RESETTLEMENT ACTION PLAN (RAP) FOR THE PROPOSED CONSTRUCTION OF 132 kV TRANSMISSION LINE FROM MALAGARASI TO KIDAHWE SUBSTATION (53 km), KIDAHWE 400/132/33 kV SUBSTATION AND HYDROPOWER PLANT AREA IN IGAMBA

SUMMARY WITH SPECIFIC FOCUS ON THE TRANSMISSION LINE

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TANZANIA ELECTRIC SUPPLY COMPANY LIMITED
1. INTRODUCTION
The Kigoma region in Tanzania Mainland is situated in western Tanzania and it borders the Democratic Republic of Congo (DRC) with Lake Tanganyika to its west, Tabora and Geita regions to its east, Kagera region and Burundi to its north and Katavi region to its south. Its economy is primarily agricultural based with large population engaged in subsistence agriculture farming apart from other activities like fishing, beekeeping, and livestock keeping. Whereas the region has a lot of potential for development, underdeveloped infrastructure such as roads, unreliable rail and air transport and inadequate supply of electricity has been the most significant barrier to industrialization and socio-economic development of the region.

In order to support economic activities in the region, availability of reliable electricity supply to the region and its districts of Uvinza, Buhigwe, Kasulu, Kibondo and Kakonko is of paramount. The current use of diesel generators to produce electricity not only affects TANESCO finances but also cannot support industrialization of the region as government wish.

In conjunction with the North West Grid Extension Project, the Government of Tanzania in collaboration with the African Development Bank (AfDB) and South Korea Economic Development Cooperation Fund (EDCF as potential co-financiers) through the Tanzania Electric Supply Company Limited (TANESCO) is intending to construct a 132 kV transmission line from Malagarasi Hydropower Plant to Kigoma (also known as Kidahwe) substation where there will be a 400/132/33 kV substation to receive the power line from Nyakanazi. The proposed transmission line is intended to evacuate about 44.8 MW of generated power from Malagarasi Hydropower plant. The grid substation will be constructed at Kidahwe in Kigoma District Council.

2. PROJECT DESCRIPTION AND COMPONENTS
The North Western Grid is part of a bigger project with different components that are at different levels of land acquisition. The bigger Malagarasi HPP Project includes the following components:

- The proposed Malagarasi Hydropower plant Stage III project has been designed to yield a maximum of 44.8 MW using maximum water flow of 171m³/s and deliver 186.8 GWh with a plant factor of 0.48. The plant will have 3 generators rated 15.75 MW each utilizing a head of 30.5 m and unit water flow of 57m³/s.
- A 132 kV line is proposed that will align from Malagarasi to Mazungwe (22km) in a 20 m wide corridor already acquired by TANESCO under the Millennium Challenge Account and from Mazungwe to Kidahwe (31km) will take a new corridor of 26 m wide to interconnect with the Kidahwe substation. This corridor is planned to be parallel with the proposed 400 kV line from Kigoma to Mpanda under the North West Grid project.
- This is a power project involving a construction of about 53 km of 132 kV overhead transmission line from Malagarasi Hydropower Plant to new Kigoma 400/132/33 kV substation, Construction of hydropower plant with associated facilities, construction of new 400/132/33 kV substation and a switch yard at Malagarasi. The new substation will be constructed at Kidahwe in Kigoma District. **Size of land for establishment of the proposed substation is about 150 hectare.**
- The project will also involve the construction of graveled access road of about 27 km from the main Kigoma – Uvinza road south to the Malagarasi River Stage III site, a bridge over the Kabuchweri River and associated borrows
3. PROJECT IMPACTS

The total land requirements for the Malagarasi Project is 1,742 hectares with land breakdown as shown in the table below:

<table>
<thead>
<tr>
<th>Item</th>
<th>Village/Area</th>
<th>Hectares</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transmission Line (20m corridor)</td>
<td>Igamba Mazungwe</td>
<td>40.0</td>
<td>98.8</td>
</tr>
<tr>
<td>Transmission Line (26m corridor)</td>
<td>Mazungwe Kidahwe</td>
<td>85.6</td>
<td>211.5</td>
</tr>
<tr>
<td>Substation Site</td>
<td>Kidahwe</td>
<td>150.0</td>
<td>375.0</td>
</tr>
<tr>
<td>Hydropower Site</td>
<td>Igamba</td>
<td>1,466.5</td>
<td>3,623.6</td>
</tr>
<tr>
<td><strong>Total Land Requirement</strong></td>
<td></td>
<td><strong>1,742.1</strong></td>
<td><strong>4,309.0</strong></td>
</tr>
</tbody>
</table>

The scope of this Resettlement Action Summary is the proposed 132 kV overhead transmission line from Malagarasi Hydropower Plant to new Kigoma 400/132/33 kV substation. The line will traverse from Maragalasi via Mazungwe, Kazuramimba, Kalenge and Mlela villages in Uvinza district and Kidahwe village in Kigoma Rural district in Kigoma region. The project area is located in Kidahwe ward in Kigoma District Council and Kandaga and Kazuramimba wards in Uvinza District Council.

Whereas the full RAP covered the Malagarasi to Kidahwe Substation (53 km) Kidahwe 400/132/33 kV Substation and Hydropower Plant Area in Igamba, the land acquisition interest for the North West Grid Project is in the transmission line evacuating power to the Kigoma Region.

The 53 km long transmission line is estimated to be USD 9.805 million and if it is a combination of a single circuit from Malagarasi to Mazungwe and double circuit from Mazungwe to Kidahwe to accommodate Tabora line the cost is USD 12.256 million for the transmission line alone.

4. BASIS AND OBJECTIVES OF THE RESETTLEMENT ACTION PLAN

The project triggers the Land Acquisition Act of 1967 of the United Republic of Tanzania and the African Development Bank (AfDB) OS 2: Involuntary Resettlement: Land Acquisition, Population Displacement and Compensation. Hence, this proposed Resettlement Action Plan (RAP) prepared to meet the policy and operational requirements of the Government of the United Republic of Tanzania and the African Development Bank (AfDB) has been triggered by transmission line. Other instrument triggered include, the Village Land Act of 1999 and the Land Regulation of 2001.

The objective of this Resettlement Action Plan (RAP) is to ensure that all households and persons that will be affected by the proposed 53 km 132kV transmission line are promptly and fairly compensated for any loss of crops, land and assets (houses and other building structures). Efforts have been made during the detailed planning phase and survey of the proposed transmission line route to minimize impacts by avoiding settlements. The following are the main objectives of Resettlement Action Plan:

- Define rules for eligibility for compensation
- To present a social-economic basis of project affected persons (PAPs) for which identification of entitlements and livelihood restoration strategies for minimizing the impacts on the PAPs so as to improve their livelihoods and standards of living or at least to restore them in a pre – displacement levels
- Establish land acquisition and compensation processes and establish a dispute resolution mechanism to address any grievances arising from the displacement
- Identify gaps between international guidelines and the laws of Tanzania on matters addressing issues of involuntary displacement and suggest how the gaps can be narrowed to meet international best practices
• To propose the monitoring and evaluation program that will measure how well the mitigation will be implemented during the project cycle
• To recommend cost effective measures to be implemented to mitigate against the expected impacts
• To identify the criteria for different categories of PAPs who would require some form of assistance, compensation, rehabilitation or relocation (vulnerable groups)
• To present proposed livelihood restoration measures for the affected PAPs and the villages as discussed with PAPs.
• To identify the project affected persons (PAPs) and type of assets they own
• To assess and present type of vulnerable groups and propose the appropriate mitigation measures

5. POLICY, LEGAL AND REGULATORY FRAMEWORK
In preparing this resettlement action plan, TANESCO was guided by the National Land Policy 1997 for eligibility aspects and valuation principles and guidelines; The National Human Settlements Development Policy and the National Water Policy for aspects of human development and basic living standards of project affected persons.


