

Minutes of the High Level Stakeholders' Meeting for the ESIA and RAP Studies for the Proposed Nairobi Expressway Project Held on 11th December 2019 at The Kenya Agricultural Livestock Research Organization, Westlands, Nairobi.

Subject/Ref	ESIA and RAP Studies for the Proposed Nairobi Expressway Project
County	Nairobi
Meeting Venue	KALRO, Westlands
Date and time of Meeting	11 th December 2019 at 2:45pm- 5:50pm
Project representatives Present	Eng. Julia Ondeyo (KeNHA) Patricia Agula (KeNHA) Eunice Opondo (CENTRIC AFRICA) Joyce Owino (CENTRIC AFRICA) Allan Owino (CENTRIC AFRICA) Haroub Ahmed (CENTRIC AFRICA) Kavata Mutisya (CENTRIC AFRICA) Zaritu Endale (CENTRIC AFRICA)
Number Of participants	Male: 60 Female: 14
Distribution	KeNHA, CRBC and Centric

Agenda of the Meeting
<p>The agenda was as follows:</p> <ul style="list-style-type: none"> • Opening remarks/prayer • Introduction of participants • Overview of the agenda of the meeting by Centric Africa • Presentation of the proposed project by KeNHA • Presentation of the ESIA process and development of ESMP and Resettlement Action Plan by Centric Africa • Question and answer session • Closing and adjourning of main meeting
Commencement of the Meeting
<p>The Meeting was called to order at 2.45 pm by Eunice Opondo from Centric Africa. She proceeded to state the agenda of the meeting as a high level stakeholders' meeting with Stakeholders fronting the Project alignment. She requested a member to open the meeting with a word of prayer which was done by Dr. Bernard Baumwera representing Kenya Methodist University. Thereafter, a round of introductions followed from members, KeNHA and Centric team. Engineer Julia from KeNHA, took over to make project presentation on behalf of the project client CRBC, KeNHA.</p>

Project Description (Directorate of Development, KeNHA)

Eng Julia commenced by thanking the business community for being present and taking their time to understand the project. She provided an overview of the proposed Nairobi Expressway project

- The justification of the proposed project was:
 - a) The original state of Mombasa road
 - b) Populations growth of Nairobi
 - c) Contribution of the highway to the economy
 - d) Decongesting so as to reduce losses in time and money, minimize accidents and air pollution caused by the incomplete combustion of vehicle fuels in traffic jam
 - e) Other initiatives to provide relief to the road, namely the bypasses.
- A value for money analysis was done to find out the cheaper option for the proposed project and it was found that it would be 32.6% cheaper for the road bed section (Mlolongo- Next Gen) and 40% cheaper for the elevated section (NextGen to ABC place) if done with the private investor.
- It was preceded by concept studies which were carried out by the proponent. A traffic forecast was also done and key issues such as the number of lanes addressed. The tolling rates were also evaluated by surveys which were done to determine the willingness to pay.

The characteristics of the proposed expressway were as follows:

- A 26.7 km long expressway largely on the median of the existing A8
- The expressway starts from Mlolongo, proceeds to JKIA, Nairobi CBD, Westlands and terminating at ABC place. 26.764km long expressway which includes 15.739km at grade section (Mlolongo to Southern Bypass interchange) and 11.025km elevated section (Southern Bypass interchange to ABC Place)
- The road will comprise four lanes with two emergency lanes to be used by ambulances, fire brigades, police and other emergencies service providers who will be allowed to use it for free. Some sections will have six lanes. The breakdown was as follows:
 - a. ABC place to the southern bypass will have four lanes and will be elevated
 - b. The Southern Bypass to the Eastern Bypass will have six lanes and will be on the road bed and
 - c. The Eastern Bypass to Mlolongo will have four lanes and will be on the road bed.
- The road design drawings made provisions for access to the Standard Gauge Railway (SGR), Jomo Kenyatta International Airport (JKIA), Eastern Bypass, Southern Bypass, Capital Centre interchange, Thika Road interchange and the James Gichuru Roundabout.
- There will be service roads, ramps, foot bridges and interchanges.
- The road will be fully fenced with controlled access and have ten entries/exits.
- The project is a Public Private Partnership under the B.O.T model (Build-Operate-Transfer) between a private investor (CRBC) and the Government of Kenya, and will be constructed over a period of 3 years commencing in 2020
- This is the first BOT (Build-Operate-Transfer) road project whereby the (Investor takes

the revenue risk)

