

Public Participation in the Implementation of 280MW Geothermal Power Projects at Olkaria in Naivasha Sub-county, Nakuru County, Kenya

Philip Juma Barasa

P.O Box 785-20117 Naivasha, Kenya

pbaraza@kengen.co.ke.

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ABSTRACT

Public participation and access to information are recognized in Principle 10 of the 1992 Rio Declaration as vital tools in any development process. This principle states in part “Environmental issues are best handled with the participation of all concerned citizens at the relevant levels.....”. According to Chapter 23 of Agenda 21, one of the fundamental pre-requisites for the achievement of sustainable development is broad public participation in decision making. In many countries, including Kenya, public participation rights are granted via Environmental and Social Impact Assessment (ESIA) procedures or in various sectoral laws adapted to the special circumstances of each sector. Consultation with and dissemination of information to the public are important objectives of ESIA. In Kenya, Section 59 of Environmental Management and Coordination Act (EMCA), 1999 provides for public participation and access to information when conducting ESIA.

Early identification of issues and resolution during the planning stages has shown to deliver projects on time and with much wider stakeholder support. It also minimizes delays resulting from surprises and allows for the incorporation of communities into the benefit stream as a partner. Consultation and engagement have become the recognized tools to ensure anticipated and emerging issues are identified and managed. Informed participation is a more intensive and active form of consultation. This increased level of involvement tends to generate a shared sense of ownership in a process and its outcomes. The more a particular stakeholder group is impacted by a component of the project, the more important it is for them to be properly informed and encouraged to participate in matters that have a direct bearing on them, including proposed mitigation measures, the sharing of development benefits and opportunities, as well as implementation and monitoring issues.

Public involvement has therefore been conceived of as both a sustainability objective and a principle of best practice. The Kenya Electricity Generating Company Limited (KenGen) is developing power plants to generate 280MW of electricity at Olkaria in Naivasha Sub-County, Nakuru County, Kenya. This paper seeks to draw from the experience of stakeholder consultations carried out during ESIA for the 280MW Olkaria I Units 4 & 5 and Olkaria IV geothermal power projects, including preparation and implementation of the Resettlement Action Plan. Emphasis will be placed on how the project-affected persons at Olkaria area were involved in the decision making process during planning and construction phase of the two power plants, leading to better outcomes.

1. INTRODUCTION

The term “Public Participation” means the availability of opportunities for individuals, groups and organizations to provide input in the making of decisions which have or are likely to have, an impact on the environment including in the enactment of national laws, policies, and guidelines, and Environmental Impact Assessment procedures (UNEP, 2006). Public participation is the involvement of all parties who may potentially have an interest in a development or project, or be affected by it (Common Ground, 2005). It entails a wide range of activities that can range from providing information, through consultation to direct involvement of the public in aspects of the decision-making process.

Participation in development can be defined as the process through which people with an interest (stakeholders) influence and share control over development initiatives and the decisions and resources that affect them (ADB, 2001). A key element in participatory development is the ability to identify stakeholders, their needs, interests, relative power and potential impact on project outcomes. Public participation in the carrying out of Environmental and Social Impact Assessment (ESIA) figures heavily in the Espoo Convention of 1997 on ESIA in a Transboundary Context (UNEP, 2006). In accordance with Rio Principle 10, the Espoo Convention foresees that public participation in ESIA can:

- Improve relations between peoples and countries and prevent transboundary environmental conflicts;
- Develop civil society and democracy
- Promote the timely disclosure of relevant information to participants in the environmental decision-making process;
- Help people understand, respect, and accept final decisions on projects; and
- Provide insight into environmental protection and the mitigation of long-term environmental problems that result from development decisions.

Participation should be viewed as an ongoing process rather than a one-off exercise or a series of exercises. Accordingly, stakeholder participation can be incorporated in all aspects of project design, management and implementation, and at any point in a project's life (ADB, 2001). However, stakeholder engagement early in the development cycle, through ESIA, can assist in laying the foundations for long term relationships. It can add value to developments and minimize delays due to misunderstandings or opposition from communities or civil society groups.

In very large projects, a preliminary ESIA including a public participation process can be undertaken very early in the pre-feasibility stage to identify any potential fatal flaws. A second fuller ESIA, also incorporating a public participation process may then be required during the feasibility stage (Common Ground, 2005) as shown in figure 1 below.