In order to meet international best practice, this RAP development was further guided by the AfDB Integrated Safeguards System (ISS 2013) Operational Safeguard # 2 on involuntary resettlement on social considerations that promote fairness, transparency and good governance during the land acquisition including full disclosure of project and intended impacts, engagement of stakeholders and project affected persons on the principles and guidelines informing eligibility, identification of affected properties and valuation principles as well as livelihood restoration.

6. COMPENSATION INSTITUTIONAL ORGANISATION
Once the final valuation of affected properties and assets has been done by the competent government valuers, through consultations between the affected parties and TANESCO, an agreement will be reached on the mode of payment. A mode of payment could be either monetary, alternative land or a structure equivalent to the one to be demolished, as long as any non-monetary option is close to, or equivalent to the compensation amount agreed.

The overall coordination of the implementation of the RAP will be provided by TANESCO which will oversee all resettlement planning and coordinate all issues relating to the compensation. TANESCO will do this in close collaboration with local authorities falling within the project area as the preparation and implementation of the resettlement plan will require the participation of several institutions at different levels. Coordination of the participating institutions is a critical requirement to a successful resettlement program. It is always preferred to have this addressed early into the project cycle, so that all participating parties are made aware of each other’s responsibilities, lines of reporting, communication channels, expectations and authority limits.

The overall responsibility for the land acquisition process lies with the Ministry of Lands, Housing, and Human Settlements, through the Commissioner of Lands. However, for this particular project, TANESCO will be the lead government body applying for the creation of way leaves or acquisition of land for a public purpose and will work in close coordination and collaboration with the Ministry of Lands, Housing and Human Settlements during the land acquisition process.
For the practical execution of the land acquisition activities, TANESCO will work closely with the District Valuers, Village councils, Village assemblies of the affected villages, and the affected households or institutions during the compilation of the compensation schedule and the preparation of the Resettlement Action Plan (RAP).

The Valuation report will be submitted to the Chief Government Valuer for approval. The compensation schedule will be submitted to the Regional and District Commissions for verification and approval prior to compensation payments, while the RAP will be reviewed and approved by TANESCO. However, given that the project area heavily relies on agriculture (crop and livestock farming), it is prudent that the agricultural departments are involved especially in the implementation of the livelihood restoration programs. The process should also be tailored to the resettlement policy framework for the Participatory Agricultural Development and Empowerment Project, which has been implemented in Kigoma Region. This would create harmonization of approaches among sectors, which is a key ingredient to sustainable development.

7. SOCIO-ECONOMIC PROFILE OF PROJECT AFFECTED PERSONS
Results from the socio-economic survey revealed that the population of project affected persons is characterized large household sizes on average household size of project affected persons is 4-7 persons with most household heads being married. Most (93.7%) of the households’ primary occupation is agriculture while secondary occupation that was highly (30.4%) practiced in the proposed project area is petty trading and lastly (1.3%) practiced secondary occupations were tailor, mechanics, fisher, carpenter and agricultural paid labor.

Most (52.2%) of the households didn’t attend even primary school while those with primary education level were 22.4% and the households with University education level were 1.5%. 49.8% of the households own one farm while households possessing more than five farms were 145 (23%) and households with three farms were 70 (11.1%). The households with one – two acres were representing 37.6%, followed by the households with five acres and above (35.5%) while (4%) were the households with less than one acre. However, the study discovered that most (75.5%) of the households do not own farms outside the village but the majority (75%) owing farms outside the village reported to have one acre only.

