prefer compensation in kind, while TCN pay cash in line with LUA WB/JICA recognises payment for land, while the LUA Act does not (because it is owned by Government for common public good)	Compensations in cash for loss of assets at full replacement cost to restore and potentially improve the standard of living and/or livelihoods of the displaced populations. Cash compensation is recommended in line with TCN policy to mitigate likely distrust of by PAPs as well as giving them control on their resettlement options. Assistance should be provided for the restoration of productivity and achieving production levels (at least equivalent to the land replaced).
Buildings (houses, annexes and other affected property)	Land Use Act 1978 -Cash compensation for improvements based upon market value.	Compensation for buildings and other properties is based on the present value of depreciation. Pay cash to PAPs to minimise suspicion	Compensations in kind are recommended. Compensation should be based on the present value of depreciation, as well as all transaction costs (taxes, permits, etc.).	LUA Compensation is based on unexhausted value (apply depreciation), while WB/JICA is based on replacement value	Compensation in cash based on replacement value, as well as all transaction costs. The customer will provide to physically displaced people a choice of options for adequate housing with security of tenure. Cash compensation is preferred by TCN and favoured by PAPs.
Crops	Land Use Act 1978 - the holder and the occupier shall be entitled to compensation for the value at the date of revocation of their unexhausted improvements which includes crops and trees	Compensation is paid using the Federal/ States/ Geopolitical region rates.	For perennial crops, compensation shall take into account the production delivery time. For annual crops, the land offered as compensation allows the restoration of production.	Harmonised compensation rates for crops does not take into account land restoration as recommended by WB/JICA	Crop substitution at the cost of replacing such production. For perennial crops, compensation takes into account the production delivery time. For annual crops, the land offered as compensation allows the restoration of production.
Economic Impact	The Environmental Impact Assessment (EIA) Act No. 86 of	In Nigeria, only communities that	Resettlement program that allows the owner to gain full trade	No difference	Resettlement program that allows the owner to gain full trade income flow.

Type of property	National Legislation	TCN Policies	OP 4.12 of the WB/JICA Guidelines	GAP between National Legislation/TCN Policy and WB/JICA guideline	Proposal to fill the gap
	1992 is the core legislation that governs EIA in Nigeria. It requires that development projects be screened for their potential impact. Based on the screening, an EIA may be required. Guidelines issued in 1995, the FMEnv directs the screening process.	are re-located from power station site or Dam site that enjoy resettlement program with restored standard of living.	income flow.		<p>Compensation offered for the recovery cost of commercial activities elsewhere, the loss of net income during the transition period; and transfer fees and relocation of the plant, machinery or other equipment, as applicable.</p> <p>Provide replacement property of equal or greater value, or cash compensation at full replacement cost to persons with legal rights or right to claim on the land which are recognized or recognizable under national laws.</p>
Assistance to resettled PAPs	The Resettlement Plan is based on this tentative implementation schedule of the project. FMP shall submit report to the donor agency, which ensure that all the PAPs are fully compensated and resettled before the start of the construction works.	For power stations and dams whereby resettlement is to be carried out only.	PAPs should, in addition to the relocation allowance, receive assistance in their resettlement and monitoring thereafter.	TCN/LUA does not provide for allowances and assistance as recommended by WB/JICA	PAPs should, in addition to the relocation allowance, receive assistance in their resettlement and monitoring thereafter to improve their standard of living on another suitable site.
		ELIGIBILITY			
Legals or customary owners of land and titled land	The Land Act 1978 gives government the right to revoke statutory and customary rights to land for the overriding public interest. The Act gives the government the right to acquire land by revoking both statutory and customary rights of occupancy for the overriding public interest.	Eligible		WB/JICA is silent by different types of land ownership	Eligible.
Illegal occupants	All affected lands are owned by the communities, and are going to be restored to	Compensation for improvements on land.	Relocation assistance and compensation for lost of assets (other than land).	No difference	Relocation assistance and compensation for lost of assets (other than land), and support for the resumption of activities, if any.

Type of property	National Legislation	TCN Policies	OP 4.12 of the WB/JICA Guidelines	GAP between National Legislation/TCN Policy and WB/JICA guideline	Proposal to fill the gap
	occupants by the community and the compliance will be monitored by the FMP/resettlement committee.				
Tenants	Entitled to compensation based on the amount of rights they hold upon land.	Compensation for the improvement such as crops, trees and structures.	They must be compensated, whatever the type of legal recognition of their land tenure (formal or informal).	No difference	Compensation whatever the type of legal recognition of the land tenure, and support for the resumption of activities, if any.

CHAPTER FOUR

4.0 STAKEHOLDER CONSULTATIONS

This chapter outlines the public information and consultation process that has been designed and implemented in order to facilitate the informed participation of the project affected persons (PAPs), communities and other stakeholders affected by or with interest in the project. As such, consultation objectives, activities and outcomes are reported.

4.1 CONSULTATION FRAMEWORK

4.1.1 General Objectives

General stakeholder engagement objectives of this study were to:

- Inform stakeholders on the proposed infrastructures and activities and seek their informed opinion about the socio-environmental risks and opportunities potentially associated with the project as well as take the measures and actions in order to manage the anticipated impacts;
- Obtain feedback from stakeholders on issues of concern and expectations in order to optimize the project;
- Generate a social and institutional dialogue in order to assess and strengthen the project's social acceptability;
- Help to consolidate, through the ESIA and RAP process, the efforts made by the TCN in order to establish lasting relationships with affected communities and other stakeholders.

4.1.2 Target Stakeholder Groups

Target stakeholder groups for the stakeholder engagement process include:

- Concerned agencies and organisations at State and National levels;
- State-level (Ogun and Lagos) agencies;
- LGA-level agencies
- Customary authorities in communities affected by the line; -Obas, Ba'ales and Village Heads crossed by the line route.
- Industrial and commercial actors affected by the line, including relevant TCN departments, and JICA.
- Security agencies, national civil security and defence corps, department of security service, and the Nigerian Police

4.1.3 Stakeholder Information and Consultation Stages

Three stakeholder information and consultation rounds were planned, and two has been implemented through the development of the line route survey, the ESIA/ESMP study and RAP of this project. They were planned according to key stages, or decision moments, throughout the study where the informed participation of stakeholders were likely to make the most significant contribution to the on-going analysis.

These included the scoping stage (1st stage), the preliminary route assessment and the documentation of the affected communities and displaced households stage (2nd stage). The third stage of consultations for the disclosure of the findings of the ESIA, ESMP and RAP preliminary results (3rd stage).

Table 4.1 outlines the studies' stakeholder engagement process and presents, for each consultation stage, the specific engagement objectives, target groups and implementation periods.

TABLE 4.1 STAKEHOLDER CONSULTATION IMPLEMENTATION

STAGE	OBJECTIVES	TARGET GROUPS	IMPLEMENTATION PERIOD
STAGE 1: Environmental and Social Scoping	<ul style="list-style-type: none"> • Present the project and the ESIA process to key authorities; • Identify key issues, concerns and expectations related to the project and study area; • Complete the stakeholders' list and validate the general approach for consultations. 	<ul style="list-style-type: none"> • Transmission Company of Nigeria (TCN) • Concerned ministries • State and LGA Administration • Customary Chief's of areas affected by the line 	May/Jun 2017
STAGE 2: Line Route Study	<ul style="list-style-type: none"> • Involve key stakeholders in the analysis of the « hot spots » identified along with the provisional line route. • Inform affected communities and involve them in environmental and social optimization of the line route; • Identify the concerns and expectations of affected communities, displaced households and women; • Inform affected households of their rights and options for resettlement. 	<ul style="list-style-type: none"> • Transmission Company of Nigeria (TCN) • Concerned ministries • Local authorities • State-level and LGA-level authorities and technical services. • Affected people and their leaders. • Women representatives. • Customary chiefs. 	Oct./Nov. 2017
STAGE 3: Disclosure of Preliminary Results (ESIA, ESMP and RAP)	<ul style="list-style-type: none"> • Present, validate and enhance preliminary ESIA and RAP results. • Ensure compliance of the proposed measures with the requirements of regulatory authorities; • Evaluate the social acceptability of the project and its proposed measures. 	<ul style="list-style-type: none"> • Transmission Company of Nigeria (TCN) • Concerned ministries at national and state levels. • Local authorities and community leaders from affected LGAs. • NGOs. 	Feb. 2018

4.2 FIRST STAGE CONSULTATIONS

The first consultation stage took the combined format of individual semi-structured interviews with community members and customary chiefs as well as group meetings with institutional stakeholders (organisations at national, state and LGA level). This approach has proved to be useful to better define the scope and framework of the RAP study.

The objectives of these meetings are as follows;

- Present the project and the ESIA process to the communities and relevant agencies;
- Identify key issues, concerns and expectations of the communities and agencies related to the project and study area;
- Identify current practices and requirements of each agency related to the project;
- Complete the stakeholders’ list and validate the general approach for consultations;
- Identify relevant information sources and collect available data and reports.

4.2.1 Activities Performed in Ogun State

The activities carried out as part of the first-stage stakeholders’ engagement in Ogun State are:

- Meeting between TCN top management headed by the MD/CEO and the Governor of Ogun State and other Senior Government Officials at Government House Abeokuta.
- Meetings at State level in Abeokuta with relevant State Ministries, Agencies and affected LGAs in Ogun States.
- Meetings at community level, held in each community within the project area in Ogun States.

Table 4.2 show list of the stakeholders met in Ogun State during the first stage of consultations.

TABLE 4.2 OGUN STATE STAKEHOLDER GROUPS CONSULTED

STAKEHOLDER GROUP	TYPE OF STAKEHOLDER	LOCATION OF MEETING	DATE
Ejio (Arigbajo) Communities	PAPs/ Customary Chiefs	Palace of the Kabiyesi of Ejio	25-03-2017
Korogboji Community, Agbara	PAPs/ Customary Chiefs	Baale of Korogboji’s Palace	26-03-2017
Ajgunle(New Agbara) Communities	PAPs/ Customary Chiefs	Baale of Ajgunle’s Palace	25-03-2017
Ogun State Bureau of Lands	Institutional	Dept of Energy Office, Ogun State	11-05-2017
Ogun State Ministry of Rural Development	Institutional	Dept of Energy Office, Ogun State Secretariat	11-05-2017
Ogun State Ministry of Communication, Development and Cooperation	Institutional	Dept of Energy Office, Ogun State Secretariat	11-05-2017
Ogun State Bureau Of Electrical	Institutional	Dept of Energy Office, Ogun State	11-05-2017
Ogun State Ministry Of Housing	Institutional	Dept of Energy Office, Ogun State	11-05-2017
Ogun Governor’s Office	Institutional	Dept of Energy Office, Ogun State	11-05-2017
Transmission Company of Nigeria	Promoter	Dept of Energy Office, Ogun State	11-05-2017
TOTAL NUMBER OF PARTICIPANTS	52 (including 12 women)		



Plate 4.1 Scoping Meeting with Ogun State



Plate 4.2 Scoping Meeting with Ejio Community

4.2.2 Activities Performed in Lagos State

The activities carried out as part of the first-stage stakeholders' engagement are:

- Meeting between TCN top management headed by the MD/CEO and the representative of the Governor of Lagos State in Abuja.
- Meetings at State level in Ikeja with relevant Federal and State Ministries, Agencies and affected LGAs
- Meetings at community level, held in each community within the project area in Lagos State.

Table 4.3 show lists the stakeholders met during the first consultation stage.

TABLE 4.3 LAGOS STATE STAKEHOLDER GROUPS CONSULTED

STAKEHOLDER GROUP	ROLE OF STAKEHOLDER	LOCATION OF MEETING	DATE
Yafin Community, Badagry	Beneficiary	Baale's Palace	26/03/2017
Badagry LGA	Local Government administration	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
NBET	Electricity trading (link between generators, transmitter and distribution)	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
NSCDC	security safeguard of national infrastructures	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Office of the Surveyor General	Issues land permit	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Federal Road Safety Corp	Safety of road transportation system	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Ministry of Water Front Infrastructure	regulates developments in water fronts in Lagos State	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
LASIMRA	regulates infrastructural developments in Lagos State	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Lagos State Ministry of Transport	Owns Lagos state government constructed roads	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Ministry of Physical Planning and Urban Development	coordinates urban development	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Lagos State Ministry of Environment	protection of Lagos environment	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
JICA	Financier of the project through a loan	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Transmission Company of Nigeria	owner of the project	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
LASEPA	regulatory agency for environment in Lagos State	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Tripod Limited	NGO	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Ikeja Electric Distribution Company	electricity distribution on Lagos mainland	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Nigerian Inland Waterways Agency	controls water transport	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Nigerian Conservation Foundation	NGO	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Lagos State Electricity Board	Provides electricity infrastructure in rural Lagos	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
NEMSA	Electricity measurement standard agency	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Eko Electricity Distribution	electricity distribution on Lagos Island	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Lands Bureau	Administration of land in Lagos	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
Department of State Services	National security	Primal Hotel Hall, Ikeja, Lagos	22-06-2017
TOTAL NUMBER OF PARTICIPANTS	47 (including 6 women)		



Plate 4.3 Scoping Meeting in Lagos State

4.2.3 Outcomes and Results Obtained

The following results were achieved from the consultations:

- The communities understood the objectives and requirements of the project and pledged support and cooperation;
- The relevant agencies are aware of the project and the ESIA process (team, objectives and schedules);
- The requirements of Ogun State and Lagos State Laws and Regulations relevant to the project were highlighted by the agencies and understood by TCN and its consultants;
- The main stakeholders’ concerns and expectations were documented and have been considered for inclusion in the scope of the studies;
- A preliminary list of stakeholders was completed and the orientations of the Stakeholder Engagement Framework was enhanced;
- The Ogun State Governor established a committee to provide support for the project, while Lagos State Governor provided a high ranking cabinet member (Commissioner for Energy) to coordinate Lagos State support for the project.

Table 4.4 provides a summary of the main comments and recommendations made by stakeholders in Ogun State on different social and environmental issues of concern to them with respect to the project. Responses provided on the spot, where applicable were also provided.

