

Original

18391



THE NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)
The National Environment Act, No.5 of 2019
The National Environment (Environmental And Social Assessment) Regulations No. 143 of 2020
Certificate of Approval of Environmental and Social Impact Assessment
Certificate No. NEMA/EIA/ 18391

This is to certify that the Project Brief/Environmental and Social Impact Assessment received from

M/s: **UGANDA WILDLIFE AUTHORITY**

of **P.O BOX 3530, KAMPALA-UGANDA.**

submitted to the National Environment Management Authority (NEMA) in accordance with the National Environment Act, No. 5 of 2019 regarding:

THE PROPOSED DEVELOPMENT OF A VISITOR INFORMATION CENTRE

(Title of Project)

briefly described as **THE DEVELOPMENT OF A VISITOR INFORMATION CENTRE**

(Nature, Purpose)

Declared Investment cost **USD976,142.23**

located at **IN BWINDI IMPENETRABLE NATIONAL PARK AT RUSHANGA GATE IN RUSHANGA VILLAGE, RUSHANGA WARD, RUBUGURI TOWN COUNCIL, KISORO**

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

has been reviewed and was found to:

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

(The relevant conditions are attached in the subsequent pages)

Dated at **KAMPALA**

on **03 MAY 2024**

Signed

EXECUTIVE DIRECTOR (NEMA)



NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

CONDITIONS OF APPROVAL FOR THE ENVIRONMENT AND SOCIAL IMPACT STATEMENT FOR THE DEVELOPMENT OF A VISITOR INFORMATION CENTRE IN BWINDI IMPENETRABLE NATIONAL PARK AT RUSHANGA GATE IN RUSHANGA VILLAGE, RUSHANGA WARD, RUBUGURI TOWN COUNCIL, KISORO DISTRICT

- 1.0** This Certificate is issued in accordance with the requirements of the National Environment Act, No.5 of 2019, the Physical Planning Act, 2020, the Uganda Wildlife Act, 2019 and the National Environment (Environmental and Social Assessment) Regulations, S.I No. 143/2020 and any other applicable laws.
- 2.0** In addition to implementing the mitigation measures identified in the Environment and Social Impact Statement (ESIS), this Certificate of approval is granted on condition that the Developer, **M/S UGANDA WILDLIFE AUTHORITY** shall comply with approval conditions stated below.
- 3.0 ADMINISTRATIVE CONDITIONS OF CERTIFICATE**
 - (i) Issuance of this Certificate of Approval is based on the content of/information contained in the ESIS submitted by **M/S Uganda Wildlife Authority**. The Developer 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.
 - (ii) This Certificate of Approval is **VALID for an initial period of 5 YEARS** and thereafter, this Certificate may be revised upon request or when site conditions change.
 - (iii) The project **must commence within the first 24 months** (from the date of approval) of the validity period, failure of which this Certificate shall be varied, cancelled, or otherwise dealt with by this Authority.
 - (iv) The Executive Director shall be **NOTIFIED, and consent** sought for any transfer of ownership, variation/alteration of the project design or components, or surrender of this Certificate of Approval.
 - (v) The developer is duty bound to ensure that his operations and those of his contractors under the project comply with all the provisions of this certificate including other lawful instructions by the Authority and the relevant lead agencies.

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4.0 SPECIFIC CONDITIONS OF APPROVAL

4.1 Land allocation and Compensation:

- (i) The project area/land-take to be acquired, must be legally obtained, in accordance with the Land Act Cap 227, and any other applicable law.
- (ii) Compensate all project affected persons (PAPs) arising from the establishment of Visitor's Information Centre at Bwindi Impenetrable National Park in accordance with the national laws governing compensation.
- (iii) Restrict the project infrastructural set-up within the area approved for development at GPS (UTM) coordinates shown in Figure 1 below.

