

MINUTES

Proposed Lokichar to Lamu Crude Oil Pipeline Project: Baseline Consultation

Lamu County Meeting: 30 October 2018 - Pate Social Hall

Submitted to:

Pipeline Project Management Team

Submitted by:

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30 October 2018



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PURPOSE OF THIS DOCUMENT

This document represents the minutes taken during a public meeting convened as part of the Environmental and Social Impact Assessment (ESIA) for the proposed Lokichar to Lamu Crude Oil Pipeline (LLCOP) project in Kenya. The document presents a summary of the issues, concerns, questions and suggestions raised by the

stakeholders at the meeting. The meeting was held on Tuesday, 30 October 2018 at the Pate Social Hall, Lamu County.

The objective of the meeting was to provide stakeholders with more information about the proposed LLCOP project and associated mitigation measures. The meeting also provided stakeholders with an opportunity to contribute comments, suggestions and raise issues of concern. Issues and questions raised during the meeting were captured in the Comment and Response Report. This report will form part of the final ESIA report to be submitted to the relevant authority for a decision.

Your comments are important!

Stakeholders who attended the meeting are invited to review the draft minutes and ensure that the questions, concerns and comments have been captured correctly. Please send any comments and changes that you would like to make within 14 days of receipt to the Public Participation Office.

Address for Comments:

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1.0 WELCOME AND INTRODUCTION

The meeting was held at the Pate Social Hall. The process started with the registration of all the attendees who were given project information handouts and maps to help them understand the project. The meeting started at approximately 09h00 with a word of prayer. The Chief briefly explained the purpose of the meeting and then handed over to Mr Mohamed Kitete who provided more detail on the purpose of the meeting. Mr Kitete introduced Mr Duncan Oyaro, the meeting facilitator.

2.0 ATTENDEES

76 attendees signed the attendance register and took part in the proceedings. See APPENDIX A in this regard.

3.0 STAKEHOLDER ENGAGEMENT TEAM

Mr Duncan Oyaro introduced the project teams and explained the role each team plays in the LLCOP project as follows:

- The government of Kenya – sets the strategy;
- LAPSSET Corridor Development Authority (LCDA) – the authority responsible for the development of the LAPSSET corridor;
- Pipeline Project Management Team (PPMT) – the partnership between government (Ministry of Mining and Petroleum – MoMP) and oil companies to develop the pipeline project; and
- Golder and ESF Consultants – the independent consultants, appointed to undertake the ESIA.

4.0 PROJECT TEAM

The LLCOP project team and their respective roles are as follows:

- The government of Kenya – sets the strategy;
- LCDA – the authority (LAPSSET Corridor Development Authority) responsible for the development of the LAPSSET corridor;
- PPMT – the pipeline project management team, a partnership between government (Ministry of Mining and Petroleum – MoMP) and oil companies to develop the pipeline project; and
- Golder and ESF Consultants – the independent consultants, appointed to undertake the ESIA.

5.0 AGENDA

The following agenda was presented to, and accepted by the participants:

- 1) Introduction
- 2) Attendance
- 3) Agenda
- 4) Purpose of meeting
- 5) Project team
- 6) Project progress
- 7) Summary of scoping consultation
- 8) Community *barazas* (public meetings)

- 9) Community consultation approach
- 10) Social baseline
- 11) ESIA focus
- 12) Stakeholder engagement focus
- 13) Discussions
- 14) Way forward
- 15) Closure

6.0 PURPOSE OF MEETING

- 1) Share information with stakeholders along the proposed pipeline route about the proposed project.
- 2) Obtain stakeholders' inputs, questions, views, suggestions, concerns and local knowledge regarding the proposed project.
- 3) Gather baseline data to inform the social impact assessment, and the suite of social management framework plans to be developed.
- 4) Explain the ESIA process and opportunities for comment.

7.0 PRESENTATIONS

Mr Duncan Oyaro presented a detailed explanation of the project with the help of a flipchart. After the presentation, Mr Oyaro held a question-and-answer session where stakeholders were given the opportunity to voice their comments, views and concerns about the project. Mr Oyaro pointed out that, at the same time as the stakeholder engagement meeting, social baseline meetings with specific focus groups were being held at different locations. The purpose of these meetings was to gather baseline information on social structures, administration, and the history of the community.