TABLE 4.4 COMMENTS BY STAKEHOLDERS IN OGUN STATE

TOPIC	CONCERNS, COMMENTS AND RECOMMENDATIONS	STAKEHOLDERS THAT MADE THE COMMENT / RECOMMENDATION	ACTIONS THAT ADDRESS CONCERNS
Location of Proposed Sites	Some sites are under acquisition while others are free. The ones that are free, Government will acquire for the project in the interest of the public but the project will be responsible for the processing charges.	OGSG/ Bureau of Lands and Survey	The lands needed will be compiled and sent to OGSG

TOPIC	CONCERNS, COMMENTS AND RECOMMENDATIONS	STAKEHOLDERS THAT MADE THE COMMENT / RECOMMENDATION	ACTIONS THAT ADDRESS CONCERNS
	The Governor mentioned that need to raise the lines where crossing rail lines eg. Lagos – Ewekoro (Lafarge Cement) rail line at Apomu village	Bureau of Lands and Survey	This shall be included in the EPC contract
Project Components	Requested additional substation as follows In Ijebu Area, which will be in Obere to feed Ogun East. Aiyetoro to feed the communities along Benin Border. Idi-Iroko, Waasimi axis. The State Government will provide land and fast track approval of the substation sites and ROW acquisition, while TCN will pay for the processing only.	Department Power/Energy, Governor’s Office	TCN explained that there will be no need for building substations as the proposed substations will be sufficient for the areas mentioned. All that is needed is to invest in distribution infrastructure
Substations Sites	Ejio – Under Government acquisition. TCN needs to apply for de-acquire and re-acquire	Bureau for Lands and Survey	Application along with supporting documents will be prepared and submitted
Line corridor	Ajgunle SS – Free, Government will acquire on behalf of TCN and issue C of O	Bureau for Lands	
	Ejio – Ajgunle – Within Government acquisition and some are free Ajgunle- Badagry – Partly free and within Government acquisition	Bureau for Lands and Survey	

Table 4.5 provides a summary of the main comments and recommendations made by stakeholders in Lagos State on different social and environmental issues of concern to them with respect to the project. Responses to these inputs from stakeholders are also provided, where applicable.

TABLE 4.5 COMMENTS BY STAKEHOLDERS IN LAGOS STATE

TOPIC	CONCERNS, COMMENTS AND RECOMMENDATIONS	STAKEHOLDERS THAT MADE THE COMMENT / RECOMMENDATION	ACTIONS TO ADDRESS CONCERNS
Security	Give warning signals where challenges from host communities may arise, provide real time security	DSS	Schedule of field activities will be shared with security agencies
	Where security issues occur, there should be a formal request to the Commandant General requesting for man power/ motorised patrols and aerial surveillance. Collaboration with other security agencies	NSCDC	
	Who is responsible for compensation	Lands Bureau	
Compensation/ RAP	Who is responsible for compensation	Lands Bureau	TCN is responsible for payment

TOPIC	CONCERNS, COMMENTS AND RECOMMENDATIONS	STAKEHOLDERS THAT MADE THE COMMENT / RECOMMENDATION	ACTIONS TO ADDRESS CONCERNS
Lines Crossing Water Ways	Seek for permission before it crosses any major water ways and obtain permit. Any line of construction between 100m of the shore line will need permit	NIWA	There is no Section of the line that crosses navigable or major waterway
Survey	Is it the office of the Surveyor General that will do the survey? Provide preliminary line route to see how it will affect the development in that area. What informed the choice of Yafin community as location for substation? There is plan for a deep sea port in Badagry area. Supply maps to the Surveyor General's office, to check against other plans.	Office of the Surveyor General	TCN has hired consultants to do the line survey, ESIA and RAP. Surveyor General will be consulted
Environment	Consult Lagos State Environment Protection Amendment Law 2017 Asses Alternative Routes? Ensure safety of workers and community You need a forest permit from LASPARK before any tree can be cut. Do not permit use of herbicide protect birds and biodiversity areas Waste Management issue	LASEPA	These will be included in the scope of the studies. Requirement for forest permit will be included in the ESMP
	Biodiversity Management should be developed and included in the ESMP. Stick to faithful implementation of the report	NCF	These will be included in the scope of the studies
Traffic	How do we handle traffic generated from movement of equipment during the construction phase	Ministry of Transport and FRSC	Traffic study will be carried out at major road crossings
Line route/ ESIA	Would like to know the scope of work, duration of the project and advised to consult Ministry of Local Government Community Affairs	LSEB	Scope of the project was further clarified
Cultural heritage	Respect Historical Heritage sites. Local Government is the coordinator for CDC's	Badagry LGA	Physical cultural properties including heritage sites is in the scope of the ESIA (see physical cultural resources management plan). Physical cultural resources was also one of the criteria for line route.
Line route	ROW in that area has been given to NIPP so if additional ROW is needed, TCN should check	Ministry of Physical Planning	The NIPP project is not in the same area. The

TOPIC	CONCERNS, COMMENTS AND RECOMMENDATIONS	STAKEHOLDERS THAT MADE THE COMMENT / RECOMMENDATION	ACTIONS TO ADDRESS CONCERNS
	with the Ministry to see if it can be accommodated within the gazetted ROW Respect physical planning regulations 2005 with emphases on setbacks, substations		line covered by this project is from Ajegunle to Yafin Village. Setback distance by NERC is 15m and is respected by this project
Encroachment	How do we intend to stop construction under ROW/ transmission line	IKEDC	Periodic monitoring and involvement of NSCDC
Support for the project	Will like to collaborate with TCN/Consultants to ensure hitch free process	EKEDC	EKEDC is a critical partner in the project
Support for the project	Want to be part of the project from commencement to decommissioning	NEMSA	NEMSA has been involved in the project along with other key stakeholders

4.3 SECOND STAGES OF CONSULTATION

The second stage of stakeholder information and consultation to present the preliminary line route, as well as methodology and approach for ESIA and RAP study. At the same obtain feedback to refine the approach and the methodology and include concerns expressed in the study.

4.3.1 Activities Performed

The activities carried out as part of the second stakeholder engagement stage are:

- Meetings in Abuja, Abeokuta and in the communities with relevant ministries and agencies.
- Meetings with PAPs in each community affected by the line route
- Field trip to show to stakeholders where the line will pass.
- Printed and digital line route map as well as images illustrating examples of the type of proposed infrastructure (pylons and lines) were also exhibited. A project background information document, in a poster form was produced and distributed by the consultant to the authorities and representatives prior to meetings for public advertising.
- PAPs were invited to attend the village level meetings with the Village Chief or District Head in their communities. The meetings included women (17%) as well as youths in each village (see attendance register in Appendix 3A).

TABLE 4.6 STAKEHOLDER GROUPS MET DURING SECOND STAGE CONSULTATIONS

Stakeholder Group	Type of	Location of Meeting	Date
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	Stakeholder		
Transmission Company of Nigeria	Promoter	TCN Office, Abuja	31-08-17
Field Visit with TCN and Relevant Agencies in Lagos and Ogun States	Institutional	Various Hotspots along the proposed line route	05-09-17 & 06-09-17
Affected Communities	Community leaders and PAPs	Apomu	19-11-17
		Leshi	20-11-17
		Joga Owode	
		Sowole	
		Oke Oji	
		Atan Iju Ilogbo	
		Alapako	21-11-17
		Coker Igboogun	
		Gbeko	
		Idolehin	
		Ijegemo	
		Onilogbo	26-11-17
		Iberese	
		Abisoye	
		Asokere	
		Bandu	
		Adigbon	01-12-17
		Igbele Ajana	
Ajgunle			
Ejio	02-12-17		
Erekiti	08-12-17		
Tohon			
Yafin			
TOTAL NUMBER OF PARTICIPANTS	Total participants 119 including 12 women		

NOTE: The communities listed were the ones known to have been affected by the project at that time. Full list of communities affected, as identified during the field survey is Appendix 1.



Plate 4.4 Presentation of the Line Route to Baale of Ajgunle, Ado Odo/Ota LGA



Plate 4.5 Presentation of the Line Route to Institutional Stakeholders in Abeokuta

4.3.2 Outcomes and Results Obtained

Issues raised by stakeholders during second stage consultations are in Table 4.7

TABLE 4.7 COMMENTS BY STAKEHOLDERS DURING SECOND STAGE CONSULTATIONS

SECTIONS OF THE LINE	COMMENTS AND RECOMMENDATIONS	STAKEHOLDERS THAT MADE THE COMMENT / RECOMMENDATION	ACTIONS THAT ADDRESSES COMMENTS
Ejio-Arigrbajo-Apomu axis	Option C: consider running parallel to the Lagos-Ibadan Expressway on the left-hand side of the road (Northwards) before going left.	TCN	This was not possible, because of the need to avoid a shrine (6.848790°N, 3.201160°E) in Arigrbajo Forest as well as Mobile Petrol Station (6.854169°N, 3.191616°E) along the road
	OPTION B: Try to avoid the structures around Lat 6.835046, Long 3.138859.	TCN	The line route has been amended to avoid the structures indicated
	Option B: Try to avoid a ware house around Lat 6.612138 and Long 3.013081	TCN	The warehouse has been avoided
	Option C: Try to reduce the number of angle greater than 15°	TCN	The multi-criteria modelling used in analyses of route alternatives took into account the number of angle points.
330kV Line Crossing Lagos-Abeokuta Expressway at Apomu Village	Take the line to avoid Mobil filling station at Apomu village, to minimise compensation costs.	TCN	The Mobile Petrol station has been avoided completely.
330kV line at Igbogun-Olaogun Village	Option B: Realign the line to avoid the police station opposite Obasanjo’s House Also avoid the telecommunication mast Shift, with at least 10m clearance from the corridor	Ogun State Ministry of Environment	The final line route avoided the Police Stations well as all telecommunication towers along the route.

SECTIONS OF THE LINE	COMMENTS AND RECOMMENDATIONS	STAKEHOLDERS THAT MADE THE COMMENT / RECOMMENDATION	ACTIONS THAT ADDRESSES COMMENTS
132kV line at OPIC Estate Agbara Industrial Estate	Shift the Line to avoid palm oil mills and houses as much as possible.	Ogun State Lands Bureau/Ministry of Environment	All large palm plantations along the route including those in Aiyeye, Igbele, Agbara, etc has been avoided
Yafin Community Jetty	Option B: passing by the shoreline, but shift the line, such that the corridor is least 10m from nearest residence and completely avoiding crossing over the jetty at Yafin Village	Lands Bureau and LASIMRA	The center line is more than 50m from the Yafin Jetty against 15m setback recommended by NERC.
General	Optimise, and do a cost benefit analysis to ascertain the best line route	MPP & UD	The three-line route alternatives subjected to multi-criteria analyses involving, economic, social and environmental issues
General Comments by Community leaders	Compensation should be paid directly to PAPs and not through any third party. PAPs request that they be paid in cash instead of building houses for them. They argue that they want to decide the new location by themselves and control the cost and quality to avoid trust issues	Communities	Although the OP 4.12 discourages cash for land, the Land Use Act allows it. TCN also prefer cash compensation as a policy. Hence, cash payment will be adopted to respect request of the affected people.
Yafin Village	The corridor crossed two shrines, which cannot be moved and also proposed site for Baale's Palace. Need to avoid them	Baale of Yafin	The line has been re-aligned and the sacred sites were avoided
Tohun Village	The corridor crossed the middle of the small community of Tohun	Baale of Tohun	The line was adjusted, to pass at the Southern side of the community, thereby minimising houses affected
Igbele Village	The corridor affects palm oil factory and its plantations, which should be avoided considering people driving livelihood from the factory as workers	Community members	The line was adjusted to avoid the factory and its palm plantations.

4.4 THRID STAGE OF CONSULTATION

The third stage of stakeholder consultation presented the preliminary results of the ESIA and RAP with the following objectives;

- To obtain feedback to validate and enhance preliminary ESIA and RAP results.
- Ensure compliance of the proposed measures with the requirements of regulatory authorities;
- Evaluate the social acceptability of the project and its proposed measures.

4.4.1 Activities Performed

The activities carried out as part of the third stakeholder engagement stage are:

- Meetings in Abuja with TCN, Abeokuta and in the communities.
- Summary of impacts and mitigation were presented, and the draft report were shared with relevant agencies for comments.
- ESIA and RAP report were placed on public display for 30 days in the 4 LGAs affected by the project for general public to comment. This was advertised in newspapers and radio stations in the area.

TABLE 4.8 STAKEHOLDER GROUPS MET DURING THIRD STAGE

Stakeholder Group	Type of Stakeholder	Location of Meeting	Date	Total number of participants	No of Women
Transmission Company of Nigeria (TCN)	Promoter	Abuja	08/05/2018	19	2
Panel of Experts, Federal Ministry of Environment, Ogun State Ministry of Environment, Lagos State Ministry of Environment, affected communities' heads, PAPs and general public	Regulators, affected people and concerned institutions	Abeokuta	19/10/2018	252	38
Concerned government ministries at and agencies	Institutional	Abeokuta	26/04/2018	32	1
NGO	Conservation Foundation	Lagos	07/03/2018	12	1

4.4.2 Outcomes and Results Obtained

Summary of comments by the stakeholders that participated in the 3rd round of consultation are as follows;

- Ogun State bureau for lands and survey require satellite imagery with the line route and substation survey plan superimposed as part of requirements for issuing permit.
- The PAPs indicated their preference for payment through check rather than bank transfer.
- TCN requested for a downward review of the compensation budget, because it was considered too high.
- Shepherd school who are the owners of a portion of the Ajegunle substation requested that the location for their proposed main gate, along the Ajegunle Road be preserved.
- Comments by the NGO are presented in Section 4.4.3.
- Federal Ministry of Environment did make any comment to the RAP, but their comments on the ESIA has been addressed in the revised ESIA submitted to them (see ESIA report).

4.4.3 Outcome of Consultations with NGO

The Nigerian Conservation Foundation (NCF) is an NGO dedicated to nature conservation and sustainable development in Nigeria, established in 1980 and was registered in 1982 as a Charitable Trust under the Land (Perpetual Succession) Act of 1961 - a policy that was replaced by the Company and Allied Matters Act of 1990.

NCF was invited to participate in the scoping meeting held in Lagos on 22nd June 2017. A meeting of stakeholders also took place on March 07 2018 with the participation of TCN and JICA, where the results of ESIA and RAP was discussed.

After presentation of the project and results achieved the following discussions took place.

- NCF is currently working on IWC (International Water bird Census), which is organized by Wetlands International, to monitor the migratory birds in Badagry area. IWC was also conducted in December 2017- January 2018 at Badagry area. The IWC report in 2017 is available and can be shared with the team.

- Some of the bird species listed as migratory bird is not migratory species, therefore, further review may be necessary. It is agreed that TCN will share the draft ESIA report to NCF to provide their feedback for the potential impact on ecosystem from the proposed project.
- There is no fact that the presence of transmission line causes bird strike around the project area. However, since no bird strike survey has been conducted, NCF has been planning to carry out such a survey to understand actual situation of bird strike.
- Migration route is not main concern for NCF since bird can fly over transmission lines; however NCF concerns place to stay in winter.
- December is a good timing for bird survey since many species of bird visit the area since the migratory birds fly from outside of Nigeria, e.g. Europe from December to February in general (the biodiversity survey in this ESIA study was conducted in December 2017).
- NCF has been working on several projects for local community to enhance their way of livelihood in sustainable manner. For example, NCF is educating local people to find alternative livelihood resource such as chicken farming, instead of hunting.
- NCF accommodates about 90 staffs and there are several project offices throughout Nigeria. The staff of NCF works as project officer for the community support project.
- NCF shows their interest for the collaboration of TCN`s project if there is any opportunity

As a follow up to the meeting the ESIA report was shared with NCF and the comments received as well as responses generated are in Table 4.8. furthermore, NCF also sent a report of bird survey they conducted in the Mangrove Swamp area around Badagry (See Appendix 3A).