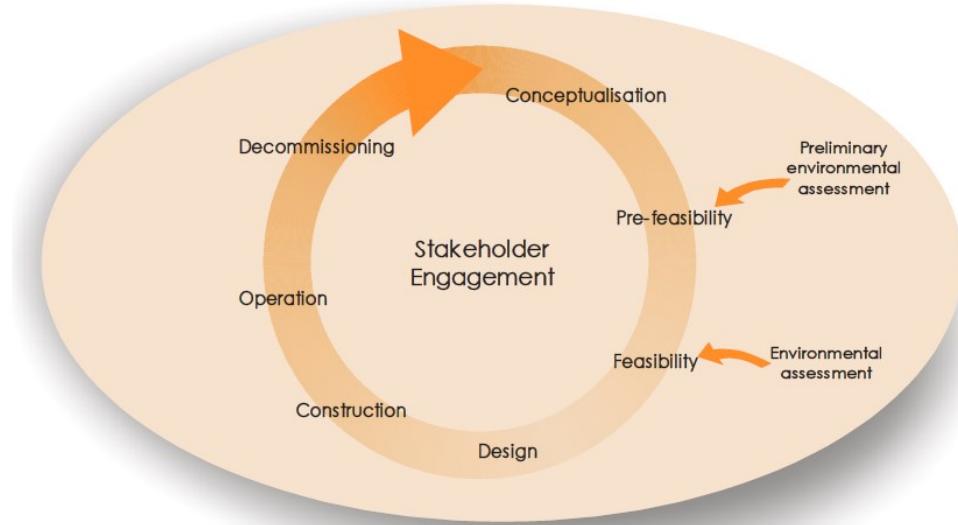


Figure 1: Public Participation in the Project Lifecycle

During project cycle, the intensity of public participation should increase from the initial scoping stage to the project implementation phase. Sufficient time should be provided to allow people to effectively and meaningfully participate bringing them to the same level. There are three key components of effective public participation. First is public communication and access to information. Second is inclusion of minorities and marginalized groups and the third is Civic Education (Commission for the Implementation of the constitution, 2012).

If strategically applied throughout the project life, an integrated range of stakeholder engagement approaches can help build trust, contribute to maintaining broad community support for the project, and ultimately help companies promote the long-term viability of their investments (IFC, 2009). The International Association for Public Participation has developed a continuum of public participation approaches (Common Ground, 2005) as shown in figure 2 below.

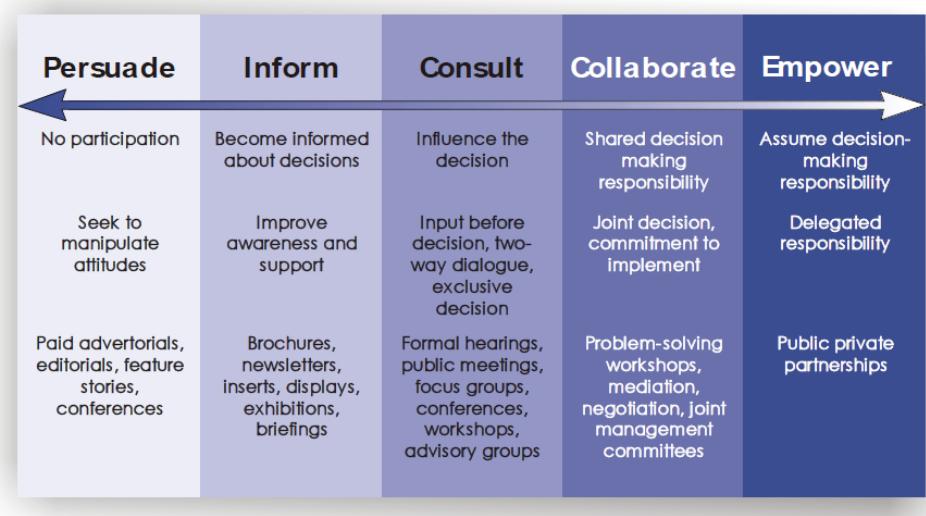


Figure 2: Continuum of Public Participation Approaches

Influencing or empowering – the two ends of the continuum – are not appropriate approaches for environmental assessment processes. Stakeholders must be entitled to participate in environmental assessment processes. Kenya Electricity Generating Company Ltd (KenGen) considers stakeholder participation as an essential part of good business practices and corporate citizenship, and a way of improving the quality of projects. In particular, the company recognizes that effective community engagement is central to the successful management of risks and impacts on communities affected by projects, as well as to achieving enhanced community benefits.

