



THE REPUBLIC OF UGANDA

MINISTRY OF WATER AND ENVIRONMENT

IRRIGATION FOR CLIMATE RESILIENCE PROJECT (ICRP)

SECTIONAL RESETTLEMENT ACTION PLAN (RAP)

FOR KABUYANDA DAM, ISINGIRO DISTRICT

ADDENDUM TO THE RAP FOR

KABUYANDA IRRIGATION SCHEME

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ABBREVIATIONS AND ACRONYMS

CDM	Clean Development Mechanism
CFM	Collaborative Forest Management
CFR	Central Forest Reserve
CGV	Chief Government Valuer
ESIA	Environmental and Social Impact Assessment
GOU	Government of Uganda
ICRP	Irrigation for Climate Resilience Project
MWE	Ministry of Water and Environment
NFA	National Forestry Authority
PAP	Project Affected Persons
RAP	Resettlement Action Plan
UGX	Uganda Shillings

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1.0 BACKGROUND

The Government of Uganda (GoU) through the Ministry of Water and Environment (MWE) with support from the World Bank is implementing the Irrigation for Climate Resilience Project (ICRP). The project development objectives are to provide farmers in the project areas with access to irrigation and other agricultural services, and to establish management arrangements for irrigation service delivery.

Components. The project has three components: Component 1. Irrigation Services; Component 2. Support services for agricultural production and value-chain development; and Component 3. Institutional Strengthening and Implementation Support.

Kabuyanda Irrigation scheme. The ICRP will – among others - support construction of a new irrigation scheme in Kabuyanda, in Isingiro and Ntungamo Districts, in south-western Uganda, and the related establishment of management structures. The Kabuyanda irrigation scheme comprises of a zoned earth fill dam on the Mishumba River, of 33 m high, 314 m of maximum crest length, creating a 8.8 Mm³ reservoir; and a piped irrigation network serving a command area of 3,300 ha. Kabuyanda Dam will be located approximately 5 km north-west of Kabuyanda Town, and will submerge an area of 100.2 hectares within the Rwoho Central Forestry Reserve (CFR) under the National Forestry Authority (NFA), a degraded forest partially restored with non-indigenous species (pines and eucalyptus).

2.0 KABUYANDA IRRIGATION PROJECT SECTIONAL RAP

During project preparation, a Resettlement Action Plan (RAP) for the Kabuyanda Irrigation scheme was prepared, consulted upon, cleared by the World Bank, and disclosed on the MWE website on February 18, 2019 (<https://www.mwe.go.ug/projects/ICRP>) and on the World Bank's external website on February 26, 2019

(<https://documents.worldbank.org/en/publication/documents-reports/documentdetail/838461551252259838/resettlement-action-plan>)

During the ICRP negotiations in February 2020, the GoU through MWE and the World Bank agreed on the opportunity of implementation of the Resettlement Action Plan (RAP) reflecting the sectioning of large civil works and agreed that the various plans could be implemented in sections, provided that this is adequately reflected in the RAPs approved and agreed with the World Bank and that a RAP completion report will be produced for each such section. With reference to the Kabuyanda irrigation scheme, MWE has thus decided to prepare the Sectional RAPs in the following order: (I) Kabuyanda Dam sectional RAP; (II) Kabuyanda Main Pipeline Sectional RAP; and (III) Kabuyanda Irrigation Network Sectional RAP.

This is the first Kabuyanda sectional RAP for the Kabuyanda dam which is an addendum to the RAP disclosed on February 18, 2019. The purpose of this addendum is to revise sections of the February 2019 Kabuyanda RAP relevant to the dam, and notably section 6.5 on Impact on National Forestry Authority (NFA) and Annex E on Inventory and economic assessment of Rwoho CFR by the Irrigation and Climate Resilience Project. The entitlement matrix, eligibility criteria, grievance redress mechanism and other principles set in the February 2019 Kabuyanda RAP remain applicable.

