

Calabar-Umuahia-Ajaokuta Gas Pipeline (Weppa Community, Edo State)

Going directly from a UNDP organised policy dialogue on natural resource conflicts to the proposed Calabar-Umuahia-Ajaokuta gas pipeline project revealed the stark difference between policy and practice. As always, local interests are often discounted in the face of such projects with global interest in gas production and supply. The issue of natural resource ownership and control and the inherent contradiction in the federal government of Nigeria's Land Use Act of 1978 continue to erode the rights of local communities to defend their livelihoods and environment. This scenario is currently being played out in connection to the proposed Calabar-Umuahia-Ajaokuta gas pipeline project that clearly undermines environmental concerns and local interests. The project with high risk impact will likely generate conflict because community concerns are being relegated in the Environmental Impact Assessment (EIA) process.

Despite its high magnitude, the essence and detail for the gas project is not in the public domain. The affected communities are kept in the dark about project development. This field monitoring report on a section of the proposed gas pipeline route covers the Niger Delta Valley area and highlights the fears of communities along its course. The report unveils how the project seeks to undermine environmental concerns and rural livelihoods that are based on sustainable management practices. By so doing, it provides early warning signals, and seeks how best to minimise potential conflicts while admonishing project proponents to follow due process and adhere to safe environmental standards.

The Calabar-Umuahia-Ajaokuta Gas Transmission Pipeline Project with Reference No. MPS/2095/S.7/T was initiated by the Federal Government of Nigeria through the Department of Petroleum Resources (DPR). The pipeline project was designed by Frazimex Engineering Limited which also conducted the EIA. Sources close to the company disclosed that the EIA has recently been submitted to the Department of Petroleum Resources (DPR). Already, surveying activities have commenced and survey beacons implanted around March (see bacon no. 3365 located at Uliuzokha community). So far, all efforts to secure the EIA proved abortive. Very little is known about this gas project. However, when operational the project will pipe gas from the gas reserves in the Niger Delta to the northern reaches. While some community residents believe that the gas pipeline will terminate at Ajaokuta others are of the opinion that it will extend to the northern part of Nigeria, reaching to Algiers and eventually ending in Spain as a hub for a European gas market.

Community involvement in the EIA process for the gas project has been relegated. Chief Abikphi Ezekhumhe, the Adosi of Agiere, Ruling House, one of the three Ukpe Drummers who are the Paramount Rulers of Weppa, provided this testimony:

The company workers came to inform us of the gas pipeline. They did not tell us that a study an EIA is being conducted. We have not seen any report and we have not been told about the risks of the project to humans and our environment

Other community members informed ERA field monitor that they are not aware of any EIA document and no one has explained the project to them. Kenneth Apuede, Secretary, Agiere community, said that

Sometime in February 2010, about 8 persons came to the Weppa community in Agiere and informed us that they are conducting surveying activities. They informed us of the coming compensation for destroyed crops and farmlands when the pipeline will be laid. They did not tell us of any impact that will result from the pipelines and did not ask our opinion about the project

By not involving the community members in the EIA process, and by not making public the EIA document, the project runs in violation of environmental laws that specify a mandatory public hearing on the EIA findings, along with its environmental and social impact components.

Still, the source of the pipeline and the gas utilization plan is yet to be made public. For example, the salient question is whether the gas pipeline will be fed from associated gas flared during oil exploration or simply mining natural gas through the gas gathering facilities some of which are already in place. In any event, the real essence of the gas project is unknown to the community and how they stand to benefit. For example, community residents asked whether the communities stand to benefit from local use or the project is geared mainly to export gas to the European market. Will this project then follow after the West African Gas Pipeline Project that is currently supplying gas to neighbouring countries such as the Republic of Benin, Togo, and Ghana, and to the exclusion of the Niger Deltan communities where the gas is extracted. The prioritization of natural resource for export to the neglect of local use is a potential source of conflicts that should be avoided.

