

# SCOPING REPORT AND TERMS OF REFERENCE (TOR)

FOR IMVEPI, OMUGO AND GARAMBA REFUGEE RESETTLEMENT CAMPS ESTABLISHMENTS IN ARUA DISTRICT. GPS CORDINATES: 36N 307135mE 361241mN, 36N 296426mE 353259mN and 309119mE 313440mN Respectively



**SCOPING REPORT AND TOR SUBMITTED BY:**

**ARUA DISTRICT LOCAL GOVERNMENT**

**P.O BOX 1 ARUA**

**DECEMBER 2017**

## TABLE OF CONTENTS

TABLE OF CONTENTS .....	ii
List of Figures and Tables .....	iv
Chapter 1 : INTRODUCTION .....	1
1.1 Background .....	1
1.2 Purpose of the EIA .....	1
1.3 The Environmental Impact Assessment Process in Uganda .....	1
1.4 Objectives of the Environmental and Social Impact Assessment.....	3
1.5 Environmental and Social Impact Assessment Methodologies .....	4
1.6 Scoping Methodology .....	5
Chapter 2 :PROJECT LOCATION AND DESCRIPTION .....	8
2.1 Project site locations .....	8
2.2 Project Description and associated Activities .....	16
2.2.2 Operational phase.....	16
2.2.3 Decommissioning: .....	16
Chapter 3 : Description of the affected Environment.....	17
3.1 Project Environmental setting .....	17
3.2 The Biological Environment.....	17
3.3 Physical Environment .....	18
3.4 Socio-economic Environment .....	18
Chapter 4 : Stakeholder Engagement Process .....	19
4.1 Consultation meetings .....	19
4.2 Comments Register .....	22
Chapter 5 : Constraints, Opportunities and Potential impacts .....	26
5.1 Main constraints and opportunities .....	26
Constraints.....	26
Opportunities.....	26
5.2 Potential impacts, Mitigation and Enhancement opportunities .....	26
Potential impacts.....	26
5.3 Mitigation and enhancement opportunities.....	28
Chapter 6 : Policy, Legal and Institutional Framework .....	30
6.1 Policy Framework.....	30
6.2 Legal Framework.....	31
6.3 Institutional Framework.....	35

Chapter 7 :Analysis of Alternatives .....	37
Chapter 8 : Scope of the E I A and Methodology .....	38
Chapter 9 : Environmental Impact Study Output.....	40
9.1 EIS Report Content.....	40
9.2 Environmental Management and Monitoring Plan.....	41
9.3 Environmental Impact Assessment Team .....	41
Chapter 10 Next Step in the EIA Process .....	43
10 References .....	44
11 Appendices.....	45
APPENDIX I: LETTERS OF NO OBJECTION FROM HOST COMMUNTIY LEADESHIPS.....	45
Appendix II Attendance sheets for stakeholders consulted .....	46
Appendix III: plans for the proposed camps .....	47

## List of Figures and Tables

Table 1-1: Simple matrix used in preliminary impacts identification.....	6
Table 2-1: selected location coordinates for Omugo refugee camp.....	9
Table 2-2: Garamba site location coordinates .....	12
Table 2-3: Camp selected coordinates and area description.....	14
Table 4-1: Preliminary Issues and Concerns raised by some stakeholders.....	23
Table 6-1: National policies .....	30
Table 9-1: Team Members that will carry out EIA for the camps .....	41
Figure 1-1: EIA Process in Uganda.....	2
Figure 2-1: Map of Uganda with Arua District.....	10
Figure 2-2: Map of Arua with the refugee camps .....	11
Figure 2-3: Aerial view of Garamba proposed camp site.....	13
Figure 2-4: aerial view of Imvepi base refugee camp.....	14
Figure 2-5: Development proposal of Imvepi base .....	15
Figure 4-1: Preliminary consultations with the UNHCR .....	20
Figure 4-2: Consultation with Wild life game reserve team .....	20
Figure 4-3: consultations with residents of Icia & Amuru .....	21
Figure 4-4: community consultations with Garamba village.....	21
Figure 4-5: consultations with the area leadership .....	22

## Chapter 1 : INTRODUCTION

### 1.1 Background

The conflict in the Republic of South Sudan that started in December 2013 with clashes breaking out in the Munuki neighborhood on 14 December in South Sudan's capital Juba and at the military headquarters near Juba University where fighting continued throughout the night. Continued fighting has resulted into hundreds of civilians seeking refuge inside UNMISS facilities within South Sudan and thousands more fleeing into Uganda through the Northern and West-Nile regions. The result is several camps have been gazetted by the coordination of the Office of the Prime Minister of Uganda.

It's upon this background that Aerial Environ Consults Limited was selected by the Arua District Local Government to carry out an Environment Impact Assessment for three resettlement sites in the District.

### 1.2 Purpose of the EIA

In respect to the Laws of Uganda - particularly the Third Schedule of the National Environment Act Cap 153, the proposed development fall into the category of projects for which an Environmental Impact Assessment (EIA) is mandatory.

Aerial Environ Consults Ltd Environmental Practitioners were contracted by Nebbi District Local Government to carry out an Environmental Impact Assessment (EIA).

### 1.3 The Environmental Impact Assessment Process in Uganda

The International Association for Impact Assessment (1999) defines an Environmental Impact Assessment (EIA) as, "the process of identifying, predicting, evaluating and mitigating the biophysical, social, and other relevant effects of development proposals prior to major decisions being taken and commitments made."

The EIA process in Uganda is guided by regulations made in Section 107 of the National Environment Act Cap 153 of 1st May 1998. The EIA Regulations of 1998 set out the procedures and criteria for the submission, processing and consideration of and decisions on applications for the Certificate of Approval of projects.

The EIA process in Uganda is divided into three main phases, which are the Screening Phase, the Environmental Impact Study (EIS) Phase and the Decision Making Phase (Figure 1-1)