TABLE 4.9 NCF COMMENTS AND RESPONSE

COMMENT FROM NCF MINUTES OF MEETING	Some species listed are not migratory	
RESPONSE	<p>Four (4) species were listed as migratory in the ESIA. These species are;</p> <ul style="list-style-type: none"> • <i>Ardea alba</i>, • <i>Ardea cinerea</i>, • <i>Egretta garzetta</i>, and • <i>Milvus migrans</i> <p>All were either full migrants or partial.</p>	<p>References;</p> <ul style="list-style-type: none"> • Habitat/Ecology section of IUCN RED LIST 2017 version 3 • Ringim, A. S., Magige, F. J. & Jasson, R. M. (2017). 'A comparative study of species Diversity of Migrant Birds Between Protected and Unprotected Areas of the Hadejia-Nguru Wetlands, Nigeria' • Checklist of Western Palearctic birds species migrating within Africa 2004
RESPONSE TO NCF REQUEST TO INCORPORATE RESULT OF THEIR STUDY INTO THE ESIA REPORT		
<p>It is believed that the essence of adding the document '2016 coastal flyway counts for Nigeria: A water birds count along the coastal creeks and Estuaries in Badagry and Calabar' is to possibly incorporate the Avian species inventory of Badagry area into the draft ESIA report.</p> <p>It would not be proper to add inventory of species obtained from a mangrove wetland (see page 2 of PDF document sent by NCF) to the LAGUN report which do not cut across (see project RoW and habitat classification in the EIA report). The Badagry SS where the ROW terminates is a Riparian Swamp.</p>		



Consultation at Iakpa koOke



Consultation at AiogboAkia



Consultation at Ipo



Consultation at Zisu



Consultation at IgboSa



Consultation at Iragbo



Consultation at Zinve



Consultation at IragbonThogli



Consultation at Bandu



Consultation at Shoiulu



Consultation at Eio



Consultation at Zinsu Ijegemo



Consultation at Egudu Adeshina



Consultation at Ijegemo Isale Odo

Plate 4.6 Community Consultations

CHAPTER 5

5.0 RESULT OF CENSUS SURVEY SOCIO-ECONOMIC BASELINE OF THE PROJECT AFFECTED PERSONS

5.1 GENERAL DESCRIPTION OF THE PROJECT AREA AND PROJECT AFFECTED PERSONS

TABLE 5.1 PROJECT-AFFECTED AREA AND PERSONS

Lot #	Local Government Areas (LGAs)	Number of Affected Communities	Estimated Length of ROW across LGAs (km)	Baseline Census Dates
3	Ewekoro	9	15	16/01/2018 to 22/01/2018
	Ifo	17	5	23-01-18
	Ado-Odo/Ota	49	50	24/01/2018 to 10/02/2018
	Badagry	7	11	11/02/2018 to 15/02/2018
Total		82	81	

[Data

source]

EEMS

Field

Survey

TABLE 5.2 SUMMARY OF PAPS IN EACH LGA

Lot #	LGA	(1) Land owner without any structures and activities	(2) residential land				(3) Agricultural land		(4) Commercial land			(5) Encroacher		(6) Others (religious building, Public building, etc.)	
			land owner with house		Secondary residence (house owner without land)	Residential Tenant holder without land	with land	without land	With land	without land	employee	without land	With land		
		PAPs	HHs	PAPs	HHs	PAPs	PAPs	PAPs	PAPs	PAPs	PAPs	PAPs	HHs	PAPs	Number
3	Ewekoro	37	521	3230	0	0	0	335	406	9	1	0	0	0	12
	Ifo	44	77	477	2	9	49	267	380	2	0	0	0	0	0
	Ado-Odo/Ota	247	577	3577	1	6	34	670	1123	14	4	0	0	0	4
	Badagry	12	9	56	0		0	0	57	0	0	0	0	0	0
	TOTAL	340	1184	7340	3	15	83	1271	1966	25	5	0	0	0	16

[Data source] EEMS Field Survey

Note: Number of PAPS are double-counted because some household own land that is used for multiple purpose, i.e. Residential, agricultural and commercial.

HHs: households

5.2 DEMOGRAPHICS OF AFFECTED PEOPLE

5.2.1 Age and Sex Structure

TABLE 5.3 POPULATION DATA IN PROJECT AFFECTED AREA (2016)

LOT #	LGA	TOTAL	MALE	FEMALE
3	Ewekoro	76,600	51%	49%
	Ifo	750,000	51%	49%
	Ado-Odo/Ota	733,400	51%	49%
	Badagry	327,400	51%	49%

[Data source] National Population Commission projection from 2006 census

5.2.2 Households Affected

The total number of households affected by the is 3,479 with Ado Odo LGA having the highest with 1,921 (55%) and Badagry LGA the least with 66 households (1.9%). Female heads of households constitute 12.7% of the total households (see Table 5.4).

TABLE 5.4 PROJECT AFFECTED HOUSEHOLDS

Lot #	Local Government Areas (LGAs)	Gender of Head of Households		Total (Project Affected Households: PAHs)
		Male	Female	
3	Ewekoro	823	130	953
	Ifo	486	53	539
	Ado-Odo/Ota	1667	254	1921
	Badagry	61	5	66
Total		3037	441	3479
		87.3%	12.7%	100%

[Data source] EEMS Household Survey

TABLE 5.5 MARITAL STATUS OF HEADS OF HOUSEHOLDS

Lot #	Local Government Areas (LGAs)	Marital Status				Total
		Single	Married	Widowed	Divorced/ Separated	
	Ewekoro	202	601	76	74	953
	Ifo	114	339	43	42	539
	Ado-Odo/Ota	407	1210	154	150	1921
	Badagry	14	41	5	5	66
Total		737	2192	278	271	3478
		21.2%	63.0%	8.0%	7.8%	100.0%

[Data source] EEMS Household Survey

TABLE 5.6 HOUSEHOLD SIZE AFFECTED

Lot #	Local Government Areas (LGAs)	Household Size					Total
		1 to 2	3 to 5	6 to 10	11 to 15	>15	
	Ewekoro	60	518	277	58	40	953
	Ifo	34	293	157	33	23	539
	Ado-Odo/Ota	121	1043	558	116	80	1920
	Badagry	4	36	19	4	3	66
Total		219	1889	1011	211	147	3478
		6.3%	54.3%	29.1%	6.1%	4.2%	100%

[Data source] EEMS Household Survey

5.2.3 Dependency Rate

The total dependency ratio is the proportion of the population not in the work-force who are 'dependent' on those of working-age, it's a calculation which groups those aged under 15 with those over 65 years as the 'dependants' and classifying those aged 15-65 years as the working-age population.

You can calculate the ratio by adding together the number of children (aged under 15 years), and the older population (aged 65+), dividing that percentage by the working-age population (aged 15-65 years), multiplying that percentage by 100 so the ratio is expressed as the number of 'dependants' per 100 people aged 15-64 years. The higher the dependency ratio, the more people who are not of working age, and fewer who are in the labour force (and paying taxes). The age group distribution of the total population affected is shown in Table 5.7

TABLE 5.7 DEPENDENCY RATE AMONG AFFECTED POPULATION

Age Bracket (years)	Ewekoro	Ifo	Ado-Odo/Ota	Badagry	TOTAL
01-14	2,056	1,288	4,368	155	7,867
15-39	1,659	925	3,393	115	6,092
40-65	1,531	901	2,954	106	5,492
>65	663	228	1,195	33	2,119
TOTAL	5,909	3,342	11,910	409	21,570
Dependency Ratio	85.24%	83.02%	87.65%	85.16%	86.21%

[Data source] EEMS Household Survey

Using the method described, the national average for Nigeria 88.2% in 2015, up from 87.9% in 2010 (NBS, 2016). However, one of the obvious limitations of dependency ratios is the assumption that people under 15 years and over 65 years are outside of the labour force, as well as the assumption that those aged 15-64 are participating in the labour force. Although the retirement age in Nigeria is 65 years, it is rarely applied particularly in the private sector. Furthermore, people that retire at that always get engaged either being self employed or contract jobs.

5.2.4 Education and Literacy

UNESCO defines literate person as one who can with understanding both read and write a short simple statement on his(her) everyday life in any language, and an illiterate person as one who cannot with understanding both read and write a short simple statement on his (her) everyday life.

The Education attainment status of Heads of Households (HofH) affected by the project is in Table 5.8, while the literacy rate is in Table 5.9.

TABLE 5.8 EDUCATIONAL STATUS OF HofH

Lot #	Local Government Areas (LGAs)	# of Household	No Formal Education	Primary Education	Secondary Education	CoE and Polytechnic	University Degree or above
			Percent (%)				
LOT3	Ewekoro	953	2.2	7.9	45.6	22.7	21.6
	Ifo	539	3.8	15.8	35.1	24.8	20.5
	Ado-Odo/Ota	1921	2.0	17.4	48.5	15.3	16.8
	Badagry	66	1.7	15.5	22.4	20.7	39.7
	Average (%)		2.4	14.2	37.9	20.9	24.7

[Data source] EEMS Field Survey

TABLE 5.9 LITERACY RATE OF PAPS

Lot #	Local Government Areas (LGAs)	Literacy Rate (%)		
		Male	Female	Total
3	Ewekoro	98.7	88.9	97.0
	Ifo	98.4	88.5	97.2
	Ado-Odo/Ota	97.8	85.9	95.8
	Badagry	92.8	92.5	92.8
*Ogun State		98.2	88.1	93.5
*Lagos State		99.4	99.3	99.3
*Nigeria (Average)		86	79	82.6
Total PAPS		18,147	3,422	21,570
		84.1%	15.9%	100%

[Data source] EEMS Field Survey

*NBS (2016)

According available data published in July 2017 by National Bureau for Statistics (NBS) National summary for the year 2016 shows that 86 % of men are literate and 79% of women among youths. The youths literacy levels in Ogun State are 98.2% and 88.1% among men and women respectively. For Lagos State youth literacy are 99.4% (men) and 99.3% women (NBS, 2017).

5.3 ECONOMICS

The economic life of the communities revolves mainly around multiple sources of income. Some people that work in the organised private and public sectors also practice agriculture or other means of earning livelihood.

5.3.1 Occupation of Affected Heads of Household

Table 5.10 presents the general occupation of the heads of affected households. The percentages do not add up to 100, because many of them declared multiple occupation and were not sure which they can consider the major one.

TABLE 5.10 OCCUPATION IN THE PROJECT AREA

Lot #	Local Government Areas (LGAs)	Occupation of Head of Household (%)							
		Farmer	Pastoralist	Self-employed/ Business Person	Private employee	Public Employee	Trading	Hunter / Fisherman	Others
	Ewekoro	72.3	1.7	24.2	8.9	17.3	6.2	0.0	1.2
	Ifo	78.3	0.5	17.3	2.8	24.7	3.1	0.2	0.8
	Ado-Odo/Ota	81.2	2.8	19.9	4.7	18.6	3.2	0.4	0.7
	Badagry	62.3	0.4	18.4	3.3	20.7	2.9	18.3	0.2
Average		73.5	1.4	20.0	4.9	20.3	3.9	4.7	0.7

[Data source] EEMS Field Survey

NOTE: The percentages do not add up to 100, because many households earn income from more than one occupation.

5.3.2 Income and Livelihoods of Household

Income analyses presented in Table 5.11 contain proportion of affected households in each LGA that practices the vocations and other means of livelihoods in the project area. Distinction is made between occupations that generates income and those that do not. The distinction is necessary because agriculture generally in Nigeria is subsistence in nature and only excess are sold to generate income. The heads of household were asked to list all livelihood supporting activities they engage, and then mention if they generated income from them in the past one year.

The proportion of households “having practiced” is obtained by dividing the number of household that engage in the particular livelihood activity in the LGA by the total number of households in that LGA. While those that declared it as having received income from it within the past 12 months is obtained by dividing the number by the number of people that practiced that same occupation.

It is observed that most households engage in more than one job to boost income, varying work activity with the seasons, and level of acquired skills and relative size of household farmland holding.

As Table 5.11 show, farming attracts the highest proportion of the respondents up to 72.2% and 71.8% in Ifo and Ado-Odo/Ota respectively practice farming and generate substantial income from it 87.3% and 78.3%. The people of Badagry practice farming the least but practice hunting or fishing the highest.

The proportion that earn income from other sources such as Business, Pension, Money transfer from family and friends, Salary, Odd or casual work, etc are also included in table 5.11

TABLE 5.11 INCOME ANALYSIS OF HOUSEHOLDS

Activity		LOCAL GOVERNMENT AREA			
		EWEKORO	IFO	ADO-ODO/OTA	BADAGRY
Number of Households		953	539	1921	66
Cultivation Farming	Household having practiced	60.80%	72.20%	71.80%	47.10%
	Household having declared a source of income	85.30%	87.30%	78.30%	77.50%
Tree Cropping /Plantation	Household having practiced	11.50%	6.10%	9.40%	15.20%
	Household having declared a source of income	7.10%	38.10%	18.20%	23.90%
Livestock	Household having practiced	9.40%	13.80%	11.00%	3.70%
	Household having declared a source of income	65.30%	88.20%	34.50%	56.30%
Fishing or Hunting	Household having practiced	0.00%	0.20%	0.40%	18.30%
	Household having declared a source of income	10.00%	58.60%	50.20%	52.30%
Charcoal	Household having produce	2.30%	12.60%	13.30%	15.70%
	Household having declared a source of income	0.50%	50.00%	50.00%	44.40%
Fuel Wood	Household having collected	32.30%	49.20%	40.20%	40.80%
	Household having declared a source of income	30.00%	46.90%	23.40%	36.50%
	Business	24.20%	17.30%	19.90%	18.40%
	Pension	2.70%	4.10%	2.60%	3.20%
	Money transfer (family)	8.60%	13.30%	14.60%	14.30%
	Renting (land, house, etc.)	2.20%	11.80%	8.50%	7.40%
	Salary (official)	26.20%	27.50%	23.30%	24.00%
	Odd or casual contract work	23.40%	18.80%	24.80%	12.20%
	Other sources	2.70%	11.80%	14.50%	9.00%

[Data source] EEMS Field Survey

Table 5.12 show the income from all sources (see Table 5.11). The people that are living in the abject poverty line (on less than N10,00/month equivalent to less than USD 1/day) has highest proportion in Badagry LGA (19.7%), while Ewekoro has the lowest (15.7%).

TABLE 5.12 TOTAL MONTHLY INCOME OF HOUSEHOLDS

Lot #	Local Government Areas (LGAs)	Estimated Monthly Income (Percent -%)					TOTAL
		<10,000	10,001-50,000	50,000-100,000	100,001-500,000	>500,000	
	Ewekoro	15.7	34.5	24.80	14.7	10.3	100%
	Ifo	17.8	36.7	24.5	12.3	8.7	100%
	Ado-Odo/Ota	18.1	40.7	26.5	12.5	2.2	100%
	Badagry	19.7	45.8	22.9	10.8	0.8	100%
Average		17.8	39.4	24.7	12.6	5.5	100%

[Data source] EEMS Field Survey

5.4 EXISTING INFRASTRUCTURES

Educational Facilities: Field survey, information from questionnaires, and responses from respondents during FGD’s revealed the presence of over 755 primary schools, 181 secondary schools and 1 tertiary institution in the project area. In addition, Ado-Odo/Ota LGA accounts for about 35% of these schools. About 90% of these schools are privately owned with high tuition fees that many of the households cannot afford. Most of the communities in the study area, especially in Ifo, Badagry and Ewekoro LGAs only have access to government owned secondary schools. The pupils in these communities often walk distances of 3 – 4 km to bigger communities such as Atan, Badagry, Bandu and Agbara to access government owned secondary schools. Information on the educational facilities in the project area is presented in Table 5.13.