- All facilities will be handed back to the Government of Kenya after a concession period of 30 years, together with its advanced technology and management.
 - The cost of construction of the expressway is approximately 557 million US dollars.
 - The road will be tolled for purpose of CRBC recouping their investment.
 - The anticipated benefits of the construction of the expressway include
 - a. Reduced traffic congestion
 - b. Reduced transit time
 - c. Easier transportation of people and goods hence promoting local economy
 - d. Provision of job opportunities
 - e. Direct transfer of technology
 - f. Largest FDI to attract more private investment
 - g. Realisation of vision 2030 and the Big four agenda
 - h. Enhanced competitiveness
 - i. Savings on motorists since it is estimated that fifty million shillings is lost in Kenya daily in traffic jam
 - j. Reduction of vehicular emissions hence improved air quality
 - k. Reduction in response time for emergencies
 - l. Attraction of international investors
 - m. Business opportunities for local supply chain
 - n. Attractiveness of areas around Mlolongo to both foreign and local investors
 - The social and environmental issues that were highlighted were creation of employment opportunities, safety precautions during construction and interruptions during construction
 - The mitigation measures were optimised land use, comprehensive traffic management plan to avoid or minimize interference with existing A8 road. The plan will entail dumping of construction materials at night and development of ESMPs plans.
- The project implementation process consisted of the launching which was done on 16th October 2019, a construction period of 3 years, the implementation by a private entity and the recovery of the funds through a tolling system.

ESIA Process, ESMP Development and Resettlement Action Plan (Centric Representative)

- A representative from Centric Africa. Ms. Eunice Opondo defined ESIA as the process of maximizing positive impacts and minimizing or eliminating the negative ones. She also explained that the requirement for an ESIA is enshrined in the Environmental Management and Coordination Act (EMCA), 1999, (amended in 2015) which is the framework law on environmental management in Kenya. The Act provides for environmental protection through processes such as Environmental Impact Assessment, Environmental Audit and Monitoring.
- EMCA 1999 (Amended 2015) section 58 categorizes project as High Risk (Category I), Medium Risk (Category II), and Low Risk (Category III)
- All new major road projects are categorized as Category 1 in Section 58(2) of EMCA 1999 (2015) and requiring Full ESIA Study
- The Nairobi Expressway falls under high risk project. It has been determined that

the Expressway project will be subjected to a Full ESIA Study to enable an in-depth identification and analysis of potential impacts, and subsequent devising of appropriate mitigation and enhancement measures.

- Centric Consultant gave the progress of the ESIA which commenced with a desk study, then development of the Terms of Reference which were approved by NEMA and various studies which included air quality assessment, noise and vibration survey, soil sampling, water quality assessment, climate change analysis, socio-economic survey and biodiversity assessment. A Resettlement Action Plan is scheduled to commence. She highlighted the avid stakeholder engagement involved in the process. They consisted of public consultation meetings at Mlolongo, Syokimau, South B, South C, Imara Daima and Westlands, Focused Group Discussions and high-level stakeholders' meetings.
- The ESIA process entails screening a project to determine whether an EIA is required or not, and if needed, the level of scrutiny (environmental assessment) that the project should be subjected to. Screening is following by a baseline and scoping study to determine the nature and magnitude of anticipated environmental and social impacts
- Stakeholder consultation is a key aspect of the EIA Study and, is anchored in the Constitution of Kenya 2010 and is also supported by the Public Participation Bill of 2018. It is therefore crucial that stakeholders in any given development are identified and engaged at various levels with an aim of obtaining their views, concerns, suggestions and recommendations, to be incorporated in the project. Centric explained that it is for this reason that stakeholder engagement is being carried out with various parties including line national government institutions, county government, civil society organizations, professional bodies, roadside traders and large establishments fronting the proposed alignment, residents along the corridor and various road users including long distance truck drivers, PSVs, cyclists, pedestrians etc.
- Centric explained that the Terms of Reference for the ESIA Study had been submitted to NEMA for review and the approval to proceed with the study was granted
- Once the ESIA Report is submitted to NEMA, the Authority will generate the summary of potential impacts and mitigation measures for publication in two local dailies and in the Kenya gazette. The public will be invited through the advert to peruse the report and give comments over a period of thirty days.
- NEMA will then review the report and decide whether to issue an EIA license with conditions or not.
- A Centric Africa Resettlement Action Plan (RAP) consultant presented on the RAP process.
- He mentioned that the objective of RAP is to provide a guide for the resettlement and rehabilitation of project affected persons (PAPs)
- The specific objectives included a) Identifying the Project Affected Persons b) Coming up with a compensation plan c) Ensure compliance with legal and regulatory requirements d) Incorporating the outcome of consultations and