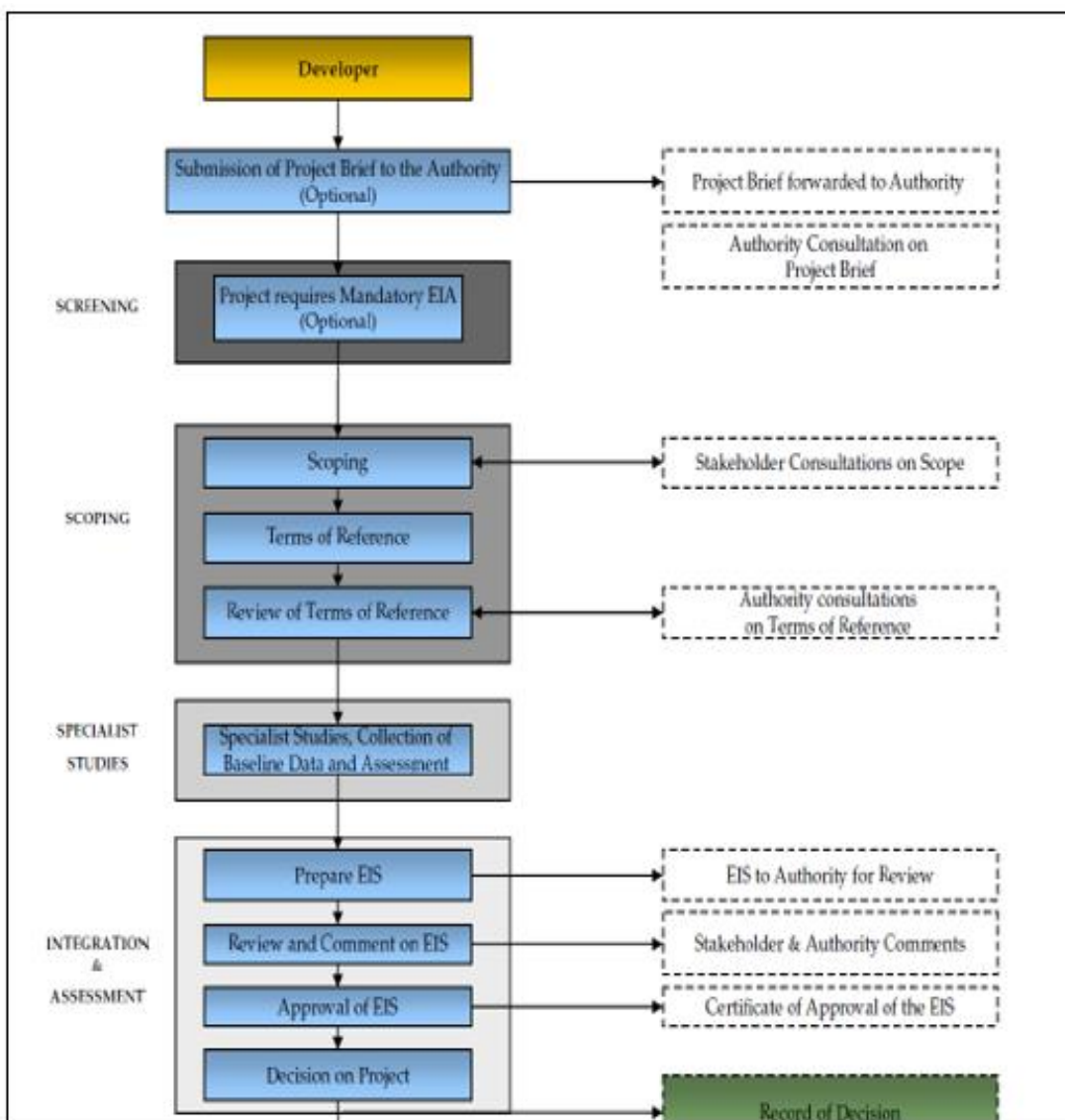


Figure 1-1: Schematic diagram showing EIA Process in Uganda



The proposed project is currently in the initial step of the Environmental Impact Study (EIS) Phase namely; preparation of Scoping report and ToR for submission to NEMA for review and approval.

## 1.4 Objectives of the Environmental and Social Impact Assessment

### 1.4.1 Overall objective

The overall objective of the study is to undertake an Environmental and Social Impact Assessment (ESIA) for the three resettlement camps and prepare an Environment and Social management plan (ESMP) to guide during the establishment, construction and the operation of the camps. The ESIA is also help to identify possible positive and negative impacts on the social and biophysical environment prior to, during and after the camps construction.

### 1.4.2 Specific objective

The specific objectives of the study are:

- i) To identify, analyze and evaluate the type and extent of likely positive and negative environmental and social impacts with emphasis on significant benefits and negative effects of the project on the existing biophysical and socio-economic environment and to assess the capacity of the institutions responsible for management and mitigation of these impacts;
- ii) To develop Environmental and Social Management Plans (ESMPs). The ESMPs will identify mitigation measures that will address the concerns associated with the proposed project and provide details needed to implement the plan. The ESMPs will include monitoring requirements; and a capacity building plan of the defined key stakeholders in the ESMP.

## 1.5 Environmental and Social Impact Assessment Methodologies

### 1.5.1 Scoping

The guidelines for Environmental Impact Assessment in Uganda, 1998 require a scoping report as the initial step in the Environmental and Social Impact Study with the purpose of determining the scope of work to be undertaken in assessing the likely environmental impacts of the proposed project and to develop Terms of Reference (ToR) for submission to National Environment Management Authority (NEMA). This is therefore the basis for the preparation of this Scoping report and ToR.

The World Bank Operational Policy (OP 4.01) Environment Management emphasizes public disclosure. Section 14 & 15 of these procedures require public scoping, consultation and disclosure for category 'A and B' projects. Category A includes projects expected to have significant adverse social and/or environmental impacts that are diverse, irreversible, or unprecedented. Category B includes Projects expected to have limited adverse social and/or environmental impacts that can be readily addressed through mitigation measures. Category C includes Projects expected to have minimal or no adverse impacts, including certain financial intermediary projects.

The proposed resettlement camps in Arua have been categorized as "A" project because it will have limited adverse impacts on the community and the general environment which will be addressed through the proposed mitigation measures.

Scoping is conducted to determine the scope of work to be undertaken in assessing the likely environmental impacts of proposed projects. The full involvement of key stakeholders in the process ensures an open and participatory approach to the study. It also ensures that all the impacts are identified and that planning and decision-making are conducted in an informed, transparent and accountable manner.



Therefore, an important part of scoping is to define and inform participants/stakeholders (e.g. potentially affected communities, relevant Government agencies, representatives of other interested parties including Non-Governmental Organisations (NGOs), the private sector, independent experts, including the general public) of the proposed project and EIA process, as well as to identify issues and concerns that need to be addressed in the EIS of the EIA process i.e. set the Terms of Reference (ToR) for conducting the EIS, and what alternatives should be considered so that an adequate EIS is conducted.

### 1.6 Scoping Methodology

The Consultant carried out an environmental scoping exercise from the 21<sup>st</sup> to the 23<sup>rd</sup> of November 2017. This covered the physical, biological, socio-economic and cultural environments of the proposed project scope. The exercise was completed and this scoping report was prepared for submission to Arua District Local Government who should in turn submit it to NEMA for approval. Issues identified at this stage will be subjected to further detailed study during the impact assessment phase.

The scoping activities included:

- (i) Consultation with stakeholders (the Office of the Prime minister, Arua District officials, other local authorities including the affected Sub-county administrators and the communities likely to be affected) by this road project;
- (ii) (ii) A review of the proposed project and available documents from I Office of the Prime minster and several Environmental legislations.
- (iii) (iii) Reconnaissance visit to the proposed project site by technical specialist.
- (iv) (iv) Biophysical assessment of the project location by technical specialists at the scoping level.

**a) Preliminary identification of impacts**

Simple matrices consisting of two dimensional check lists were used (Table 1-1). Listed are characteristics of the proposed action against the characteristics of the environment while constituent cells are used to record whether the different elements of the proposal will have impacts on different characteristics of the environment.

Table 1-1: Simple matrix used in preliminary impacts identification

	Land take	Diseases	Landscape	Flora & Fauna	Drainage	Ambient dust	Noise	Accidents	Geology	Archeological artifacts	Soils	Settlements	Fisheries	Water supply	Employment
<b>Pre-Construction</b>															
Land acquisition	χ	-	-	-	-	-	-	-	-	-	-	√	-	-	-
<b>Construction activities</b>															
Camps construction	-	-	χ	χ	χ	χ	-	-	-	χ	χ	-	χ	√	
Set up campsite	-	-	χ	-	-	-	-	-	-	-	-	-	-	-	√
Refugee settlement	χ	χ	-	χ	χ	χ	χ	-	-	-	χ	χ	-	χ	√
<b>Decommissioning</b>	√	-	-	√	√	-	-	-	-	-	√	√	-	√	√

Key

χ Negative impact

√ Positive Impact

- No impact

## **b) Stakeholder Consultation**

Stakeholder consultation was used to further identify significance of impacts and alternatives to be considered. Stakeholders included groups like Arua District Officials, affected Sub-county Officials and Local communities.

These ensured that all potentially significant impacts are detected to avoid non-significant impacts from being included in the study. Expert opinion was also used to check this. In regard to features of significant importance in the area, elaborate discussions with key stakeholders have already been conducted and most of the information will be included in the ESIA.

The results of the scoping report will guide the detailed Environmental and Social Impact Assessment process.