Most (95.8%) of the households owns only one plot in the village while the least (0.4%) reported that they possesses more than five plots in the village. Moreover, the study findings ascertained that about 94.7% of the households belongs to one plot outside the village. Also, it was reported that most (36%) of the households owns quarter of acre of plot size in the village and few households (2%) owns more than two acre of plots in the village while 36.8% of the households possess plot size of one acre outside the village. Basing on these findings it can be substantiated that although the proposed project might affect plots in the villages traversed by the transmission line but most of the households have other plots outside their villages. Thus, impacts of the project on the plots is insignificant.

Most of the local communities along the newly proposed 132kV line, substation and substation areas are small-scale farmers, practicing agriculture and livestock keeping as their main economic activities. Other PAPs, especially those in semi urban areas, are employed or self-employed in commercial and service activities. Most farmers practice subsistence farming with very low annual output. There is very little use of agricultural fertilizers and mechanization. Seasonal crops grown include palm oil trees grown for cash crops, whereas food crops include cassava, sweet potatoes, maize, groundnuts and beans.

In relation to vulnerabilities, 8.3% of the households were to have vulnerabilities while 91.7% households had no any kind of vulnerability in their families. Most of the basic social services including schools,
water, health and communications, roads police etc. However, most of these services are either too far or of poor quality or not sufficient.

8. STAKEHOLDER ENGAGEMENT AND COMMUNITY PARTICIPATION
In regard to this project a participatory approach is adopted as an on-going strategy throughout the entire project cycle. During socio economic Survey 65% of PAPs were personally informed about the project. A detailed explanation on the project and its impacts were sensitively made during PAPs consultations. Projects impacts were discussed in terms of positive and negative/ adverse impacts. Also, PAPs were educated on the alternatives or mitigation measures to control, minimize or avoid the negative impacts and enhancement measures for positive impacts of the project. At the same time land officers, valuers and surveyors from Kigoma and Uvinza district councils were involved during PAPs individual consultations in order to explain the nature of compensation for PAPs to understand well the processes. This is believed to reduce excessive expectations and to realistically frame the potential benefits and impacts of the project.

A number of issues were raised during these stakeholder engagement process and community meetings regarding eligibility, valuation and compensation processes. A detailed stakeholder Engagement Plan (SEP) has been prepared to streamline the all these issues in the RAP implementation process. The overarching purpose of the SEP is to ensure regular, timely, accessible and appropriate dissemination of information; and to involve stakeholders in the design of mitigation measures, among others.

9. VALUATION AND COMPENSATION
Regarding eligibility and entitlements, eligibility criteria for compensation and assistance to PAPs included a combination of Tanzania’s legislation, AfDB and WB safeguard policy requirements. The impacts that will arise as a result of land acquisition for the proposed 132kV transmission line have broadly been categorized as: impacts on land, crops and developments; and Socio-economic impacts.

The impacts on land developments will entail: loss of land; loss of buildings and other structures (residential, commercial, buildings for public use, etc.); loss of crops/trees, loss of sacred places. Socioeconomic impacts will entail loss of livelihoods. According to the international legislations, all PAPs irrespective of their status are eligible for some kind of assistance if they occupied the land before the cut-off date. Persons who occupy the area after the socio-economic study (census and valuation) are not eligible for compensation or any form of resettlement assistance. The entitlement cut-off date refers to the time when the valuation assessments of the land and assets/developments on the land and a census of all the affected people are complete. The date of the census will serve as the cut-off date for eligibility and no new arrivals in the project area or assets created after the cut-off date will be eligible for compensation after this date. All stakeholders including PAPs will be informed of the cut-off date and its implications. Information about the cut-off date was disseminated mainly through public meetings, during the census.

a. Compensation Packages for residential houses include residential structures include the following compensation:
   • Compensation of the residential structure according to the type of structure at market value;
   • Compensation of land according to the market value if the PAP owns the land;
   • Loss of Accommodation allowance;
   • Transport allowance (the actual cost of transporting twelve tons of luggage by road or rail whichever is cheaper within twenty kilometers from the point of displacement as a lump sum) ; and
• Disturbance allowance (calculated by multiplying the value of the land by an average percentage rate of interest offered by commercial banks on fixed deposits for twelve months at the time of loss of interest in land).
• For tenants that reside in these houses they will receive transport and disturbance allowance which will be determined during the detailed census.
• Tenants will be given sufficient notice to find another accommodation.