<p>participations e) Development of a Grievance Redress Mechanism (GRM) and f) Monitoring and evaluation</p> <ul style="list-style-type: none"> The scope of RAP involved: a) Collection of baseline socio-economic data b) Census of PAPs to develop inventory c) Analysis of the nature of impacts d) Categorization of the PAPs based on impact e) Eligibility criteria for compensation f) Valuation of structures, crops and total land affected g) Entitlement matrix h) the Grievance Redress Mechanism (GRM) i) Determination of cut-off date and finally j) Legal review to inform PAPs the legal implications
Interactive Session with Participants
<p>After presentations from the client and Centric, the meeting proceeded to an interactive session where participants were given opportunity to ask questions, comment on the project, seek clarification, and any other concerns and recommendations for project development.</p>

Table 1: ISSUES RAISED AND RESPONSES GIVEN

Topic	Participant	Issue Raised	Responses
Interchanges and Ramps on the Expressway	Mohan - One Africa	Enquired potential impact on the small roads joining Waiyaki way and towards Kileleshwa (for lack of detailed design that's being fine-tuned.)	The design of the expressway will not affect the existing Westlands roundabout. Ramps are staggered away from the buildings and will not affect frontage of One Africa.
	John Kimura	asked if the ramps affect the frontage of the building.	
	Mohan - One Africa	Will detailed design be shared?	Participants were requested to visit KeNHA offices to discuss the final design as soon as it is ready in February 2020.in depth discussions to commence in January.
	Makena- MUA residents Association	MUA residents wanted to know how they will access their properties; utilities interruptions and landscaping after interfering with existing landscaping.	The contractor will share detailed traffic management plan. MUA residents will be able to plan their movements during construction. Traffic department will also be notified and public notices will be issued for

Topic	Participant	Issue Raised	Responses
			any closures or diversions
	Patel- Stakeholder	Clarity on when proposal on ESIA is completed.	THE ESIA report will be submitted by the end of December 2019. NEMA will publish the report and give a link for public to comment within 30 days.
	Sylvia – Dunhill Towers	Tentative timelines when the final project design is released.	The contractor promised that the final design will be out by February 2020
		Access to their property on chiromo road	There shall be an interchange near the property The ramp is staggered, it will not affect Dunhill towers
		Elevated road will impact security of the building	The road is expressway, it is fenced hence no stopping and looking and no impact on security.
		Experiencing high level noise pollution; how will interchange affect the building?	-
Tolling	-S K Mwaura – (Secretary Kenya Railways Golf Club)	Complained that tolling is double taxation to Kenyans using the road considering that fuel levy is charged by the government for all roads used.	Toll fee is for maintaining the road and operations and also for the investor to recoup his investment.
Private Land		-Expressway may encroach on Railway city land between Bunyala Rd and Haile selasie Avenue : final design to be presented Kenya Railways; Secretary	KeNHA has received letters from Kenya Railways Golf Club and forwarded to CRBC on how the railway city and other developments will be handled.
		requested to have a separate one on one	

Topic	Participant	Issue Raised	Responses
		<p>meeting with KeNHA/NEMA</p> <p>-According to the Kenya National Disaster Policy of 1979 – Central Park and City Park are among destinations that flood waters collect; hence when express way is constructed the Railways Golf City is concerned of waterways being interfered with flooding their grounds.</p> <p>Enquired on timelines for uptake of land to be taken away by the project.</p>	<p>The floodplane area will not be touched by the project except pillars for the elevated section. The drainage system on the viaduct will be on the viaduct and not on the ground.</p> <p>-Designs being crystallized, NLC already know which land and where will be acquired. A schedule has been sent to NLC and they will reach out to landowners soonest and will communicate with affected persons.</p>
	Hirani Hotel Boulevard	Secrecy of the Expressway Contract: why involve stakeholders after project was launched	Project contract not a secret much as it was signed. Stakeholder engagements is for feedback mechanisms and finalize a design that is optimal for everyone.
Utility Relocations	Crispin Odongo Communications Authority of Kenya	-Communication facilities will be adversely affected, there needs to be provisions of channels for communications ducts and also other alternatives besides burying the cables	ICT Authority been involved from the launch of the project; funds have been allocated for relocation of cables; there will be sleeves that will be provided for all cabling. Disruptions of services have been noted as well, funds have been allocated