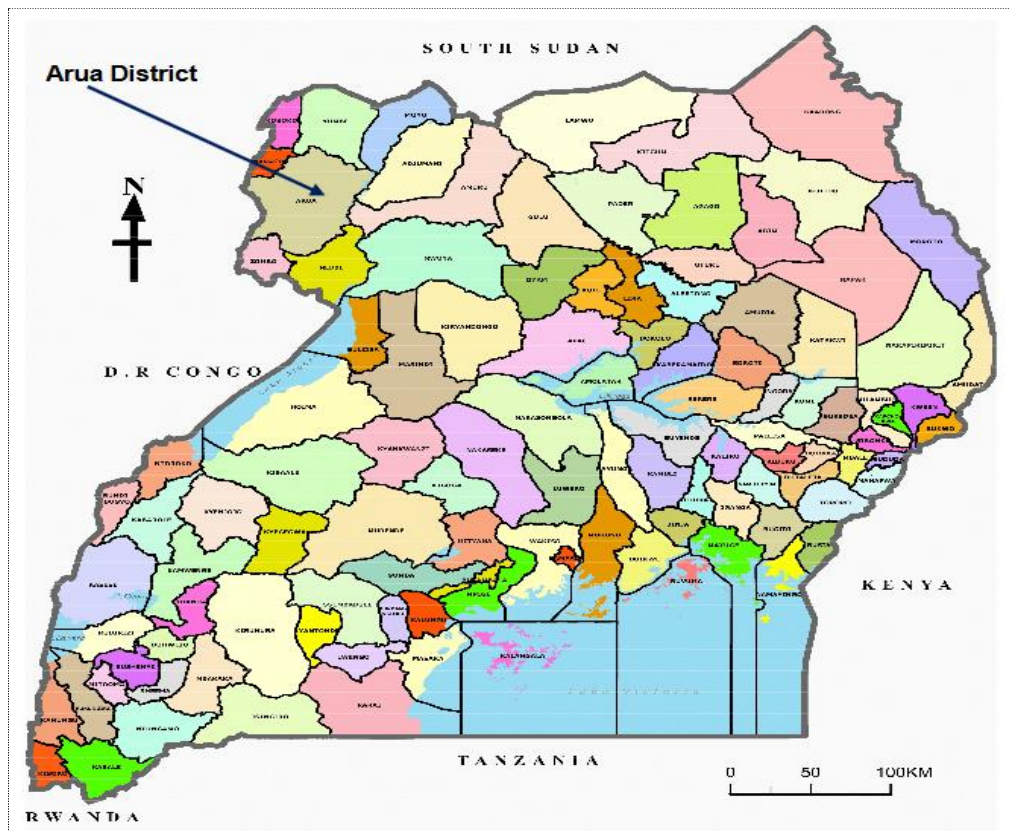
## Chapter 2 : PROJECT LOCATION AND DESCRIPTION

This Chapter identifies the location and description of the sites for the planned refugees' resettlement camps and provides a description of its various components and arrangements for the provision of services to and on the site (e.g. road infrastructure).

### 2.1 Project site locations

#### 2.1.1 Arua District Local Government

All the three resettlement sites are located in the west Nile region of Uganda in Arua District (Figure 2-1). Arua is Located in the corner of Uganda and borders the Democratic Republic of Congo (DRC) to the western direction, it is is about 425 kilometres (264 mi) by road, northwest of Kampala. The District is bordered by Yumbe District to the north, Adjumani District to the northeast, Amuru District to the east, Nebbi District to the southeast, Zombo District to the southwest, the Democratic Republic of the Congo (DRC) to the west, and Maracha District to the northwest.



### 2.1.2 Omugo refugee resettlement camp

Omugo refugee resettlement camp site is located in Awidi and Amuru villages, Omugo Sub County, Terego county Arua District. The site location coordinates with area description are given in Table 2-1.

Table 2-1: selected location coordinates for Omugo refugee camp

Coordinates	Area description
36N 296426mE 353259mN	Camp entry near water reservoir and parking lot
36N 296566mE 353170 mN	Market within the camp
36N 298136mE 350921mN	Access road along shrub area
36N 299335mE 351866mN	
36N 29519mE 350676mN	Lower River side
36N 298057mE 351466mN	Field area
36N 297589mE 351878mN	UNCHR Field office Rhino camp extension

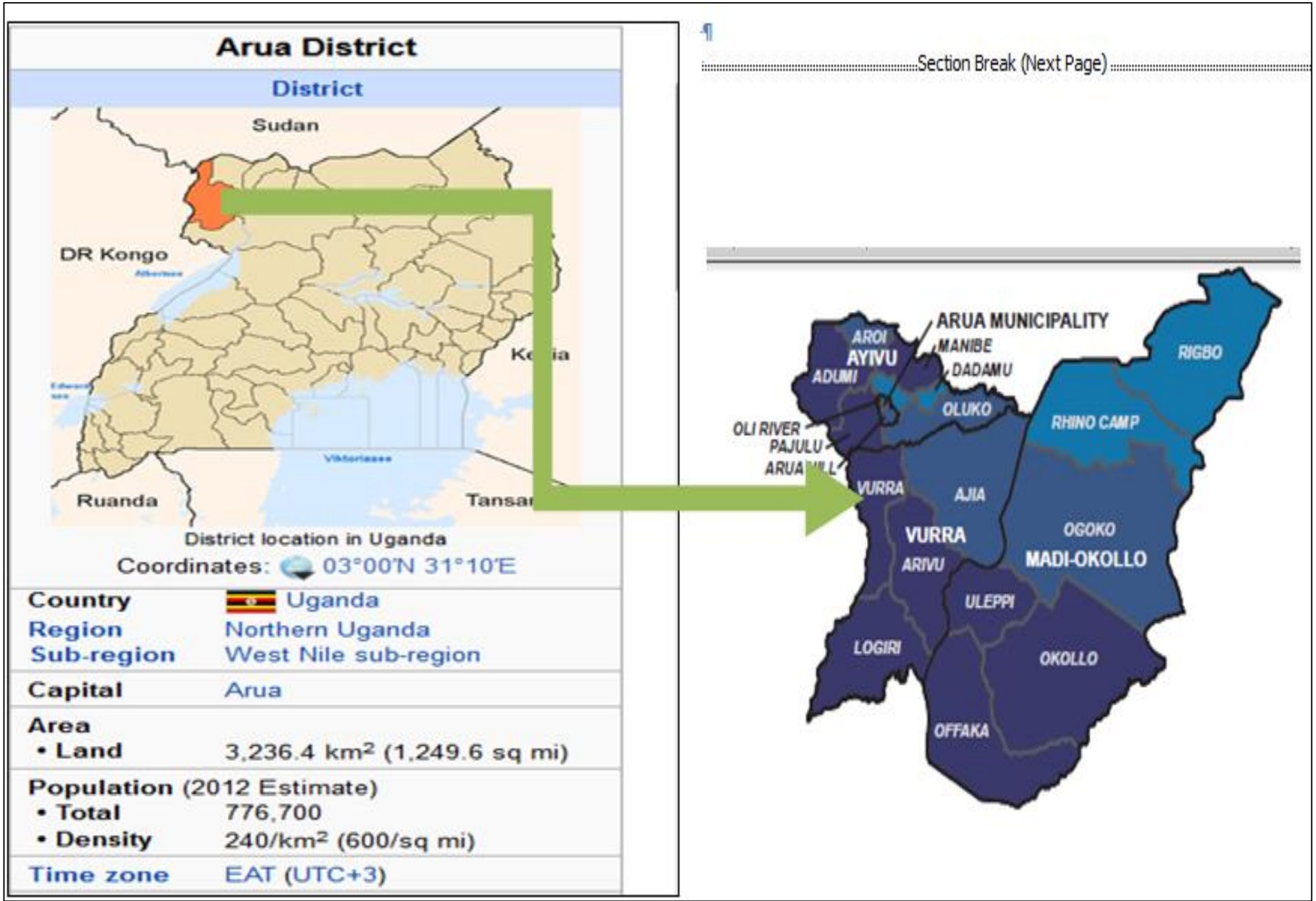


Figure 2-1: Map of Uganda showing the location of Arua District





Figure 2-2: Map of Arua District with the surrounding areas showing the location of the refugee camps

### 2.2.3: Garamba proposed refugee camp site

Garamba proposed refugee resettlement camp site is located in Garamba village, Panduku parish, Pawor Sub county lower madi in Arua District. Selected site location coordinates are shown in Table 2-2. Figure 2-3 illustrates an aerial view of the proposed refugee resettlement camp.