TABLE 5.13 EDUCATIONAL FACILITIES IN THE PROJECT AREA

Category	Ewekoro LGA		Ifo LGA		Ado-Odo/Ota LGA		Badagry LGA	
	Total Number	Number Connected to Power Grid	Total Number	Number Connected to Power Grid	Total Number	Number Connected to Power Grid	Total Number	Number Connected to Power Grid
Primary	133	133	33	23	505	465	84	78
Secondary	12	12	11	4	148	145	10	8
Tertiary	2	2	0	0	2	2	0	0

* N.G = National grid; Source: EEMS 2017

The manpower in virtually all the schools is inadequate with high teacher/student ratio of over 1:40. About 65% of the existing schools lack basic facilities like water supply, electricity and toilet. In addition, instruction materials are grossly inadequate. The pressure placed by the inadequate educational facilities often compel some parents with children of secondary school age to send their children to relatives and friends in bigger towns in order to access secondary school education.

As at present, only one tertiary educational institute (Shepard University) in Ajibawo community of Ado-Odo/Ota LGA is present in the project area. In addition, there is no adult literacy school in any of these communities which could have helped stem the high rate of illiteracy among adults.



Plate 5.1 A teacher (Mrs. Kayode) in Alapako



Plate 5.2 Local Government Primary School, Coker



Plate 5.3 Ifeolowa Primary School Ejo



Plate 5.4 United Primary school Ajegunle

Potable Water Supply: About 62.2% of communities in Ado-Odo/Ota LGA have access to water supply as against about 59.5% in Ewekoro, 50.6% in Ifo and 53.2% in Badagry LGA. Most of the water schemes in the area are privately owned boreholes and wells. Some communities in Ijegemo and Sowole depend almost exclusively on water sourced from rivers and streams. Information on the number of boreholes as well as protected streams in each of the project LGA is presented in Table 5.14

TABLE 5.14 NUMBER OF WATER SOURCE ACROSS THE PROJECT AREA

Category	Ewekoro LGA		Ifo LGA		Ado-Odo/Ota LGA		Badagry LGA	
	Total Number	Number Connected to national Grid	Total Number	Number Connected to national Grid	Total Number	Number Connected to national Grid	Total Number	Number Connected to national Grid
Communal	16	155	6	202	15	3269	10	510
Private	162	317			5407		819	
Protected spring (wells)	7		19		27		7	

Source: EEMS, 2017

As could be seen in Table 5.14, the number of privately owned boreholes is higher compared to communally owned ones. About 60% of the boreholes in Ado-Odo/Ota are powered from light source provided by the National grid as against 57% in Ewekoro, 59% in Ifo and 61% in Badagry. Been connected to the national grid is not enough as all the functional boreholes rely more on AC powered sources to pump water. It was also observed that 85% of the communally owned boreholes (40 boreholes) and 35.4% of the privately owned ones have obsolete pipes and fittings.



Plate 5.5 Galloons on the bank of Ijegemo stream for fetching drinking water



Plate 5.6 Borehole facility in Ekundayo

Electricity: Forty – one communities representing about 62% are linked to the national grid line for electricity supply. This information is presented in Table 5.15

TABLE 5.15 NUMBER OF COMMUNITIES IN THE LGASCONNECTED TO THE NATIONAL GRID

	Ewekoro	Ifo	Ado-Odo/Ota	Badagry
Communities connected to the N.G	1	5	25	10
Communities not connected to the N.G	1	4	20	0

Source: EEMS, 2017

The breakdown indicated that all ten communities within the RoW in Badagry LGA are connected to the national grid as against 25 (53%) within the Ado-Odo/Ota Local LGA that is connected to the national grid. In Ewekoro LGA, Ejio community is connected while Sojuolu is not connected. Five (5) of the 9 communities in Ifo LGA are connected.

Health Facilities: The health facilities in the area comprise of nine (9) Primary Health Centres (PHC) and fifty-eight (58) hospitals (Table 5.16). The grossly inadequate health facilities provide both out-patient and in-patient services. The number of health facilities presenting in each LGAs of the project area is presented in Table 5.16

TABLE 5.16 NUMBER OF HEALTH FACILITIES IN THE PROJECT AREA

	Ewekoro LGA		Ifo LGA		Ado-Odo/Ota LGA		Badagry LGA	
	Total Number	Number Connected to Power Grid	Total Number	Number Connected to Power Grid	Total Number	Number Connected to Power Grid	Total Number	Number Connected to Power Grid
PHC	2	2	0	0	3	3	4	4
Hospital	20	20	6	6	31	29	1	1

Source: EEMS, 2017

The ratio of public to private hospitals in the project area is about 3:2. All of the LGAs have PHCs, except the eight project affected communities in Ifo LGA. Interestingly, about 95% of the health facilities are connected to the national grid. Plate 5.7 is a picture of a health facility in Ajegunle community (Ado-Odo/Ota LGA)



Plate 5.7: A Primary Health Centre in Ajegunle (Ado-Odo/Ota LGA)

Source: EEMS, 2017

Household Facilities: Several facilities were surveyed to be present in the households of the project area. The household sample taken per LGA was arrived at by taking into consideration the length of the line that pass through the LGA, the number of communities affected and the population. These include power generators, televisions, cars/trucks, refrigerators, etc. (Table 5.17). Most of these facilities are meant to improve the livelihood of the households while others are income generating. Result on the survey of these facilities revealed that gas stove/kerosene, TV and radio are the most common facility among households in the project area, where almost all households have them.

TABLE 5.17 HOUSEHOLD FACILITIES

FACILITIES	Ewekoro	Ifo	Ado-Odo/Ota	Badagry
Number of Households Surveyed	638	217	309	57
Power generator	68.5%	66.7%	64.1%	63.8%
Gas stove/Kerosene	99.1%	94.0%	96.4%	96.6%
Refrigerator	85.9%	82.9%	90.0%	90.8%
Television	100.0%	94.0%	97.1%	95.7%
Radio/cassette/music system	98.7%	95.7%	98.1%	98.6%
Car/Truck	13.6%	8.5%	8.1%	8.2%
Motor Cycle	3.6%	15.4%	5.8%	9.7%
Bicycle	8.2%	21.4%	12.3%	16.9%
Plow	0.3%	0.0%	2.3%	0.0%
Cart	0.6%	0.0%	1.6%	0.5%
House in town	4.5%	5.1%	3.2%	3.4%
Land in town	0.5%	0.9%	1.9%	2.4%

Source: EEMS 2017

Transport Facilities: The project area is traversed by several roads, amongst which are:

- The Lagos – Abeokuta express way
- Sango-Idi-Iroko Road
- The Sokoto road in Egbele Village
- Ado road
- The Coker – Atan road
- Smaller feeder roads linking the major roads with the impacted communities, and
- Unpaved roads connecting small villages and settlements.



Plate 5.8: Sokoto Road



Plate 5.9: The Coker – Atan road



Plate 5.10: Gboje - Iragbo road

Plate 5.11: Erekiti road

Apart from the tarred Lagos-Abeokuta express way and the Sokoto road, the Ado road and others are either partially tarred or not tarred

Public buses, cars and motorcycles are the major means of transportation in the project area. Public motor vehicles ply roads that link the project communities to major towns such as Agbara, Atan, Ifo and Badagry while motorcycle transport is used for shorter distances and unpaved roads.

5.4.3 Housing Types

Field survey was conducted to identify quality of housing used by the PAPs. The materials used in construction surveyed and presented in Tables 5.18 to 5.20 and sample pictures in Plates 5.13 and 5.14.

House Roofing Materials: Results on the roofing materials are presented in Tables 5.18

TABLE 5.18 ROOFING MATERIALS (%)

Material	Ewekoro	Ifo	Ado-Odo/Ota	Badagry	Average (%)
Corrugated Iron Sheets	25	43	20	34	30.4
Thatch	2	21	1	9	8.2
Asbestos	39	11	36	23	27.2
Bamboo/reed	0	5	1	3	2.2
Aluminum roofing	33	17	40	29	29.7
Nil / No roof / Not completed	1	3	3	2	2.2

Source: EEMS Survey, 2017

The use of iron sheets, asbestos and aluminum accounted for about 87% of the roofing materials. The least used roofing material is bamboo and thatch, accounting for about 2.2% and 8.2% respectively.



Aluminum roofing in Bandu | Corrugated iron sheet in Olaoparun | Asbestos in Igbele

Plate 5.12: Roofing materials for household dwellings

House Walling Materials: Results of household walling materials are presented in Table 5.19.

TABLE 5.19 WALLING MATERIALS OF HOUSES IN THE PROJECT AREA

	Ewekoro	Ifo	Ado-Odo/Ota	Badagry	Average (%)
Mud	2	9	5	7	5.7
Mud bricks	13	20	12	16	15.2
Wood	3	5	3	6	4.2
thatch	0	15	4	5	6
Compacted (combine)	1	1	1	1	1
Concrete (blocks)	75	50	70	60	56
Others	6	2	5	5	4.5

Source: EEMS Survey 2017

On the average, the use of bricks as walling materials is predominant. However, the use of mud bricks is most pronounced among communities in Ifo and Badagry LGAs. It was also observed that walling materials for a house could be mud, bricks and woods. Also, some houses are walled exclusively of bamboo, tarpaulin and zinc.



Zinc in Alapako



Mud in Olowo



concrete in Berese

Plate 5.13: Walling Materials for Household Dwellings

House Flooring Material: Table 5.20 is the results of flooring material from the study.

TABLE 5.20 FLOORING MATERIALS OF HOUSES IN THE PROJECT AREA

Material type	Ewekoro	Ifo	Ado-Odo/Ota	Badagry	Average (%)
Earth/sand/dirt/straw	7	23	12	18	15
Smoothed mud	2	19	3	15	9.8
Smooth cement	63	35	59	42	49.8
Wood/planks	3	8	5	8	6
Ceramic tiles	25	15	21	17	19.5

EEMS Survey 2017

Five flooring materials were observed to be in use. While smooth cement (49.8%), ceramic tiles (19.5%) and sand (15%) are the most used flooring materials across all the communities and LGAs,

the use of woods/planks and smoothen mud were observed more among households in Ifo and Badagry LGAs.

CHAPTER 6

6.0 IMPACT OF THE LINES AND THE SUBSTATIONS

This section presents a summary description of the project's impacts on the human population. Potential environmental and impacts are described in the ESIA report of the project. Social and economic impacts of resettlement will be detailed in the present chapter. These impacts were assessed using data collected from field surveys, relevant documents and consultations with various stakeholders and PAPs.

6.1 General

The Lot 3 of the project require the construction 87.5km of electricity transmission lines, consisting of 29.6km of a 330 kV line from Ejio to Ajegunle and 57.9km of 132kV from Ajegunle to Agbara and Ajegunle to Badagry as described in Section 2.4 and Table 2.1. However, multi-circuit tower will be utilised for the 132kV line from Ajegunle to Iberese Village (6.2km), before the two lines move in separate directions to Agbara and Badagry respectively. It also includes new substations at Ejio, Ajegunle and Badagry and expansion of the existing Agbara substation.

The construction, operations and maintenance activities of the ROW and transmission line will involve periodic access to the structures.

For the project affected households and communities, negative impacts occurring during the construction phase include:

- Dust, noise and exhaust gas emissions;
- Soil erosion and properties of affected land;
- Loss of arable land and crop damaged as a result of clearing the ROW of trees for mitigation measures and for temporary access, work areas and work camps;
- Degradation of water and soil quality resulting from an accidental spill of hydrocarbons and other material as well as disturbance and displacement of wildlife, which could be accentuated by poor waste management practices. The spill could occur from machinery and vehicles, in workplaces and in work camps;
- Disturbance and displacement of wildlife due to noise generated vehicular movement or from construction and maintenance activities;
- Conflicts or grievance related to resettlement of affected households;
- Potential perturbation of communities or households associated to the arrival of workers and conflict over the distribution of jobs and other economic activities related to line construction.

The main long-term impacts, at the tower and substation location, and clearance of the ROW are:

- Permanent loss of crop areas and tree plantation in the ROW;
- Prohibition of constructing any structure (houses, shed, etc.) in the ROW;

- Potential perturbation of communities or households associated with the arrival of workers and conflict over the distribution of jobs and other economic activities related to maintenance of ROW.

6.2 IMPACTS ON HOUSES, SECONDARY AND OTHER STRUCTURES

Structures affected by the project are mainly residential houses with few commercial structures and no community structures.

6.2.1 Houses

Residential structures affected by the project are 1,251 (324 are occupied) which will be removed from the line ROW and the substation sites. The owners of these structures will be compensated to reconstruct their houses, elsewhere. However, this relocation will result in loss of time, income and disruption of the organization for the daily life of affected households. It would need to and these have been mitigated. There also 340 households with undeveloped residential land. Only 324 of these structures are occupied with total population of 1592, and these are the people that will be physically displaced. 860 structures are either uncopied/uncompleted and will be affected only economically.

As indicated previously (see chapter 4), the consultations carried out as part of this preliminary assessment showed that many affected households are concerned about not receiving adequate and timely compensation for resettlement and loss of crops, trees or land. An adequate and timely compensation would therefore be given, and new houses of displaced households would be built before the beginning of construction or any other activities capable of disrupting the PAPs. Where properly managed, the envisaged impacts will therefore be minimal.

6.2.2 Commercial Structures

Within the ROW, there are 30 commercial structures that will be affected by the project. Over 90% of them are small shops, a hotel, one private clinic and one block of class room in a school. Only 5 out of the commercial structures are tenements.

6.2.3 Community Structures and Site

There 16 other types of structures, -one private hospital and 14 shrines that will be relocated. The owners have agreed to relocate them, but the project will provide compensation.

6.3 AGRICULTURAL LAND AND TREES

The number of affected households that own both land and crops are 1,271, which 1,966 cultivate other people's land, including those that have economic trees. There a total 29,281 trees that would be affected.

