Certificate of Approval of Environmental Impact Assessment

This is to certify that the Project Brief / Environment Impact Statement** received from

M/s: M/S KAMPALA CAPITAL CITY AUTHORITY (KCCA)
of CITY HALL, P.O.BOX 7010 KAMPALA - UGANDA (TEL. +256 204 660000, +2
submitted in accordance with the National Environment Act Cap.153 to the National Environment Management Authority (NEMA) regarding:

THE PROPOSED SELECTED ROAD LINKS AND JUNCTIONS/INTERSECTIONS TO IMPROVE MOBILITY IN KAMPALA

(briefly described as THE SELECTED ROAD LINKS AND JUNCTIONS/INTERSECTIONS TO IMPROVE MOBILITY

(Nature, Purpose)

located at TRAVERSING PARTS OF KAMPALA AND WAKISO DISTRICTS

(District/Sub-county/City/Town/Ward)

** have significant environmental impacts and the following appropriate mitigations
and made a condition precedent for approval and implementation:

(The relevant conditions are attached in the subsequent pages)

Dated at KAMPALA on 19 OCTOBER 2017

Signed

EXECUTIVE DIRECTOR (NEMA)

ORIGINAL: Developer; DUPLICATE: Lead Agency; TRIPlicate: The Authority; QUADRUPLE: Any other relevant agency
CONDITIONS OF APPROVAL FOR THE SELECTED ROAD LINKS AND JUNCTIONS/INTERSECTIONS TRAVERSING PARTS OF KAMPALA (KAWEMPE, CENTRAL, NAKAWA, RUBABA AND MAKINDYE DIVISIONS) AND PARTS OF WAKISO DISTRICT (MAKINDYE SSABAGABO) WITHIN THE SECOND KAMPALA INSTITUTIONAL AND INFRASTRUCTURAL DEVELOPMENT PROJECT (KIIDP2) TO IMPROVE MOBILITY IN KAMPALA

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 – M/S KAMPALA CAPITAL CITY AUTHORITY complies with approval conditions stated below:

ADMINISTRATIVE CONDITIONS OF APPROVAL

1. This Certificate is issued in accordance with the requirements of the National Environment (Environment Impact Assessment) Regulations, S.I No. 153-1 and of the Physical Planning Act, 2010.

2. Issuance of this Certificate of Approval is based on the content of/information contained in the Environmental and Social Impact Statement submitted by the Kampala Capital City Authority.

3. Kampala Capital City Authority shall be held responsible for any omissions, falsified information or any other anomalies that are contrary to the provisions of the relevant laws 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, failure of which this Certificate may be varied, cancelled or otherwise dealt with by this Authority.

6. The Executive Director 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). Ensure that the project areas are properly surveyed and legally obtained.

(ii). Note that this approval is for the selected Roads Links and Junctions ONLY as contained in the ESIS; any other component that is not the main subject of ESIS approved and Certificate of Approval should be subjected to a separate Environment Impact Assessment (EIA); and any future expansion or redevelopments relating to this project will also require separate environment impact assessments.

(iii). Ensure that compliance status of quarries to supply materials for the Road Links and Selected Road Links and Junctions/Intersections that have been in operation prior to the Said Project and should be made use of in accordance with conditions set-out in the respective Certificates of environmental impact assessment for the quarries before commencement of project activities; and, ensure that quarry related concerns are considered and that measures to adequately address them are incorporated into the Project’s Environmental and Social Monitoring Plan before project implementation begins.

(iv). Obtain all the necessary permits and approvals from this Authority, the Ministry of Works and Transport, Department of Occupational Safety and Health (Ministry of Gender, Labour and Social Development), Directorate of Water Resources Management (Ministry of Water and Environment) and any other relevant authorities, before commencement of the proposed project activities.

(v). Make provision for stop-over resting areas for commuters in which private developers may construct places of convenience and related facilities.

(vi). Ensure that the Project is implemented in conformity with the planning provisions for the sites as provided for under the Physical Planning Act, 2010, and any other relevant laws.

