FINAL – 24 January 2022- Summary version for disclosure

The Integrated Flood Management to Enhance Climate Resilience of the Vaisigano River Catchment in Samoa (GCF-VCP)

Land Acquisition Action Plan for Activity 2.3 Upgrade of Lelata Bridge

[January 2022]

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Acronyms

AE	Accredited Entity
AUA	Apia Urban Area
COEP	Code of Environmental Practice
CMV	Current Market Value
EA	Executing Agency
EIA	Environmental Impact Assessment
ESMF-MP	Environmental and Social Management Framework and Management Plan
FESA	Fire and Emergency Services
GCF	Green Climate Fund
GCF-PM	Project Manager
GCF-PMU	Green Climate Fund Project Management Unit
GCF-VCP	Green Climate Fund Vaisigano Catchment Project
GoS	Government of Samoa
GRM	Grievance Redress Mechanism
GRM-C	Grievance Redress Mechanism Committee
IP	Indigenous People
LAAP	Land Acquisition and Resettlement Action Plan
LTA	Land Transport Authority
MoF	Ministry of Finance
MoH	Ministry of Health
MNRE	Ministry of Natural Resources and Environment
MWCSD	Ministry of Women, Community and Social Development
MWTI	Ministry of Works, Transport and Infrastructure
PUMA	Planning and Urban Management Agency
RIA	Responsible Implementing Agency
SCC	Safeguards Coordination Committee
SES	Social and Environmental Standards
SESP	Social and Environmental Screening Procedure
SGS	Safeguards and Gender Specialist
UNDP	United Nations Development Program
VRCA	Vaisigano River Catchment Area

1. Introduction

1. This Abbreviated Land Acquisition Action Plan (LAAP) was developed to guide and support the Green Climate Fund (GCF) Government of Samoa (GoS) project "The Integrated Flood Management to Enhance Climate Resilience of the Vaisigano River Catchment in Samoa" (GCF-VCP). The LAAP relates specifically to GCF-VCP Output 2 Activity 2.3: Replacement of Lelata Bridge to accommodate increased flood waters. The LAAP is structured in accordance with UNDP requirements for an Abbreviated Land Acquisition Action Plan. The UNDP Guidance on Standard 5 – Displacement and Resettlement[1] provides for such an abbreviated plan where displacement risks and impacts are considered to be minor.

2. The LAAP seeks to fulfil the aims of Standard 5, namely to recognize and respect the prohibition on forced evictions; to anticipate and avoid, or, when avoidance is not possible, minimize adverse social and economic impacts from land or resource acquisition or restrictions on land or resource use, and to enhance or at least restore the livelihoods of all displaced persons. In addition, it will ensure to conduct a fair, equitable and transparent land transaction process through negotiation, with the land owners to be compensated to at least full replacement cost, and suffer no adverse economic impact. Reference will also be made to UNDP's Standard 6 on Indigenous Peoples to ensure that any impacts on them will be identified and mitigated.

3. Under Output 2 of the GCF-VCP, the existing Lelata Bridge structure is to be raised by 2.8 meters to tie in with the height of the proposed flood wall that will also be funded by the GCF-VCP. The flood wall is a flood protection measure that will be built along the banks of the Vaisigano River (VR) to protect the local communities from repeated flooding. Both the Lelata bridge and the flood wall components of the GCF-VCP are directly interlinked and need to be connected together to provide the best possible protection from flood waters and debris.

4. During the initial planning and design phase of the GCF-VCP in 2016, it was noted through the use of UNDP's Social and Environmental Screening Procedure (SESP) and the project's Environmental and Social Management Framework and Management Plan (ESMF-MP 2016) that land acquisition and/or displacement activities would not occur as the expected infrastructural works within the Vaisigano River would take place mostly within the river. It was also noted in the ESMF-MP 2016 that there were no indigenous people living in Samoa.

5. However, after the completion of technical studies, design plans and environmental assessments for Activity 2.3 between 2020-2021, some unanticipated risks were identified and included vehicle and pedestrian safety issues, accessibility concerns, and implications to current and future land use. These issues resulted in the project proposing the:

(a) closure of one Right of Way (RoW) due to the proposed changed of height of bridge and road;

(b) improvement of an existing RoW and extension of the same to create a new RoW to address (a);

(c) acquisition of two freehold properties of 860 square meters each to facilitate (a) and (b);

(d) reconstruction of access ways to 7 private residential properties; and

(e) the construction of new retaining walls along the road side. More detailed information regarding Activity 2.3 is provided in Section 1.2.