3.0 REDUCTION IN THE KABUYANDA DAM ACREAGE

In the February 2019 Kabuyanda RAP, the reservoir created by the Kabuyanda dam was estimated to cover an area of 302.47 ha of Rwoho Central Forest Reserve (CFR), corresponding to fifteen (15) licences comprising of thirteen (13) private trees farmers and one (1) Collaborative Forest Management (CFM) group (section 6.5 of the February 2019 RAP), in addition to unplanted NFA land and a NFA-CFM group. In the first half of 2019, the optimization of the design allowed to reduce the inundated area from 302.47 ha to 100.2 ha, substantially reducing the impact of the project on Rwoho CFR to four (4) private trees farmers and one (1) CFM group, in addition to unplanted NFA land and a NFA-CFM group.

The Environmental and Social Impact Assessment (ESIA) for Kabuyanda irrigation scheme completed, cleared and disclosed on the MWE website on October 2, 2019 (<https://www.mwe.go.ug/projects/icrp>) and on the World Bank's website on October 3, 2019 (<https://documents.worldbank.org/en/publication/documents-reports/documentdetail/143121570165043250/environmental-and-social-impact-assessment-for-kabuyanda-irrigation-scheme>) presents the details in section 4.2.1 on Land cover at the inundated area and in Appendix 14 on Biodiversity surveys in Rwoho CFR, within the 100 ha to be inundated and the area identified for restoration/reforestation activities.

The following tables present the comparison of the Project Affected Persons (PAPs) in the February 2019 Kabuyanda RAP with the current Kabuyanda Dam Sectional RAP.

Table 1: Organizations / Individuals that will be affected by the proposed project and the area planted in hectares (Table 2, Annex E of the February 2019 Kabuyanda RAP, page. 269)

Licensee	Area (ha)
PAP1	1.61
PAP2	28.28
PAP3	0.01
PAP4	7.14
PAP5	54.16
PAP6	38.07
PAP7	4.30
PAP8	17.09
PAP9	5.68
PAP10	0.60
PAP11	0.25
PAP12	5.85
PAP13	55.71
PAP14	0.45
NFA-CDM	22.77
NFA Unplanted (Natural Belt & Nursery)	60.52
Total	302.47

Table 2: Revised organizations / Individuals that will be affected by the proposed project and the area planted in hectares based on final design.

Licensee	Area (ha)
PAP2	0.7
PAP4	8.5
PAP5	24.5
PAP8	3.8
PAP14	29.2
NFA-CDM	8.1
NFA -Unplanted (Natural Belt & Nursery)	25.4
Total	100.2

4.0 KABUYANDA DAM PROJECT AFFECTED PERSONS (PAPs)

The Dam construction will affect the existing tree plantations within Rwoho CFR. However, based on the reduced acreage that dam would cover i.e. 100.2 ha from the original 302.47 ha, the number of Private plantation owners Affected by the project reduced from thirteen (13) to four (4), in addition to one (1) CFM group. The current state of dam PAPs and acreage is contained in the new Inventory of the trees to determine impact of reduction of acreage and the number of PAPs affected by Kabuyanda dam.

5.0 REDUCTIONS IN COMPENSATION VALUES

There is a reduction of dam compensation figures from **UGX 8,986,562,400 (Eight Billion, Nine Hundred Eighty Six Million, Five Hundred Sixty Two Thousand, Four Hundred Shillings Only)** as it was originally in the February 2019 RAP to now **UGX 2,013,353,100 (Two thirteen million, three hundred fifty three thousand one hundred shillings) will be paid to the PAPs.** Note that UGX 312,018,655 (Three hundred twelve million eighteen thousand six hundred fifty five shillings) is the economic value for the NFA-CDM and NFA Unplanted (Natural Belt & Nursery) areas that will be affected by the dam construction.

