

MINUTES

Proposed Lokichar to Lamu Crude Oil Pipeline Project: Baseline Consultation

Meru County Meeting: 30 October 2018 - Alba Hotel

Submitted to:

Pipeline Project Management Team

Submitted by:

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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 who attended the meeting. The meeting was held on Tuesday, 30 October 2018 at the Alba Hotel, Meru 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 brought to order by Mr James Kambo at 10h30. He welcomed and thanked the guests for attending the meeting. Mr Kambo gave a briefing on the scoping phase, which was conducted in June 2018 and stated that the scoping report together with the Terms of Reference (ToR) had been submitted to the National Environmental Management Authority (NEMA) and was approved. He stated that the purpose of the meeting was to inform the county government about the stakeholder engagement process which is set to run for the next two weeks at grassroots level in Meru County. The purpose of this process is to obtain an understanding of the social context and structure of the people of Meru County.

2.0 PROJECT TEAM

Mr James Kambo introduced the project teams and explained the role each team member 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.

3.0 ATTENDEES

39 attendees signed the attendance register. The list of attendees who signed the register and participated in the proceedings is attached in APPENDIX A.

4.0 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

5.0 PURPOSE OF THE MEETING

Mr James Kambo explained the purpose of the meeting was to:

- Present progress on the planning activities for LLCOP project and delivery teams.
- Provide an update of the ESIA scoping phase findings, issues, comments and responses regarding the proposed project and associated approach.
- Discuss the proposed community stakeholder consultation approach.
- Discuss the social baseline development process.
- Receive any comments on the above findings and proposed approach to community engagements.
- Indicate how stakeholders can participate in the future.

6.0 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.

7.0 PROJECT DESCRIPTION

7.1 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.

7.2 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.

7.3 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.

8.0 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.

9.0 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.

10.0 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: Alba Hotel, Meru town, Meru County

Table 1: Identified issues, questions, comments and responses

	Meeting	Issue/Question/Comments	Commentator	Response
1	Meru County Meeting (30/10/2018) Alba Hotel	According to the presentation you have indicated that you will visit areas in Tigania East and Tigania West but have not included areas in Igembe Central, yet it's found in between these two areas, and one must pass through Igembe Central to get to these towns. Failure to engage with people from Igembe Central might result in conflict so consider this town.	Romano Mwito – Member of County Assembly, Kangeta	Thank you for that information, we will go through that issue with the project team, kindly remain behind so that we can go through that matter and see a way forward.
2	Meru County Meeting (30/10/2018) Alba Hotel	We have our officers working in Nyambere Conservancy as rangers protecting that area. We want to know whether you will engage with them during the studies. We also know that after the ESIA process, there will be a corporate social responsibility (CSR) programme, therefore, what initiatives would you adopt for our rangers in this conservancy because we are happy with their work?	Isaiah Baituti - Administrator, Tourism Department Nyambere Conservancy	During the baseline studies, we will inform the expert team to engage with the rangers. Concerning CSR, we have captured your concern and will forward it to the project management team who will look into it.
3	Meru County Meeting (30/10/2018) Alba Hotel	How long will this project take? How far has the geotechnical team covered and how for long will they be conducting their studies? In scenarios where the geotechnical team finds valuable resources such as mineral ores, how will they relay the information to the communities so that conflicts do not arise?	Samuel Muturo – Member of County Assembly, Naathu	The project is expected to last between two to three years. There are laws in Kenya that govern these processes and the project studies that are being conducted currently. The geotechnical team are already on the ground conducting studies and digging trial pits about 15 metres deep, and they are collecting soil and rock samples to