6.4 CUMULATIVE IMPACTS

6.4.1 Other Projects in the Area

The following proposed and existing projects within 10 square km radius are expected to exert cumulative impacts. They are

- Proposed 330kV Nigeria-Benin Transmission Line

- Ewekoro cement Plant Line 1- An operating 1.3million tonnes per annum clinker cement plant
- Ewekoro cement Plant Line 2–An Operating 2.7 million tonnes per annum clinker cement plant
- Abeokuta Independent Power Project (Energy Culture)- A 147 megawatt gas powered power plant with a 500m transmission line
- Olorunsogo Gas Fired Power Plants Phase I and II (333MW open cycle and 750MW- combined cycle respectively)
- 132kv transmission line – An existing transmission line linking Ota to Abeokuta.
- 330kv transmission line – An existing transmission line linking Olorunsogo Power Plant to Ikeja West
- 330kV single circuit linking Osogbo to Ikeja West
- 132 kV line from Ikeja West to Agbara and to Ojo

6.3.2 Description of Cumulative Impacts

Resettlement Impacts: there is no information about the resettlement impacts of the existing projects in the area, because they were completed long time ago, and records could not be obtained. However, the proposed 330Kv Nigeria-Benin transmission line from Ajegunle to Benin Republic, will have similar effects on the people, particularly Ajegunle.

Air Quality and Noise: Given the findings of impact assessment and distance of the Ewekoro cement plant (line 1 and 2) from the project area, it appears unlikely that the cumulative impact on noise and air quality will not be significant. Also, the cumulative impact of Olorunsogo Power Plant Phase I & II from the project area will be localized to immediate environment.

Traffic: The construction phase will require large amounts of material and equipment to be transported to the Project site. It is expected that the Abeokuta IPP and ongoing construction of railway line project will use similar transport routes (Lagos – Abeokuta express way) which will place pressure on the local road network especially during the construction phases of the projects.

Given the foregoing, there is increased potential for accidents and disruption to the road traffic network for local users associated with the increase in traffic movements from overlapping construction traffic. It is expected that the traffic management plan to be developed for the project will consider other traffic movements associated with the development of the project in view which will help to mitigate this impact. However, in overall consideration, this impact is considered to be **moderate** due to the high likelihood of accidents occurring.

Economy, Employment and Skills: The operation of the various considered projects earlier outlined is proposed to occur simultaneously with the project in view. As such, the economic, employment and skills development opportunities will be greater for all the projects combined than a single project.

It should be noted that expectations regarding economic development, employment and skills development will be high amongst stakeholders in the local community and as such, in the event that one project does not meet expectations, there is the potential for all projects within the area to be the target of this negative outcome.

Based on the above, the cumulative impacts of the various proposed industrial projects on the economy, employment opportunities and skills development within the communities is expected to be positive.

6.4 ECONOMIC IMPACT OF CONSTRUCTION AND MAINTENANCE

There will be no significant adverse impacts on local and regional economy during the line construction even though temporary unskilled jobs may be available for few people in the communities. The impacts to the villages and communities located along the line will be relatively small due to the limited duration of the project, to population resettlement along the corridor and the limited number of workers involved

Moreover, livelihoods of the affected households may be affected with the acquisition of their lands. Appropriate compensation will be provided to replace economic loss. This risk is quite low since firstly, despite the land use density, it is possible to find alternative plots including through family and village solidarity. About 3000 families will lose a piece of cropland or house. These will be compensated adequately. In this context, the risk of loss will be greatly reduced.

The most important economic benefit generated by the project is the improved availability and reliability of electricity supply to Lagos and Ogun States. This can increase access to electricity, which can improve economic activities and add convenience to people's lives. The project could also generate jobs for the operation and maintenance of the power lines and substations.

Improving the availability and reliability of energy in the region will include improving the storage and processing of agricultural products, increasing market value and / or extending their shelf life. The storage inside a refrigerator can keep dairy products, fruits and vegetables that can subsequently be sold or consumed during the following days. These improvements may add value to agricultural products and in the long term, generate better income for farmers.

Overall, the project will bring positive impacts to the local economy and livelihoods of people both directly (new employment) or indirectly (increased access to reliable electricity).

6.5 IMPACTS ON GENDER

Project impacts on women will primarily be felt during the construction phase. They are related to the fact that women are primarily responsible for field work and crops' production.

Only 552 of the affected households are headed or represented by women (15.9%). The project is likely to increase the vulnerability of women, since consultations in the project area have shown that, in general, women do not own land although the land law is such that the land belongs to the family. This makes women's situation unfavorable since men control resources such as land and other important assets.

Due to limited ownership and access to resources, women play a very minor role in the decision-making process. This situation increases the risk for women, as many examples show that men may tend to use compensation for purposes other than those for which they are dedicated (reconstruction, acquisition of land, amounts allocated to the compensation) to leave their families. This is why it is important to make compensations in kind (i.e. land for land and house for house)

rather than a cash compensation or to put in some control and information mechanisms to reduce those risks (see chapter 8 for details).

6.6 IMPACTS ON VULNERABLE GROUPS

As mentioned previously, women that are heads in about 16% of the impacted households. There are no head of households younger than 18 years old. Specific mitigation measures, such as prioritizing local people and businesses for job opportunities and procurement, participation of able members of these households to work on their land (cutting, trees, reconstruction, etc.), leaving them the use of cut trees, salvage material from displaced houses or other structures (houses, shelter, etc.), could help these economically vulnerable households increase their revenues. Measures to ensure the realisation of this is included in the EPC contract special conditions (Appendix A of the ESMP).

Administrative burden of compensation procedures should be reduced to minimal especially for the vulnerable households giving them timely information, enhanced access that reduces their strain in the compensation process and ultimately minimize incidental costs to them.

6.7 IMPACT ON MINORITY/ INDIGENOUS GROUPS

There are no groups that could be described as indigenous or minority in the area.

CHAPTER SEVEN

7.0 VALUATION AND COMPENSATION

7.1 INTRODUCTION

Valuation of assets and other forms of losses occasioned by the project was conducted by qualified Estate Surveyors and Valuers to ascertain individuals whose properties or livelihoods will be directly or indirectly affected by the project activities.

A general principle adopted in the formulation of the compensation valuation is that lost income and assets were valued at their full replacement cost such that the project affected populations should experience no net loss. This is in accordance with World Bank Operational Policy on involuntary resettlement -OP 4.12 as well as the Nigerian Land Use Act discussed under Section 3.2.2.

In line with the above principle, an all-encompassing survey and valuation of the assets and loss of income by the Project-Affected Persons (PAPs) was conducted.

7.2 ELIGIBILITY CRITERIA

The World Bank Resettlement Policy/Guidelines require compensation for the lost assets and replacement costs to both titled and non-titled landholders and resettlement assistance for lost income and livelihoods.

In this project, the absence of formal titles will not constitute a barrier to resettlement assistance and rehabilitation. Furthermore, the principles adopted herein contain special measures and assistance for vulnerable affected persons, such as female-headed households, physically challenged persons, and the poor.

The social impact of the project on the affected persons shall be minimized by using the following measures.

- Economic Rehabilitation
- Asset Based Compensation
- Cash Compensation
- Mitigating Risks of Impoverishment
- Consultation with Affected Populations, and
- Grievance Redress Mechanisms

7.2.1 Notification

Prior to the conduct of surveys and administration of study questionnaires, the PAPs were officially notified of the enumeration exercise through a letter addressed to each village head and customary chiefs. Furthermore, the RAP team engaged all stakeholders in several consultation meetings held in each affected community. These public consultations served as avenue to educate them on the purpose of the project and the possible associated impacts and their respective rights.

The traditional rulers, youth associations, market associations, NGOs and other stakeholders along the corridor of the planned ROW have been identified as veritable partners in this project and adequate consultation has been carried out prior to the implementation of the RAP Study.

In the course of administering questionnaire and census, useful interactions between the field staff and the PAPs revealed their disposition to the project and PAPs willingness to support TCN in achieving the project.

All parties mentioned in this RAP report were adequately notified before the commencement of surveys, and will be engaged for the payment of compensation, resettlement activities and disbursement of project assistance planned by TCN.

7.2.2 Value of Land

The land use Act does not provide for compensation for land, only for assets and improvements. However, World Bank OP 4.12 provides for land replacement, asset replacement as well as restoration of livelihoods. Therefore, there is no justification to make presentation on the value for lands which the PAPs currently occupy under the laws of Nigeria. Nevertheless, going by the principles of payment of compensation adequate enough and in such a way that PAPs are not left poorer or impoverished because of the project, TCN will give adequate assistance to the PAPs to enable them obtain another land to relocate the affected assets to as well for restoration of livelihoods.

7.3 ENTITLEMENT MATRIX FOR RESETTLEMENT ACTIVITIES

This provides a framework for entitlement for each category of impacts of the project. To determine the eligible person for compensation the Land Use Act and the Criteria set by the World Bank contained in OP 4.12 of the WB Operational Manual were both considered, and the more stringent applied (See Table 7.1 and 7.2).

TABLE 7.1 NIGERIAN LAND USE ACT VS WORLD BANK/IFC

Category	Nigerian Land Use Act	World Bank/IFC	What was Applied
Land Owners	Cash compensation based upon market value	Recommends land-for-land compensation, or cash compensation at replacement cost.	Cash compensation at replacement cost for households. Land for land for community land
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.	Entitled to compensation based on the amount of rights they hold upon land.
Land Users	Not entitled to compensation for land; entitled for compensation for crops	Entitled for compensation for crops and be entitled for land replacement and income loss compensation for minimal of the pre-project level.	Entitled for compensation for crops, assistance to obtain replacement and income loss compensation for a period
Owners of	Cash compensation based	Entitled to in-kind	Cash compensation based

Category	Nigerian Land Use Act	World Bank/IFC	What was Applied
Non-permanent Buildings	on prevailing market value	compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.	on prevailing market value, 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.	Cash compensation based on prevailing market value, relocation expenses, legal and other transaction charges, prior to displacement.

The RAP for the project is aligned with the World Bank Operational Policy (OP 4.12) which indicates best practices to restoration 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 more stringent requirement will apply. This is to ensure compliance with the OP 4.12 without going against the Land Use Act.

The principles adopted thus forms the basis for establishing eligibility and makes for the provision for all types of losses (land, structures, business / employment, and work day wages). All affected persons shall be compensated at full replacement costs.

TABLE 7.2 ENTITLEMENT MATRIX

Item	Type of loss	Entitled Persons	Entitlements	Responsibility
A. LAND				
A1	Loss of residential and commercial land	Private landowner with title deed or similar ownership document, and customary recognized in the community	<ul style="list-style-type: none"> • Land relocation assistance for land (cash compensation) will be at market value based on the market survey results conducted by TCN. • Livelihood restoration (assistance and training):G1 • Special assistance, if applicable: H1 	TCN/PIU
A2	Loss of residential and commercial land	Land user of public owned land	<ul style="list-style-type: none"> • No compensation for land • Livelihood restoration (assistance and training): G1 • Special assistance, if applicable: H1 	TCN/PIU
A3	Loss of agricultural land	Landowner and land user with legal title	<ul style="list-style-type: none"> • Land relocation assistance for land (cash compensation). • Cash compensation for loss of crops and trees during the construction stage at the market value of crops based on the harmonized compensation rate in South-west area in Nigeria: C1 • Livelihood restoration (assistance and training): G2 • Special assistance, if applicable: H1 	TCN/PIU
A4	Loss of agricultural land	Landowner and land user without legal title	<ul style="list-style-type: none"> • No compensation for land. • Cash compensation for loss of crops and trees during the construction stage at the market value of crops based on the harmonized compensation rate in South-west area in Nigeria: C1 • Livelihood restoration (assistance and training): G2 • Special assistance, if applicable: H1 	TCN/PIU
B. STRUCTURES				
B1	Loss of structure	Owner of structure	<ul style="list-style-type: none"> • Cash compensation will be paid at the replacement cost and associated in-direct cost (e.g. registration tax, etc.) evaluated by TCN. • Shifting allowance: F1 • Special assistance, if applicable: H1 	TCN/PIU
B2	Loss of rental Structure	Person renting in a residential or commercial structure with rental agreement or receipt of payment	<ul style="list-style-type: none"> • No compensation for structure • Shifting allowance: F1 • Special assistance, if applicable: H1 	TCN/PIU

Item	Type of loss	Entitled Persons	Entitlements	Responsibility
B3	Loss of rental Structure	Owner of structure	<ul style="list-style-type: none"> Cash compensation will be paid at the replacement cost and associated in-direct cost (e.g. registration tax, etc.) evaluated by TCN. 	TCN/PIU
C. CROPS AND TREES				
C1	Loss of crops and tress	Owner Farmer	<ul style="list-style-type: none"> Cash compensation for loss of crops and trees during the construction stage will be paid at the market value of crops based on the harmonized compensation rate in South-west area in Nigeria 	TCN/PIU
D. OTHER PRIVATE PROPERTIES OR SECONDARY STRUCTURES				
D1	Other property or secondary structure (i.e. shed, outdoor latrine, rice store, animal barn etc.)	Owners of structures (regardless if the land is owned or not)	<ul style="list-style-type: none"> Cash compensation will be paid at the replacement cost and associated in-direct cost (e.g. registration tax, etc.) evaluated by TCN. 	TCN/PIU
E. LOSS OF INCOME				
E1	Job loss due to relocation of business to another area or business operator decides not to re-establish	Business owner	<ul style="list-style-type: none"> 1 month income assistance Shifting allowance : F1 Livelihood restoration (assistance and training):G1 	TCN/PIU
F. REHABILITATION ASSISTANCE				
F1	Loss of residential/commercial structures	Relocating APs/ APs reorganizing or rebuilding on same plot	<ul style="list-style-type: none"> Moving cost will be paid for assistance at the value evaluated by TCN based on the quantity and size of items need to be moved. 	TCN/PIU
G. LIVELIHOOD RESTORATION (ASSISTANCE & TRAINING to PAPs)				
G1	Effects on livelihood	All affected commercial owners/operators of businesses/ workers of businesses /	<ul style="list-style-type: none"> Professional assistance and advice to reestablish and develop the business Vocational or skilled training for business owners or their family members Priority is given for PAPs for the position of construction workers 	TCN/PIU TCN/PIU and contractor TCN/PIU and contractor
G2	Effects on livelihood	All affected owners/operators in agricultural land	<ul style="list-style-type: none"> For farmers who have remaining land or farmers who cultivate on new lands will be assisted to increase productivity (i.e. increasing cropping intensity, use of high yielding seeds, diversification and introduction of new seeds or crops etc) and assistance to access existing subsidies. 	TCN/PIU and retained NGO TCN/PIU and

Item	Type of loss	Entitled Persons	Entitlements	Responsibility
			<ul style="list-style-type: none"> Introducing new livelihood opportunities for farmers or their family members, such as priority for APs for project related employment opportunities during construction period. Priority is given for PAPs for the position of construction workers Vocational or skilled training for farmers or their family members 	EPC contractor TCN/PIU and EPC contractor
H. SPECIAL ASSISTANCE				
H1	Effects on vulnerable APs	Vulnerable APs including the female - headed households, elderly people and differently able.	<ul style="list-style-type: none"> 300 Naira x 30 days per person of special grant for AP household to improve living standards of vulnerable APs (such as linking to national poverty reduction programs conducted by various government institutions) and assistance to in finding suitable land for relocation and shifting. All women that are part of the resettled households will be informed of the compensation benefits offered to them specifically. Special help will be given such as opening a bank account, budget management, etc. 	TCN/PIU
I. COMMUNITY ASSETS				
I1	Loss of buildings and other structures (schools, shrine, temples, clinics, common wells etc.), infrastructure (local roads, footpaths, bridges, irrigation, water points etc.), common resources	Divisional Secretary of the division, local community or local authority owning or benefiting from community property, infrastructure or resources	<ul style="list-style-type: none"> For shrine, amount of compensation will be calculated by TCN with consultation with PAPs based on replacement cost considering size, equipped item, traditional rites For public assets including well, rebuild a new structure (Not money compensation) 	TCN/PIU
J. UNANTICIPATED RESETTLEMENT				
J1	Any unanticipated adverse impact due to project intervention	Any unanticipated consequence of the project will be documented and mitigated based on the spirit of the principles agreed upon in this policy framework.		

