

Original  
0008808  
THE NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)  
The National Environment Act Cap. 153  
The Environmental Impact Assessment Regulations, S.I. No. 13 of 1998  
Certificate of Approval of Environmental Impact Assessment  
Certificate No. NEMA/EIA/8808  
This is to certify that the Project Brief/Environmental Impact Statement  
received from  
MINISTRY OF WATER AND ENVIRONMENT  
P. O. BOX 20026, KAMPALA, UGANDA  
submitted in accordance with the National Environment Statute to the National Environment Management Authority (NEMA) regarding  
THE PROPOSED BUKEDEA WATER SUPPLY AND SANITATION SYSTEM  
(Title of Project)  
THE WATER SUPPLY AND SANITATION SYSTEM  
briefly described as  
SUB-COUNTIES IN THE DISTRICTS OF KAPCHORWA, BULAMBULI,  
SIRONKO AND BUKEDEA.  
(District/Sub-county/City/Town/Ward)  
has been reviewed and was found to  
have significant environmental impacts and the following appropriate mitigation measures were identified  
and made a condition precedent for approval and implementation  
= PLEASE TURN OVER =  
Dated at KAMPALA  
8TH AUGUST, 2016  
Executive Director (NEMA)  
Original Developer: DDC/earne Lead Agency:  
Quadruplicate: Any other relevant agency



0008808

CONDITIONS OF APPROVAL

(Additional Information Sheet)

CONDITIONS OF APPROVAL FOR THE PROPOSED BUKEDA WATER

SUPPLY AND SANITATION SYSTEM

In addition to implementing the mitigation measures outlined in the Environmental and Social Impact Statement (ESIS), this Certificate of Approval is granted on condition that the Developer, MINISTRY OF WATER AND ENVIRONMENT, shall comply with Approval Conditions stated below:

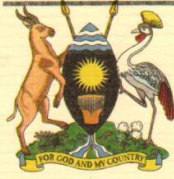
ADMINISTRATIVE CONDITIONS OF APPROVAL

1. This Certificate of Approval is issued in accordance with the requirements of the National Environment (Environment Impact Assessment) Regulations S.I.153-1 and under the Physical Planning Act, 2010.
2. Issuance of this Certificate of Approval is based on the content/information contained in the ESIS, submitted by the Ministry of Water and Environment.
3. The Developer shall be held responsible for any omissions, falsified information or any other anomalies that are contrary to the provisions of the relevant law governing the proposed Project.
4. This Certificate of Approval is VALID for a period of 5 YEARS - the period which covers both the construction and operational phases of the Project.
5. The Project must commence within the FIRST 24 MONTHS (from the date of approval) of the validity period,

Dated at KAMPALA on 12TH AUGUST, 2016

Signed

  
Executive Director (NEMA)



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## NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

### CONDITIONS OF APPROVAL FOR THE ENVIRONMENTAL AND SOCIAL IMPACT STATEMENT FOR THE PROPOSED BUKEDA WATER SUPPLY AND SANITATION SYSTEM TO COVER KAPCHORWA, BULAMBULI, SIRONKO AND BUKEDA DISTRICTS.

#### ADMINISTRATIVE CONDITIONS OF CERTIFICATE (...cont/d)

5. .... failure of which this Certificate may be varied, cancelled or otherwise dealt with by this Authority.
6. **The EXECUTIVE DIRECTOR, NEMA should be NOTIFIED**, of any transfer of ownership, variation/alteration of the project design or components, or surrender of this Certificate of Approval.

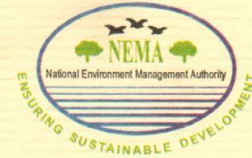
#### 1.0 SPECIFIC CONDITIONS OF APPROVAL

- (i) Pay due regard to environmental concerns during planning, construction and operational phases of the proposed Project, and ensure that the Project conforms to the planning provisions for the project area, as provided for by the Bukedeza District Local Government Authorities, and the Uganda Wildlife Authority (UWA).
- (ii) Ensure that all the necessary guidance and approvals including permits are obtained from UWA, Directorate of Water Resources Management (DWRM), and the National Environment Management Authority (NEMA) regarding specifications of the design and alignment of the water supply components and infrastructure, water abstraction, construction, use of parts of Mount Elgon and the banks of River Sipi.
- (iii) Before commencement of the project activities, ensure that a comprehensive **inventory** is undertaken to: **(a) determine the watering-points;** and, **(b) various water-users;** and, this information should be well-documented and disclosed to UWA, DWRM and Bukedeza District Local Government Authorities, to enable proper

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implementation of the project in line with the environmental flows of River Sipi.

- (iv) Carry out annual environmental audits in accordance with the best available practices (taking into account advances in science and technology) as stipulated in Section 6 of the National Environment (Audits) Regulations, 2006; and submit the first environmental audit report by **SEPTEMBER, 2017**.
- (v) In accordance with Section 22(4) of the National Environment Act, Cap. 153, take all reasonable measures and mitigate any other undesirable environmental impacts that may arise during the implementation of the project, but were not contemplated during the EIA and by the time of issuing this Approval, and report on those measures to the relevant Lead Agencies and this Authority.