b. Compensation Packages for commercial structures (two main categories of businesses i.e. those that are registered and therefore have records with their business and those that have no records. PAPs losing commercial structures) include the following:

• Compensation of the commercial structure according to the type of structure at market value;
• Compensation of land where the structure is, according to the market value if PAP owns the land;
• Loss of profit allowance calculated for six months, if business has no proper records;
• Transport allowance; and
• Disturbance allowance.
• Tenants of the buildings will receive the following compensation:
  o Loss of profit allowance calculated for six months; and
  o Transport allowance
  o Disturbance allowance.

c. Compensation packages for community structures included in-kind compensation and cash compensation will be proposed. For in-kind compensation the proponent will have to replace a better structure or equivalent to the one affected while for those opting for cash compensation, the properties will be entitled for the following compensation package:

• Compensation of the public structure according to the type of structure at market value;
• Compensation of land where the structure is, according to the market value if PAP owns the land;
• Loss of accommodation allowance;
• Transport allowance; and
• Disturbance allowance.

d. Compensation for Agricultural Production and Parcels includes valued land mainly for rural settlements has been based the market value of unimproved land and disturbance allowance as outlined by Government Valuer from Buhigwe District Council. Trees that are 4 meters high or higher have been registered shade trees. The compensation package includes:

• Compensation of land according to the market value of that land if the PAP owns the land;
• Disturbance allowance (8% of the value of land and crops)
• Compensation for the crops according to the type if the crops belong to the PAP owning the land.

e. Compensation for trees and perennial crops was based on valuation and calculation using the official regional/district approved compensation rates, plus (8%) disturbance allowance.

f. Annual crops and seasonal crops will not be compensated as PAPs will be allowed to harvest before the project implementation. However, in order to prevent any financial impact or loss of harvest that mainly includes food crops, notice will be provided to all PAPs with seasonal crops to alert them when to stop cultivating once they have been compensated for loss of land. Seasonal crops
that take less than six months to reach total maturity that allows them to be fully harvested and the land cleared will include maize, paddy, vegetables, sunflower and beans, among others.

g. **Compensation for Sacred and Patrimonial Sites:** The expenses related to the relocation of graves such labour in connection with exhumation, coffin and reburial costs will be paid to the District Council Health division who will be responsible for the relocation.

### 10. INCOME AND LIVELIHOOD RESTORATION

TANESCO shall arrange various community livelihoods restoration programs to all villages that will be affected by the proposed project. TANESCO proposes livelihood restoration interventions such as construction of social infrastructure, densification of electrification, equal access to employment opportunities during construction, entrepreneurial training amongst others. This is intended to help PAPs and community members cope with the development.

### 11. RAP IMPLEMENTATION ARRANGEMENTS

Once the resettlement action plan has been prepared, disclosed and approved, implementation of the resettlement action plan and delivery of entitlements will commence. Responsibility for implementing the resettlement measures of the resettlement action plan and delivering entitlements to displaced persons will be with TANESCO, particularly staff in the Projects Directorate and the Corporate Planning and Research Directorate. TANESCO will also work closely with other institutions, many of which have legal obligations to carry out functions related to resettlement and/or compensation. These include the Ministry of Lands and Human Settlements Development and the relevant municipal and ward authorities.

The municipalities will be responsible for the actual payment of compensation, by cheque, to each beneficiary upon production of suitable identification, with the process to be overseen by the relevant District Commissioners. Each beneficiary will be required to sign for the receipt of the compensation due on the compensation schedule. Payment will be made in the presence of the relevant sub-ward leader. In cases where compensation remains unclaimed it will be retained in the Land Compensation Fund until the rightful beneficiary does come forward to claim it. The TANESCO Project Resettlement Unit will handle complaints and disputes in the field before referring any unresolved issues to the municipal authorities, the Compensation Steering Committee and the Dispute Resolution Team.