	Meeting	Issue/Question/Comments	Commentator	Response
				<p>understand the underground composition in which the pipeline will be laid.</p> <p>In cases where the geotechnical team find such minerals, they will send the information to relevant government and county institutions for their review and actions.</p>
4	<p>Meru County Meeting (30/10/2018) Alba Hotel</p>	<p>After the commencement of this project, how will the fuel price change in Kenya?</p> <p>Which market will this crude oil feed into? We already have a ready market in Kenya.</p> <p>What is the difference between processing the crude oil in Lamu instead of Lokichar rather than conveying it to over 820 kilometres?</p> <p>Will I as a youth benefit from this project 20 years from now?</p> <p>In five years from now, how will the project help me in refuelling my car?</p>	<p>Wallace Muriithi - Youth Representative, Meru Youth Arts Programme Kenya</p>	<p>There will be no refinery at the Port in Lamu instead all crude oil will be exported to the international market.</p> <p>Financial studies are being undertaken to estimate the economic value of the project in terms of the income and revenue that will result once the project is implemented.</p> <p>The EIA is an opportunity to feed information to people for them to understand the project and its dynamics.</p> <p>Regarding the oil price, the crude oil will be sent to international markets where it will be refined and sold back to Kenya; this will determine the fuel price.</p> <p>Mark Barrah - to clarify, the cost of the pipeline project is 1.4 billion United States dollars, which will be financed through several international institutions. The benefits that arise from having a refinery in a country are often minimal with no</p>

	Meeting	Issue/Question/Comments	Commentator	Response
				<p>more than a 2% profit. Hence there are only nine refineries in the world. The Kenyan government, therefore, concluded that selling the crude oil makes more economic sense and provides more benefit, and more so, given the experience with the collapse of the Mombasa refinery. The price of fuel will be determined by the international market that will sell the refined product to Kenya.</p>

11.0 FUTURE INTENTIONS

Mr James Kambo indicated that the information sourced during this meeting would be captured in formal minutes and a comments and responses register. He added that several meetings had been arranged in different towns within Meru County, where the pipeline will pass, so that the communities could be involved during the process and also provide information to the ESIA team to promote an understanding of the local context. The meetings are also intended to enable the communities to highlight their issues and concerns that need to be considered during the project. Mr James Kambo stated that the consultation process is set to begin immediately over the next two weeks and all the comments and issues raised will be captured for reporting. The consultation process will continue to engage with stakeholders and communities at the county and grassroots level, where relevant.

12.0 CLOSURE

All participants were thanked for their attendance, comments and input. The issues would be captured and the meeting minutes distributed in due course. The meeting was closed by Mr James Kambo.

Signature Page

Golder Associates (UK) Ltd



James Kambo
Stakeholder in-country lead (ESF Consultants)



Tim Flower
Project Manager

JK/SA

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APPENDIX A

List of Attendees



Table 2: Meeting attendees that signed the register and participated in proceedings listed according to organisation

	Name	Organisation
1.	Isaiah Baituti	Administrator, Tourism Department Nyambere Conservancy
2.	Waltero Katonow	County Commissioner's Office
3.	Thuranira Nicholas Baariu	Clerk Assistant Meru County Assembly
4.	Kevin Njoroge	Castor Vali Africa
5.	William Longole	Castor Vali Africa
6.	Benard Mutura	Driver
7.	Titus Choge	Lapsset Corridor Development Authority
8.	Victor Mutumah	Leader of Majority
9.	John Ntongai	Member of County Assembly
10.	Miriam Kajuju	Member of County Assembly
11.	Jane Kanana	Member of County Assembly
12.	Japhet Kirimi	Member of County Assembly
13.	Salome Kirio Mutua	Member of County Assembly
14.	Ruth Kawamu	Member of County Assembly
15.	Murega Eliaz	Member of County Assembly
16.	Azenath Kaimuri	Member of County Assembly
17.	Kirimi Elijah	Member of County Assembly
18.	Martin Mworia	Member of County Assembly
19.	David Muriuki	Member of County Assembly
20.	Collabo G. K. Marete	Member of County Assembly
21.	Gacheri Muthuri	Member of County Assembly
22.	Mwiragi Patrick	Member of County Assembly
23.	Muthaura Makena	Member of County Assembly
24.	Romano Mwito	Member of County Assembly, Kangeta
25.	Samuel Muturo	Member of County Assembly, Naathu
26.	Litha Wachira	Member of County Dept Health
27.	Eunice Mueni	Member of County Government

	Name	Organisation
28.	Jeremiah Lenya	Meru
29.	Dennis Murega	Meru
30.	Dominic Mwiriri	Meru County
31.	Caroline Kagidiria	Meru County
32.	Member of County Assembly	Meru County
33.	Hon Grace Gakii	Meru County
34.	Caroline G. Kuria	Meru County
35.	Andrew Murithi	Meru County Road & Transport Department
36.	Sammy Kinyua	Meru County Watchdog Forum
37.	Lilian K Kiruja	Ministry of Public Service, Youth and Gender Affairs.
38.	David Muithui	Nation Media Group
39.	Wallace Muriithi	Youth Representative, Meru Youth Arts Programme Kenya.