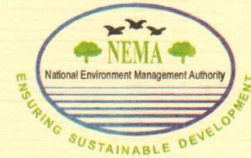
### 2.0 GENERAL CONDITIONS OF APPROVAL

- (vi) Disclose to UWA and the Bukedea District Local Government Authorities the anticipated size of the workforce that will be involved in various project activities, and the types of equipment/machinery that will be used and accommodated/installed within and outside the boundaries of the Mount Elgon National Park.
- (vii) Sensitise the contractor(s) and the workforce on rules and regulations governing (restricting) access to the Mount Elgon National Park; and, observe other restrictions on use of different resources in the protected areas and fragile ecosystems (*riverbanks, wetlands, forest reserves, hill slopes*), as stipulated in the National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations, 153-5/2000, the National Environment (Hilly and Mountainous Areas Management) Regulations, 153-6/2000, and other relevant laws.
- (viii) Ensure that the Contractor and workforce does not engage in carrying forbidden activities (*including poaching of wildlife, extraction of construction materials, dumping of waste*) within the boundaries of the Mount Elgon National Park, and/or in forest reserves, and along the banks of rivers, as stipulated in the National Environment Act, Cap.153.

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- (ix) Ensure that any temporary workers' camp and parking-yards to support the project activities are located outside the boundaries of the Mount Elgon National Park and other sensitive, fragile and regulated areas.
- (x) Ensure that adequate occupational health and safety measures and procedures are put in place to safeguard the workforce against occupational hazards, as required under the Occupational Safety and Health Act, 2006; and that the workers are provided with appropriate personal protective equipment/gear (including but not limited to safety helmets, gum-boots, etc).
- (xi) In accordance with the National Environment (Waste Management) Regulations, S.I. 153-2, ensure that all solid waste including *construction debris, muck, excavated soil, rock-waste, wood debris*, and garbage, is collected, sorted, and disposed of in an environmentally-sound manner, in gazetted approved waste dump-sites by the Kapchorwa District Local Government Authorities.
- (xii) Liaise closely with the District Local Government Authorities and UWA to determine suitable and appropriate haulage routes (access routes), and sensitise the local communities and road users on use of the haulage routes during the project implementation phases, in order to minimise occurrence of accidents and/or other hazards in the project area.
- (xiii) Ensure that an HIV/AIDS and sexually transmitted diseases (STDs) awareness and prevention programme is in place to sensitize the project staff/workers and the local communities of the need to safeguard their health, from the time of contractor mobilization through to the defects-liability period of the project.
- (xiv) Ensure that any complaints/concerns raised by the local communities and other concerned stakeholders are addressed in a timely manner in liaison with UWA and Bukedea District Local Government Authorities, and other relevant Lead Agencies.

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## NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

- (xv) Ensure that this Certificate of Approval is displayed at the Project Office(s) and at the Bukedea District Local Government and Kapchesombe Sub-County, and should be available at all times.
- (xvi) Fulfil any other conditions and requirements as may be prescribed from time to time by NEMA, UWA, DWRM, Bukedea District Local Government Authorities, and any other relevant Lead Agency.
- (xvii) Implement the mitigation plan and environmental management and monitoring plan as outlined in the ESIS; and ensure records keeping as required under Section 77 of the National Environment Act, Cap. 153, and their transmission to this Authority as required under Section 78 of the Act.

### 3.0 CONSTRUCTION PHASE CONDITIONS OF APPROVAL

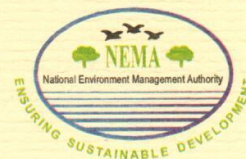
- (xviii) Ensure that clearing of the natural vegetation in the project area is minimised in order to control soil erosion and degradation of the mountain slopes.
- (xix) Ensure that the construction works are undertaken in manner that minimises noise emission and nuisance, as stipulated in accordance the National Environment (Noise Standards and Control) Regulations S.I. No 30/2003, and other relevant laws; and, that any stand-by electricity generators to be used should be fitted with silencers.
- (xx) Construct an appropriate drainage system of adequate capacity (including embankments, stone pitching where necessary) to handle storm-water run-off, and use appropriate mitigation measures to control soil erosion and accumulation of sediments in the main storm-water channels draining into the low-lying areas.
- (xxi) Liaise with UWA and Uganda Police Authorities to put in place appropriate road traffic warning signage including speed limits at strategic locations along the access roads to draw attention of the road users to the danger-points and areas of active human and motor vehicle traffic, in line with the Road Act, Cap. 358.