Recognizing and dealing with issues of the affected communities as early as possible can benefit the company by reducing operational and reputational risks that may result from leaving such issues unresolved (IFC, 2009). These risks can have a significant and direct business impact. Protests, road and bridge blockages, violence, suspension of operations, and plant closures are just a few examples of how the unsatisfactory handling of community concerns can directly affect a business's bottom line.

2. LEGAL PROVISION FOR PUBLIC CONSULTATION

The need for public consultations in ESIA is provided for by both local and international instruments.

2.1 Local Instruments

Section 59 of Environmental Management and Coordination Act (EMCA), 1999 stipulates the need for public participation when carrying out Environmental and Social Impact Assessment (ESIA). A time limit of not exceeding ninety days shall be set aside for the public to submit oral or written comments on the ESIA study report after it has been submitted to the National Environment Management Authority (NEMA). Invitation of comments shall be by way of a public notice on the ESIA publicized in a newspaper that has a nationwide circulation and the Kenya Gazette.

Regulation 17 of the Environmental (Impact Assessment and Audit) Regulations, 2003 provides that during the process of conducting EIA, the proponent shall in consultation with the Authority, seek the views of persons who may be affected by the project. In seeking the views of the public, after the approval of the project report by the Authority, the proponent shall publicize the project and its anticipated effects for two successive weeks in a newspaper that has a nationwide circulation. In addition, the law requires the proponent to hold at least three public meetings with the affected parties and communities to explain the project and its effects, and to receive their oral or written comments. Appropriate notices pertaining to these meetings should be sent out at least one week prior to the meetings and that the venue and times of the meetings should be convenient for the affected communities and the other concerned parties.

Article 69 of the Kenyan Constitution, 2010 provides that the state shall:

- a) Encourage public participation in the management, protection and conservation of the environment
- b) Establish systems of environmental impact assessment, environmental audit and monitoring of the environment and
- c) Eliminate processes and activities that are likely to endanger the environment

2.2 International Instruments

Chapter 23 of Agenda 21, on strengthening the Role of Major Groups, provides that individuals, groups and organizations should have access to information relevant to the environment and development, held by national authorities, including information on products and activities that have or are likely to have a significant impact on the environment, and information on environmental matters.

Principle 10 of the 1992 Rio Declaration states that environmental issues are best handled with participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities and the opportunity to participate by making information widely available.

3. DESCRIPTION OF THE PROPOSED PROJECTS

3.1 Project Components and Financing

KenGen currently owns and operates two Geothermal Power Stations namely Olkaria I and Olkaria II. The two power plants have a capacity of 45MW and 105MW respectively. The company is in the process of constructing two additional geothermal power plants namely Olkaria IV and Olkaria I unit 4 & 5 in line with its ambitious strategy of increasing geothermal power generation capacity by 1,110MW by 2020. Each of these power plants has a capacity of 140MW. The power plants will comprise of a power house complete with turbines, generators, control room, workshop & other auxiliaries. Steam gathering system, brine re-injection system, production and re-injection wells, service roads, a substation and transmission lines will also be provided.

The two projects are co-financed by the World Bank (IDA), Japan International Cooperation Agency (JICA), European Investment Bank (EIB), KfW Development Bank (KfW) and Agence Francaise de Development (AFD).

3.2 Project Location

Olkaria geothermal field is located within Hells' Gate location in Naivasha Sub-county, Nakuru County. KenGens' geothermal licensed area measures 204 KM² and is one of the prospects located along the Kenyan Rift Valley as shown in figure 3 below. Part of the concession area lies within Hell's Gate National Park which measures approximately 68.25KM². Olkaria geothermal field neighbours Lake Naivasha, which is a Ramsar site, flower farms and some villages inhabited by an indigenous community (the Maasais).