Table 2-2: Garamba site location coordinates

<b>PAWOR SITE1 (GARAMBA) COORDINATES WGS84</b>		
	<b>Latitude</b>	<b>Longitude</b>
<b>1</b>	<b>2.84290</b>	<b>31.27044</b>
<b>2</b>	<b>2.84208</b>	<b>31.26150</b>
<b>3</b>	<b>2.84122</b>	<b>31.26043</b>
<b>4</b>	<b>2.83637</b>	<b>31.25976</b>
<b>5</b>	<b>2.83628</b>	<b>31.25064</b>
<b>6</b>	<b>2.83626</b>	<b>31.23627</b>
<b>7</b>	<b>2.83611</b>	<b>31.22900</b>
<b>8</b>	<b>2.83099</b>	<b>31.22620</b>
<b>9</b>	<b>2.82276</b>	<b>31.22508</b>
<b>10</b>	<b>2.81833</b>	<b>31.22578</b>
<b>11</b>	<b>2.81490</b>	<b>31.22993</b>
<b>12</b>	<b>2.80885</b>	<b>31.24099</b>
<b>13</b>	<b>2.80856</b>	<b>31.28483</b>
<b>14</b>	<b>2.83699</b>	<b>31.28479</b>
<b>15</b>	<b>2.83875</b>	<b>31.28462</b>
<b>16</b>	<b>2.84016</b>	<b>31.28515</b>
<b>17</b>	<b>2.84183</b>	<b>31.28614</b>
<b>18</b>	<b>2.84434</b>	<b>31.28220</b>
<b>19</b>	<b>2.84290</b>	<b>31.27044</b>





Figure 2-3: Aerial view of Garamba proposed camp site

#### 2.1.4 Imvepi Base resettlement camp

Imvepi base refugee resettlement camp site is located in Yinga village, Lugbari parish, Odupi sub county Terego East Arua District. Site selected location coordinates are shown in Table 2-3 while Figure 2-4 illustrates an aerial view of the proposed refugee resettlement camp.

Table 2-3: Camp selected coordinates and area description

Coordinates	Area description
36N 308023mE 361063mN	School area
36N 308382mE 361110mN	Market area
36N 308939mE 360431mN	OPM office area
36N 307982mE 360480mN	Camp road near school
36N 307470mE 360341mN	Camp road
36N 307135mE 361241mN	



Figure 2-4: aerial view of Imvepi base refugee camp



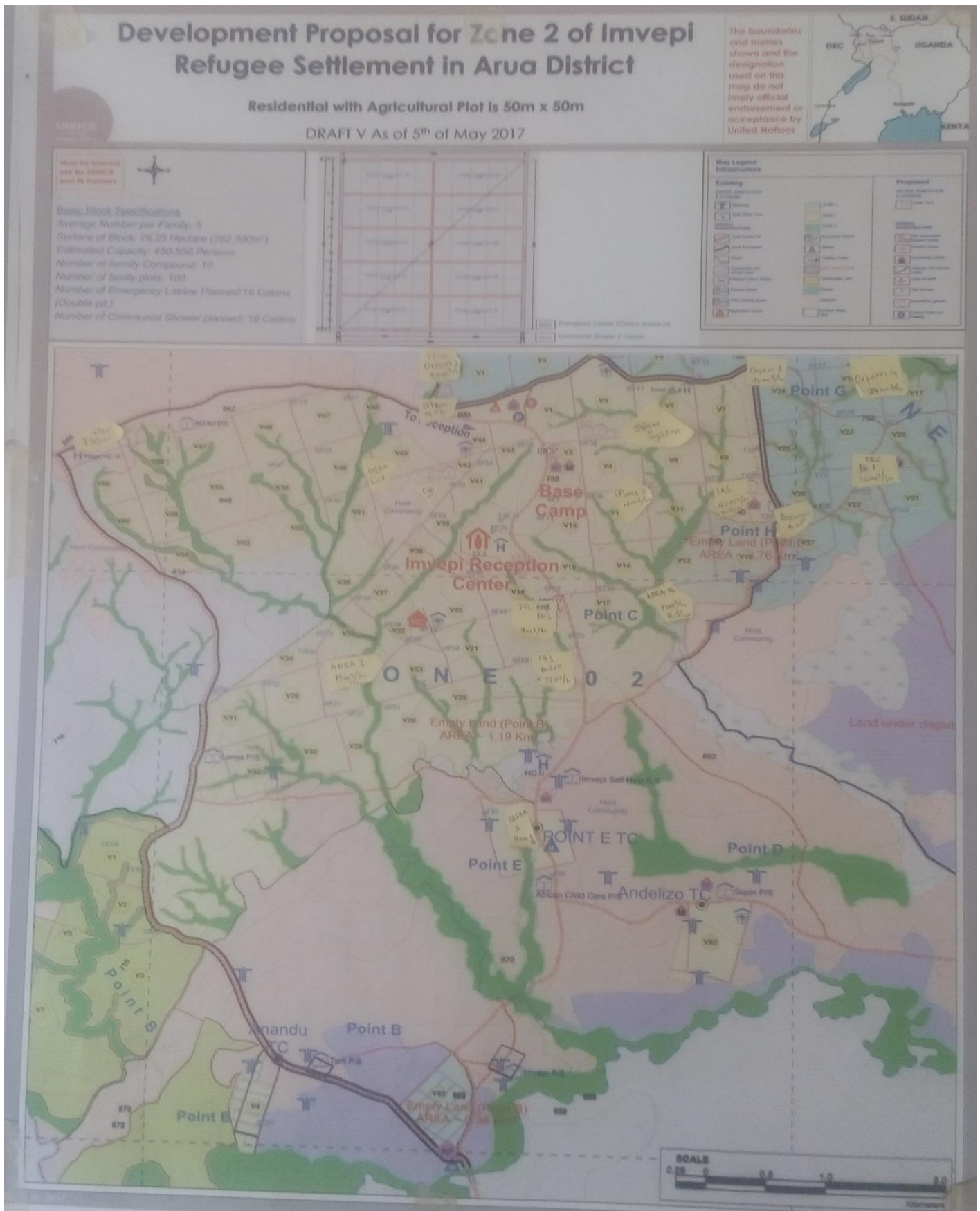


Figure 2-5: Development proposal of Imvepi base refugee resettlement center

## 2.2 Project Description and associated Activities

This section describes the activities to be conducted during the refugee camps establishment and operation phases and a disclosure of expected Products.