Topic	Participant	Issue Raised	Responses
		-KeNHA requested to construct other bypasses to divert heavy vehicles from entering the CBD and interfering with traffic.	for swift restoration. -Suggestion well noted
Project Impact during construction	Petronella- Chair Westlands Association	<p>Asked KeNHA how far the constraint of the road is?</p> <p>-Requested land acquisition and scope of work be shared with stakeholders;</p> <p>- How will construction impact on school children's calendar?</p> <p>- Youth employment</p>	<p>The road does not touch Uhuru Park; the ramps are shifted backwards. The military building may be interfered with but the discussions are ongoing though at preliminary stage. The military members present requested and FGD with KeNHA/Centric to discuss this further.</p> <p>KeNHA will discuss final traffic management plan with the contractor. Dumping of materials will be done at night. For school children's crossings is being considered by the contractor.</p> <p>-There will be 3000 jobs for youths during construction of NEP and 500 post construction for maintenance and operations.</p>
Project affected persons	Gregory- OLA energy	<p>Questioned about business assets that are on KeNHA reserve, what reliever is KeNHA offering for payments are done yearly</p> <p>-Sewerage systems; there is back and forth</p>	<p>George was requested to contact KeNHA and he will be engaged.</p> <p>KeNHA apologized for run around of</p>

Topic	Participant	Issue Raised	Responses
		between contractor and Nairobi waters whenever there is interference with sewer system.	stakeholders and promised to take up the issue as soon as it arises during construction.
	Chris - Surveyor	<ul style="list-style-type: none"> -Contractor to ensure that during construction there is access for all types of cars as per previous road use - Contractor to give out a hotline number for communication incase of any issues that may arise -Chinese surveyors to share final data 	<p>Contractor will be informed accordingly.</p> <p>-KeNHA customer care number and email was shared</p> <p>KeNHA has an internal surveyor who is also engaged and queries will be addressed.</p>
Corporate Social Responsibility	Petronilla – CEO Westlands Associations	- Complained that construction lorries spoil existing feeder roads during construction and asked if the contractor can fix the damaged roads as CSR	The contractor will be informed accordingly

Closing and Adjournment

Centric Consultant thanked the participants for attending the meeting. Participants were informed that many more engagements will be organized in future as the project progresses to make the project a success. They were invited to share any more comments they may have via the email addresses provided.

The meeting adjourned at 5.50pm

Confirmation of Minutes

Minutes prepared by: Centric Africa

Date

WESTLANDS ASSOCIATION

Minutes confirmed by: PETRONILA NAFULA Date 09/01/2020

Position

 CEO



ANNEX I PHOTOS OF THE HIGH LEVEL STAKEHOLDERS' MEETING

	<p>High Level Stakeholder Engagement Meeting at KALRO, in Westlands</p>
	<p>Engineer from KeNHA Presenting the Project Background Information</p>
	<p>Centric representative presenting on the Environmental Aspects of the Project</p>



Centric Representative covering the social Aspects of the Project



A Stakeholder raising a comment during the Interactive session



A Resident along the Project Footprint raising a concern



Engineer, KeNHA responding to issues raised during interactive session



A stakeholder giving his view during the interactive session



A stakeholder giving her view during the final round of interactive session




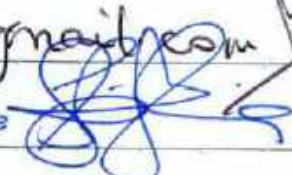

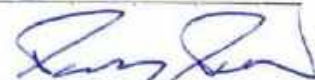
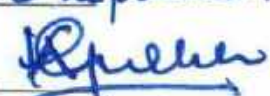
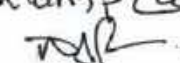
ANNEX II HIGH LEVEL STAKEHOLDERS' MEETING ATTENDANCE LIST

HIGH LEVEL STAKEHOLDERS' MEETING SIGN SHEET FOR THE PROPOSED NAIROBI EXPRESS PROJECT ESIA STUDIES







NAME	ORGANIZATION	DESIGNATION	TELEPHONE NUMBER/EMAIL	SIGNATURE
1 Mohan Gahuri	Grenadier Mgmt Ltd	PM	0722148775 sgahuri@grenadierglobal.com	<i>[Signature]</i>
2 Cyrus Kinyua	NestHads Triangle Properties Ltd (PCC)	Portfolio Accountant	072982176 Cyrus.Kinyua@cbre-kenya.com	<i>[Signature]</i>
3 BENJAMIN Ooko	Grenadier Mgmt.	Projects c.o.w / Eng	0720-340469 benjamin@grenadierglobal.com	<i>[Signature]</i>
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5 KUSH SHAN	Muguga Green Mgmt. Ltd.	Management Committee	0733602189 KUSHAN@GSHSHAN.COM.KE	<i>[Signature]</i>
6 Sylvester Kimemia	Ac. Ik St. Mark's Church Westlands	Verger	072514611	<i>[Signature]</i>
7 MRS BOUGLAS BUKUTI	KABETE BARRACKS (KDF)	Kabete Barracks Rep	0720826260	<i>[Signature]</i>
8 CAPT MATHENGE	Ministry of Defence	DoD Rep	0723596893	<i>[Signature]</i>
9 Peter Buliva	Kenya Power	Technical Services	0722496958 pbuliva@kepc.co.ke	<i>[Signature]</i>
10 David Mugwa	Knight Frank	Property Manager	0722667318 david.mugwa@kfr.kn	<i>[Signature]</i>