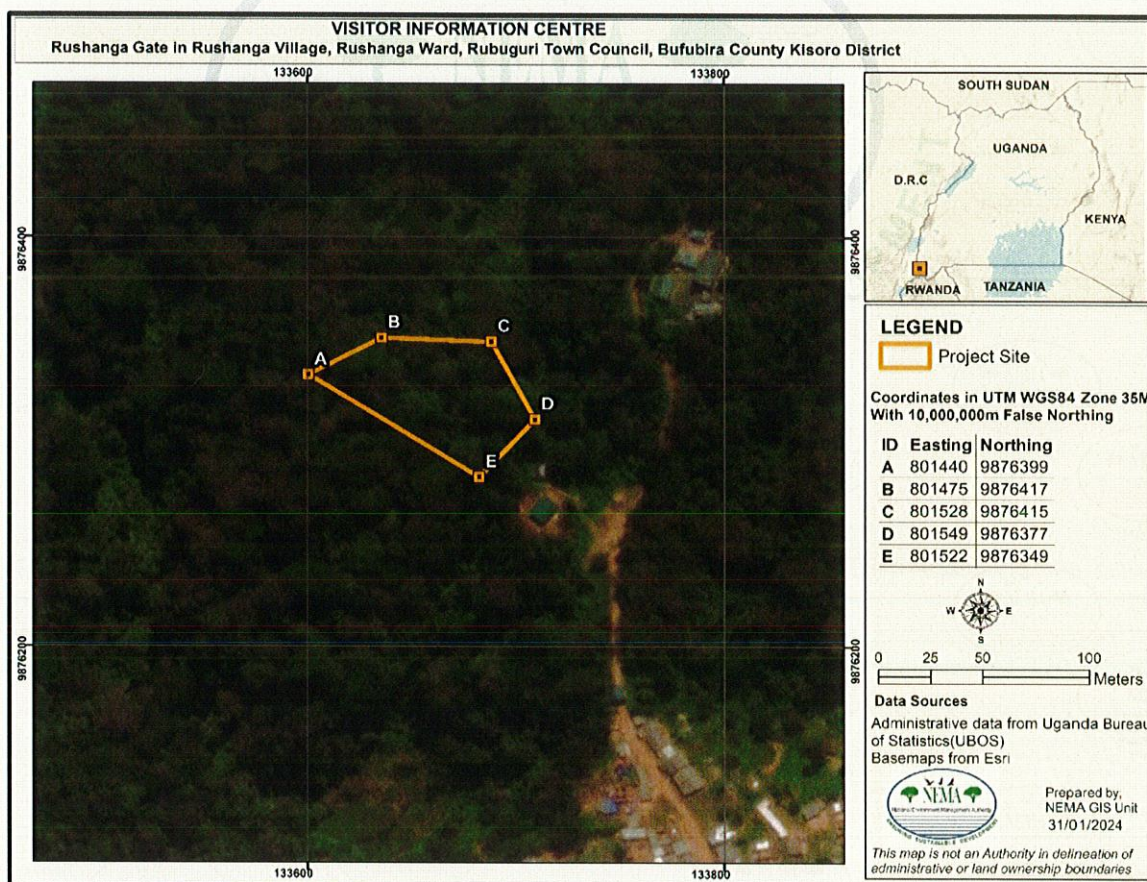


Figure 1: Approved area of the Visitor Information Centre.

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4.2 Construction and Design:

- (i) Conduct project tasks in accordance with the site's planning and legal guidelines as established by Kisoro District Local Government and in line with the stipulations of the Physical Planning Act of 2020 and the Uganda Wildlife Act of 2019.
- (ii) All construction and operational activities must adhere to the approved **building codes and environmental regulations**. This includes compliance with the Building Control Act, 2013, and adherence to any guidelines set forth by the Uganda Wildlife Authority and other relevant bodies.
- (iii) Ensure that the Project structures area constructed in a way that blends with the project surroundings within Bwindi Impenetrable National Park to avoid distracting animals.

4.3 Environmental Management:

- (i) In executing the project, the Environmental Management and Monitoring Plan in the Environmental and Social Impact Statement is implemented to the later and always be adhered to, in accordance with Section 122(3) of the National Environment Act, 2019.
- (ii) Promote efficient resource use at the project premises and institute good housekeeping and environmental management practices as provided for under the National Environment Act, 2019 and related regulations.
- (iii) Establish, maintain, and implement an Environment Management System (EMS) at the Visitor's Information Centre in accordance with Section 49 of the National Environment Act No.5 of 2019.
- (iv) Construct a well-engineered drainage system to handle storm-water run-off and prevent damage of the receiving environment. The drainage system should be in sync with the existing and proposed drainage system of the project area.
- (v) Put in place mechanisms or systems for handling all forms of waste (both hazardous and non-hazardous waste) generated by project activities, in accordance with the National Environment (Waste Management) Regulations, S.I. No. 49/2020.

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- (vi) Put in place systems to monitor and ensure that noise and vibrations generated as a result of project implementation, do not exceed the levels stipulated in the National Environment (Noise Standards and Control) Regulations, S.I No. 30/2003 as indicated in the table 1.