### 2.2.1 Construction phase

The establishment phase for the construction of the refugee camps will involve Earth works, civil works and electrical works. The camps will compose of the following sub components

- ❖ Access roads graded to the levels of earthworks and/or gravel;
- ❖ Reception centres;
- ❖ Resettlement houses;
- ❖ Health facilities section;
- ❖ Educational institution section ie schools;
- ❖ Water sources both boreholes and hand dung wells;
- ❖ Office structures ;
- ❖ Parking lots for trucks and light vehicles
- ❖ Toilets both water borne and Ventilated improved pit latrines;
- ❖ Generator;
- ❖ Agricultural components for the refugee for cultivation of annual crops;
- ❖ Waste collection sites among others

### 2.2.2 Operational phase

The operation phase of this project basically refers to the time after construction has been completed and the refugees have been resettled into the opened plots. This phase will involve actual settlement of new populations into hitherto unsettled areas. Associated activities including but not limited to use of energy at the camps, use of water and generation of emissions and solid waste. Medical waste generation, social interactions of the refugees and the host communities, operation of leaning institutions to mention but a few.

**2.2.3 Decommissioning:** This is the phase when the camps are expected to be closed and restored near to or original state.



## Chapter 3 : Description of the affected Environment

### 3.1 Project Environmental setting

Site specific environmental baseline conditions that will have to be studied in detail in relation to the proposed development are discussed in this section.

### 3.2 The Biological Environment

The flora, fauna and other sensitive habitats and ecological systems will be described, and evaluated in respect of the proposed developments. In relation to the floral environment, mitigation measures that will avoid destruction of the existing valued vegetation will be studied and mitigation measures proposed. Current baseline information of the nature of fauna and flora diversity will be studied and documented .Subsurface formations and area soil profile will be determined and measures to protect water sources from pollution proposed. In addition, waste disposal management and storage mechanism will be recommended.

### 3.3 Physical Environment

Site drainage, soils and hydrogeology, land use and land cover of the area will be studied and described. Natural drainage around the proposed sites and management of run-off, as well as historical or local indigenous knowledge on storm water regimes documented. Of particular interest will be storm water drainage around the sites including alongside the access roads and devising a civil solution to channel this water around the proposed sites as a mitigation measure to avert any adverse impacts.

### 3.4 Socio-economic Environment

The existing land use, developments, social and cultural set-up, economic activities, infrastructure and their interrelationships with the proposed development will be studied in detail. The relationship between the proposed establishments and the immediate neighbourhood will also be analysed during the EIS.

Incremental social impacts of the proposed establishments, such as construction of the resettlement camps will also be studied.

## Chapter 4 : Stakeholder Engagement Process

Preliminary stakeholder consultations and engagement for the planned refugee camps of Omugo, Imvepi and Garamba in Arua District was undertaken in accordance with the NEMA guidelines for seeking opinions and views on the environmental aspects of project(s). The local legal framework of consultation activities and project disclosure requirements, particularly in respect of public consultation activities that are directly required, were also consulted. In this regard, the key steps within the overall stakeholder consultation and engagement process include –

- Identifying and notifying stakeholders of the EIA;
- Holding meetings (formal and informal);
- Making provision for stakeholders to review and comment on all reports; and
- Making a record of responses to comments and concerns available to stakeholders.

### 4.1 Consultation meetings

During the scoping phase, formal and informal meetings were held with some of the stakeholders, who were available at the time of the scoping site visit conducted from 21<sup>st</sup> to 23<sup>rd</sup> November 2017. The stakeholders consulted during the scoping mission included among others; the District Environment Officers of Arua, Office of the Prime minister, Uganda wild life Authority representatives, Officials from the United Nations High Commission for refugees, LCI chairpersons of the some sampled host villages for Omugo, Imvepi and Garamba resettlement camps. Figure 4-1 to 4-3 are sample pictures from the preliminary stakeholder engagement during the scoping phase of Environment Impact Assessment (EIA) so far.

Attendance lists of the stakeholders consulted this far is attached as **Appendix II** of this report.

Detailed community stakeholder engagement and consultation will be a continuous process and views and issues raised will be documented in the Environment Impact Statement (EIS).



Figure 4-1: Preliminary consultations with the UNHCR planning and Environment team (22.11.2017)



Figure 4-2: Consultation with the Wild life game reserve team (23.11.2017)





Figure 4-3: consultations with residents of Icia & Amuru villages Omugo Sub county (22.11.17)



Figure 4-4: community consultations with Garamba village residents (24.11.2017)



Figure 4-5: Initial consultations with the community area leadership

## 4.2 Comments Register

A register containing all available contact details of stakeholders will be compiled and a record of all comments and observations made during the entire EIA process for the proposed project maintained. These will be included in the Environmental Impact Statement.

Table 4-1 provides a summary of the issues and concerns raised thus far in the scoping phase prior to the preparation of this – the Final Scoping Report.

The area leaderships consulted had no objection to the resettlement of the refugees in their areas but gave their views that they need considered to ensure harmonious living with the refugees.

Attached in **Appendix I** are letters of No objection from the area leadership chairpersons



Table 4-1: Preliminary Issues and Concerns raised by some stakeholders

Raised by	Raised and Where	When	Occupation and Contact	Concerns/Comments
<b>Agandru Semmy</b>	22.11.17 Odupi S/c	at	Odupi Sub county LC.3 chairperson	<ul style="list-style-type: none"> <li>• Imvepi settlement camp establishment has already destroyed some trees and there is worry of further destruction expected from fuel wood used by the refugees.</li> <li>• Plans need to be put in place to plant trees that are protected from destruction by the refugees</li> <li>•</li> </ul>
<b>Okuta Charles</b>	22.11.2017		Ajai wild life resource manager	<ul style="list-style-type: none"> <li>• This place for Garamba camp was once a game reserve but before that it was also a hunting area. It hosted rhinos and made reserve in 1964 in order to cater for key species of Rhinos, Hips, lions among other;</li> <li>• The area is well endowed with woodland and bird species making it a good ecosystem for wild life;</li> <li>• Great poaching in the area due to weak management most species were wiped out and 1996 Wild life Authority and game reserves to form wild life conservation;</li> <li>• There is a plan to reintroduce Rhinos but worry with the refugee camp in the vicinity poaching and destruction of the habitat for the animals is likely to increase;</li> <li>• The OPM with UNHCR should support in fencing of the boundaries of the reserve to isolate the refugees from the animals and also provide support to the rangers through building posts and proper road network along the reserve to enable patrolling to control poaching ;</li> <li>• It's important that an EIA is being carried out so that NEMA can also put in place Environment and Social management plans to be ensure management of the animals in the game reserve is well taken care of</li> <li>•</li> </ul>
<b>Dradebo Paul</b>	22.11.17 Yinga-Imvepi	at	Resident Yinga-Imvepi village	<ul style="list-style-type: none"> <li>• UNHCR and OPM should consider doing a significant development for the community such as a school for the host</li> </ul>

				community as a gesture of appreciation for giving our land to host the camp
<b>Agondua Isaac</b>	22.11.17 at Yinga village Imvepi	Chairman Yinga village LCI Odupi S/c		<ul style="list-style-type: none"> <li>• The refugee camp has developed the place in the short time through schools and water project which is good in the Imvepi community</li> <li>• The negative impacts of tree destructions and fights among themselves has causes worries that this should not escalate. Otherwise the management of these camps should plan for sustainability of the host area through planting of gazetted trees</li> <li>• The area leadership welcomes the camp but requests that activities need to be done that will ensure that our area and land is not left destroyed once the camps are abandoned and these return to their homeland</li> <li>•</li> </ul>
<b>Amuguru Rose</b>	22.11.2017 at Yinga-Imvepi area	Resident Yinga-Imvepi village		<ul style="list-style-type: none"> <li>• The positive development brought by this camp is good water and additional medication that the host community has also benefited from;</li> <li>• The market for the items has also expanded although this is worrying given the rate at which people are selling their items to the refugees</li> </ul>
<b>Amaguru Lydia</b>	22.11.2017	Housewife and resident Ajia village-Imvepi		<ul style="list-style-type: none"> <li>• Accessing medical and antenatal care has been a great challenge in this area for the 9 years I am married here. The opening of this camp has brought these services nearer and because of this I am one person who welcomes this comes greatly.</li> </ul>
<b>Akello Christine</b>	1 <sup>st</sup> 12.2017	NEMA Deputy ED		<ul style="list-style-type: none"> <li>• The idea to put in place a management plan is appreciated but emphasis need to be put in planning for the refugees fuel needs to avoid them destroying all the nearby floral diversity. Provision of energy saving stoves should be ideas to be considered by the refugee council and put place a plan to plant trees that are managed in the vicinity of the camps</li> </ul>