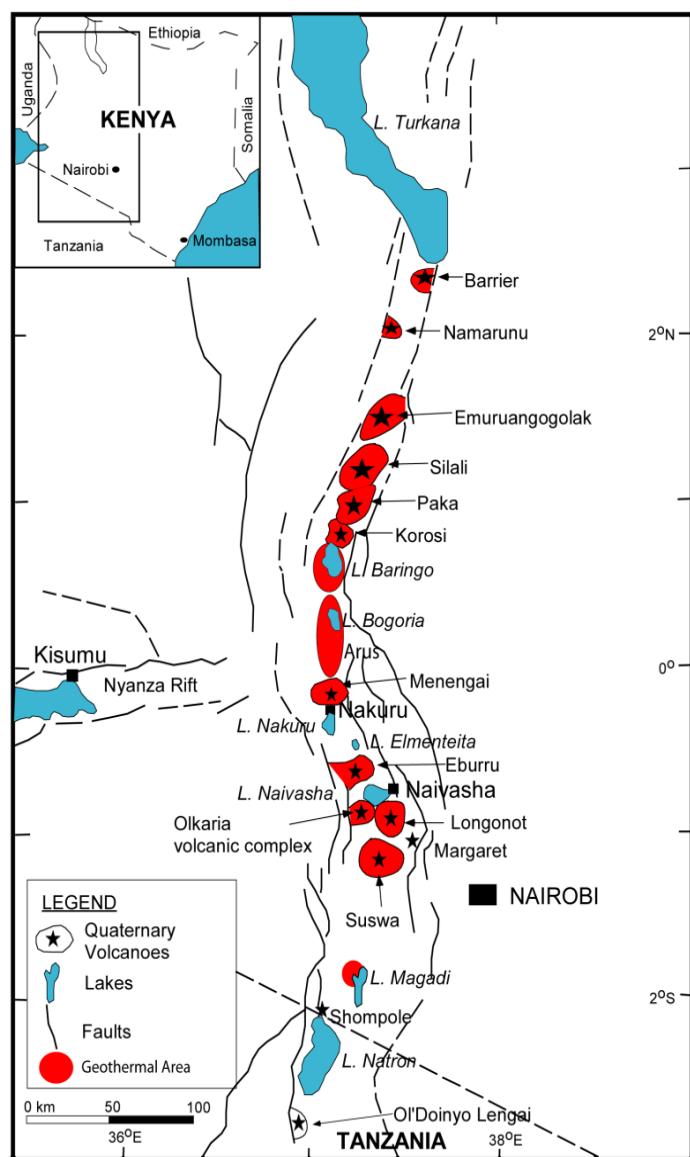


Figure 3: Map Showing the Location of Olkaria Geothermal Field

3.3 Land Requirements and Acquisition

KenGen estimated that a total of 1461 hectares (3610 acres) of land was needed for putting up the power plants and associated infrastructure. The findings of the air quality and noise dispersion modeling carried out during ESIA studies indicated that approximately 600 acres of land adjacent to the power plants was going to be impacted negatively. Therefore the total land that was required for the power plants was 4210 acres. Out of these, a total of 35 hectares (86.48 acres) comprised of four villages inhabited by the Maasai community. Acquisition of this land necessitated involuntary resettlement of the local community.

4. ESIA FINDINGS FOR THE PROPOSED POWER PLANTS

Separate ESIA studies for Olkaria IV and Olkaria 1 Unit 4 & 5 Power Plants were carried out in 2009 by KenGens' appointed consultant, GIBB Africa Ltd. The findings of the studies indicated that the local community living on and in the vicinity of the land identified for the establishment of the proposed power plants was to be impacted negatively by the cumulative effect of noise and Hydrogen Sulphide (H₂S) gas emissions. It was on this basis that the studies recommended involuntary resettlement of the affected community as a mitigation measure for noise and Hydrogen sulphide gas emissions.