[1] see page 13, https://info.undp.org/sites/bpps/SES_Toolkit/SitePages/Standard%205.aspx

6. In light of the above risks, the GCF-VCP updated its SESP and ESMF-MP in 2021 using UNDP's Social and Environmental Standards (SES). During this process, Standard 5 on Displacement and Resettlement and Standard 6 on Indigenous People were triggered due to potential land acquisition and displacement and resettlement activities that will result from implementation of the GCF-VCP Activity 2.1 (Flood Mitigation Levees) and Activity 2.3 (Lelata Bridge Upgrade). For Activity 2.1, land acquisition and displacement and resettlement activities will be expected while for Activity 2.3, only land acquisition will occur as physical displacement and/or resettlement actions will not be expected. Regarding SES Standard 6 on indigenous peoples, the ESMF-MP 2021 has incorporated potential concerns for Samoa's indigenous people given the triggering of Standard 6 and associated potential impacts. For more specific information on Indigenous People/Samoans refer to the ESMF-MP 2021, its associated stakeholder engagement plan (which includes free, prior, informed consent procedures), and section 2 of this LAAP.

7. In relation to Activity 2.3's potential environmental and social impacts, BECA and OSM prepared *the Preliminary Environmental Assessment Report (PEAR) for the Lelata Bridge Replacement Project* in August 2020 with revisions to the document finalised in December 2021. The revised PEAR is attached as Annex 1 for reference as the PEAR had identified a number of impacts associated with the construction of the Lelata Bridge and included but not limited to the following: the acquisition of two freehold Lots; impacts on private access ways and RoW's, and impacts on road-side subsistence food-crops within the road reserve. While these impacts were identified in the PEAR, they were not discussed in much detail. This LAAP therefore will elaborate on these concerns as they are potential impacts linked specifically to land acquisition and compensation issues. Any construction impacts relating to the proposed development will be managed via the ESMF-MP 2021, the PEAR 2021 and standard good engineering practices.

8. The LAAP is outlined as follows:

Section 1: Provides a brief overview of the project, structure of the LAAP and justification for land acquisition.

Section 2: Provides a brief account of land tenure in Samoa and describes the relevant laws and policies of Samoa including brief descriptions on UNDP's Standards 5 and 6, and the Abbreviated LAAP.

Section 3: Describes the Land Acquisition process including consultations and negotiations with affected parties.

Section 4: Provides details about the institutional arrangements and implementation schedule for the LAAP.

Section 5: Provides information about the project-level Grievance Redress Mechanism

Section 6: Briefly describes measures to monitor to ensure completion of the LAAP.

Section 7: Provides details about the estimated budget for compensation.

1.1 Overview of the project

9. The GCF-VCP provides an integrated solution to manage the flood risks and impacts of the Vaisigano River on the communities and environment of the Vaisigano River Catchment Area (VRCA). This integrated approach consists of a number of soft and hard interventions with supporting mechanisms and capacity strengthening activities to enhance the climate resilience of the VRCA.

10. The project has a total value of USD $65.7 million and an implementation timeframe of six years from 2017 to 2023. The main institutions involved include the UNDP as the GCF Accredited Entity (AE), the Ministry

of Finance (MoF) as the Executing Agency (EA) and the responsible implementing agencies (RIAs) which include the Ministry of Natural Resources and Environment (MNRE), Ministry of Works, Transport and Infrastructure (MWTI), Ministry of Health (MoH) and the Land Transport Authority (LTA).

11. The impact potential of the GCF-VCP relates to flood prevention measures and watershed management practices that would provide multiple benefits to at least 26,000 people living within 31 village communities of the Apia Urban Area (AUA). The interventions planned under the project seek to: (a) reduce vulnerability of communities and their livelihoods to flood-related risks; (b) develop flood-resilient infrastructure in the VRCA supported by upstream ecosystem and community based adaptation measures; and (c) upgrade drainage systems in downstream areas to regulate water flows from the river catchment system (APR 2019).

12. Although this LAAP focuses specifically on Activity 2.3, it is important to understand the GCF-VCP Results (Outputs and activities) structure and how they are interlinked and integrated to highlight the significant contribution the GCF-VCP will make to the enhancing the climate resilience of the VRCA. A summary of the GCF-VCP Output and Activities is provided below:

- Output 1 focuses on strengthening capacities and mechanisms for an integrated approach to reduce flood-related risks. The activities include a variety of interventions such as:
  - 1.1 Strengthen capacities and information requirements to pursue an integrated programme approach to flood management;
  - 1.2 Establish health surveillance systems to track and manage flood related health issues;
  - 1.3 Expand the early warning system coverage to provide flooding alerts; and
  - 1.4 Conduct awareness-raising campaigns on climate resilient building practices and designs for at risk communities living along the Vaisigano River.