8.0 PROJECT BACKGROUND

An overview and background of the proposed project were presented to attendees. All development projects are subject to an ESIA process in terms of the Environment Management and Coordination Act (2015). This is the first permitting study undertaken for the proposed LLCOP project. Several related studies have been undertaken and include a Strategic Environmental Assessment for the LAPSSET corridor project and an ESIA study for the Kenya Upstream Oil Development project.

Golder Associates, in partnership with ESF Consultants, Kenya, have been appointed to undertake the ESIA study.

9.0 PROJECT DESCRIPTION

9.1 Overview

The LLCOP project is a development initiative under a joint partnership between the Kenya Government and the consortium consisting of Tullow Oil Kenya B.V., Africa Oil Turkana Ltd and Total Oil (formally Maersk Oil). The proposed LLCOP project is an onshore pipeline that will provide transportation of crude oil from the production fields in South Lokichar to the marine export facility at the Port of Lamu. There it will be stored and onward exported to international markets. The project will link the upstream oil fields (being permitted separately) with international markets.

9.2 Route

The LLCOP project will commence at a flange point in Turkana County, south-east of the Lokichar oil fields, and end at the Port of Lamu. The LLCOP route is within the LAPSSET corridor and will cut across Turkana, Samburu, Isiolo, Meru, Garissa and Lamu counties. The crude oil pipeline will be approximately 820 kilometres long. Areas of land where the proposed pipeline will pass will be acquired by the government and leased to the project.

9.3 Technical Aspects

The proposed project will be executed in a phased manner. The construction time will be approximately two to three years.

The construction of the pipeline will entail excavation of a trench, two metre in depth, along the proposed pipeline route. A conventional trench and backfill construction methodology will be followed. The pipeline will be buried throughout its length with a minimum of one metre of soil cover. The pipe itself will be 18 or 20 inches in diameter. The proposed pipeline will need a 30 metre width for construction and a six metre width for operations. Due to the heavy and waxy consistency of the crude oil, the pipeline will be heated and insulated to keep the crude oil at the optimum viscosity for pumping. The heating will be done through a longline trace system.

There will be approximately 16 intermediate above ground installations (either co-located or standalone), which include pump stations, pressure reduction stations, and electrical generators.

A marine terminal will be constructed at the Port of Lamu. The terminal will comprise storage facilities (1.5 million barrels capacity), a loading line and a marine platform with breasting and mooring structures. The Lamu terminal options under evaluation are an onshore storage and offloading jetty, or a floating storage and offloading vessel. The onward exportation of the crude oil to international markets will take place by ship.

10.0 ESIA PROCESS

This ESIA is being undertaken to acquire the necessary permits to implement the proposed project. The Environmental Management and Coordination Act of 2015 provides detailed guidelines on conducting Environmental Impact Assessments (EIAs) in Kenya. The Act states that all new projects that are likely to affect the environment in any way must undertake an ESIA, and the ESIA report should then be submitted to NEMA for review and approval.

The objective of this ESIA study is to investigate and identify the positive and negative impacts of the pipeline construction and operations. The study will then generate feasible mitigation measures for adverse impacts through an Environmental and Social Management Plan. These studies and recommendations will be done through field investigations, document review, professional analysis, and stakeholder engagements.

The ESIA process entails the following elements:

Scoping Study – An initial field and baseline data reviews as well as early stakeholder engagement to define the scope of the ESIA.

Terms of Reference (ToR) – During this phase, the framework and proposed methodology for the assessment of environmental and social impacts are developed. The ToR phase includes a presentation of the project, proposed ESIA update process and the public consultation process.

Environmental Impact Study (EIS) – This phase entails an impact assessment and will address the issues raised during the ToR phase. A Draft EIS report will be developed and presented to the public for review and discussion. The EIS is then finalised and submitted to NEMA for approval (the decision-making phase).

The ESIA permitting study should be completed by March 2019.