The predicted noise levels obtained by modeling the two power plants indicated that all settlements inside the 35 dB (A) contour were to be relocated as this land was predicted to be affected by noise levels above the National Environment Management Authority (NEMA) recommended night time permissible levels. On the other hand the predicted 24 hour average due to H₂S emission from Olkaria I unit 4 & 5 and Olkaria IV power plants was not permitted to be above 0.10ppm (0.15 mg/m³), beyond the immediate power station boundary according to World Health Organization (WHO) guidelines. The Maasai communities living in four villages within the projects' area of influence were therefore impacted. These villages were Olooonongot, Oloosinyat, Olomayiana ndogo and the Maasai Cultural Centre. Following the studies, Gibb Africa Ltd was also commissioned to prepare a Resettlement Action Plan (RAP) to facilitate involuntary resettlement of the Project Affected Persons (PAPs) totaling to 335 households.

5. STAKEHOLDERS CONSULTATIONS

The local community was adequately informed about the proposed power projects, the choice of location and the implications of the projects on the land and their livelihoods. This was done during ESIA studies and preparation of RAP.

5.1 Stakeholders Consultation during ESIA Studies

Separate ESIA studies were carried out for the power plants, Olkaria I Unit 4 & 5 and Olkaria IV, and the proposed facilities for resettling the PAPs at their preferred location. Stakeholder consultations during the three (3) ESIA studies were achieved through public barazas/meetings, key stakeholders workshops, focus group meetings and one on one interviews. Public barazas and stakeholders workshops were used as platforms for disclosing the findings of the ESIA studies.

During the entire stakeholder consultation process, an interpreter was appointed by the local community to assist in translation from English or Kiswahili to Maasai language and vice versa. This helped to address communication barrier hence ensuring full participation by all the PAPs. Notices of meetings were issued out at least one week in advance and followed-up with phone calls. Public meetings/barazas with PAPs were held at their respective villages.

Public notices to disclose potential significant social and environmental impacts associated with each project and appropriate mitigation measures were published in local newspapers with a wider circulation and the Kenya Gazette on separate dates. Copies of the full ESIA study reports were also availed at the NEMA office in Naivasha Sub-county for reference by the public. KenGen also posted on the companies' website, ESIA study reports for Olkaria IV and Olkaria I unit 4 and 5 power plant. This provided an opportunity for the stakeholders, especially the PAPs, to make reference and submit oral or written comments to NEMA, KenGen and the World Bank.

The stakeholders consulted and the approach used during the ESIA studies for the proposed projects are indicated in table 1 below:

Table 1: Table indicating Stakeholders Consulted & the Approach Used during ESIA Studies

Stakeholder Group	Stakeholder Identified	Consultation Platform
Project proponent (KenGen)	<ul style="list-style-type: none"> -KenGen staff at the head office in Nairobi -KenGen staff at Olkaria 	<ul style="list-style-type: none"> -Group discussions -One on one interviews with specific departmental heads
Project Affected Persons	Residents of settlements within the immediate projects' zone of influence	<ul style="list-style-type: none"> -Door to door consultations using questionnaires as part of the social survey -Focused group discussions -Public barazas/meetings -Stakeholders workshop with representatives of the PAPs --Transect walk to the resettlement site with RAPIC members to familiarize with baseline conditions based on Traditional Indigenous Knowledge
	Residents of settlements bordering the projects' immediate zone of influence i.e the area directly outside the power stations and Hells Gate National Park.	<ul style="list-style-type: none"> Information sessions followed by question and answer sessions through a public baraza/meeting. The venues of the meetings were to be easily accessible to the people and included market centres or outside the offices of the local administration
	<ul style="list-style-type: none"> Key informants among the project affected persons, including <ul style="list-style-type: none"> -Village elders and Chairmen -Youth Members -Women representatives and -Teachers in the schools within the project area 	<ul style="list-style-type: none"> -Focus Group Meetings -One on one interviews

Representatives of the local and provincial administration within Naivasha sub-county	<ul style="list-style-type: none"> -Deputy County Commissioner, Naivasha Subcounty -Assistant Subcounty Commissioners, -area chiefs and -assistant chiefs 	<ul style="list-style-type: none"> -One on one meetings followed with focus group discussions -Transect walk to the resettlement site to familiarize with baseline conditions
Key government agencies i.e agencies involved in management of relevant sectors of the bio-physical and socio-economic environment of the project area	<p>Representatives of Lead Agencies at the sub-county level in charge of:</p> <ul style="list-style-type: none"> • Public Health • Education • Water resources management • Forestry • Lands and settlement • Livestock • Roads • Physical planning and • Wildlife management 	<ul style="list-style-type: none"> -Information sessions followed by focus group discussions -One on one interview to collect specific information -Stakeholders Workshop with all government agencies and NGOs --Transect walk to the resettlement site to familiarize with baseline conditions
Nongovernmental organizations (NGOs)	<p>Registered organizations dealing with conservation in the project area. These included:</p> <ul style="list-style-type: none"> -Worldwide Fund for Nature -Lake Naivasha Riparian Association -Bird Life International 	<ul style="list-style-type: none"> -One on one interview to collect specific information -Stakeholders Workshop with all government agencies and NGOs