6.0 CONSULTATIONS

MWE and NFA engaged PAPs for the dam area on two separate occasions for the PAPs' validation exercise and another for the disclosure of compensation values to the PAPs after the Chief Government Valuer (CGV) had approved the Economic Assessment Report. The two exercises went on well with the PAPs forwarding their questions to the MWE and NFA officers seeking for clarification on their concerns. The PAPs' questions centered around the compensation process, Kabuyanda dam integrity to manage the floods, the owner of the compensated plantations, PAPs' compensation eligibility requirements, number of the affected PAPs and desire to acquire more land from NFA for the new plantations. The MWE/NFA officers responded to the PAPs' questions informing them about the change of designs which had an impact on reducing the number of affected persons, timelines for compensation, compensation process clarifications, PAPs' compensation eligibility requirements; all well explained in each meeting as follows.

6.1 PAPS' Validation Exercise

On July 20, 2020, NFA Projector Manager Mbarara, Mr. Kyaligonza Hebert held a meeting with the Kabuyanda Dam area PAPs to authenticate the identities of PAPs, discuss the compensation process and listen to the PAPs' questions with aim to offer answers to any concern to pave for a smooth compensation payment. The following is what transpired.

Compensation Process: The PAPs asked questions about the compensation process and the NFA Project Manager, Mbarara Mr. Kyaringonza Hebert explained to the PAPs that the compensation takes the following process:

- Government/NFA undertook field study of the inventory for the trees available.

- NFA undertook economic assessment for the trees.
- An Inventory Assessment and Economic Assessment Reports were written.
- The Government/Ministry Validates the report with the PAPs, submit the report to the Chief Government Valuer (CGV) for approval.
- Disclosure of the approved CGV values to the PAPs is done.
- PAPs discuss, review the compensation agreement and thereafter endorse compensation agreement.
- PAPs declare their bank account details to the Government/Ministry
- Government pays the PAPs.

Discussed items and responses

The following items were raised by the PAPs during the validation exercise and the NFA provided the responses accordingly to the satisfaction of the PAPs as shown below.

Table 3: Observations on PAPs and proposed way forward

No.	PAPs' Questions	Response/Way forward
1	Will the Government require more plantation area for the construction of Kabuyanda dam?	NFA responded to him by informing the PAPs that the land that will be compensated would be enough. If the project area is demarcated, then there will be no more interest beyond it.
2	How many farmers in the Rwoho Forest Reserve were affected?	Four (4) Individual farmers and one (1) CFM group were affected and the particulars of the PAPs were disclosed to the PAPs individually.
3	Who will own the trees after compensation? How long shall the PAPs take to vacate the land after compensation?	After compensation, the trees compensated belong to Government because compensation is based on a full 20 year rotation. NFA explained that the farmers will have got their full economic value of the trees and therefore after compensation the trees compensated will belong to Government. NFA will acquire and dispose of all the trees according to the law. If there is a conflict on any partner, please raise it and NFA solves it. Farmers will be required to vacate the compensated parts immediately after compensation
4	Will NFA consider the compensated PAPs for allocation of another area to plant trees in Rwoho CFR since the PAPs have demonstrated potential to plant trees?	NFA explained there was no more land in Rwoho CFR. However, NFA stated that there is still land available in other forest reserves across the country. NFA will advertise in future and encouraged them to apply.

5	What are the requirements that the PAPs need to fulfil in order to be compensated?’	<p>The NFA Manager – Mbarara clarified the requirements of the PAPs in order to be successfully paid. The PAPs need to fulfil the following:</p> <ol style="list-style-type: none"> i. Open Bank accounts and have them operational at the time of compensation. ii. Sign compensation agreement with the Government. iii. Attach the following on the compensation agreement; <ul style="list-style-type: none"> • Photocopy of the National Identity Card • Declared Bank details • Attach passport size photographs of the PAP iv. Show proof of the Bank details. v. Consent to the Chief Government values. vi. Raised objective, in case the compensation is not clear to the PAP or if the PAP does not consent to the values approved by CGV. Give reasons for the objections for the Government to handle.
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6.2 Disclosure of compensation values to PAPs

MWE together with NFA officers held a consultative meeting with the PAPs on September 24, 2020 at the NFA Headquarters, Bugolobi in Kampala to disclose the compensation values after the CGV had approved the economic assessment report. The following issues were raised and answers given accordingly as shown below.