APPENDIX B

Presentation

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

STAKEHOLDER CONSULTATION COUNTY LEVEL UPDATE WORKSHOP

GOLDER



October 2018

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WELCOME AND INTRODUCTION

Welcome

Introductions



LOKICHAR TO LAMU CRUDE OIL PIPELINE PROJECT 2

2

AGENDA

BASELINE STUDY MEETING: LOKICHAR TO LAMU CRUDE OIL PIPELINE PROJECT

1. Purpose of Meeting
2. Project Team
3. Project Progress
4. Summary of Scoping Consultation
5. Community Barazas
6. Community consultation approach
7. Social Baseline
8. ESIA Focus
9. SE Focus
10. Discussions
11. Way forward
12. Closure






LOKICHAR TO LAMU CRUDE OIL PIPELINE PROJECT 3

3

1. PURPOSE OF MEETING

- Present progress on the planning activities for Lokichar to Lamu Crude Oil Pipeline Project and delivery teams.
- Provide an update of ESIA Scoping Phase findings, issues, comments and responses regarding the proposed project and associated approach.
- Discuss the proposed Community Stakeholder Consultation approach.
- Discuss Social Baseline Development process.
- Receive any comments on the above findings and proposed approach to community engagements.
- Indicate how stakeholders can participate in the future.


LOKICHAR TO LAMU CRUDE OIL PIPELINE PROJECT 4

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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.

LOKICHAR TO LAMU CRUDE OIL PIPELINE PROJECT 5

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3. PROJECT PROGRESS

3.1 FRONT END ENGINEERING & DESIGN



- FEED Studies are underway and expected to end in December 2018.
- Draft Construction Report already generated and inputs from ESIA and geotechnical survey to be incorporated.

3.2 GEOTECHNICAL SURVEY

- Topographical survey and installing survey beacons
- Drilling of core soil/rock samples.
- Digging trial pits at appointed locations

3.3 ESIA

- Scoping study completed and submitted to NEMA.
- Terms of Reference Sent to NEMA for approval.
- Baseline (Biophysical) underway.

LOKICHAR TO LAMU CRUDE OIL PIPELINE PROJECT 6

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GEOTECH ACTIVITIES



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8



9

INDICATIVE CONSTRUCTION CAMP LOCATIONS



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LAND ACQUISITION

- Land will be acquired by LAPSSET through the National Lands Commission.
- Land acquired will form the LAPSSET Corridor – 500 m wide
- LAPSSET will lease to pipeline approximately 30m wide corridor during construction and this will reduce to 6m during operations.
- Process to follow the requirements of the Constitution and legislation on land acquisition.
- NLC will soon be implementing the acquisition exercise and their officers will be visiting the areas in the corridor to sensitize the communities.

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4. SUMMARY OF SCOPING CONSULTATION PROCESS

Date	Meeting/ Type	Total Number Participants
11 June 2018	Parliamentarian Forum - Nairobi	38
12 June 2018	National and NGO Meeting - Nairobi	57
18 June 2018	County Meeting - Isiolo	58
19 June 2018	County Meeting - Meru	45
21 June 2018	County Meeting - Garissa	120
25 June 2018	County Meeting - Lamu	134
27 June 2018	County Meeting - Samburu	93
29 June 2018	County Meeting - Turkana	38
	Total Attendees	583

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4.1 ESIA SCOPING FINDINGS (ISSUES RAISED)