Table 1: Acceptable noise and vibration limits

Parameters	Acceptable limits
Noise	Day: 45 dB (A)
	Night: 35 dB (A)
Vibrations at 10 – 50Hz frequency	12.5mm/s

- (vii) Institute and implement appropriate measures to prevent and control nuisances (e.g., dust, noise, and bad odour) at all times during project implementation in the park.
- (viii) Put in place air pollution control systems and equipment to monitor air quality, [particularly for particulate matter (PM_{2.5} & PM₁₀), Volatile Organic Compounds, Carbon monoxide, Sulfur dioxide, and Nitrogen dioxide], and ensure it is within the limits prescribed in East African Standard Air quality – Specification EAS 751:2010.
- (ix) Undertake greening (using non-invasive and non-alien plants) of parts of the Visitor's Information Centre where vital project infrastructures are not established.
- (x) Put in place a program to monitor and ensure that the quality of effluent discharged from the facility meets the National Environment (Standards for Discharge of Effluent into water or on land) Regulations, S.I No. 144/2020.

4.4 Fragile Ecosystem Management:

- (i) In order to minimise the chances of introducing invasive species, limit importation of gravel/murram in the park, unless absolutely unavoidable.
- (ii) Additionally, put in place and implement a plan for management of invasive species including measures to ensure that other materials imported to the project site do not carry invasive species into the project area.

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- (iii) Protect the biological values and critical habitats of the area. The sensitive receptors within the area should be identified to guide the assessment of the intensity of the impact to receptors in the environment.
- (iv) Be duty bound to protect the riverbanks of the river that is adjacent to the project premises (site) against encroachment, in accordance with the National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations, S.I. No.3, 2000.

4.5 Permits, Licenses and other Authorizations:

- (i) Obtain all the necessary permits and approvals from this Authority, Kisoro District Local Government, Department of Occupational Safety and Health (Ministry of Gender, Labour, and Social Development), and any other relevant Authorities, **before commencement** of the proposed project activities.
- (ii) Comply with the terms and conditions of all permits, licences and authorizations issued during project implementation.

4.6 Emergency Preparedness and Response:

- (i) Develop and establish Emergency Preparedness and Response Plans to respond to building collapsing, fires or any other emergencies and incidents that may be occasioned during Project Implementation.
- (ii) Provide adequate response resources, customized equipment and train the personnel on the response strategies and the use of the response equipment for the purpose of implementation of the emergency response plans developed above.
- (iii) Conduct regular well-structured drills and exercises for project personnel, stakeholders and neighbouring communities/developers, in respect of Emergency Response.
- (iv) Develop and maintain rigorous safety measures, including the installation of firefighting equipment, and formulate comprehensive emergency response plans. These plans should be well communicated to all staff and relevant emergency response institutions.

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5.0 **GENERAL CONDITIONS OF APPROVAL**

5.1 **Occupational Health Safety and Public Health:**

- (i) Comply with requirements of the Occupational Safety and Health Act, No.9/2006, regarding occupational hazards associated with the different project activities.
- (ii) Put in place appropriate and adequate onsite gender-responsive sanitary facilities for project workers in accordance with the Public Health Act, Cap.281.
- (iii) Provide safe drinking water for the workers in accordance with the Occupational Safety and Health Act, No.9/2006.
- (iv) Smoking in public places, workplaces, and means of public transport is prohibited in accordance with the provisions of the Tobacco Control Act, 2015.
- (v) Train and sensitize workers on the importance of abiding by occupational safety and health policy measures and procedures; and avail the workforce with appropriate personal protective equipment (PPE).

5.2 **Waste Management and Handling:**

- (i) Put in place adequate provisions for the categorization and segregation of waste generated from the operations of the Visitor Information Centre in accordance with section 49 of the National Environment (Waste Management) Regulations, S.I. No. 49/2020.
- (ii) Put in place systems for safe disposal of all hazardous and non-hazardous waste generated from the Visitor Information Centre, in accordance with the National Environment (Waste Management) Regulations, S.I. No. 49/2020.
- (iii) Notwithstanding condition (ii)(iii) above, ensure that no waste is dumped into sensitive ecosystems such as the adjacent river ecosystem.

5.3 **Social Aspects:**

- (i) Have in place qualified focal point personnel responsible for workers' occupational health and safety, community affairs and environmental issues.