11.0 CONSULTATION PROCESS

The stakeholder engagement process is a requirement of the Kenya Environmental Impact Assessment guidelines and is being undertaken to provide the opportunity for communities, potentially affected and interested people to participate by raising issues, concerns, asking questions and contributing local knowledge.

Stakeholder participation in the process will help to identify and address their concerns early in the project design phase. Stakeholder contributions collected during this process will be recorded and made publicly available in a Comment and Response Report for people to verify that their contributions have been recorded correctly. Special efforts will be made to engage with potentially directly affected people, including women, the youth, as well as local, regional, and national educational and religious organisations, research institutions, non-governmental organisations, and other key organisations. Public meetings and workshops will be held to record comments and suggestions from the public.

This ESIA process commenced in March 2018 and will be completed in March 2019. Availability of reports, times, and location of public meetings will be advertised in the local media and via site notices. The final EIS update will be made available in public places, for review.

Stakeholders will be informed throughout the stakeholder engagement process of this ESIA. Any queries and concerns can be raised at any time through the contacts provided.

12.0 IDENTIFICATION OF ISSUES

All questions, issues, comments and associated responses raised during the discussion session are captured in Table 1.

Date of meeting: 30 October 2018

Venue: Pate Social Hall, Lamu County

Table 1: Identified issues, questions, comments and responses

	Meeting	Issue/Question/Comments	Commentator	Response
1	30 October 2018 Stakeholder engagement at Pate	For this pipeline project, what share will be given to the people whose land the pipeline passes through?	Noor Hamidu	We might not have answers to some of these questions, but your concern on the share has been noted.
2	30 October 2018 Stakeholder engagement at Pate	What are the negative and positive impacts? We are not getting benefits in terms of employment and education? How will the project benefit us?	Mohamed Rahman	We are still doing the study to ascertain the benefits and impacts properly.
3	30 October 2018 Stakeholder engagement at Pate	When the pipeline passes through our land, will we be compensated?	Mwenye Ahmed	The constitution demands that when your land has been taken for such projects, compensation has to be given. But the National Land Commission will handle the issues of land.
4	30 October 2018 Stakeholder engagement at Pate	The solution is to pay the people of Pate since we are stripped of our livelihood; we cannot fish or farm because some of these projects such as in Zarara use our land and we have not been compensated yet.	Ahmed Mohamed Mkuu	Your concerns have been noted, but for clarification, the Zarara project is not affiliated with LLCOPS.
5	30 October 2018 Stakeholder engagement at Pate	When will they pay the compensation and how will the payment be made?	Abdallah Zubeir	The National Land Commission will handle the land issues.

	Meeting	Issue/Question/Comments	Commentator	Response
6	30 October 2018 Stakeholder engagement at Pate	How will our youth and vulnerable people be involved in the project? Who are you?	Mohamed Swabir Pate Education Youth Initiative	We have started the consultation through the social baseline and stakeholder engagement study. The employment issue has been noted and recorded. We are an independent consultant conducting ESIA studies and undertaking the stakeholder engagement and social baseline of the project.
7	30 October 2018 Stakeholder engagement at Pate	Will payments be given when the pipeline passes through our land or not?	Haji Ali Haji	The National Land Commission will handle the land and compensation issues.
8	30 October 2018 Stakeholder engagement at Pate	What will happen to the uneducated? Will they be employed?	Said Osman	We have colleagues doing the study to identify the skills and education of the local people to establish the kind of work they can do.
9	30 October 2018 Stakeholder engagement at Pate	When will we get the results of the study and how will we contact you? There are only a few people gathered here, and you may not get all the views and questions.	Mohamed Swabir Pate Education Youth Initiative	We can be contacted through your Chief, and we will also leave our contact details.
10	30 October 2018 Stakeholder engagement at Pate	There is uncertainty since we were told we would be compensated and we have not yet been. Will we be paid for this project?	Mohamed Rahman	
11	30 October 2018 Stakeholder engagement at Pate	Many questions have been asked about this project, and we understand there will be two kinds of people who are employed; those who are educated and those who are not. We pray that when jobs are advertised,	Mashuhuri Ahmed	Your concerns have been noted and will be considered.

