

NIDCO Responds- Part 1

Since the publication of the Armstrong Report in March 2013, NIDCO has continued to consider several issues raised in the Report. In respect of the recommendations made, NIDCO has carefully considered them and where applicable and appropriate, have taken steps to address same.

Below is an account of how the recommendations of the Report were considered by NIDCO, as part of the ongoing process of consultations, reviews, re-engineering and project evaluations in the construction of the Highway:

Recommendation No. 1:

IT WAS RECOMMENDED THAT no further work be undertaken on the Highway site until all of the conditions contained in the CEC have been fulfilled, including the need for all plans (including Storm Water Management Plan and the Water Management Plan) specified in the EIA to be submitted to the EMA, and for approvals to be obtained from the relevant agencies.

NIDCO ADVISES THAT:

- The Flood, Water Quality and Sediment Management Plan, was submitted to the EMA on August 7, 2012 in accordance with the conditions stipulated in the CEC. Further, the EMA has raised no queries or concerns in relation to this issue.
- All regulatory approvals for the Debe to Mon Desir alignment have been obtained and all conditions as required by the Town and Country Planning Division have been fulfilled, inclusive of approvals from the Regional Corporations.
- All regulatory approvals for all three relocation sites for the Project have been obtained. These include - Certificates of Environmental Clearance, Town and Country Planning Permission, Highways Division Approval, Drainage Division Approval, Fire Services Approval, Water and Sewerage Authority, Regional Corporation Approvals.
- The construction of the Highway is being implemented using the Design-Build Model. This procurement model allows for design and construction activities to occur simultaneously. It is common industry practice that certain plans, such as the traffic management plan, storm water management plan and others are developed not for the entire alignment of the Highway but for various sections and sub-sections as the construction schedule stipulates.

The sites identified for the relocation of farmers, displaced residents, and landless residents (referred to as 'squatters') are Golconda; Petit Morne, Ste. Madeleine; and Picton, Debe, respectively.

Recommendation No. 2:

IT WAS RECOMMENDED THAT no further work be carried out on the site until all of the conditions attached to Notice of Grant of PP referenced T7M:0440/2007 and Notice of Grant of PP referenced T8N:0443/2007 are fulfilled.

NIDCO ADVISES THAT:

- Without exception, all required final planning permissions from the Town and Country Planning Division, the Regional Corporation approvals and Certificates of Environmental Clearance for all segments of the Highway have been obtained in the legally required sequence.

Recommendation No. 3:

IT WAS RECOMMENDED THAT a proper Social Impact Assessment (SIA) be undertaken before a decision is made whether or not to continue with the Debe to Mon Desir segment of the Highway, given the potential for severe adverse impacts on the resident population and other stakeholders within the immediate and wider area of impact, including the potential severing of extended family ties. In this regard non-relocated residents, and the agricultural stakeholders who would be affected by the loss of their lands, as well as the non-relocated business people who would be affected by the Highway, also need to be drawn into the study.

NIDCO NOTES THAT:

- The HRC Consultant, Mr. Eden Shand, attested to the adequacy of the SIA in satisfying the requirements of the Terms of Reference (TOR) for the EIA. He further indicated that there was sufficient information to enable a decision to be made on the SHHE project. The Consultant concluded that the EIA complied with the social components of the TOR.
- In March 2013, NIDCO was instrumental in forming a multi-stakeholder Community Working Group for the Debe to Mon Desir section, in fulfilment of a CEC requirement. The Group is comprised of senior and technical officers of the MOWI, NIDCO, AECOM, Construtora OAS S.A., as well as civil society and local government representatives. The Group meets on a monthly basis to discuss social, developmental and construction matters in relation to the SHHE project. The Group has had six meetings to-date and no issues regarding adverse social impacts have yet been raised.

AN ACCOUNT OF HOW THE ARMSTRONG REPORT WAS CONSIDERED BY NIDCO.

- In respect to the latter part of this Recommendation No. 3, that "SIA studies should include attention to the alternate routes proposed by the HRM and by MOWT/NIDCO", it should be noted that eminent Transportation Consultants, Dr. Rae Furlonge of APDSL and the HRC Consultants, Dr. Philbert Morris and Dr. Trevor Townsend, all agreed that the HRM proposal is not the preferred alternative as it does not provide sufficient capacity for future traffic growth in the area.

NIDCO ADVISES THAT:

- NIDCO has always maintained its sensitivity towards the communities and individuals affected by the construction of the Highway. Hence, despite the HRC Consultant's favourable opinion on the adequacy of the SIA conducted, NIDCO has proceeded to develop and implement a **Social Impact Mitigation Plan**, utilizing all information gathered to-date on the Debe to Mon Desir section of the SHHE project. The Plan addresses the social, psycho-social, cultural, economic and environmental issues that impact individuals and the communities in this part of the SHHE project.