<b>Margret Aanyu</b>	1 <sup>st</sup> .12.2017	EIA coordinator NEMA	<ul style="list-style-type: none"> <li>• There is need to put up a comprehensive team and do a full EIA to cater for all aspects that come along with the establishment of camps. Waste management, roads opening, integration with the host communities views from the hosts need to be considered in coming up with the management plan</li> </ul>
<b>Embatia Geofrey</b>	23.11.2017	Wildlife Authority	<ul style="list-style-type: none"> <li>• Animals that move closer to the Garamba camp site include cobs, leopards, monkeys, baboons, wild pigs and reptiles like snakes in the swampy area. The refugees may endanger these animals through poaching and best advice is to have the areas fenced off to create a barrier between the refugees and the wild lif reserve</li> </ul>
<b>Avinia Martin</b>	22.11.2017	Amuru village Omugo	<ul style="list-style-type: none"> <li>• As elders a meeting was held and agreed that some land will be left for the natives but the rate of the camp extension is worrying and management of the camp needs to respect the initial agreement made with the area leaders and elders to leave land for them</li> <li>• Refugees have made three months in Omugo but tree planting is necessary as they will create destruction of trees</li> </ul>
<b>Wibale Wilson</b>	22.11.2017	Acia village Omugo	<ul style="list-style-type: none"> <li>• Looking at the poor waste disposal practiced, this impacts a lot on the Environment. If this community is to stay here longer NEMA needs to come and put in place guidance on better waste management to save this Environment.</li> </ul>

## Chapter 5 : Constraints, Opportunities and Potential impacts

### 5.1 Main constraints and opportunities

#### Constraints

No major obstacles are expected in the refugees' camp establishment except the need to put in place Environment and Social management plans to ensure that the establishment of the camps is in line with the requirements of relevant legislations in Uganda.

#### Opportunities

- The establishment of the camps has brought both social and health services closer to the community
- Land availability spacious enough to accommodate the camps
- The willingness of the area host communities to live harmoniously with the refugees

### 5.2 Potential impacts, Mitigation and Enhancement opportunities

Hereunder is a preliminary listing of potential environmental impacts that might occur as a result of camp the establishments as determined during scoping exercise. A more definitive list of impacts together with their relevant significance ratings with and without mitigation will be provided in the Environmental Impact Statement following the study.

#### Potential impacts

Considering the establishments and operations of the planned refugee camps in these sites a number of environmental impacts associated with them were rapidly identified. Some of these will be negative with others being positive. These impacts can either be direct, indirect or cumulative in nature. These impacts are likely to result from various phases of the camps; namely operation, construction, and decommissioning. These include but are not limited to:



### 5.2.1 Some potential positive impacts

- Employment opportunities: The camps will create jobs for those who will be employed at the sites constructions especially the casual and support workers ;
- Bringing Services closer to host communities such as health facilities and schools
- Opening of access roads in these areas
- Resettlement of refugees in one gazette areas

### 5.2.2 Some potential negative impacts

- Air Emissions associated with the use of backup power generators;
- Noise pollution to the nearby wild protection areas
- Poor waste management (both liquid and solid) could result into soil contamination (domestic and medical waste) as well as affecting the aesthetics at the site in the case of solid wastes
- Zoning and visual impacts; The operation of the facility is expected to alter the appearance ;
- Increased traffic; Due to the nature of activities of the facilities it is expected that a number of vehicles will be moving in and out of the facility thus increasing traffic along the access roads in these hitherto rural areas.;
- Noise; The movements of vehicles, offloading and loading activities are expected to generate noise;
- Solid waste; The waste from domestic and medical facilities may generate some general waste material (e.g. non-hazardous waste);
- Hazardous waste; this is mainly expected from the camps medical facilities
- Moral fabric erosion
- HIV/AIDS scourge escalation
- Loss of land for the indigenous people;
- Destruction of environment through cutting of trees;
- Poaching of animals from protected wild reserve close to the Garamba site
- Increase in energy demand; Operations of these camps will require energy, mainly electricity for powering machines and equipment.. Since all these

forms of energy are obtained from the environment, an additional demand translates to additional pressure to the environmental resources from which the energy is obtained.

- Fire hazards; Accidental leakage/spillage of substances, electrical faults are some of the possible causes of fire, which can cause considerable losses in terms of injury to persons and damage to property of both refugees and the host communities .
- Insecurity; Some of the refugees return and come back on their own with dangerous weapons. This can spill into the host communities and used against the community members

### 5.2.3 Possible decommissioning phase impacts

- **Insecurity**

Insecurity may result from the site being abandoned following the decommissioning. Unoccupied structures within the site may act as a den for criminals, and the security boost that had been provided by residents living within the development would be lost.

- **Safety risks**

Decommissioning would normally be accompanied by safety risks from any leftover electrical cables, uncovered manholes and structures that may collapse and injure passers-by if left on site for a long time. There may also be environmental hazards from exposed left over substances which may cause soil and water contamination or generate noxious odor.

### 5.3 Mitigation and enhancement opportunities

The negative and adverse impacts of the planned refugee camps will have to be avoided, minimised and controlled in as much as possible, whilst the positive attributes of the project should be enhanced. Some of the key mitigation measures which will be defined further following the EIS can include:

- ✓ **Solid waste:** The medical waste need to be transmitted to the main referral hospital for incineration plans put in place to procure an incinerator at the camps main medical facility for medical waste incineration;
- ✓ Tree planting programmes should be instituted
- ✓ Energy conserving cookstoves should be provided to the refugees to reduce the energy burden on the Environment;
- ✓ Fencing off the game reserves areas
- ✓ **Hazardous waste** e.g. oil rags, oil cans, paint cans etc. should be stored in separate lined waste bins and disposed of at the closest designated hazardous landfill site. The hazardous waste bins will be clearly marked as hazardous and as flammable;
- ✓ Environmental health and safety regulations will have to be upheld through environmental health and safety awareness campaigns for the refugees;
- ✓ Adequate sanitation measures including toilets, wash rooms should be installed in all refugee camps including at the reception center;
- ✓ Environmental officers at the camp should be working together with the Arua District Environment office to ensure Environment protection guidelines are complied with in all the camps.
- ✓ Environment and Social management plans to be prepared for all the camp activities as listed in the Third Schedule of the National Environment Act Cap 153.

## Chapter 6 : Policy, Legal and Institutional Framework

The ESIA process will take note of the policy, legal and institutional framework that are triggered by the establishment of the refugee resettlement camps. This will further define the key arrangements (policy, legal and institutional arrangements) under which the refugee camps will function hence to ensure that the subsequent NEMA Approval conditions will be implemented under the arrangement of stakeholder institutions. The ESIA study will establish line policies and legislation relating to the project as outlined in table 6-1.

### 6.1 Policy Framework

Table 6-1 illustrates relevant Institutions for the establishment and operation of refugee camps. It states the Institution, its mandate in the country and project in particular and how it should influence the establishment and operation the camps.