7.4 CUT-OFF DATE

A rigorous census and inventory of affected assets and property were conducted. Notice of entry was served on the communities as mentioned in Section 7.2.1. This was to notify them about the crops/property enumeration and valuation of assets within the right-of-way (RoW) of the proposed project's line routes and substation sites for the purposes of compensation/ resettlement. The notification also included the dates for census of PAPs and property enumeration in the communities. The date of commencement of the enumeration established the cut-off-date, which was 12th January 2018. Therefore, any improvements made by PAPs on their parcel or on structures shall not be eligible for compensation.

The enumeration was conducted from 12th January to 13th February 2018. After the line route was optimised based on the results of the ESIA study as well as the initial RAP survey, additional surveys scheduled to cover areas where the line route changed, and report updated accordingly.

7.5 PROOF OF ELIGIBILITY

Various forms of evidence as proof of eligibility was considered and they cover the following:

- PAP with formal legal rights, documented in the form of land title registration certificates (certificate of occupancy or right of occupancy), 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.
- PAP with no formal or recognized legal rights-criteria for establishing non-formal, undocumented or unrecognized claims to eligibility shall be established paying attention to each situation and its peculiarities. Alternative means of proof of eligibility will include;
- Affidavit signed by landlords and tenants;
- Witnessing or evidence by recognized traditional authority, customary heads, community elders, family heads and elders and the general community.

However only PAPs enumerated during the baseline survey shall be eligible for either the compensation or resettlement. 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 resettlement.

7.6 BASIS FOR VALUATION OF LOSSES AND BUDGETS

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 land to be used for the construction of the project is owned by the individuals and communities located in the project area. It is noteworthy that both public consultation with the stakeholders, project communities and the census showed that the affected communities accept the project as a means for development.

Therefore, Project-Affected Persons (PAPs) are mainly those whose structures' (residential houses), economic trees and farm/agricultural crops will be displaced. As a result of the predominantly rural nature of the project area in Badagry (Lagos State) and predominantly urban areas in most areas of Ogun State, the project's development has serious impact on businesses, houses or means of livelihoods of the people.

The Harmonised Compensation Rate for South-West approved by the National Technical Forum on Land Administration (NTDF) was used as a basis for the computations.

As a result, Project-Affected Persons (PAPs) would be entitled to the following types of compensation and rehabilitation measures.

7.6.1 PAPs Losing Structures

The mechanism for compensating loss of residential structures will be:

a) PAPs with legal rights of land use:

- The cash compensation reflecting full replacement cost of the structures without depreciation or deduction for salvaged materials.
- The provision of replacement residential land (house site and garden) of equivalent size, satisfactory to the PAPs or in cash at the replacement cost.
- 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 Six 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 proponent 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.

b). PAPs without legal rights of land use.

- The Land Use Act 1978 did not make provision for their compensation. However, going by the World Bank OP 4.12, 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.

c). In cases where community infrastructure such as schools, dispensaries, Mosques, Churches, Palaces, Hospital, Town Halls, Police Posts, abattoirs, water sources, roads are damaged, TCN will ensure that these are restored or repaired as the case may be, at no cost to the community.

d) In case commercial structures, sections a) and b) is applied in addition to the following allowances:

- business loss due to relocation, calculated based on the amount earnings lost during movement
- job losses to employees that may lose their jobs, due to relocation of business.
- Business premises registration cost (if required at new location).

7.6.2 PAPs Losing Agricultural Land and Crops

The mechanism for compensating loss of farm land includes:

- ✓ The provision of assistance to obtain alternative site of equal size within the same community;
- ✓ Cash compensation for lost of crops and/or economic tree at full market price of estimated produce. This is arrived at by employing the appropriate valuation methodology over the types of crops or acreage covered 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.

7.6.3 Compensation for Trees

Some of the households in the project area (along with the transmission route) have fruit trees. These trees will have to be cut and cannot be replanted in the area of the line. This will be a permanent loss over the years. Evaluation of the numbers of trees for each family has been done on the basis of the investigation results. These trees will be compensated

7.6.4 Access Roads and Workers Camps

The allowance required for workers to access roads to account for the damages or temporary impacts on land for which the owners must be compensated, shall be included in the EPC contract.

CHAPTER EIGHT

8.0 INCOME AND LIVELIHOOD RESTORATION STRATEGIES

The Transmission Company of Nigeria (TCN) is encouraged to use the guidelines below and involve the affected communities, local leaders, NGOs and other stakeholders to gather opinions in order to assess livelihood restoration procedures.

The World Bank (WB)'s OP, 4.12 paragraph (6c), states the following:

“Displaced persons should be offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and provided with development assistance, such as land preparation, credit facilities, training, in addition to the compensation they receive.”

Additionally, WB OP 4.12, paragraph (2c), requires that displaced individuals be given assistance for their efforts to improve their living standards or to at least restore them to the highest standard between pre-displacement or standards prevailing prior to the beginning of the project implementation.

In an effort to define income and develop livelihood restoration strategies, TCN would involve participation for purposes of fostering ownership at an early stage. Assistance will be especially critical to the individual that is to be relocated far away, due to reconstruction costs that may be otherwise avoided.

It is recommended that TCN hire a consultant or partner with an NGO to coordinate the restoration programme.

8.1 COMMUNITIES WITHIN THE TRANSMISSION LINE'S ROW

As discussed in chapter 7 of this report, it is recommended to inform the PAPs of the project at least 3 months before the start of the construction.

In all cases, PAPs shall be advised to construct new structures at locations near the previous ones within the affected community to reduce disruption of community life, established spatial organization and services.

Also worthy of mentioning is the fact that many communities along the ROW have experienced workers that can be hired during the construction phase. Local experienced workers and entrepreneurs with necessary experience and capacity should be given priority work opportunities, if applicable. Also, as suggested through consultations, the general contractor should liaise with village chiefs to maximise local hiring as well as the purchase of relevant local materials and services.

8.2 INCOME RESTORATION AND IMPROVEMENT

Different restoration packages will be required for each of the various categories of PAPs and will depend on the type and magnitude of loss suffered, the vulnerability level of the PAPs' household,

the indicated preferences associated to their family characteristics and other relevant circumstances.

8.2.1 Land base

As stated in chapter 7 of this report, the households that will lose a piece of land will receive sufficient compensation to be able to buy a new land, off-set loss of crops and rehabilitate the land to similar production level.

Further investigations paired with experience on similar projects indicate that in most cases it would be difficult and cumbersome for the TCN to find and propose replacement land for different reasons (risk of speculation, administrative burden, PAP lack of trust, etc.). It is thus preferable to pay cash compensation to the PAPs to provide them with an opportunity to purchase new land and condition it themselves and continue farming.

However, to limit impoverishment risk, adequate compensation level and implementation conditions are essential. The conditions discussed in chapters 7, 9 and 10 needs to be given to PAPs and are summarized below:

- Sufficient time to find and evaluate their option and possible replacement land and organize the resettlement;
- Support for all legal aspects of the transaction;
- All “transaction costs” such as registration fees, transfer taxes, or customary tributes are to be compensated;
- Adequate control of PAPs’ use of compensations by project authorities through different mechanisms like progressive verification of land purchase would be taken.

PAPs whose crops are to be negatively impacted by the project would be provided seedlings and seeds for their gardens and crops on their replacement land.

Furthermore, compensation would cover cost of improvement (fertilized, tilled, weeded, fenced, etc.) to reach the productive condition of the original plot. Affected households will be paid by the project to do this work as much as possible, by themselves.

Additionally, technical assistance will be provided for at least a two-year period to help the impacted households improve their situation. As discussed in chapter 9 Project Implementation Unit is encouraged to engage the services of an experienced Agronomist who will also ensure coordination with governmental agricultural departments for the coordination and efficiency of the work. This specialist will assess concerns, needs and the most relevant aspects of livelihood improvement with PAPs and local administration as well as it will propose improvement and support activities.

This help could include the following:

- Practical training courses on improved agricultural techniques;
- Improved crop varieties;
- Fertilization;
- Small scale irrigation;
- Animal traction and related equipment;

- Post-harvest grain conservation;
- Agroforestry, other relevant techniques.

8.2.2 Trees

Trees will be destroyed during the construction of the transmission line since no trees taller than 4 meters are being kept in the wayleave. Compensation to households will be allocated according to the prescribed rates up to replace these trees. The PIU specialist will help the affected households to plant trees to restore their source of income and livelihoods.

8.2.3 Structures

In a limited number of cases, houses and other structures that are located in the wayleave will have to be displaced. In that case and during the survey campaign, the PAPs indicated that with adequate compensation they would not have problem obtaining an available land to relocate their houses to.

Those buildings would therefore be rebuilt on new land where the risk of spatial disruption of household activities is the lowest. All necessary steps will be taken by the TCN and the PIU or consultants in charge of compensation to make sure that the PAPs find a suitable land for reconstruction and enough time for reconstruction and proper compensation is paid. Reconstruction is to be done on parcels adjacent to the piece of land being displaced, where possible.

Each of these household will receive additional compensation to cover the following expenses:

- A moving allocation to pay for moving their goods and belongings;
- An income support for of the household to mitigate the inconvenience and time constraints related to the resettlement.
- Cost land administration, taxes and other charges associated with land acquisition.

8.2.4 Vulnerable Groups

A special focus must be given to the livelihood improvement of vulnerable groups prior to the construction of the project. Vulnerable groups include low income families, women, child (under 18 years heading a household) or handicap headed households.

Vulnerable households will be consulted at the onset of the operation to evaluate their concerns and needs. Special help that could be provided include, among others:

- Support to open bank account;
- Help for administrative transactions (land titling);
- Relocation logistics and other support for the physically resettled households such as :
 - Transport assistance;
 - Reconstruction advice (on materials, type of structures, etc.) to ensure the quality of construction;
- Psychological support (information, counseling, discussion);
- Special transitional funds specific to vulnerable households.

Members of affected households should also benefit from the proposed training programs. Household members within vulnerable households are to be given priority for the allocation of project related employment and other benefits.

Given the current place of females in rural communities, when cash compensations is the only acceptable option, the following possible mitigation measures would also be examined and implemented when feasible:

- Awareness programs on issues directed towards authorities, local administrators and communities;
- Assistance of the PIU to inform and assist vulnerable people and groups;
- Seeking full consent of females in the households and explaining to them the proposed compensation options;
- Payment of large amounts of cash compensation (larger than N 200,000) through carefully distributed instalments (it can be over several months) to mitigate the potential for cash misuse;
- Careful monitoring.

8.2.5 Non-Financial Components

EMPLOYMENT AND OTHER BENEFITS

Priority would be given to all able-bodied members of resettled households during the labour recruitment process. This applies to the following employment and contract opportunities: clearing of the corridor; portage for movement of construction materials to transmission pylon development and other sites, construction of access roads and construction camps, reconstruction of community buildings and houses, provision of services and goods to the workers; administration of the compensation program, monitoring activities, etc.

Furthermore, all the affected households and communities should be given all the wood that is cut on their parcel for their own use or sale. The materials salvaged from the affected structures should also be left to the affected households and communities.

All goods and services (sand, cement, food, etc.) should be bought locally when possible. This applies to all contractors and specific provisions to that effect must be included in the construction Terms of Reference.

CHAPTER NINE

9.0 INSTITUTIONAL ARRANGEMENTS FOR RAP IMPLEMENTATION

9.1 ACTORS INVOLVED AND ORGANISATIONAL STRUCTURE

This section highlights relevant institutions through which the planning and implementation of the RAP for the project will be conducted. A number of institutions were identified and consulted and will be involved in the overall implementation of this RAP.

These include:

- The Federal Government of Nigeria (FGN);
- Federal Ministry of Power, Works and Housing (FMPW&H);
- Transmission Company of Nigeria (TCN);
- Federal Ministry of Environment;
- Lagos and Ogun State Government responsible for;
 - Lands administration;
 - Physical Planning,
 - Agriculture
 - Women and Social Services
- Affected Local Government Authority (LGA):
- The Customary Chiefdoms, District Council and Village Chiefs.

9.2 PROCEDURES AND RESPONSIBILITIES

The responsibilities and roles of each of the institutions are discussed in Chapter 3 of this report. However, in addition to the described roles, we recommend to the PIU the establishment of Local Resettlement Committee (LRC) and the hiring of Compensation and Resettlement Manager (CRM) who shall be an independent consultant, as described in Section 9.4.

9.3 STEPS TO REGISTER ROW AS PUBLIC UTILITY

The different steps that need to be followed to register the ROW as a public utility are the following.

1. FMEnv will review the ESIA/ESMP reports, the comments from review will be addressed in the final version of the ESIA and ESMP report. The FMEnv will then issue approval of the ESIA, for the project to commence.
2. In line with the Land Use Act, TCN will then serve notice of intention to the Executive Governor of Lagos/Ogun State through the Commissioner for Lands and Survey. Attached to

this notice, the authorities will find the project descriptions including what the land will be used for, technical description, line route survey report, maps and coordinates, etc.).

3. Upon approval by State government, the state government through the Lands Bureau gazettes and issues notice for acquisition and revocation of all statutory grants falling within the right of way.
 - a) Notice should show exact extent of land required and published appropriately
 - b) Notice shall give a minimum of 6 weeks prior to yielding of possession
 - c) Notice shall give or reserve rights of affected persons to enter (and their agents) for purposes of inspection/determination of their acquired interests.
 - d) Notice must state an effective date for the acquisition.
4. TCN publish list of claims/Undertake verification /Resolve grievances
5. TCN proceed to Resettlement/Payment of compensation /Receive /Compile indemnity data
6. TCN take over the ROW
7. TCN register the acquisition with relevant Deeds Registry

9.4 INSTITUTIONAL ARRANGEMENT

Responsibilities in the implementation and monitoring of the ESMP and RAP are shared between multiple stakeholders, including the funding agencies, competent ministries, departmental authorities and TCN.

In order to encourage the coordination of decisions as well as application of the various measures in an appropriate way, TCN should consider the possibility of hiring a Compensation and Resettlement Manager (CRM). Furthermore, as discussed, a LRC should be put in place and a witness NGO should be invited to participate to the process.

The figure below illustrates the functioning of such institutional arrangement.