It is not clear whether the World Bank is involved in this project. ERA awaits a response to its inquiry to the World Bank on the project status and whether it is involved in the financing, and concern about the potential environmental and social impact of the project

Since the EIA has not been made public it has generated fears, given rise to anxiety and speculations. However, our study showed that the project environmental impact will be severe on the River Niger Valley ecosystem and the communities that depend on its natural resources. The area is a Moist Guinea Savanna unique because it is right on the transition between high forest and Savanna. The River Niger Valley is a fragile ecosystem for its dramatic changes in composition which makes it suitable for diverse varieties of cash crops and staples. The area is drained by a network of rivers and streams emptying to the River Niger and currently sustains an estimated 2 million people including hundreds of local and migrant fishermen, farmers and Fulani pastoralists from northern Nigeria. Its natural floodplains are suitable for growing rice, cassava, citrus fruits. Some small and semi-large scale farms are located in the area.

The river network included River Ose, River Ogbudu, River Osomogbe, River Ogheneffe, River

Achiokwe, and several lakes such as Ikaka Lake, Ogwoko Lake, Uwalo Lake, and the famous Ise Lake. Communities affected by the pipeline include Ekperi, Osomogbe, Ekwotso, Ivhioghomhe, and Ivhianokpodi where it entered Kogi state. The inhabitants are a mix of several migrants to the area which include the Ijaws, Urhobos, and Itsekiris that depend on the River Niger and her tributaries.

The gas pipeline will cut across several woodlands, conservation sites, community residential buildings and farmlands. The Agbede Farm, Warake Farm, Niger Valley Farm, Sunvit Agro Industrial Company and conservation sites may be adversely affected.

The Sunvit woodland conservation site is home to some of the rare birds that are listed in the IUCN Red List which includes the Pel's Fishing owl (*Scotopelia peli*) that feeds nocturnally on fish and frogs, and the vermiculated owl (*Scotopelia bouviri*). A local Ornithologist who lives nearby, Francis Okosodo, has sighted over 150 bird species including important migrants such as the Martial Eagle, the woolly-neck Stork and the white Stork, and breeders including three types of heron, (Squaco, Blue-grey and green backed), the grey headed bush Shrike and the woodland Kingfisher.

The conservation woodland to be affected is also habitat to buffalos, bush pigs, and a wide variety of endangered plant communities. Interesting plants include the sweet orange coloured fruit *Spondia* (*Spondias mombin*), rich in vitamin C, and the unique savanna *Myrtagyna intermis* that survives on natural floodplains interspacing the woodland.

It is now of great concern that the pristine Ise Lake at Agiere will likely be affected. The Ise Lake is a sanctuary of endemic wildlife species. The lake itself covering about 3 kilometres in some areas is home to hippopotamus, crocodile and variety of fish species endemic to the lake. The shoal of fishes swimming around was so great a sight that I presumed that even the blind could catch some even with a scoop of the hand. Yet, no one around was catching any fish, prompting some questions. No one steps into the lake, or fishes here, said an adherent of the lake. Another community member said that the rule is fish here, die here. Because of this the community will only fish or hunt animals outside the Ise Lake and its forest cover. At the peak of the rainy season when the River Niger overflows her banks, Ise Lake give and take from the seasonal flooding from rivers and streams and in the process some species are released by the lake for community needs. However, according to Nick Ashton-Jones, a resident in Weppa,

The Ise Lake and the peoples belief are vital to the local culture and to the local ecosystem, the mythology most likely evolved from an essential need to conserve fish breeding grounds and supply. Many belief systems around the world arise from what we would today call sustainable resource management and therefore we must respect the beliefs of local people and always take them into account in so-called development projects.

This community way of conserving biodiversity in a sustainable manner will be a thing of the past if careful planning is not adopted in the gas pipeline project and how best to mitigate the situation in the event of environmental fall out, equipment failure or negligence.

Besides, the pipeline will cut across natural drainage systems, open up farm paths into the high forests to encourage hunting and damage by heavy duty construction equipment. How to mitigate the likely damage to forest by the gas pipeline's right of way that is usually about 15 metres wide and stretching into hundreds of kilometres is another concern that will aggravate land scarcity and lead to resource conflicts. Other pipeline projects in the area show a lack of respect for the ecosystems through which they pass, which worries local people.