(vii). Ensure full compensation payments are made to all project affected persons (PAPs) in a transparent and timely manner, according to the agreed compensation terms and rates, as required under the national laws governing compensation.
(viii). Ensure that impacts of the Kabuusu-Kitebi-Bunamwaya Road on the bushland and woodland ecosystems are properly offset by planting avenue trees (especially indigenous tree species) along the project road reserves and ensure that they grow and are well-maintained.

(ix). Ensure that adequate sanitation is provided for the workforce including providing mobile sanitary facilities to discourage improper and uncontrolled disposal of sanitary waste.

(x). Ensure that accessibility where possible is provided for property owners of property within the project affected areas.

(xi). Ensure that positioning of outfalls for the road drainage channels are defined and that drainage systems within areas with pedestrians are covered.

(xii). In accordance with the National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations, S.I. No. 153-5 prevent the degradation or destruction of/ encroachment on wetlands and water bodies traversed by the Road projects. For any activity that may be permitted under the said Regulations, guidance and approval should be obtained from this Authority before undertaking any such regulated activities.

(xiii). Apply for and obtain water abstraction and water discharge permits from the Directorate of Water Resources Management (DWRM) of the Ministry of Water and Environment, for abstracting water from the ground-water or surface-water sources identified and discharge of water respectively, as required under Regulation 3 of the Water Resources Regulations, 1998, prior to the commencement of construction activities.

(xiv). Liaise with Uganda Railways Corporation (URC), Standard Gauge Railway Project and the Ministry of Works and Transport to address issues regarding roads that cross existing and proposed railway lines to ensure that the developments are harmonised.

(xv). Before commencement of works, physical cultural resource management plan should be developed in liaison with the Department of Museums and Monuments (Ministry of Tourism, Wildlife and Antiquities) to address any issues regarding chance finds for cultural resources that may be found within the project affected areas.
(xvi). Liaise with Wakiso District Local Government regarding envisaged maintenance and sustainability interventions for the road projects that connect to the District’s road network.

(xvii). Before commencement of construction work, identify and disclose to this Authority the identified suitable sites for setting up asphalt plant, temporary workers camps and storage/parking yards, and other support structures as well as site for extraction of stone, sand and marram; and, note that for such components separate EIAs need to be undertaken and approval obtained from this Authority, before commencement of the road works.

(xviii). Carry out annual environmental audits and submit the audit reports to this Authority in line with the provisions of the National Environment (Audit) Regulations, S.I. No. 12/2006; and, submit the first Environmental Audit Report to this Authority by November, 2018.

(xix). In accordance with Section 22(4) of the National Environment Act, Cap. 153, ensure that any other undesirable impacts that may arise due to implementing this project, but were not contemplated by the time of undertaking this Environmental and Social Impact Assessment, are mitigated.

1.0 GENERAL CONDITIONS OF APPROVAL

(xx). Ensure that comprehensive community and stakeholder public awareness regarding the Project design and activities is carried out in order to prevent any emergence of social conflicts and misrepresentation of project activities.

(xxi). Develop and implement a traffic management plan to ensure that traffic along the different roads is properly managed.

(xxii). Ensure that an Occupational Health Policy is put in place to guide operations of the project.

(xxiii). Construct settlement-ponds along drainages to trap and collect silt and ensure that they are well-maintained so as to mitigate contamination/siltation of sensitive habitats in the outfall.

(xxiv). Put in place scheduled maintenance plans for the said Roads particularly for the post construction phase of the project.
(xxv). Have in place a road safety awareness programme to sensitize the local community, road users, school children, among others, on safety measures to adhere to, during the road construction and operational phases. Where appropriate avail local communities with information leaflets in their local languages.

(xxvi). In accordance with Traffic and Road Safety Act, 358, impose speed limits to regulate vehicle traffic; install clear and appropriate road traffic lights, road traffic signs/markings (indicating speed limits among others), guard rails(where necessary), and zebra crossings (wherever required), speed humps in heavily congested areas within the urban centres, including schools, among others.

(xxvii). Put in place appropriate plans for diversions/road detours (wherever necessary) to direct traffic, in order to reduce risks of vehicular and/or other accidents, during the construction phase of the project.