	Meeting	Issue/Question/Comments	Commentator	Response
		people of Pate are notified and recruitment is done here in Pate.		
12	30 October 2018 Stakeholder engagement at Pate	<p>Will the views that are being taken and recorded be considered by the project team or not?</p> <p>We have no power or title deeds, so will we be consulted concerning the land that the project passes through? Or will only the government be consulted?</p> <p>Will the youth be offered employment opportunities, or will this information be withheld from us? Is there an alternative way of getting oil to Lamu?</p> <p>Oil will be spilt in the water and destroy our resources at the port. How will these issues be dealt with?</p>	Mohamed Hussein	<p>Your views will be taken to those who are implementing the project, what might follow may not be in our control.</p> <p>With, or without the deed, you will be consulted if the land is yours. If your neighbour can identify with you, the process will be easier.</p> <p>There will be employment arising from the project. This will however be minimal as the project is highly mechanised and the timeframe for construction is short.</p> <p>Studies are being done to identify the best alternatives. Accidents can happen, but several disaster management mechanisms will be developed.</p>
13	30 October 2018 Stakeholder engagement at Pate	Some people will get false title deeds and claim ownership of our land.	Mwenye Ahmed Youth	Well noted.

13.0 CLOSURE

The meeting was closed with a word of prayer from a local elder, after which the meeting facilitator thanked the community members for listening to the presentation and airing their views on the project.

Signature Page

Golder Associates (UK) Ltd



James Kambo
Stakeholder in-country lead (ESF Consultants)



Tim Flower
Project Manager

JK/TF

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APPENDIX A

List of Attendees

Table 2: Attendees that signed the register and took part in the proceedings, grouped by organisation


	Name	Organisation
1.	Saadia Swabir	Al Misbati group
2.	Nuru Hassan	Amkeni
3.	Abud Mohamed Abud	Beach management chairman
4.	Abdirahim Shee	Beach Management Unit
5.	Aboud Migdad Kombo	Beach Management Unit
6.	Ahmad Said	Beach Management Unit
7.	Mohamed Athman	Beach Management Unit
8.	Mohamed Bakari	Beach Management Unit
9.	Said Ali	Beach Management Unit
10.	Salim Mohamed Faruk	Beach Management Unit
11.	Bwanarehama Ali	Chief
12.	Aboud Mohamed	Elder
13.	Athman Shekue	Elder
14.	Bwawar Chema Ali	Interior security
15.	Sofia Mohamed Bina	Majengo women
16.	Sophia Mohamed	Majengo women group
17.	Said Abubakar	Mangroove Mangrove group
18.	Mohamed Abdalla	Mwafaka self- help
19.	Mukhtar Mohamed	Personal Assistant
20.	Mohamed Swabir	Pate Education Youth Initiative
21.	Shuaib Ahmed	Pate youth Elite education
22.	Mwanatijara Mohamud	Ukulima self-help
23.	Abudi Bwanamkuu	Village elder
24.	Ali Mohamed	Village elder
25.	Bakari Mohamed	Village elder
26.	Ishack Mohamed	Village elder
27.	Ismail Ilyas	Village elder
28.	Bakari Bwanarehema	Wildlife group
29.	Athman Kassim	Young juniors
30.	Abdallah Zubeir	Youth

	Name	Organisation
31.	Haji Ali Haji	Youth
32.	Ismail Ahmed	Youth
33.	Jamal Omar	Youth
34.	Mohamed Jafar	Youth
35.	Mwenye Ahmed	Youth
36.	Omar Mohamed	Youth
37.	Said M. Omar	Youth
38.	Said Mohamed	Youth
39.	Samira Nasir	Youth
40.	Shee Feswal	Youth
41.	Zakaria Mohamed	Youth
42.	Zeid Shakur	Youth
43.	Faraj Aboud	Youth/ Beach Management Unit
44.	Mohamed Aboud	Youth/ Pate savings self- help
45.	Abdrauf Mohamed	
46.	Abdulkarim Mohamed	
47.	Ahmad Fura Kombo	
48.	Ahmed Mohamed Mkuu	
49.	Ahmed Mohamed	
50.	Ahmed Nasr	
51.	Ali Bakari	
52.	Awadhi Abubakar	
53.	Bakar Abdullahi	
54.	Bawazir Hajj Athman	
55.	Bwanakombo Ahmed	
56.	Hafith Imam	
57.	Harith Athman	
58.	Kasim Bakari	
59.	Mahmoud Said	
60.	Mohamed Said	
61.	Mohamed Tiro	