### 12. GRIEVANCE MANAGEMENT

A simple Grievance Redress Mechanism (GRM) has been proposed to enable timely settlement of grievances to the PAPs. This grievance procedure will not replace existing legal processes in Tanzania but rather it will seek to resolve issues quickly so as to accelerate receipt of entitlements and smooth resettlement without resorting to expensive and time consuming legal processes.

The grievance procedures will be secured and administered at the local level to facilitate access, flexibility and openness to all PAPs. The grievance redress procedure ensures consultations and involvement of the respective District, Ward and Village officials and other key stakeholders and provides for record keeping determining the validity of claims, and to ensure that solutions are taken in the most transparent and cost effective ways for all PAPs. At the time of the detailed socioeconomic survey, the PAPs were informed of the different grievance mechanisms put in place to enable them to direct their complaints and dissatisfaction. The project will use a local mechanisms, which include resettlement committees formed at every village and local leaders of the affected people. These will ensure equity across cases, eliminate nuisance/un-genuine claims and satisfy legitimate claimants. They will also ensure that there is transparency, access and flexibility of the procedure for the PAPs.

### 13. COSTS AND IMPLEMENTATION SCHEDULE

The total compensation cost for the Kidawe line is TZ shillings 119,865,258.26 with 77,983,200.00 being the compensation cost for land and 32,404,536.68 for crops. A contingency of 15% is to be included to
address compensation claims that may arise due to additional claims for compensation for land and crops that may be raised to the GRM. Also added is a 10% as a cost for livelihood restoration measures.

The RAP implementation schedule covers a period of twenty two months (22) which covers all planned activities. It is important that all RAP activities including payments for compensation are completed before line construction begins. This is to ensure that all possible hindrances to the project implementation will have been dealt with. However, some grievances may arise during the project implementation.

14. MONITORING AND EVALUATION

Internal monitoring arrangements will look at processes that to ensure that the RAP is implemented successfully and that the PAPs are treated equitably/fairly, an internal monitoring system will be defined and implemented by the TANESCO in close collaboration with the implementing partners/agencies. This system, which will provide the necessary monitoring data in an efficient and reliable manner, will among other issues keep track of:

- The progress of the resettlement and compensation process;
- The implementation of the social mitigation measures identified in this RAP;
- The set-up and functioning of the grievance redress mechanism, and
- The compensation process for in kind compensation if any
- The TANESCO will produce periodic monitoring reports (monthly and quarterly) regarding the implementation of resettlement and mitigation activities.

The external or independent monitoring of the implementation of the RAP is to provide an objective assessment of the achievement of resettlement and mitigation objectives. More specifically the external monitoring objectives will be to:

- Verify that baseline information on all PAPs has been collected, all losses inventoried and valued;
- Verify the provision of resettlement and compensation entitlements is in accordance with the approved valuation report;
- Verify that effective consultation in connection with the agreement and disbursement of compensation is taking place;
- Verify that grievances are being processed and resolved in accordance with the approved grievance procedure;
- Identify any implementation problems; and
- Verify that sufficient funds for compensation are provided in a timely manner and that such funds are being used in accordance with the RAP.

External monitoring will be carried out by independent monitors, who will use the internal monitoring data and other information provided by the TANESCO. The external monitors will produce annual reports and a final RAP completion report.

15. REFERENCES

- Resettlement Action Plan for the Proposed Construction of 132 kV Transmission Line from Malagarasi to Kidahwe Substation (53 km) KIDAHWE 400/132/33KV Substation and Hydropower Plant Area in Igamba
- African Development Bank’s Integrated Safeguard Policy

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