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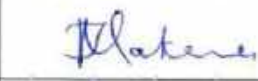




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4	—	—	—	Skmparapole@gmail.com	
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11	M. POONAWALA	ABC			mehlamp@hotmail.com 

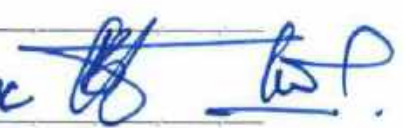





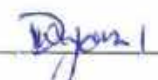
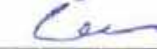

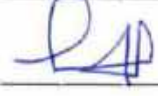
HIGH LEVEL STAKEHOLDERS' MEETING SIGN SHEET FOR THE PROPOSED NAIROBI EXPRESS PROJECT ESIA STUDIES

	NAME	ORGANIZATION	DESIGNATION	TELEPHONE NUMBER/EMAIL	SIGNATURE
1	PAUL KAGIRI W.	Jua Kali	MECHANIC	0722-866761	
2	Joseph Kimani M	Jua Kali	Mechanic	0721679676	
3	PETER MBUGUA	Jua Kali	mechanic	0724147461	
4	Eustus Gichere	Juakali	Carwash	0726527855	
5	BIDAN NGATHIA	Juakali	carwash	0735031719	
6	George Ithi	Juakali	breakdown	0705848895	
7	Julius macharia	Juakali	mechanic	0722557081	
8	BENIFACE WAIGAITO	Juakali	CAR WASH	0720934522	
9	Dorionne AKOTH	Juakali	Kibanda	0723541154	
10	Paul murese.K.	Juakali	meck	0708372774	

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2	Frederick Mwiriri	Breakdown WES	Westlands	0728 613 640	
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4	MORRISON WAMATI	Carwash / Plaza	Westlands	0722 782 117	
5	Bernadette Gitari	Consolata Shrine	Westlands	0725 777 686	
6	Joycelyn Makene	Mina Park	Westlands	0726 623 963	
7	Samuel M Nyonyi	car wash	W/lands	0721 208 836	
8	Nahashon Mwangi	Car wash	W/lands	nahashonmwangi@gmail.com 0726 527 855	
9	Hamis Thuiya	NWRA/KEBS	Westlands	0722 427 686	
10	ANTHONY NJOGU	INTERCONTINENTAL NAIROBI	Dir. I.T.	0717 999 008	








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5	ALLAN OWINGO	CENTRIC	ESS CONSULTANT	0729 924823	
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7	DUNCAN MURURI	Hoise B/down	Driver Hoise	0724 121152	
8	GEORGE NJUCURUA	Hoise break down B/down	Driver Hoise	07123 82683	
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10	Alan Stephen	KENHA HQ (CCD)	1-CCD	0727 554567	

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	NAME	ORGANIZATION	DESIGNATION	TELEPHONE NUMBER/EMAIL	SIGNATURE
1	George Mungai	KenHA HQ	1 COO	0721851888	<i>George</i>
2	Gregory Wanjau	OLA Energy		0720342984	<i>Greg</i>
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4	Mary Ngong'o	OLA Energy		0717749262	<i>Mary</i>
5	H. HIRANI	Sentrim (K) Ltd	Direct	0722515077	<i>H. HIRANI</i>
6	HAROLD A.	CENTRIC	ESIA	0722314448	<i>Harold</i>
7	Mwale Everette	Utali house		0726434795	<i>Mwale</i>
8	Christopher King'ara	VECTOR CONSULTANTS	LAND SURVEYOR	0722-519059	<i>Chris</i>
9	Caroline Kinuthia	Utali House		020-322 4129	<i>Caroline</i>
10	Crisphine Oganga	CA	Manager	0703042000	<i>Chris</i>

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4 PETER KAMAU.	CAR WASH	WESTLAND	0769 565 208	
5 Stephen R. Macaria	CAR WASH	WESTLAND	0719300891	
6 DANSON MWANGYUMBA	MECH MWANGYUMBA	WESTLAND OLKA WEST	0704756767	
7 John Kimani	Breakdown	WESTLANDS	0724107079	
8 Zarith Endale	Centric	Westlands	0720985985	