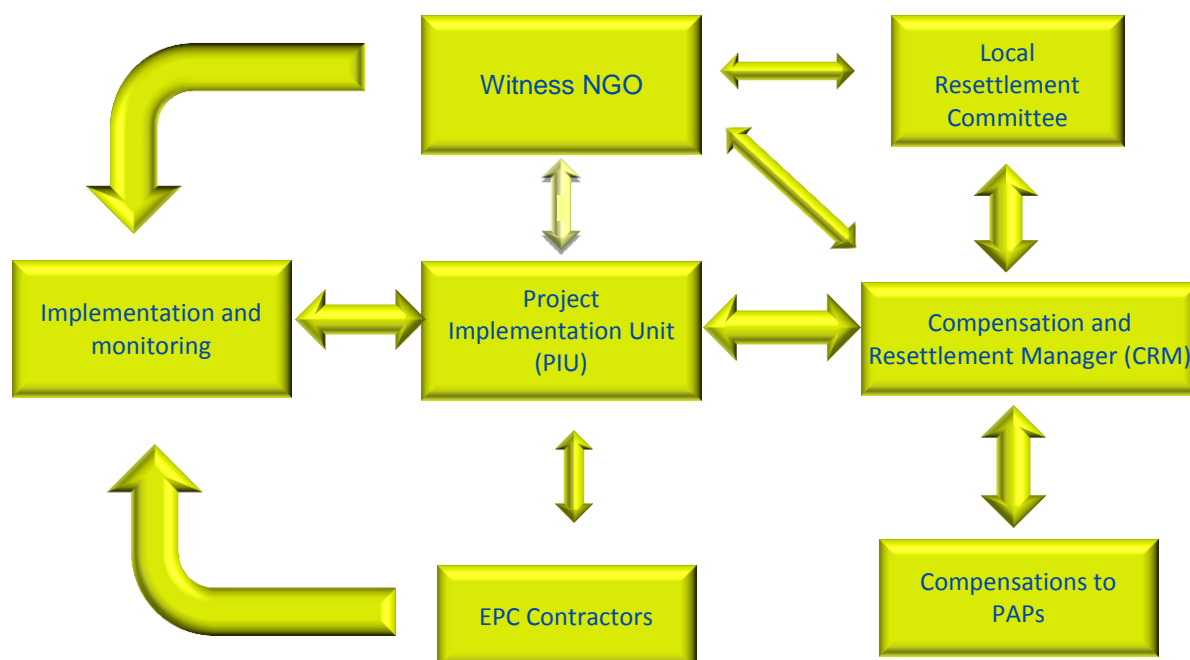


Figure 9.1 Institutional Arrangements for RAP Implementation

9.4.1 Project Implementation Unit (PIU)

Responsibility for the good implementation of the RAP lies with TCN through the PIU. It is thus its responsibility to insure the hiring of Compensation and Resettlement Manager (CRM), the witness NGO, and establishing the Local Resettlement Committee (LRC).

This structure will take care of the implementation of the RAP, including the monitoring activities and implementation.

9.4.2 Compensation and Resettlement Manager (CRM) -Implementation Consultants

The CRM should be an independent consultant with good experience in RAP Implementation and knowledgeable about the project area, with the following responsibilities:

- Prepare compensation and resettlement plan;
- Provision of information on compensation and resettlement activities and consultation with the PAPs;
- Ensure proper information and participation of PAPs and affected communities;
- Management of compensation payments;
- Production of reports for the RAP implementation to appropriate government authorities, TCN and the contractor in charge of the line construction.

The CRM must rely on a team of professionals and support staff able to conduct all the tasks described, to include:

- **Support staff:** secretarial services, drivers, security and legal personnel, general accountants;
- **Survey, Identification & Appraisal Team:** surveyors, appraisers, “option disclosure and agreement” officers in charge of relations with each PAP households (negotiation, compensation payment, PAP feed-back, etc.);
- **Cash compensation:** compensation officers, accountant, security officer;
- **Database management:** database officers/documentation officers;
- **Livelihood restoration and community forest:** agronomist / agro-foresters. Since this shall be undertaken during construction. It should be made part of the EPC contract.
- **Consultation specialist:** Community engagement specialist in charge of the information and participation program.

The envisaged compensation amounts and resettlement modalities for each PAP will have to be approved and endorsed by the PAPs, the competent governmental authorities and by TCN.

Communities’ and households’ fears regarding the non-payment of the Claims are important and widespread. In order to reduce those fears, it is strongly recommended that the approval of the start of the construction of the power line be conditional to the transmission of a satisfactory progress report from the CRM. This report must clearly establish, with the support of evidence, that compensations were paid, and that resettlement projects were successfully carried out prior to the initiation of the construction phase. The confirmation of the witness NGO of this report is essential.

9.4.3 Local Resettlement Committee (LRC)

This committee shall be established in each of the 4 LGAs, to include Village Chiefs, elected representatives of affected PAPs and LGA authorities to ensure proper management of compensation processes, reconstruction and management of grievances. As mentioned it is proposed that 4 LRCs, one each for LGA, be created.

The composition of these LRC would be:

- LGA Lands or works department representative;
- Affected village chiefs;
- 3 representatives of affected PAP with at least one women;
- 1 representative a neutral, respected person, like a respected Iman/Alfa or Church Priest to be nominated by Customary Chieftom (Emir or Paramount Ruler), that can act as chairman so meeting procedures are followed.

LRCs are considered as local partners for the implementation of the RAP and work with the PIU and the CRM to ensure proper and equitable treatment to all PAPs and communities.

They will:

- Offer assistance to identify and select the resettlement sites;

- Will be witnesses of the final agreement with the PAP in relation to compensation valuation, signing of agreements with households and selection of resettlement sites;
- Involve in monitoring procedures;
- Identification of vulnerable people and households and work with PIU to address specific concerns of these peoples.

9.4.4 Witness NGO

To enhance transparency and trust from PAPs it is suggested that a witness NGO, recognized and credible in the project area, be hired, through a public proposal and selection process, by the PIU to provide independent advice and report on RAP implementation and management focusing on consultation activities, compensation and resettlement related activities and grievances management. This NGO could be a recognized and credible Human Right advocacy group or a NGO active in rural development.

This 'outside' look will ensure that proper procedures and stated compensation processes are followed, that PAP grievances are well taken care of, and that PAPs are treated with fairness. This mode of supervision was experienced in other projects and gave good results in terms of reduction of grievances in particular¹.

This NGO will review and validate CRM reports, meet with PAPs, check implementation of the measures, reconstruction, etc. in the field and provide comments and recommendations. All PAPs will be informed of the NGO role and function and need to have access to its representatives, in a confidential manner if need be, to explain and discuss their difficulties of grievances.

9.4.5 Stakeholder Engagement Program

To ensure the interests of the affected persons are fully entrenched in the RAP process and income restoration, an engagement program shall be developed at the onset of the RAP implementation process. These program goals are transparent information and meaningful participation of PAPs, representatives of affected and interested groups and of the various administrative and government departments all through the project.

This participation will be done through PIU, the LRC and a vigorous program of information and consultation of affected communities and PAPs. These information and consultation will concern compensation rules and procedures, livelihoods program, PAPs rights, grievance mechanisms, etc.

Many means should be used leaflets, community meetings with graphical display to help illiterate people, radio messages in local languages, recorded approval of the project by local authorities, etc.

¹ Burnside and Associates Limited, 2006, Bujagali Interconnection Project Resettlement and Community Development Action Plan

9.5 INSTITUTIONAL CAPACITY REINFORCEMENT

In relation to the above, training and information transmission are important issues in order to raise awareness on current environmental and compensation legislations and regulations governing the project.

A training program must be implemented as part of the LRC and witness NGO set-up process to properly train key personnel involved with the supervision of compensation evaluation, procedures and implementation of others mitigation and compensation measures. Training on grievance procedures and negotiations should also be provided to the personnel in charge of supervising compensation and resettlement issues shall be provided by the CRM to the PIU, LRC and the NGO. The CRM shall be responsible to ensure its own staff has the requisite expertise and experience to handle the assignment.

Table 9.1 outlines the training proposed for the PIU, LRC and witness NGO. The training is focused on the practical aspects of compensation and resettlement, compensation process, monitoring and management. The proposed content is a minimum that can be expanded depending on the competency of the trainees and experience.

The costs associated with this training program shall be included in the CRM budget, which is 0.2% of the total compensation budget.

TABLE 9.1 TRAINING PROGRAM

TRAINING RECIPIENTS	TYPE OF TRAINING	MINIMUM ISSUES TO BE COVERED	FACILITATOR/TRAINERSS
PIU team of compensation supervisors and witness NGO	<ul style="list-style-type: none"> • Workshops • Lectures • Case studies 	<ul style="list-style-type: none"> • Compensation and resettlement process • Grievances management, negotiation and mediation techniques 	Resettlement Expert Legal and/or negotiation experts
LRC and other stakeholders	<ul style="list-style-type: none"> • Workshops • Lectures • Case studies 	<ul style="list-style-type: none"> • Compensation and resettlement process • Grievances management, negotiation and mediation techniques 	Resettlement Expert Legal and/or negotiation experts

CHAPTER TEN

10.0 GRIEVANCE MECHANISMS

During implementation of the project activities, it is possible that disputes/disagreements between the project developer and the PAPs will occur especially in terms of compensation, boundaries, ownership of crops or land, etc.

There are great challenges associated with grievance redress especially in a project of this magnitude.

The practice of grievance arbitration over resettlement issues in Nigeria is conducted within the framework of the Land Use Act (LUA) of 1978, reviewed under Cap 202, 1990. Two stages have been identified in the grievance procedure: customary mediation and judiciary hearings.

A grievance procedure based on community grievance committees, one per LGA, will be established for resolution of the disputes and complaints.

10.1 CUSTOMARY MEDIATION

Procedures for grievances will be clearly explained during community meetings. At the village levels, a series of customary avenues exists to deal with dispute resolutions. Those avenues should be employed, when and where it is relevant as a “court of first appeal”.

Such customary avenues should provide a first culturally and amicable grievance procedure that will facilitate formal and/or informal grievance resolution for grievances such as:

- Wrongly recorded personal or community details;
- Wrongly recorded assets including land details and/or affected acreage;
- Change of recipient due to recent death or disability;
- Recent change of asset ownership;
- Wrong computation of compensation;
- Name missed out of register, etc.

A Customary Grievance Redress Committee shall be set up by the PIU in each LGA to address complaints from RAP implementation. This committee will be assisted by the PIU who will act as TCN representative and its members will include;

- Representative of State Ministry for Lands
- Representative of Land Administration- (Secretary);
- Representative of the local Government Area (s) (Member);
- Respected local Elders (Members);
- Representative of Village Head of affected village (s);

- Representative of the Oba covering the area;
- Representative of the Witness NGO.

PAPs' complaints should first be lodged verbally or in writing through this process.

It is expected that the committee will deal with the grievances they receive within three days of receipt of the complaint. If the complaint cannot be resolved at this level, or if the plaintiff is not satisfied with the settlement proposed, the plaintiff should then be referred to the official legal procedures.

10.2 COURTS OF LAW

The judicial process in accordance with applicable laws will be followed and the law courts will pass binding judgment on the matter.

10.3 GRIEVANCE RESOLUTION PROCEDURES

The first level is the Village Chief or the Compensation and Resettlement Manager (CRM): The aggrieved person shall first report the matter to the Village Chief for resolution. Issues that can be resolved at this level include, ownership tussle, management of deceased property, boundary issues, etc.

The type of issues to report to the CRM for possible include, perceived wrong valuation, incorrect PAP data, inadequacy of compensation received, etc.

if the issue is not resolved at this stage, it can then be escalated to customary mediation described in Section 10.1 and if still no acceptable resolution is achieved, the parties may choose to go to court in accordance with laws of the Federal Republic of Nigeria. Figure 10.1 illustrates this mechanism.

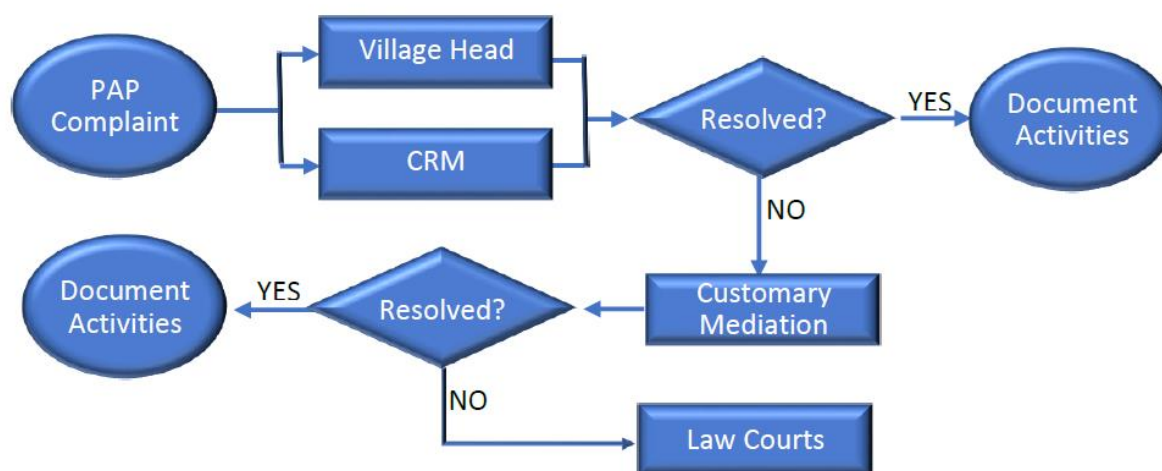


Figure 10.1 Grievance Resolution Procedure

CHAPTER ELEVEN

11.0 MONITORING, REVIEW AND EVALUATION

The purpose of resettlement monitoring is to ensure that measures developed for compensating the losses were effective in restoring PAPs living standards and income levels. Monitoring will be implemented by the PIU.

During monitoring phase, the existing grievance mechanism will be regularly reviewed for improving and correspondingly, additional and more user friendly forms, which enable the field staff to forward complaints and demands of local people to the PIU.

Throughout the Project lifecycle, monitoring and evaluation activities will be reviewed; restructured or removed in case that the previously produced tools and forms are inefficient.

Monitoring and Evaluation (M&E) procedures establish the effectiveness of all land and asset acquisition and resettlement activities, in addition to the measures designed to mitigate adverse social impacts. The procedures include internal track keeping efforts as well as independent external monitoring.

The purpose of resettlement monitoring for the proposed Transmission Line Project will be to verify that:

- Actions and commitments described in the RAP are implemented;
- Eligible project affected people receive their full compensation prior to the start of the rehabilitation activities on the corridor;
- RAP actions and compensation measures have helped the people who sought cash compensation in restoring their lost incomes and in sustaining/improving pre-project living standards;
- Complaints and grievances lodged by project affected people are followed up and, where necessary, appropriate corrective actions are taken; and
- If necessary, changes in RAP procedure are made to improve delivery of entitlements to project affected people.

The World Bank operational policy (OP 4.12) states that the project sponsor (TCN) is responsible for adequate M&E of the activities set forth in the resettlement instrument.