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- (ii) All employees including casual workers should be accorded decent working conditions and clear terms and conditions of employment in accordance with the Employment Act, 2006.
- (iii) There shall be **no use** of child labour during project execution in accordance with the Children Act, 2016.
- (iv) Put in place a grievance handling mechanism in liaison with the community, Kisoro District Local Government, and any other relevant Lead Agency.
- (v) Put in place an awareness and prevention program for HIV/AIDS, Sexually Transmitted Diseases (STDs) and Hepatitis-B, for both the workers and neighbouring community.
- (vi) Ensure that project activities are planned in a way that prevent human – animal conflict within the project area of influence.

5.4 **Notification:**

- (i) Notifications to the Authority and relevant Lead Agencies should be formal and on record.
- (ii) Emergency notifications shall be done within twelve hours and the corrective measures taken, in accordance with the applicable laws.
- (iii) Notify this Authority in writing of the intent to decommission any components of this project and submit a decommissioning plan **three months** in advance.

5.5 **Unanticipated Impacts:**

Mitigate any other undesirable environmental impacts that may arise due to implementation of the project but were not foreseen during the assessment and by the time of issuing this approval; in accordance with Section 122 (2) of the National Environment Act, No. 5 of 2019.

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5.6 Operational Changes:

Seek written approval from this Authority for undertaking any operational changes to the project or this certificate of approval prior to implementation of such changes.

5.7 Use of Plastics:

Single use plastic bags below 30 microns and any plastic that is not labelled in accordance with provisions of the National Environment Act, No. 5 of 2019, **shall not be used during the entire project life cycle.**

5.8 Environmental Audit Requirement:

Undertake environmental compliance audits in accordance with section 126 of the National Environment Act, 2019, the National Environment (Audits) Regulations, S.I. No. 47/2020, and the National Environment (Environmental and Social Assessment) Regulations, S.I No. 143/2020 by **May, 2025.**

5.9 Display of NEMA Certificate:

Ensure that this Certificate of Approval is displayed at appropriate conspicuous location(s) within the project site premises and should be available at all times during both the construction and operational phases of the Project. The NEMA Certificate number should also be displayed on all project signposts.

5.10 Record Keeping:

Ensure proper record-keeping as required under Section 176 of the National Environment Act, No. 5 of 2019, and transmit the records to this Authority, in accordance with section 177 under the same Act

6.0 DECOMMISSIONING AND RESTORATION PHASE CONDITIONS

- (i) Ensure that a decommissioning plan is submitted to this Authority for approval **at least three (3) months** prior to project close-out.

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- (ii) Undertake to safely decommission the project components when their life-span comes to an end as per the decommissioning plan, or as will be prescribed by the relevant Lead Agencies.
- (iii) Restore all parts of the project site laid bare during project implementation phases; and undertake proper landscaping, and if feasible re-vegetate the bare ground surfaces with suitable indigenous species of trees/grass.
- (iv) Report on the completed decommissioning and restoration activities to this Authority, Local Government and other relevant Lead Agencies.

7.0 SUSPENSION/WITHDRAWAL/CANCELLATION CONDITIONS

This Certificate shall be suspended/withdrawn/cancelled if:

- a) there is unauthorized substantial modification of the project implementation or operations that were not evaluated at the time of issuing this Certificate;
- b) substantive undesirable effects emerge, that were not contemplated during the issuance of this Certificate;
- c) the developer persistently fails to address non-compliances to environmental regulatory requirements or negative environmental and social impacts occasioned by the project;
- d) any other reasons the Authority may consider relevant; and,
- (d) there is need by the Authority for review, on account of change in Government Policy, Standards, new conservation measures by this Authority and/or enforcement of a court order.

DATED AT KAMPALA ON 3RD MAY, 2024

Signed:



EXECUTIVE DIRECTOR, NEMA

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NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

- c.c. The Permanent Secretary,
Ministry of Works and Transport,
KAMPALA.
- c.c. The Permanent Secretary,
Ministry of Tourism, Wildlife and Antiquities,
KAMPALA.
- c.c. The Permanent Secretary,
Ministry of Gender, Labour and Social Development,
KAMPALA.
- c.c. Executive Director,
National Physical Planning Board,
KAMPALA.
- c.c. The Executive Director,
Uganda Wildlife Authority,
KAMPALA.
- c.c. The Chief Administrative Officer,
Kisoro District Local Government.
KISORO.