Table 6-1: National policies

Regulatory Stakeholder	Influence/ Mandate In Relation To Project	Role in the camps
National Environmental Management Policy, 1994	This report is in line with the concern of this policy that aims at promoting sustainable economic and social development and mitigation of any adverse impacts on the environment that may arise because of its implementation. This statement is further embedded in the National Environment Act, Cap 153, which makes EIA a legal requirement for eligible projects and policies.	NEMA issues certificates with conditions that need to be complied with in accordance to the Ugandan legislations for the protection of Environment and sustainable development
The Land Use Policy, 2004	In support of the national objectives on poverty eradication and economic growth, while at the same time ensuring sustainable utilisation of natural resources including land and water, the National Land Use Policy's main goal is 'to achieve sustainable and equitable social and economic development through land utilisation in Uganda'. The policy emphasises among other environmental friendly practices, community based participatory planning, gender and land ownership.	The policy protects the rights of the land owners to use their land in anon-degrading manner. While acquiring land for refugee use, consent of both males and female owners is paramount

## 6.2 Legal Framework

Table 6-2 indicates relevant laws and regulation that will be triggered in the establishment and operation the planned refugee resettlement camps. It also shows how the camps are expected to abide by the legislations during the course of the construction and operation of the camps;



Regulatory Stakeholder	Influence/ Mandate In Relation To Project	Area for compliance
The Constitution of the Republic of Uganda, 1995	This is the most supreme piece of legislation and pronounces itself on environmental matters in article 39 which states that, "Every Ugandan is entitled to a clean and healthy environment".	Camps management are expected to protect the Environment in the establishment of the camps and their operation
The National Environment Act (NEA), CAP 153	Apart from establishing the National Environmental Management Authority (NEMA), the Act sets out a number of environmental regulations and standards that have to be complied with various parties as part of sustainable environmental management.	Camp establishment and operation fall in the category of activities listed in the 3 <sup>rd</sup> Schedule of NEA for which EIA is mandatory. Submission of this EIA is in compliance to this Act.
The National Environment (Waste Management) Regulations S.I. No.52/1999	These regulations apply to all types of waste (non-hazardous and hazardous) and its storage and eventual disposal. Regulation 12 prohibits the disposal of waste into the environment without adequate treatment at a treatment facility approved by the Lead agency. Regulation 5 emphasises waste minimisation measures by making Cleaner Production a requirement for owners or operators of facilities that generate waste.	The camps are required to comply with the requirements of this regulation. All camps will have to take into consideration the waste generated and enforce the mitigation measures proposed in this report.
National Environment (standards for discharge of effluent into water or on land) Regulations, 1999	These regulations stipulate the standards that discharged effluent and wastewater must comply with, together with the penalties that may be prescribed by the Executive director of NEMA for non-compliance.	The camps will require a functional septic tank and/or pit latrines for managing of their faecal waste
National Environment (noise standards and control) Regulations, 2003	These regulations aim to ensure that nuisance effects attributed to noise do not severely affect the tranquil environment of potentially sensitive noise receptors. The regulations further outline the day time and night time noise standards, with the day time period being 6:00am to 10:00pm and night time being the period between 10:00pm and 6:00am.	These regulation applies to the camp establishment near game reserves and homesteads. The management is required to put in place mechanism and mitigation measure to avoid disruption of the neighbourhood by noisy construction activities.

Regulatory Stakeholder	Influence/ Mandate In Relation To Project	Area for compliance
The Land Act, Cap 227	<p>This Act provides for the tenure, ownership and management of land. Section 3 of the Land Act provides that ownership of land is vested in the citizens of Uganda. It sets out the tenure systems under which the land can be owned. These are; Customary, Freehold, Mailo, and Leasehold.</p> <p>Section 43 of this Act states that, “a person who owns or occupies land shall manage and utilise it in accordance with the National Environment Act, the Water Act, among others”.</p>	<p>The management of this camps are required to legally obtain land from the bonafide occupants with proper consent since the land belongs to the people</p>
The Public Health Act, Cap 269	<p>Section 7 of this Act provides local authorities with administrative powers to take all lawful, necessary and reasonable practicable measures for preventing the occurrence of, or for dealing with any outbreak or prevalence of, any infectious communicable or preventable diseases to safeguard and promote public health.</p>	<p>The camps will have people operating thus the health aspect and concerns of all parties will be taken into consideration in regard to this act as in the impact analysis and mitigation measures</p>
The Local Governments Act (1997)	<p>As part of the Government’s decentralization process, this Act entitles local authorities to pass bye-laws as long as they are consistent with the Constitution of the Republic of Uganda.</p>	<p>The camp managements are required to comply with any byways if passed by Arua Distict Local government</p>
Occupational Health and Safety Act (2006)	<p>This Act repealed the Factories Act and among its key focal areas is the duty that employers have to extend to employees in as far as health and safety issues at the work place are concerned. Section 13 states that, “it is the duty of an employer to take care of the employees’ health.</p>	<p>Both local and International workers at the camps need to be taken care of their hearth in respect to the Safety Act</p>
The Workers Compensation Act (2000)	<p>This law provides for compensation to workers for injuries suffered in the course of their employment. Under the Act, an employee is entitled to compensation for any personal injury from an accident or disease arising out of and in the course of his or her employment even if the injury or disease resulted from the negligence of the employee. The employer is immediately required to report to the Labor Officer of the area the accident causing injury or death of a worker. It is an offence to fail to report an accident. Employers are also obliged to insure and keep themselves insured against any liability, which they may incur or their employees under the Act. It is an offence to fail to insure against such liability.</p>	<p>Camp management is required to ensure to commit to compensation of its workers who get injured in the line of their duties</p>

Regulatory Stakeholder	Influence/ Mandate In Relation To Project	Area for compliance
The Physical Planners Act 2010	This is the principal Act that regulates physical development in Uganda. It provides for the making and approval of physical development plans, applying for development permission and other related matters. Section 37 of the Act states that the approving authority may grant preliminary approval of a development application for which an EIA is required, subject to an applicant obtaining an EIA certificate, in accordance with the National Environmental Act.	Pursuant to the provisions of this Act, management of the planned camps will submit their plans to Arua District local Government for approval.

### 6.3 Institutional Framework

Table 6-3 shows Institutions that can have a guiding role in the construction and operations of refugee camps. In the process of carrying out an Environment Impact Assessment and the camps establishment, the following Institutions will be of relevance in guidance and ensuring successful establishment and operations

Institution	Influence/ Mandate In Relation To Project	Relevance to the project
<b>National Environment Management Authority (NEMA)</b>	This is the principal agency in Uganda responsible for the management of environment and is charged with the coordination supervision and monitoring of all activities related to environmental management.	NEMA will issue the NEMA approval certificate for these camps with guiding approval conditions on the protection of Environmental aspects
<b>Uganda Land Commission (ULC)</b>	It is responsible for sustainable management of land in Uganda especially holding and management of land, which is vested in or acquired by the government in accordance with the constitution. The commission ensures that the individuals have their property rights of ownership of land.	The camp management role is to ensure that evidence of land acquisition is available as proof that land is not grabbed from the owners
<b>Arua District Land Board</b>	This is charged with the responsibility for land issues at the local government level.	The Land Board will ensure that the site has appropriate land titles/lease documents to avoid interruption during the construction/operation phases by the authority.
<b>Ministry of Gender, Labour and Social Development</b>	Occupational Safety and Health is among the issues that fall under the mandate of the Ministry. The Occupational Safety and Health Act (2006) is administered by the Occupational Safety and Health Department that falls under the Ministry's Directorate of Labor.	The camp management should consider all regulations related to this ministry such as ensuring that the workers are treated fairly, paid promptly and provided with health insurance and safety gear to avoid accidents during the construction and operation of the camps
<b>Arua District Local Governments</b>	The Government's Policy of decentralization has devolved a number of central Government functions to local Governments. Some of these functions include the	The camps management must in all its operations abide by the rules and regulations of the District Local government

enactment of environment related byelaws such as those related to matters of the environment.