(xxviii). Ensure that the said roads have adequate and appropriate signage and walk ways for pedestrians and that cycling lanes (included in designs of some of the said roads) on the selected roads are uniform and appear on all sections of the said roads so that non-motorized transport is promoted and traffic management improved.

(xxix). Note that the use of child labour is prohibited during the implementation of project activities.

(XXX). Liaise closely with Authorities responsible for provision of public utilities (for example water, electricity, telecommunication structures distribution lines, among others) to identify such public utilities and to avoid disrupting their functions and services and access by the general public to these facilities, during the implementation of project activities. Also ensure that public utilities affected by Project activities are relocated and/or reinstated during or after construction phase.
(xxxii). Put in place mechanisms of handling community concerns including having in place a framework for grievance redress to ensure that concerns raised are properly handled.

(xxxiii). Put in place HIV/AIDS and Sexually Transmitted Diseases (STD) awareness and prevention program, to sensitize both the workers involved in the project and the local communities on prevalence of HIV/AIDS and STDs with the aim to curb the spread of these diseases.

(xxxiv). Ensure that all repairs of mechanical equipment are restricted to the designated areas within the garage/workshop area.

(xxxv). Ensure that drainage issues along the project roads and road intersections are adequately addressed taking into consideration the changing weather patterns, climate change and reduction of permeable area for surface runoff into the design of drainage and ensure that off-site effects associated with marram borrow areas are well managed.

(xxxvi). Fulfill any other conditions and requirements as may be required from time to time by this Authority, Ministry of Works and Transport, Occupational Health and Safety Department (Ministry of Gender, Labour, and Social Development) and any other relevant Lead Agency.

(xxxvii). Fully implement the mitigation and environmental and social management plans; and, ensure proper record-keeping as required under Section 77 of the National Environment Act, Cap. 153, and transmit the records to this Authority, as required under Section 78 of the National Environment Act.

2.0 CONSTRUCTION PHASE CONDITIONS OF APPROVAL

(xxxviii). Ensure that construction activities are restricted to day-time hours only (7:00am – 6:00pm) particularly in areas with residential neighbourhood, in order to avoid inconveniencing the local community in the neighbourhood, as well as the road users.
(xxxix). Implement the traffic management plan to ensure that traffic is appropriately handled during the implementation phase of the project.

(xl). Ensure that there is adequate provision of Occupational Safety and Health measures and procedures for the workers during project implementation in line with the Occupational Safety and Health Act, 2006 and designate an Occupation Health, Safety and Environment officer to implement them; and provide appropriate protective gear (helmets, gum-boots, overalls, hand-gloves, earmuffs, respiratory masks, to mention but a few) to be used by the entire workforce.

(xli). Minimize dust generation and nuisance to the immediate neighbourhood and littering during construction works, by applying dust control measures including dampening of the bare ground surface with water; and, covering trucks with tarpaulin during transportation of loose construction material and excavated soil.

(xlii). Ensure that all solid waste (including cut to spoil material) and garbage generated, is disposed of at the identified suitable location gazetted as waste holding/ dump sites, in accordance with the National Environment (Waste Management) Regulations, S.I. No. 153-2; and, ensure that no waste is dumped into water bodies and wetland ecosystems.

(xliii). Ensure that concrete culverts of appropriate size are installed at suitable sections including at sections traversing fragile ecosystems (e.g. wetlands, streams, and rivers, among others) along the Project Roads and so as to minimize interference with the hydrological and drainage patterns of the project affected areas.

(xliv). In accordance with the National Environment (Standards for Discharge of Effluent into Water and Land) Regulations, S.I. No. 153-3, put in place appropriate/adequate sanitary facilities for use by workers, in order to properly contain sanitary effluent (waste-water/sewage).

(xlv). In accordance with the National Environment (Noise Standards and Control) Regulations, S.I. No 30/2003, ensure that electricity generators to be used during the construction phase of the project, are fitted with silencers, and put in place adequate sound-buffering measures to cater for noise generating equipment, in order to minimize noise and not to inconvenience the local communities adjacent to sites where the said generators are in use.
(xlvi). Ensure that environmental pollution due to waste-oil or oil-leaks and spillage from construction equipment and machinery is avoided, and that used-oil/waste-oil and other hazardous waste generated during Project implementation at the various sites are collected and safely disposed of, in an environmentally-sound manner, as stipulated under the National Environment (Waste Management) Regulations, S.I. No. 153-2; and, waste-oil should be disposed of by an authorized/licensed hazardous waste handlers.