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## NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

- (xxii) Ensure that the project vehicle fleet that is to be used to transport the raw materials, equipment/machinery, and waste, are specially designed and fitted with safety features to prevent accidents, and littering, spillage and leakage of materials; and, should bear phrases that convey a message to the general public to alert them of the potential dangers and risks to safety of people, animals, among others.
- (xxiii) Have in place a secluded and/or access to a gazetted area for proper servicing of the project vehicle fleet, machinery/equipment, in order to contain the waste (waste-oil, spent filters, etc) generated at such a facility and minimize pollution of the environment.
- (xxiv) In accordance with the National Environment (Standards for Discharge of Effluent into Water and Land) Regulations S.I. 153-3, put in place adequate and appropriate sanitary facilities (toilets and washrooms) for use by the workforce, to properly handle sanitary waste generated during this phase of the Project.

### 4.0 OPERATIONAL PHASE CONDITIONS OF APPROVAL

- (xxv) Maintain a proper monitoring system to enable detection, and timely response and remedial action to handle any incident of malfunctioning and/or departure from the anticipated functionality of the water supply system and its support structures.
- (xxvi) Carry out water quality tests on a regular basis during the entire life-time of the Project, and submit the documented information to relevant Lead Agencies.
- (xxvii) In accordance with the National Environment Act (NEA), Cap. 153, and other relevant laws, ensure that good environmental and house-keeping practices become part and parcel of the day-to-day project operations, in order to detect and avert any undesirable environmental impacts.

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## NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

- (xxviii) Institute strict environmental control and monitoring to ensure that good environmental and house-keeping practices become part and parcel of the day-to-day project operations, as provided for under the National Environment Act Cap.153, in order to detect and avert any undesirable environmental pollution incidences.
- (xxix) These conditions are in addition to any other applicable conditions in this certificate or relevant law.

### 5.0 NOTIFICATION PHASE CONDITIONS OF APPROVAL

- (xxx) Seek written approval from this Authority for any operational changes under this Certificate of Approval.
- (xxxi) Ensure that this Authority is notified of any malfunction of any component of the Project within 12 hours, and mitigation measures put in place.
- (xxxii) Notify this Authority of the intent to decommission components of the Project (including temporary workers' camp, storage and parking yards, waste dump-sites, and access routes, etc) **3 (three) months** in advance, in writing.

### 6.0 DECOMMISSIONING AND RESTORATION PHASES CONDITIONS OF APPROVAL

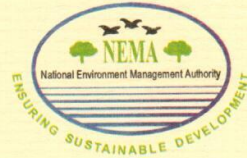
- (xxxiii) Have in place comprehensive decommissioning and restoration plans, to be implemented during and on completion of the project activities.
- (xxxiv) Ensure that a decommissioning and restoration plans are submitted to this Authority for approval at least **3 (three) months** prior to decommissioning of the project components.
- (xxxv) Decommission the project components when their lifespan comes to an end as shall be prescribed the relevant Lead Agencies.

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(xxxvi) Ensure that all pollutants and contaminated material is contained, and adequate mitigation measures and proper methods of disposal employed during this phase.

(xxxvii) Ensure that all areas other areas laid bare during construction works including sites scarred during extraction of construction materials, are restored to near their original state as possible – by back-filling, landscaping, and re-vegetating the bare ground surfaces with suitable indigenous tree/grass species; and, ensure that no alien / invasive plant species are introduced into the project area.

### 7.0 SUSPENSION / WITHDRAWAL / CANCELLATION CONDITIONS

(xxxviii) This Certificate of Approval may be withdrawn or cancelled due to the following:

- (a) if there is no compliance with any of the **Specific Conditions set out in this Certificate in Section 1.0 above** and any other substantive general provisions of this certificate;
- (b) where there is a substantial modification of the project implementation or operations which may lead to the emergence of un-assessed adverse environmental impacts that were not evaluated at the time of issuing this Certificate of Approval; and any other substantive general provisions of this certificate
- (c) where there arise substantive undesirable effects that were not contemplated by the time of issuance of this Certificate of Approval.

**DATED AT KAMPALA ON 12<sup>th</sup> AUGUST, 2016**

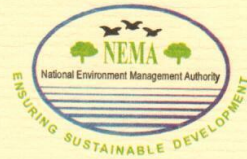
Signed:

**EXECUTIVE DIRECTOR (NEMA)**

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## NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

- c.c. The Permanent Secretary,  
Ministry of Education, Science and Technology,  
**KAMPALA.**
- c.c. The Permanent Secretary,  
Ministry of Gender, Labour and Social Development,  
**KAMPALA.**
- c.c. The Permanent Secretary,  
Ministry of Wildlife, Tourism and Heritage,  
**KAMPALA.**
- c.c. The Executive Director,  
Uganda Wildlife Authority,  
**KAMPALA.**
- c.c. The Chairperson LC-V,  
Bukedeza District Local Government,  
**BUKEDEA.**
- c.c. The Resident District Commissioner,  
Bukedeza District,  
**BUKEDEA.**
- c.c. The Chief Administrative Officer,  
Bukedeza District Local Government,  
**BUKEDEA.**
- c.c. The District Environment Officer,  
Bukedeza District Local Government,  
**BUKEDEA.**
- c.c. The Chairperson LC-III,  
Kapchesombe Sub-County,  
**BUKEDEA.**