	Name	Organisation
62.	Muhamed Bakari	
63.	Mwanatarasar Mohamed	
64.	Nuris Hassan	
65.	Omar Bakar	
66.	Saddia Swabir	
67.	Sheikh Mohamed	
68.	Swale Ahmed Abdala	
69.	Twaha Mohamed Nagih	
70.	Zena Athman	
71.	Zena Athmar	
72.	Noor Hamidu	
73.	Mohamed Rahman	
74.	Said Osman	
75.	Mashuhuri Ahmed	
76.	Mohamed Hussein	

APPENDIX B

Presentation



The Proposed Lokichar to Lamu Crude Oil Pipeline Project (LLCOP)

STAKEHOLDER CONSULTATION COUNTY LEVEL UPDATE WORKSHOP


October 2018

1

WELCOME AND INTRODUCTION

Welcome

Introductions




2

AGENDA

BASELINE STUDY MEETING: LOKICHAR TO LAMU CRUDE OIL PIPELINE PROJECT


1. Purpose of Meeting
2. Project Team
3. Project Background
4. Project Description
 - 4.1 Overview
 - 4.2 Route
 - 4.3 Technical Aspects
5. ESIA Process
 - 5.1 ESIA Process
 - 5.2 ESIA Focus
6. Consultation Process
7. Discussions
8. Way forward
9. Closure



3

1. PURPOSE OF MEETING

- Introduce the Proposed Lokichar to Lamu Crude Oil Pipeline Project and delivery teams.
- Provide an overview of proposed ESIA approach.
- Discuss the proposed project.
- Identify issues, comments and responses regarding the proposed project and associated approach.
- Indicate what will happen with the information.
- Indicate how stakeholders can participate in the future.




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2. PROJECT TEAM


2.1 LAPSSET

The lead Government of Kenya organisation and leasor of land to the Pipeline.





2.2 PPMT

The Pipeline Project Management Team – consisting of the Governed of Kenya, Tullow Oil plc, Africa Oil Corporation and Total Oil.



2.3 ESIA CONSULTANT

Golder Associates, an independent ESIA consultant selected by GoK-led tender process. ESF Consultants, a Kenya based environmental management consultant is the in country Kenyan component.

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3. PROJECT BACKGROUND

3.1 PROJECT NAME

Proposed Lokichar to Lamu Crude Oil Pipeline (LLCOP)



3.2 BACKGROUND

- Pipeline is Part of LAPSSET
- Part of vision 2030
- Source: Kenya Ministry of Transport
- Key components

Lamu port, highways, oil pipelines, railway international airports, resort cities, High Grand Falls dam.

3.3 ADDITIONAL COMPONENTS

Electricity transmission, fiber optics, water supply.

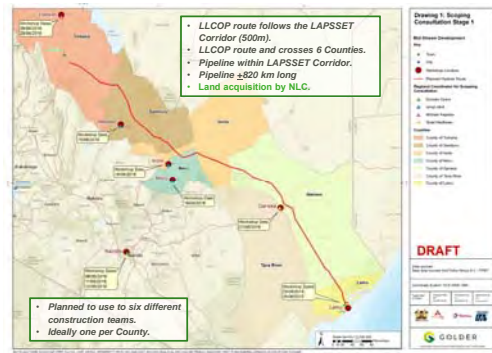
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4.1 PROJECT DESCRIPTION: OVERVIEW

- The proposed Lokichar to Lamu Pipeline project is an onshore pipeline development from oil an field in Lokichar to a marine export facility in Lamu.
- The purpose of the project is to provide transportation, storage and export of the heavy and waxy crude oil.
- The project will link the Upstream oil fields (being permitted separately) with international markets.
- Construction time is anticipated to be approximately 24 months.
- The production life of the project is expected to be 30 years.
- Partners:
 - Government of Kenya.
 - Tullow Kenya B.V.
 - Africa Oil Turkana Ltd.
 - TOTAL.
- Size of stations along the way approximately 150m X 150m.