5.2 Stakeholders Consultation during Implementation of the Power Projects & RAP

5.2.1 Formation of Community Institutions

Community institutional arrangements were put in place to provide a platform for effective participation by the PAPs. The following institutions were established with clear Terms of Reference.

- a) The Stakeholders Coordination Committee (SCC)
- b) The Resettlement Action Plan Implementation Committee (RAPIC).
- c) Community Welfare Society and
- d) Council of Elders Advisory Committee

SCC was established as an umbrella institution to address stakeholder concerns pertaining to the overall implementation of the two power stations and the facilities for resettling the PAPs. The SCC has three sub-committees which include economic opportunities, Environment Health and Safety and Employment opportunities sub committees. Composition of the SCC is drawn from Government Ministries, professionals, the local administration, women representatives, the PAPs, Nongovernmental organizations (NGOs), politicians (Members of County Assembly), vulnerable groups, youth representatives, KenGen staff and other nominees from Narok, Kajiado and Naivasha sub-counties. The chairperson and the secretary to the SCC are KenGen staff. The SCC and its sub-committees conducts separate and joint meetings on a monthly basis.

RAPIC was established to ensure that the RAP is implemented in a manner that safeguards the entitlements of the PAPs. RAPIC derives its representation from the four RAP villages, Provincial Administration, KenGen and government line ministries. Community representation in the RAPIC was through elections held by each of the four affected villages. To ensure meaningful elections, the PAPs were sensitized on the need to elect members who were capable of representing their interests during RAPIC meetings. Each village elected five representatives three of whom were men and two women. Additional members from the PAP communities include one youth representative and a vulnerable group representative elected from the four villages, a representative of the Maasai Cultural Centre Management Committee and a Maasai elder adding up to twenty four (24) PAPs. RAPIC members

were presented to the PAPs for public ratification at a public disclosure meeting. The RAPIC meetings are chaired by the Deputy County Commissioner, Naivasha sub-county and the secretary is the Social Safeguards Advisor.

Because of the RAP component, the RAPIC conducts its meetings at least twice in a month or when need arises. SCC and RAPIC Meetings are coupled with visit to the project sites to facilitate in depth understanding of the issues as evidenced by the photo in plate 1 below.



Plate 1: Transect Walk to the Resettlement Site by RAPIC Members in 2012

SCC and RAPIC were basically put in place as multi-stakeholder forums to provide a mechanism for debating issues concerning the PAPs thereby serving as vehicles through which broad agreement or consensus on the final conclusions was arrived at.

The PAPs agreed that the title deed of the preferred resettlement land was to be held in trust by the entire community to ensure security of tenure in line with the laws of Kenya. For this reason, formation and registration of community welfare society for land transfer was necessary. All the four PAP villages are equally represented in the society. Already the community's lawyer has already drafted the constitution to guide affairs of the society and its registration is ongoing. The aim was to cushion the vulnerable group from becoming landless in the event that the household head decides to sell the piece of the resettlement land. The Council of Elders Advisory Committee (CEAC) comprises of two elected elders from each of the four affected villages. Its function is to settle disputes and conflicts among the PAPs and recommend unresolved cases to RAPIC for determination of the next course of action. Upon launching of CEAC, each member was issued with an appointment letter by the Deputy County Commissioner, Naivasha sub-county.