## Chapter 7 : Analysis of Alternatives

One of the objectives of an EIA is to also provide a description of any other alternatives to the proposed project which might be considered.

Alternatives are, “*different means of meeting the general purpose and requirements of the activity*” which includes alternatives to:

- ✓ The property on which or location where it is proposed to undertake the activity;
- ✓ The type of activity to be undertaken;
- ✓ The design or layout of the activity;
- ✓ The technology to be used in the activity; and
- ✓ The operational aspects of the activity.

Alternative analysis for each camp site will be carried out as part of the detailed EIA analysis.

## Chapter 8 : Scope of the Environmental Impact Assessment and Methodology

The Environmental Impact study will be carried out in accordance with the National Environment Act CAP 153, the Environmental Impact Assessments Regulations, 1998. The proposed terms of reference will include examination of the proposed sites, their physical environment, camp components including proposed activities, impacts of proposed development and future operations, recommendations for future sustainability options and an environmental and social management plan for implementation by the camps management and stakeholders.

In order to fulfil the requirements of the task ahead, a number of methods will be applied. These will include but not be limited to a literature review, field visits, stakeholder consultations, direct observations and mapping and specialised studies such as geophysical mapping, studies on the local hydrology of the area, biodiversity assessment and mapping to ensure continued and better ecosystem function in the area.

The consultant will undertake the following tasks;

- ✓ Review of literature and secondary baseline data, area land use, sensitive ecology, socio-economic aspects of Arua District
- ✓ Review of legislation and environmental standards related to proposed developments, policies, laws, regulations and other institutional requirements relevant to the environmental management and the occupational safety and health of workers who will be employed at the proposed petrol station site. Some of these include:
  - The National Environment Act, CAP. 153 and the Environmental Impact Assessment Regulations (1998),
  - Waste Management Regulations (1999), Standards for Discharge of Effluent into Water or on Land Regulations (1999), Wetlands, Riverbanks, and Lake Shores Management Regulations (1999),

- Noise Standards and Control Regulations (2003) ,
  - The Water Act, CAP. 152, Waste Discharge Regulations (1998), Water Supply Regulations (1999), Sewerage Regulations (1999), The Rivers Act, CAP. 347, The Electricity Act, CAP 154,
  - The Occupational Safety & Health Act, 2006,
  - The Workers Compensation Act, 2000, The Investment Code, 1991;
  - The National Wetlands Policy, 1995;
- ✓ Field studies, that will include land use mapping, properties mapping, sampling of key baseline parameters, hydro-geological mapping, receptor systems baseline data, noise measurements and land use activities in the neighbourhood likely to be affected by the petrol station site;
  - ✓ Consultations with stakeholders, particularly the landowners neighbouring the proposed sites, relevant government agencies such as NEMA, Uganda wildlife authorities, local authorities (Arua District Technical Staff including Planner, Engineer, and Environment Officer) to establish their proposed system of operation of the site;
  - ✓ Prediction and analysis of environmental impacts resulting from the refugee camps and proposing appropriate mitigation measures for foreseeable impacts of the components/activities of the project.
  - ✓ Development of an Environment and Social Management and Monitoring Plan for implementation by the refugee camps management.
  - ✓ Preparation of an Environmental and Social Impact statement that will be presented to NEMA for review and consideration for approval.

## Chapter 9 : Environmental Impact Study Output

Key deliverables of this study will include:-

- ✓ An analysis of the likely environmental impacts and appropriate mitigation measures with particular emphasis on the biodiversity and ecological functions around the site, safety measures, waste management practices, occupational health and safety measures among others;
- ✓ An environmental monitoring and management plan for the refugee camps operations.

### 9.1 EIS Report Content

The consultant shall undertake the ESIA delivering an Environmental and Social Impact statement with the following content:

1. An Executive Summary, stating the major findings of the study;
2. Background information on each of the camps and their components including location, planned extent and operations, power supply network, planned infrastructure/installations, safety provisions and a timeline within which each of the stages will be completed;
3. Methodology for undertaking the ESIA study
4. Site baseline bio-physical and sociological information, area infrastructure and activities in relation to project site;
5. Detailed description of the proposed activities including storage of waste designs and schematics. The project economic feasibility will also be presented;
6. A review of relevant policies, laws, regulations and standards;
7. Public consultations and disclosure, outlining stakeholder concerns and measures to address them;

8. Analysis of alternatives, including a comparison of feasible alternatives to the proposed camp activities or location of activities, technology, design, and operation in terms of their potential environmental and social impacts; the feasibility of mitigating these impacts; their capital and recurrent costs; their suitability under local conditions; and their institutional, training, and monitoring requirements;
9. Recommendation of appropriate mitigation measures for all significant negative environmental impacts predicted;
10. Proposing an environmental management and monitoring plan for negative impacts and assessing effectiveness of mitigation measures, and
11. Recommendation and conclusions regarding future operations of refugee resettlement camps

## 9.2 Environmental Management and Monitoring Plan

One of the key deliverables of this study will be an environmental management and monitoring plan which provides guidelines to the camps proponents and the technical team including contractors (if any) on how best to implement the mitigation measures and recommendations outlined in the Environmental Impact Statement for both construction and operational phases. Therefore, the study will outline the proposed environmental management and monitoring plan that spells out the impact issues and effects, provides mitigation/enhancement measures, responsible parties involved in monitoring performance of the proposed mitigation measures, frequency of monitoring and costs involved as well as capacity building needs will be specified where possible.

## 9.3 Environmental Impact Assessment Team

The following registered Environmental Practitioners as shown in Table 9-1 will undertake this Environmental Impact study.

Table 9-1: Team Members that will carry out EIA for the camps



Name	Role on Team	Man Days
Mr. David Nelson Nkuutu	Team Leader / Natural Resource Specialist	14
Mr. Joseph Omino Oteu	Environment and Social Management Specialist	10
Dr. Eric Sande	Avifaunal specialist	10
Denis Lukato	Botanical specialist	10
Edupitai Emanuel	Sociologist	10
Richard Bavakure	Waste management Specialist	10

The above environmental practitioners will be supported by the following experts:

Pepe Mark Researcher-Researcher

## Chapter 10 Next Step in the EIA Process

Consultations with Lead agencies and other stakeholders shall be an on-going process throughout the EIA process. Key institutions and individuals to be consulted will include among others; National Environment Management Authority (NEMA), Occupational Health and Safety Department, Uganda wildlife authority (UWA), Arua District local Government, Local Council and communities likely to be affected by the planned refugee camps.

The camps establishments will require an Environment Impact Assessment (EIA) as earlier stipulated. As such, an Environmental Impact Statement (EIS) will be produced outlining the potential environmental impacts of the proposed project

## 10 References

- 1 NEMA April 2004, Environmental Legislation of Uganda Vol 1, National Environment Management Authority, Uganda
- 2 **NEMA, 1997.** Guidelines for Environmental for Impact Assessment in Uganda. NEMA, Uganda.
- 3 **NEMA, 1999.** National Environmental (Standards for Discharge of effluent into Water or on Land) Regulations. NEMA. Uganda.
- 4 **The Republic of Uganda, 1999:** Standards for Discharge of Effluent into Water or on Land) Regulations.
- 5 **National Fire Prevention Agency. (1996).** Flammable and Combustive Liquids Code (NFPA)

## 11 Appendices

### APPENDIX I: LETTERS OF NO OBJECTION FROM HOST COMMUNITY LEADERSHIPS

## Appendix II Attendance sheets for stakeholders consulted



## Appendix III: plans for the proposed camps