Category	Parliamentarian	National NGOs	Isiolo	Meru	Garissa	Lamu	Samburu	Turkana	TOTAL	%
Total issues raised	36	46	88	28	45	115	55	62	475	
Benefits and expectations	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓✓✓	38	8.0%
Collaboration with other stakeholders	✓	✓✓✓	✓	✓	✓	✓	✓	✓	8	1.7%
Compensation related	✓✓	✓✓	✓✓✓✓	✓✓	✓✓	✓✓✓✓	✓✓	✓✓	38	8.0%
CSR expectations	✓✓	✓✓	✓✓	✓✓	✓✓	✓✓	✓✓	✓✓	15	3.2%
Disaster/risk management	✓	✓	✓	✓	✓	✓	✓	✓	10	2.1%
Stakeholder engagement related	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓	✓✓	✓✓✓✓	✓✓	✓✓	55	11.6%

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CONT.

Category	Parliamentarian	National NGOs	Isiolo	Meru	Garissa	Lamu	Samburu	Turkana	TOTAL	%
Environmental impact related	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓	✓✓	✓✓	✓✓	✓✓	53	11.2%
ESIA process related	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓	✓✓	✓✓	✓✓	✓✓	35	7.4%
Grievance mechanism	✓	✓	✓	✓	✓	✓	✓	✓	3	0.6%
Health impacts	✓	✓	✓	✓	✓	✓	✓	✓	7	1.5%
Heritage/Cultural requirements	✓	✓	✓	✓	✓	✓	✓	✓	8	1.7%
Information requirements	✓	✓	✓	✓	✓	✓	✓	✓	9	1.9%
Land related aspects	✓	✓	✓✓✓✓	✓✓	✓✓	✓✓	✓✓	✓✓	22	4.6%

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CONT.

Category	Parliamentarian	National NGOs	Isiolo	Meru	Garissa	Lamu	Samburu	Turkana	TOTAL	%
Land dispute related	✓	✓	✓✓✓✓	✓✓	✓✓	✓✓	✓✓	✓✓	16	3.4%
Livelihood impacts	✓	✓	✓✓✓✓	✓✓	✓✓	✓✓	✓✓	✓✓	13	2.7%
Other	✓	✓	✓✓	✓✓	✓✓	✓✓	✓✓	✓✓	8	1.7%
Pipeline and terminal design	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓✓✓	35	7.4%
Pollution	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓✓✓	✓✓✓✓	18	3.8%
Requirements for representation	✓	✓	✓	✓	✓	✓	✓	✓	9	1.9%
Route Change	✓	✓	✓	✓	✓	✓	✓	✓	6	1.3%

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5. COMMUNITY STAKEHOLDER CONSULTATION APPROACH

Community engagement set out under three teams consistent with the scoping phase approach i.e.

- Team 1 Garissa and Lamu –
 - Regional Lead: Duncan Oyaro
 - Garissa Assistants: Sirad Madhowo and Abdijabar HusseinAden
 - Assistant: Mohamed kitele
- Team 2 Isiolo, Meru and Samburu
 - Regional Lead: Hajir Mohamed
 - Meru Assistant: Bernard Murithi; Isiolo Assistant: Jelle AliAdan;
 - Samburu Assistant: Hillary Sisina
- Team 3 Turkana
 - Regional Lead: Michael Kapolon
 - Assistant: Maurice Ikaal

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COMMUNITY STAKEHOLDER ENGAGEMENT LOCATIONS



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6. COMMUNITY BARAZAS



Use of poster to help communities understand the project and construction of the pipeline

Communities will be engaged through barazas in available meeting halls or out in open field



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7. SOCIAL BASELINE

- Social Baseline to be collected through Focused Group Discussions.
- Baseline data to focus on cultural and socio-economic characteristics of people that will be directly affected person particularly vulnerable groups.
- FGD teams to consist of Facilitator and Documenters with a set of translators in-office.
- Groups to be engaged include resource-use groups (farmers, pastoralists, gums and resins, beekeeping etc), women's and youth groups as so forth.
- FGD teams will have guidelines provided that will provide direction on the nature of questions.

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8. ESIA FOCUS



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9. 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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10. DISCUSSION

Facilitated by Mr James Kambo.

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

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11. 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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