5.2.2 Grievance and Conflict Handling Mechanism

The Grievance and Conflict Handling Mechanism (GCHM) for the PAPs was developed through a round table meeting with PAP representatives, the Provincial Administration and KenGen representatives in presence of World Bank officials. The GCHM was developed to address grievances at the earliest possible opportunity without either parties resorting to courts of law, or approaching the project financiers, before all other possible resolution levels are exhausted. The GCHM proposed a maximum of 37 days, for a grievance to go through to the external arbitration level. The PAPs were sensitized on the need for an acceptable GCHM and there after it was disclosed to all the PAPs at a public meeting for validation and adoption. The grievance and complaints office has been set up by KenGen and GCHM has begun to bear fruits since the CEAC has already settled a number of disagreements and made reconciliations.

5.2.3 Public Meetings

Public meetings were held to disseminate information and clarify issues for instance during disclosure of the census results. The Maasai community is patrilineal in nature with decision making vested on elders. As such women and the youth may not have adequate platforms to air their views and opinions. To counter this limitation, separate meetings were held with women and youths from each of the four villages. The list of PAPs was presented for disclosure and validation at a public meeting held at the Maasai Cultural Centre where all PAPs including the vulnerable were represented. The meetings are planned and conducted in such a way that ensures everyone has the opportunity to participate on an equal level.

5.2.4 Stakeholders Workshops

Stakeholder representatives including PAPs were identified to participate in a workshop to disclose the Resettlement Action Plan for the 280MWe projects. The stakeholders were invited at least one week prior to the workshop date through letters. The workshop was chaired by the Deputy County Commissioner, Naivasha sub-county. A two days workshop was also organized to sensitize the elected PAP representatives from the four villages and their lawyer on the available legal options under the Kenyan laws for registration of community owned land. The workshop was facilitated by an independent lawyer contracted by KenGen.

5.2.5 Resettlement Agreement

An agreement for accepting the resettlement land was entered between KenGen and representatives of the PAPs including village chairmen, elders, women leaders and youths. Signing of the agreement was witnessed by the Deputy County Commissioner, Naivasha sub-county and two lawyers each representing the PAPs and KenGen. The agreement spelt out conditions that were to be fulfilled by KenGen prior to relocation. These conditions were honored by KenGen hence increasing the level of confidence in the participation process.

5.2.6 Signing of Memorandum of Understanding (MoU)

The MoU on the entitlements of the PAPs was entered between KenGen and representatives of the PAPs in presence of their preferred lawyer. The MoU was binding to both parties and it clearly outlined how the PAPs were going to be compensated. The entitlements were as provided for in the RAP document. This simply implies that the PAPs were satisfied with the entitlements but they were not convinced that KenGen was going to honor all of them.

5.2.7 Administration of Questionnaires

A household questionnaire was used to collect baseline socio-economic data and preferred relocation options from the PAPs at their respective villages. The PAPs identified their own interpreter and the community chairmen and KenGen Liaison Officers acted as guides throughout the exercise. These interviews gave the consultant an opportunity to talk with the PAPs who might not normally be represented among the leaders or group meetings.

5.2.8 Information Exchange Visits

KenGen had successfully undertaken involuntary resettlement of the local community that was affected by Sondu Miriu Hydro Power Project back in 1990s. Therefore the company has a wealth of experience in implementation of RAPs. It was against this background that the company organized for representatives of the PAPs from the four affected villages to visit Turkwel Hydropower Project in 2009 and the Stakeholders Coordination Committee (SCC) to visit Sondu Miriu Hydropower Project in 2013. During the two visits, the representatives of PAPs and SCC had a chance of sharing information and experiences with the communities that had been resettled as a result of implementation of the two hydropower plants. This provided a window for the PAPs and SCC to fully understand the resettlement process, challenges encountered and how they were addressed.

5.2.9 Employment of Community Liaison Personnel

There was need to establish a point of contact between the local community and KenGen in order to enhance public participation. KenGen employed three liaison personnel from the Maasai community to act as the secretariat where community issues would be received and conveyed to KenGen management for necessary action. The PAPs were comfortable to work with the liaison personnel since they could freely communicate with them in the Maasai language without engaging an interpreter. KenGen also employed an employment officer and a Social Safeguards Adviser with specific terms of reference. The Social Safeguard Adviser had vast experience in community work hence he was charged with the overall responsibility of coordinating implementation of RAP and acting as the contact person between KenGen, governments' line ministries, provincial administration and project financiers. He was also to provide mentorship to the liaison personnel. The employment officer was responsible for obtaining job requirements from all contractors and presenting them to SCC for placement. The purpose was to ensure that majority of the unskilled labour came from the local community as specified in the ESIA study reports.