(xlvii). Put in place a comprehensive emergency and monitoring plan and appropriate fire-fighting equipment at temporary workers’ camp, parking/storage yards, amongst others, for purposes of averting any undesirable incidents of fire-risk behavior or actual fire out-break; and, put in place proper safety procedures for the workforce and provide for hands-on training for the workers/employees on use of the fire-fighting equipment.

(xlviii). Provide material data sheets and standard operating procedures to ensure proper handling of materials and equipment/machinery.

3.0 OPERATIONAL PHASE CONDITIONS OF APPROVAL

(xlix). Ensure that trees are planted and grow to maturity and are well maintained to enhance visibility.

(i). Install and regularly maintain standard guard rails on the Roads for safety mitigation on the said Roads.

(ii). Ensure regular monitoring of the road construction activities/maintenance and operations throughout the road project lifetime.

(iii). Ensure that adequate road safety measures are put in place and remain functional during the lifespan of the Project Road.

(iii). These Conditions are in addition to any other applicable conditions in this Certificate or relevant laws.

4.0 NOTIFICATION PHASE CONDITIONS OF APPROVAL

(liv). The developer shall seek written approval from this Authority for any operational changes under this Certificate.
(iv). Ensure that this Authority is notified of any malfunction of any component under this project, within 12 hours and mitigation measures put in place.

(lvi). Notify this Authority of the intent to decommission any components under this project, **three months** in advance in writing.

5.0 DECOMMISSIONING AND RESTORATION PHASE CONDITIONS OF APPROVAL

(lvii). Ensure that a comprehensive decommissioning and restoration plans are submitted to this Authority for approval, **at least 3 (three) months** prior to decommissioning the project components.

(lviii). Decommission the Project components (asphalt plant, temporary camps, and parking/storage yards, amongst others) when their lifespan comes to an end as per the decommissioning plan, and/or as will be prescribed by the relevant Lead Agencies.

(lix). Ensure that all pollutants and polluted material is contained and adequate mitigation measures provided during this phase.

(lx). Restore, all scarred areas to their original or near original state as possible, affected due to conduct of various project activities; and re-vegetate degraded land ground surface by planting native plant species, so as to minimize the occurrence of soil erosion.

(lii). Report on the completed decommissioning and restoration activities to the National Environment Management Authority.

6.0 SUSPENSION/WITHDRAWAL/CANCELLATION CONDITIONS

(liii). This Certificate shall be suspended/withdrawn/cancelled if:

(a) there is no compliance with any of the **Specific Conditions** set out in this ESIS Certificate in Section 1.0 above and of substantive general conditions of the certificate:
(b) where there is a substantial modification of the project implementation or operations which may lead to un-assessed adverse environmental and social impacts that were not evaluated at the time of issuing this Certificate of Approval; and,

(c) where there arise substantive undesirable effects that were not contemplated during the issuance of this Certificate of Approval.

DATED AT KAMPALA ON 19TH OCTOBER, 2017

Signed:

EXECUTIVE DIRECTOR (NEMA)

c.c: The Permanent secretary,
Ministry of Water and Environment,
KAMPALA.

c.c: The Permanent secretary,
Ministry of Works and Transport,
KAMPALA.

c.c: The Permanent Secretary,
Ministry of Gender, Labour and Social Development,
KAMPALA.

c.c: The Executive Director,
Uganda National Roads Authority,
KAMPALA.

c.c: The Director,
Directorate of Water Resources Management,
Ministry of Water and Environment,
ENTEBBE.
NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

cc: The Commissioner,
Wetlands Management Department,
Ministry of Water and Environment,
KAMPALA.

cc: The Director,
Directorate of Physical Planning,
Kampala Capital City Authority,
KAMPALA.

cc: The Director,
Directorate of Public Health and Environment,
Kampala Capital City Authority,
KAMPALA.