Table 4: Observations on disclosure of compensation Values to PAPs and proposed way forward

No.	PAPs’ Questions	Response/Way forward
1	Is there any arrangement in the design to mitigate or restore the environment and social impact after the construction of the dam? For example, at the beginning of this year, heavy and dangerous flooding happened due to too much rainfall that took away plants, animals and even people. Will the	Mr. Nuwagira Paul (Senior Sociologist, MWE) informed the participants that to make the dam design, the specialists looked at the capacity of the dam. One of the positive effects of the dam is to control excessive flooding which may result into human and environmental catastrophes. He furthermore explained to them that during construction there will be close monitoring by the dam experts to ensure quality works. It was explained that according to the dam design, the spill way is big and firm enough to accommodate the spilling water.

	spillway be able to accommodate the floods?	
2.	Is there any arrangement or plan to rebuild the road that will be impacted on by the dam water in the Rwoho Forest Reserve?	Mr Nuwagira Paul responded by informing the PAPs that there is a plan in the design of the scheme to reroute and build or construct the road in the forest reserve that will connect to the main road. It is captured in the Bills of Quantities (BOQ) to rebuild the road. There will also be construction of many scheme roads which will facilitate transportation in the area.
3	Will the PAPs pay harvesting license?	NFA Director, Maniragaba Stuart informed the PAPs that they would not pay harvesting license. Those with any outstanding with NFA were called upon to clear them it as soon as possible. Those who will have cleared with NFA will be paid.

6.3 Resolutions

- 1) The project Affected Persons were happy for the disclosure of compensation values and none objected to the listed values.
- 2) The PAPs agreed to the clauses and issues in the compensation agreement and thereafter endorsed the compensation agreements willingly.
- 3) The PAPs agreed to disclose their bank details and personal identification to the MWE. They attached their Passport size photographs, photocopies of National Identity cards, and Bank details.
- 4) PAPs agreed to have them photographed while they were signing the consent compensation agreements.
- 5) The PAPs agreed to have their photos taken while they were signing the compensation agreement as here below attached;

6.4 Engagement and discussion with Previous Project Affected Persons in the original RAP

On September 29, 2020, MWE and Kabuyanda Sub-County officials met the PAPs who were previously earmarked to be affected by the Kabuyanda dam construction and were told that in February 2019 Kabuyanda RAP, the reservoir created by the Kabuyanda dam was estimated to cover an area of 302.47 ha of Rwoho Central Forest Reserve (CFR), corresponding to 15 licences comprising of 13 private trees farmers and 2 Collaborative Forest Management (CFM) groups (section 6.5 of the February 2019 RAP). In the first half of 2019, the optimization of the design allowed to reduce the inundated area from 302.47 ha to 100.2 ha, that substantially reduced the impact of the project on Rwoho CFR to 4 private trees farmers and 1 CFM group. The Persons that were not going to be affected by the 100.2 ha were informed accordingly one by one as indicated in Table 1 as PAP1, PAP3, PAP6, PAP 7, PAP9, PAP10 and PAP11. They all understood the message and approved the project implementation.

ANNEXES

Annex 1 - Kabuyanda Dam Sectional RAP Implementation Schedule

The implementation of the dam sectional RAP will be as shown in the table below.

Table 5: Implementation schedule

No.	Activity	Time Frame	Start date	Responsibi
1.	Dam economic assessment approval by Chief Government Valuer	3weeks	20/09/2020	CGV
2.	Disclosure of CGV approved compensation values to PAP's and Signing of consent and compensation agreements with PAPs and obtaining PAPs Bank details	1 week	27/09/2020	NFA/ MWE
3.	Compensation payment	60 days	2/11/2020	MWE, Water for Production Regional Centre- West
5.	Grievance Management	Continuous	Continuous	MWE/ NFA/GRCs