- Output 2 focuses on key infrastructure in the Vaisigano River Catchment being flood-proofed to increase resilience to the negative effects of excessive water. The activities include a variety of interventions such as:
  - 2.1 Channelization of Segment 2, 3 and 4 of the Vaisigano River streambed to accommodate increased water flow and to decrease flood risks.
  - 2.2 Implement ecosystem responses upstream for decreased flows during extreme weather events; and
  - 2.3 Replacement of Lelata Bridge to accommodate an increase in flood levels.

- Output 3 focuses on upgrading drainage in downstream areas for increased regulation of water flows. The activities include a variety of interventions such as:
  - 3.1 Develop a climate resilient stormwater master plan; and
  - 3.2 Upgrade drainage systems and outfalls in hazard areas to accommodate flooding events.

1.2 Project Activity Requiring Land Acquisition

13. As described in the Project Document 2017 (ProDoc 2017), the Lelata Bridge is a major arterial road for transport within the AUA. The existing bridge was built in 2001 and is one of four bridges that facilitates vehicle and pedestrian access across the VR. The current bridge is 10.8m wide and 24.6m long and consists of two traffic lanes and two pedestrian walkways. It comprises of two equal spans and a central pier constructed of concrete. The approach embankments are retained by approximately 2.5m high gabion type retaining walls, concrete abutments and wing walls (Refer to Annex 1: PEAR, Dec 2021).

14. To climate proof the Lelata Bridge, the existing bridge will need to be demolished and reconstructed to make way for the new proposed flood walls that will be built along the river banks. This involves raising the bridge to tie in with the height of the flood wall which in some areas is expected to be as high as 8 meters

from the river bank. The planned works will improve the current flow area beneath the bridge with debris accumulation to be significantly reduced.

15. The replacement bridge design is for a single span bridge without a central pier to accommodate flood flows under the bridge. The bridge will follow the same footprint of the existing bridge with similar dimensions consisting of two traffic lanes and sidewalks on both sides. However, the replacement bridge will be raised 2.8m higher than the current bridge to accommodate for the height of the proposed new floodwall (Activity 2.1) and to allow for sufficient freeboard to cater for floodwaters and debris. It is necessary to raise the bridge as designed or it will impede flood waters at this point, thereby exacerbating high hazard risk conditions. The proposed bridge has been designed to a 1 in 20 year event with a design life of 100 years. The LTA is the RIA for the GCF-VCP Activity 2.3 relating to the replacement of the Lelata Bridge. The tender process for the reconstruction of the Lelata Bridge began in Quarter 3 of 2020 but the contract has yet to be awarded. The duration for construction works is expected to take fifteen (15) months.

16. According to the PEAR dated December 2021, the alternative to reconstructing and raising the bridge as proposed includes the 'do nothing' approach. This would mean the bridge would remain as it is. However, with the new flood wall expected as part of the GCF-VCP, the current bridge would not only create a gap in the flood wall but would also become an obstacle to the flow path of the river. As the flood wall is expected to contain all the river flow from upstream within the river bed, the water levels would be expected to be much higher during flash floods. All these will contribute to diminishing the ability of the flood wall to reduce the flood risks in the area. The 'do nothing' approach would therefore do more harm than good. It is therefore in the public's interest to raise the bridge to allow for the flood wall to protect and safeguard the Lelata residents and all those who live downstream.

17. As detailed in the PEAR and Figs 1 and 2 below, the raising of the height of the bridge will also require the reconfiguration of access points of seven residential properties and two RoW's along Vailele Street. The existing RoW located at the North-East corner of the bridge is to be closed off permanently due to safety concerns, while the second RoW (further east of bridge) will be improved and extended to accommodate a new RoW.

18. To accommodate the new section of access road, the GoS proposes to acquire two (2) freehold properties ……. Note that the alterations to access points to the road will take place entirely along the road reserve with potential to affect roadside subsistence food crops. No additional acquisition of private land will be required from the residential properties for the reconfiguration of the access points, and no displacement will occur as well.

19. As noted in Figures 1, 2 and 3 below, the existing RoW that currently lies parallel to the eastern boundary line of ……, will be extended west to provide access to the …… Aside from using the acquired lots to accommodate the new RoW, these two lots will eventually be used by the contractors during construction works for maintenance access purposes and as a Government Reserve.

Figure 1: Re-configured access ways in project affected area (Source: Tender drawings, Beca, April 2020)

Figure 2: Shows existing RoW – with new access road through (Source: Tender drawings, Beca, April 2020)