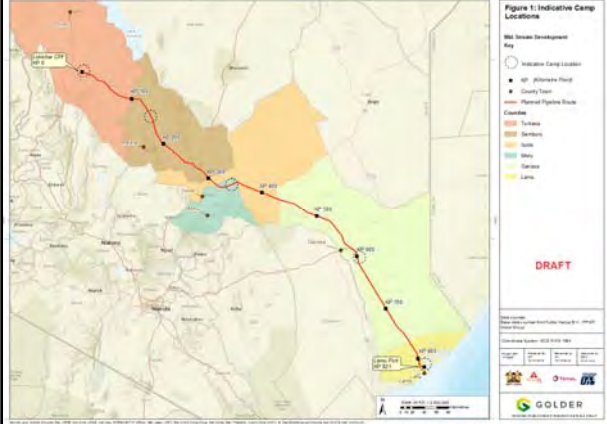
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4.2 PROJECT DESCRIPTION: ROUTE



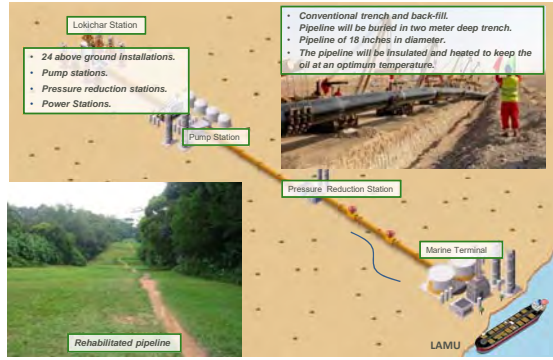
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INDICATIVE CONSTRUCTION CAMP LOCATIONS



9

4.3 PROJECT DESCRIPTION: TECHNICAL



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5.1 ESIA PROCESS

Requires an Environmental and Social Impact Assessment (ESIA) [(Environment Management and Co-Ordination Act (1999).]

Scoping Phase

- Baseline data collection to serve as reference framework.
- Identify potential social and environmental impacts.
- Stakeholder engagement.

Project Report and ToR

- Setting out potential impacts to be considered.
- Stakeholder engagement.
- Proposed assessment method and approach and significance evaluation.

ESIA Phase

- Assess the positive and negative impacts of the LLCOP.
- Stakeholder engagement.
- Development of mitigation and management measures.

ESIA Report

Submitted to NEMA for review and decision.

Timeframe

March 2018 to May 2019.



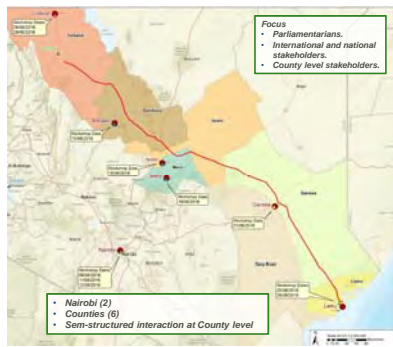
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5.2 ESIA FOCUS



12

6.1 STAKEHOLDER ENGAGEMENT PROCESS: SCOPING



13

6.2 STAKEHOLDER ENGAGEMENT FOCUS

- Legal Requirement.
- Opportunity for stakeholders to participate in ESIA process.
- To inform and consult
- Integrate and consider stakeholder viewpoints in the ESIA.
- All stakeholder contributions recorded and disclosed.
- Identify vulnerable groups, including women, the youth, indigenous peoples and disempowered people.
- Information in public domain.
- Provide feedback on results and information use.

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7. DISCUSSION

Facilitated by Mr James Kambo.

- Please provide your name and surname.
- Focus on LLCOP.
- Land related issues addressed by NLC.
- Complete comments and registration sheet.

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7. WAY FORWARD

- Event timelines.
- Future consultation.
- Availability of information.
- Record Key issues for each meeting.
- Project deliverables.
- ESIA process continuation.

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Closure

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