The following measures have already been implemented to mitigate the adverse impacts of the construction of the Highway:

- **Reduction of the Right-of-Way (ROW)** - of the Highway from an originally proposed 100m to 60m in some areas in the Debe to Mon Desir section, where feasible. This measure has resulted in a significant reduction in the number of residential structures to be acquired from some 315 originally to approximately 215 in the optimised ROW.
- **Establishment and maintenance of a Community Outreach Centre** in Debe (2011) and a second Outreach Centre in Fyzabad (2014). These centres represent NIDCO's commitment to providing the community with information, physical and psychological support and a channel for ongoing consultation. The Centres operate as a channel for submitting claims for compensation; receive and respond to residents' concerns, individually and collectively; disseminate information through various means such as open houses, town hall meetings and in-office meetings.
- **Provision of free Counselling Services** by a professional psychologist, operating out of the Debe Outreach Centre.
- **Acquisition of land by Private Treaty**, through which mutually agreed settlements are reached prior to the acquisition of properties and demolition of structures. To date, a total of 156 of the 275 claims received from residents in the Debe to Mon Desir communities have been fully settled after negotiations.
- **Provision of land for the resettlement of displaced residents.** Displaced residents have been provided with fully developed housing lots at Petit Morne, Ste. Madeleine, at a significantly subsidised price of TT\$50,000. In addition, similarly developed housing lots in Picton, Debe have been allocated to previously landless residents; while farmers will receive 2-acre parcels of agricultural lands in Golconda. The housing development sites have been designed to Town and Country Planning requirements and include spaces for commercial activity, community centres, schools, religious facilities and playgrounds.
- **Provision of suitable rental accommodations** to relocated residents for a period of approximately one (1) year to allow for persons to make new permanent living arrangements.
- **Making provision for family units to remain intact** during the relocation process by providing families with the option to select relocation lots in blocks.
- **Convening of a Community Working Group** for the Debe to Mon Desir section, which fulfills a requirement of the CEC received from the EMA. This multi-stakeholder Committee, which is comprised of project personnel, representatives of local government and community representatives, meets monthly to address residents' concerns, share project information and receive community feedback/input – a structured mechanism that allows for the ongoing engagement of the community throughout the construction process.

Further, with the support of NIDCO and the MOWI, the main Contractor has initiated the following social activities within the Debe to Mon Desir section and the wider region:

- Publication and circulation of newsletters on providing information on project progress and other useful information.



Dr. Carson Charles- President of NIDCO



Newly opened Golconda Interchange.

- Meetings with stakeholders and communities every two (2) months
- OAS Job Recruitment Drive in Penal, Siparia, Point Fortin, La Brea and Fyzabad, in conjunction with the Ministry of Labour to offer employment to residents along the alignment of the Highway.

Recommendation No. 4:

IT WAS RECOMMENDED THAT a Resettlement Plan (showing compliance with the CEC condition that the applicant should pursue resident relocation and resettlement utilising best industry practices) should be prepared and submitted to the EMA before any decision is finalised regarding the resettlement of affected persons.

NIDCO ADVISES THAT :

- The EMA did not and does not require a resident relocation and resettlement plan as a condition precedent to starting work on the Debe to Mon Desir section.
- Notwithstanding, the Government, by way of Cabinet Minute No. 2075-2011/08/11, agreed to make provisions for lands to be utilised for the relocation of affected persons due to land acquisition for the San Fernando to Point Fortin Highway Extension. Specific provisions were made for –
 - The allocation of 5,000 sq. ft. of residential lands at Hermitage to each affected resident
 - The allocation of two acres of agricultural lands at Hermitage to active farmers
 - The allocation to squatters of residential sites at either Housing Development Corporation or Land Settlement Agency sites.
- In keeping with best industry practice and the objective of the Social Impact Mitigation Plan, the selection of the relocation sites was made in an agreement between the government and representatives of the affected community. The Debe-San Francique Highway Action Committee at a meeting on March 3, 2011 between government representatives and residents (including farmers) indicated that the preferred area for relocation was Hermitage. In a subsequent meeting on May 9, 2011 the Action Committee identified alternative sites for relocation, due to the lack of readiness of the Hermitage site, and selected Petit Morne as the preferred alternative for residents and Golconda as the alternative for farmers.
- As noted previously, the relocation of residents has been progressing in accordance with the government's mandate. Displaced residents have been provided with fully developed housing lots at Petit Morne, Ste. Madeleine, at a significantly subsidised price of TT\$50,000. In addition, similarly developed housing lots in Picton, Debe have been allocated to previously landless residents; while farmers will receive 2-acre parcels of agricultural lands in Golconda. The housing development sites have been designed to Town and Country Planning requirements and include spaces for commercial activity, community centres, schools, religious facilities and playgrounds.

Recommendation No. 5:

IT WAS RECOMMENDED THAT no further engineering operations are to be undertaken on the land at Petit Morne, St. Madeline on which it is proposed to relocate persons residing in the path of the alignment until all necessary approvals are obtained from the relevant agencies.

NIDCO ADVISES THAT:

- Final planning permission for the Petit Morne sites has been obtained from the TCPD and the Regional Corporation. Final planning permission has also been obtained for the Golconda agricultural site and no CEC is required for the relocation of farmers.
- All regulatory approvals for the Picton site have been granted in the form of final planning permission from the TCPD, the Water and Sewerage Authority, the EMA, the Trinidad and Tobago Fire Services, the Drainage Division, the Highways Division, T&TEC and the Regional Corporation.

NIDCO Responds- Part 2 to be published Wednesday 3rd December 2014.



Residents on a site tour at the relocation area in Picton, Debe.