The trap of compensation hangs on the neck of Weppa communities and is likely to be a bone of contention during project execution. This is because some claim agents have attempted to pacify the communities with promised compensation that may never materialise. Meanwhile in expectation of compensation, community representatives have signed off their power of attorney to the consortium of firms involved in the project so they can file claims on their behalf. Said a community member: When the surveying company came, they promised us that they will pay compensation for every thing destroyed. But this did not include forests, rivers, as compensation is not usually paid on land but only on damaged crops. Some people expect the promised compensation over environmental concerns because of the problem of poverty, explained Pastor Andrew Obiabor, a farmer in the community. He said that even when compensation is paid it is often a rip-off because it cannot account for environmental losses and destruction to biodiversity, farmlands and crops.

The Weppa Community in the past have been victims from environmental damage due to negligence. In fact, Weppa community has a history of compensation from the Julius Berger failed construction work on the Ajaokuta railway construction to the steel complex in 1996. Community River Ogbor overflowed her banks by midnight and inundated the communities and dozens of houses collapsed, swept away by the angry violent waves. Farmlands and crops were washed away. Compensation that was paid altered the lives of some of the recipients. While some rebuilt their houses, the lives of others were ruined in the process because they could not rehabilitate or rebuild their destroyed houses due to insufficient funds or simply poor management of it. Kenneth Apuede, community Secretary, Agiere expressed his fears about the project and the expected compensation thus:

My fears have to do with the entire future of those that may be affected by this gas project. Basically, when compensation is paid, all the affected farmland, Rivers, and streams, trees and fish ponds will be destroyed and some lost forever. The affected people have to look for alternative way of survival. The compensation paid cannot adequately take care of the numerous problems that may arise thereafter. From experience, most affected persons will be disengaged from their source of livelihood and some will find it extremely difficult to find something doing to earn a living.

Notably, compensation regime is arbitrarily fixed and not subjected to judicial valuation. It is often decided by the company who pays compensation based on face value claims and without concern for crop yields and life span. This sort of compensation that seeks to impoverish rural communities will likely generate conflicts hence the need to avoid such practices.

During fishing season, small scale fisher men from the Ijaws, Urhobos and Itsekiris from the

upper Niger Delta, build fish camps and construct fish traps on the rivers and streams. The fish traps are made from logs, reefs, rattan and rope which cost about N400,000 (about US\$4,000) excluding a week's labour cost.

Emmanuel A tale, a fisherman, age 30, and married to two wives and father of seven children hails from Ughelli, Delta state and depends on the River Obe (see picture 2 for his fishing gears). According to him, there are about 500 Deltans in the Niger Valley fishing and farming in the area. He said, in a fishing season or annually, I am able to catch fishes and sell and make an income of about N1million (about US\$10,000) to care for my two wives and seven children. He continued: if they destroy or degrade this river, we are finished. I will have no where else to go. How will I feed my family and pay their school fees? , he asked rather rhetorically. Such will likely be the fate of the several fishing camps located in the area.

The field report shows that policy practice clearly runs contrarily from community expectations. It is a matter of public concern that the environmental impact conducted on the Calabar-Umuahia-Ajaokuta Gas pipeline be made public forthwith. The conduct of an EIA ought to include potential victims at the early stages of project so as to ensure proper planning and mitigation. It is necessary to obtain community prior consent and avert conflicts that will likely hamper project development. In any event, a gas pipeline that will transmit gas to others while neglecting community energy needs may not be devoid of conflict. Whether public or private enterprise, the relevant agencies must demonstrate the capacity and political will to put an end to the impunity to degrade our environment. The environment is our life.

- The Department of Petroleum Resources should make the Environmental Impact Assessment document available to the general public for comments and should be subjected to a mandatory public hearing as specified by the EIA Act
- The EIA should effectively detail the environmental and social impact of the project and the mitigation plans that should be rooted in traditional sustainable practices of the affected communities.
- Such EIA should be rendered in the local dialects and explained so as not to undermine local interests and thus minimise violent resource conflicts in the future.
- A bond be deposited by the project proponents in favour of the Weppa communities that will likely be affected in the event of environmental disaster, equipment failure or negligence.