Monitoring will provide both a warning system for the PIU and the project sponsor (TCN) and a channel for the affected persons to make known their needs and their reactions to resettlement execution.

PIU monitoring and evaluation activities and programs shall be adequately funded and staffed. PIU monitoring will be verified by the witness NGO to ensure complete and objective information.

11.1 MONITORING FRAMEWORK

The purpose of resettlement monitoring will be to ensure that compensation measures were effective in restoring PAPs living standards and income levels.

Also the effectiveness of the grievance mechanism provided will be followed up. As part of the monitoring and evaluation process, changes in RAP procedures will be put into effect if necessary.

The monitoring and evaluation framework consists of three elements:

- PIU monitoring;
- External monitoring undertaken by the Witness NGO; and
- Independent RAP Completion Audit.

Indicators have been established in order to measure RAP activities, results, objectives and goals. There are five categories of indicators for performance monitoring.

The first three (3) Internal Performance Monitoring are: *input, output and process indicators*.

They are mostly used for medium term measures to ensure that the RAP is relevant, effective and efficient.

The last two Impact monitoring are: *outcome and impact indicators*. They are mostly used for long term measures for assessing the results.

TABLE 11-1 RAP MONITORING FRAMEWORK

COMPONENT ACTIVITY	TYPE OF INFORMATION/ DATA COLLECTED	SOURCE OF INFORMATION/ DATA COLLECTIONS METHODS	RESPONSIBILITY FOR DATA COLLECTION, ANALYSES AND REPORTING	FREQUENCY/ AUDIENCE OF REPORTING
Internal Performance Monitoring	Measurement of input, process, output and outcome indicators against proposed timeline and budget, including compensation disbursement	Quarterly narrative status and compensation disbursement reports	PIU team, including public relations representatives	Semi-annual or as required by TCN Environmental Committee and JICA
Impact Monitoring	Tracking effectiveness of inputs against baseline indicators Assessment of affected people's satisfaction with inputs, processes and outputs.	Annual quantitative and qualitative surveys. Regular public meetings and other consultation with project affected people; review of grievance mechanism outputs.	PIU team, including public affairs representatives Witness NGO	Annual

In order to effectively report on the effectiveness of RAP implementation, PIU will monitor the following key indicators, in keeping with World Bank / JICA requirements on involuntary resettlement:

- The timely disbursement of compensation;
- Compensation disbursement to the correct parties;

- Public consultation and grievance procedures in place and functioning;
- The physical progress of resettlement and rehabilitation, where applicable.

PIU monitoring will provide the RAP management team with feedback on RAP implementation and help ensure that adverse impacts on affected people are mitigated in a timely manner. M&E will be the main mechanism to alert management of any delays and problems and will help TCN measure the extent to which the main objectives of the resettlement plan have been achieved.

RAP monitoring and evaluation activities will be adequately funded, implemented by qualified specialists and integrated into the overall PIU budget and activities.

PIU monitoring and evaluation activities will be supplemented and verified by monitoring efforts of the witness NGO.

The establishment of appropriate indicators in the RAP is essential since what is measured is what will be considered important. Indicators will be created for affected people as a whole, for key stakeholder groups, and for special categories of affected groups such as women.

The most important indicators for the RAP in the near term concern outputs, processes and outcomes since they define whether the planned level of effort is being made and whether early implementation experience is being used to modify/redesign RAP features. Over the medium to long term, outcome and impact indicators are critical since they are the ultimate measure of the RAP's effectiveness in restoring people's livelihoods.

Monitoring indicators may have to be defined or re-defined during the course of project in response to changes to project-related conditions. Consequently, implementation and mitigation measures may have to be adopted to incorporate these changes into the M&E plan.

11.1.1 Indicators

INPUT INDICATORS

These cover the human and financial resources that are utilized in the RAP activities.

OUTPUT INDICATORS

Include activities and services produced with the inputs, which can be a database of land acquisition, Compensation payments made for the loss of assets etc.

PROCESS INDICATORS

Process indicators represent the change in the quality and quantity of access and coverage of the activities and services. Examples of process indicators in the RAP include:

1. The creation of grievance mechanisms;
2. The establishment of stakeholder channels so that they can participate in RAP implementation;
3. Information and dissemination activities.

OUTCOME INDICATORS

The delivery of mitigation activities and measures to compensate physical and economic losses created by the project such as restoration and compensation of agricultural production and overall income levels, changes in PAPs and community attitudes towards the project, use of compensation payments for income generating activities.

IMPACT INDICATORS

Impact indicators define the change in medium and long-term measurable results in behavior and attitudes, living standards, and conditions. Impact indicators aim to assess whether restoration activities of the RAP are effective in maintaining and even improving social and economic conditions of PAPs.

In addition to quantitative indicators, impact monitoring will be supplemented by the use of qualitative indicators to assess client satisfaction and the satisfaction of the affected people with the choices that they have made in re-establishing themselves.

Tracking this data will allow PIU determining the following types of information:

- The extent to which quality of life and livelihood has been restored;
- The success of the resettlement; and
- Whether Project-Affected Persons have experienced any hardship as a result of the project.

11.2 INTERNAL MONITORING

Internal monitoring measures the progress of activities defined in the RAP. The PIU will be responsible for this process with support from appointed experts as necessary.

It is the responsibility of the PIU to conduct regular internal monitoring of the resettlement efforts and performance of the operation through LRC and grievances committee which will be responsible for implementing resettlement activities and manage grievances. The monitoring shall be a systematic evaluation of the activities of the operation in relation to the specified criteria of the condition of approval.

11.2.1 Objectives of Internal M&E

The objective of internal monitoring and supervision shall be:

- To verify that the valuation of assets lost or damaged, and the provision of relocation, resettlement and other rehabilitation entitlements, has been carried out in accordance with the resettlement policies;
- To oversee that the RAP is implemented as designed and approved;
- To verify that funds for implementation of the RAP are provided by the TCN in a timely manner and in amounts sufficient for their purposes, and that such funds are used 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 resolutions, and ensure that complaints are dealt with in a timely manner.

11.3 EXTERNAL MONITORING AND EVALUATION

External monitoring activities will verify the process defined in the RAP which is realized by PIU.

The witness NGO shall be engaged to periodically carry out external monitoring and evaluation of the implementation of the RAP. The general objectives for external monitoring are:

- To provide an independent source of evaluation during the implementation process of resettlement and compensation. The external monitor will offer, if needed, external support and technical expertise to RAP compensation committees and implementing agencies;
- To contribute advice to solve both anticipated and unanticipated problems that may arise as the programs defined in this RAP are carried out; and
- To provide an overall assessment of RAP programs from a broader, long-term socio-economic perspective.

The following parameters will be monitored and evaluated through PIU reports and sites visits:

- Public consultation and awareness efforts of compensation distribution;
- PAPs should be fully informed and consulted about on all resettlement activities, including land acquisition, leasing land and relocation activities;
- The witness NGO representative should attend some public meeting to monitor consultation procedures, problems and issues arisen during the meetings and solutions proposed;
- Levels of PAPs satisfaction with various aspects of resettlement and compensation will be monitored and recorded;
- Operation of grievance redress mechanism, redress results, and effectiveness of grievance resolution will be monitored;
- Standards of Living - throughout resettlement implementation process, the trends of living standards of PAPs will be observed and surveyed, and any potential problems in restoration of living standards will be recorded and reported.

The witness NGO should have qualified and experienced staff and their terms of reference acceptable to the financing JICA.

In addition to verifying the information furnished in the internal supervision and monitoring reports, the independent monitoring unit shall visit a sample of 10% of PAP in each relevant district, six (6) 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; and
- Suggest modification in the implementation procedures of the RAP, as the case may be, to achieve the principles and objectives of this policy framework.

The terms of reference for this task and selection of qualified NGO and Consultant will be prepared by the PIU in collaboration with TCN and JICA at the beginning of project implementation stage.

Both internal and external monitoring will be ended with RAP Completion Audit.

11.4 RAP COMPLETION AUDIT

A RAP completion audit will be undertaken when previous monitoring has indicated that there is no significant outstanding issue regarding livelihood restoration and resettlement. It is expected that this final audit will be performed 3 years after the resettlement at the latest.

The RAP completion audit will be undertaken by an Accredited Agent with support from PIU and TCN as required.

The RAP completion audit will provide final indication that the livelihood restoration is sustainable and no further interventions are required.

Therefore, the independent audit assessing compliance programs resettlement / compensation with the provisions described in the RAP, the Nigerian legal framework applicable and the requirements of World Bank/JICA. The evaluation report will be made public through the PIU, LRC meeting and public announcement through appropriate media.

11.5 REPORTING

RAP monitoring reports will be prepared in accordance with World Bank/JICA guidelines. Progress will be reported for the following tasks:

- Internal monitoring;
- External monitoring;
- Compensation;
- Completion audit.

The PIU team will have primary responsibility for the implementation of all internal monitoring activities. Designated staff will collect relevant data in a standardized format. PIU will use a device such as a bar chart/Gantt chart or Microsoft Project table to assess and present information on progress of time bound actions.

11.5.1 Frequency/Audience of Reporting

Monthly performance monitoring reports will be prepared by the CRM and witness NGO for the PIU, beginning with the commencement of any activities related to resettlement, including income restoration.

These reports will summarize information that is collected and compiled in the quarterly narrative status and compensation disbursement reports and highlight key issues that have arisen.

As a result of the monitoring of inputs, processes, outputs and outcomes of RAP activities, project management will be advised of necessary improvements in the implementation of the RAP.

11.5.2 Type of Information/Data Collected

In order to measure the project process and impact performance and to assess the effectiveness of project impact mitigation measures, PIU will collect information on all the input, process outcome and impact indicators.

Impact monitoring data will be collected at appropriate intervals through qualitative and quantitative surveys, and include a review of grievance mechanism outputs. The PIU will consult directly with the affected populations through regular public and LRC meetings.

Monitoring data will be reported to the PIU and relevant external agencies quarterly or more frequently as required. The monitoring will continue for about 2 years beyond the completion of displacement process.

CHAPTER TWELVE

12.0 RAP IMPLEMENTATION BUDGET AND SCHEDULE

12.1 RAP BUDGET

TABLE 12.1 COMPENSATION BUDGET

Element	Amount (NGN)
Crops	400,905,574.24
Structures	2,146,630,564.12
Sub-total for structures and crops	2,547,536,138.36
Allow for Security, bank charges, stamp duty and other logistics, for compensation payment (2.5%) for crops	10,022,639.36
Allow for Security, bank charges, stamp duty and other logistics, for compensation payment (2.5%) for structures	53,665,764.10
Assistance to vulnerable groups (1% of crop and structure values)	16,236,000.00
Allow for demolition and salvage of structures (5%)	107,331,528.21
Allow 5% contingency for structures and crops	127,376,806.92
Subtotal	314,632,738.59
Total	2,862,168,876.95

See Appendix 1 for detailed methodology used as well as the calculation spread sheet attached to Appendix 1.

12.2 RAP IMPLEMENTATION SCHEDULE

The RAP implementation should be completed to a reasonable extent before land take over. The implementation is in two phases. The first phase is expected to be completed within 6 months, which includes, selection of implementation consultant, selection of contractors, establishment of local resettlement committees, etc. The second phase engagement with PAPs, review of entitlements, database management, communication with PAPs, direct payments and assistance to PAPs. This is expected to take upto 6 months to one year. The third and final phase include activities such as monitoring and evaluation, grievance management and livelihood restoration. These will also take about a year to complete.

It is important that all structures to be rebuilt and payments for compensation are completed before project construction is commenced. This can be done progressively so construction can start on one end. The monitoring and evaluation activities which are scheduled to be done once a year, shall commence 6 months after completion of compensation payments. The schedule is in Table 12.2 and task assignment for implementation is in Table 12.3.

TABLE 12.2 RAP AND ESMP IMPLEMENTATION SCHEDULE



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TABLE 12.3 RAP IMPLEMENTATION TASKS AND RESPONSIBILITIES

Task	PIU (ESMP and RAP)	TCN Head office Staff		TCN Regional office staff (RAP)			Consultant team		others
		CRE	WPD	Environment unit	OHS unit	WPD	International consultant	Local consultant	State, Witness NGO, LRC
Location	Abuja	Abuja	Abuja	Lagos					
# of staff assigned (plan)	2	1-2	2	1	0	1	1	3-6 or more	
Engagement with PAPs									
- Informed Consent, Consultation to all PAPs (and communities) and agreement with PAPs regarding the entitlement matrix	x					x	x	X	(LRC)
- Supporting to PAPs (e.g. opening bank account, supports for vulnerable groups)	X					support	x	x	
- Signing on agreement with all PAPs	X					Support	x	x	
Establishment of organization									
- PIU (and consultant group?)									
- Local resettlement committee(s) in each communities	x					x		x	LRC
Administrative activity									
- Identification of land, structures and assets (variations from original RAP is expected due to arraignment of Line route)	x					x	x	x	Witness NGO
- Compensation evaluation (re-evaluation to finalize)	x		x						State (Land bureau etc.)
- Entitlement document review for qualification of compensation			X (visited sites and met all PAPs)				x	x	
- Financial approval for payment to PAPs									TCN Mngt including MD, finance, TSP
- Payment (transfer to bank account)	x								TCN finance team will pay
- Payment (direct by check)	x					x	x	x	

Task	PIU (ESMP and RAP)	TCN Head office Staff		TCN Regional office staff (RAP)			Consultant team		others
		CRE	WPD	Environment unit	OHS unit	WPD	International consultant	Local consultant	
Location	Abuja	Abuja	Abuja	Lagos					State, Witness NGO, LRC
# of staff assigned (plan)	2	1-2	2	1	0	1	1	3-6 or more	
Data base management	x					x	x		
Communication with PAPs							X	x	(LRC)
Physical resettlement assistance when needed	x					x	x	x	(NGO, LRC)
Monitoring									
Check the progress of compensation, relocation and RoC acquisition	X					x	x	X weekly and monthly	
External monitoring									X, JICA
Reporting at least every quarter to JICA	x (based on monthly report from consultant)						x		
RAP completion audit	X								Witness NGO, JICA
Certificate of Occupancy issuance									
confirmation of completion of compensation									State (land bureau) (payment document review or site audit, not specified)
land title (CoO) issuance									State
Grievance Management	X (reported from consultant or LRC directly)							X (reported from LRC)	LRC
Identification									
Solution	X							X	
Reporting	X								LRC
Livelihood restoration									
Training							x	x	NGO
Restoration assistance (technical support, material support, etc.)	x						x	x	NGO, contractors

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APPENDICES

APPENDIX 1: RAP IMPLEMENTATION BUDGET DETAILS

APPENDIX 2: SAMPLE QUESTIONNAIRE FOR SOCIO-ECONOMIC/PAP CENSUS

APPENDIX 3: CONSULTATION RECORDS

Appendix 3a: Consultation Register of Signatures/Pictures

Appendix 3b: PAP Consent to be Interviewed

Appendix 3c: Notice of Entry/Cut-Off Date