5.2.10 Training of PAPs

Training Needs Assessment was conducted to facilitate designing of training modules for livelihood restorations and enhancement. Each community project under RAP, for instance the cattle dip and the dispensary have management committees elected from the four affected villages. The various committees will be trained to ensure: acquisition of management skills, a clear understanding of their roles and sustainability of the projects upon handover to the affected community. The committees are already involved in the construction of the projects. The CEAC and the RAPIC members were also trained by the Social Safeguards Advisor on how to handle grievances and complaints through GHCRM.

5.2.11 Temporary Resettlement

KenGen saw the need to temporary relocate two families that were living within the directly affected site for Olkaria IV Power Plant at Oloosinyat village. This was done based on the following reasons:

-Enable mobilization of the contractor to the proposed power plant site and

-Promote health and safety of the two families during construction phase of Olkaria IV Power Plant as they await permanent relocation

KenGen held formal and informal discussions with the two affected families and the community representatives through five different meetings to discuss the reasons for temporary relocation and negotiate on the compensation package. KenGen prepared a report on the temporary resettlement for inclusion in the RAP for the 280MW projects. Cash compensation was agreed upon. The household heads for the two affected families and KenGen signed an agreement for compensation in presence of the village chairmen of Oloosinyat, Oloonongot, Cultural Centre and Olomayiana villages as well as the local administration, Chief Hell's Gate Location.

5.2.12 Accessibility and Sharing of Information

The various versions of RAP document, the entitlement matrix, PAPs census report and the signed MoU between PAPs and KenGen were uploaded on KenGen website to facilitate accessibility and information sharing. Copies of these documents were also availed to representatives of the PAPs for their reference throughout RAP implementation process. The elected PAPs' representatives in the RAPIC have the obligation to give feedback to the PAPs on the issues that have been agreed with KenGen for implementation or for further consultations and concurrence. Each member of SCC and RAPIC has his/her file where minutes of every meeting are filed for ease of reference. The custodian of the files is KenGen's liaison office. All grievances and complaints are documented via the established grievance logging tool and the complainant is kept informed about the resolution status hence guaranteeing transparency.

6. CONCLUSIONS

The following conclusions can be deduced from implementation of the 280MW projects.

- There is need for project proponents to employ community liaison personnel during project implementation to facilitate effective and continuous public consultations in the project lifecycle.
- Community institutional arrangements incorporating government officials from line ministries are a special vehicle of instilling confidence in the implementation of large scale projects hence ensuring greater support for the project by the affected communities.
- Public consultations should not only be conducted in closed doors (hotels) away from the local community rather there is also the need to hold outdoor meetings (public barazas) next to the affected community. This provides a better understanding of the proposed project especially by the vulnerable groups. In addition, community representatives attending closed door meetings might not always convey information or if they do, they might distort it hence the need for outdoor meetings. The local community might also develop a perception that the community representatives are being influenced to support the project on behalf of the community.
- Grievance Handling and Conflict Resolution Mechanism provides a channel of a locally based, simplified and mutually beneficial way to settle issues within the framework of the company-community relationship, while recognizing the right of complainants to take their grievances to a formal dispute body or other external dispute-resolution mechanisms.
- Formulation of RAP should go hand in hand with ESIA study for the proposed project in order to save on time and to ensure maximum participation by the project affected persons hence ensuring timely delivery of projects
- In developing countries like Kenya, social impacts outweigh environmental impacts during construction phase of large scale geothermal projects hence the need for effective public participation process from scoping to implementation phase.
- Various aspects contribute to public acceptance of projects: the contents of the public participation process (agreements for compensation, information exchange visits, Memorandum of Understanding, perceived benefits, disclosure of information) and the decision making process.
- In large scale geothermal projects involving involuntary resettlement, it is of prime importance for the ESIA to provide the mechanisms to interact with, and build up trust between the affected communities and the project proponent. These interactions are invaluable in overcoming difficulties that might arise during preparation of RAP as well as its implementation.
- A good public participation process should involve all members of the project affected community including the marginalized and minority groups such as the youth, women, the elderly and the vulnerable.

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