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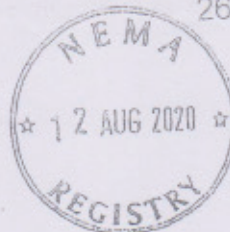


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26th July 2020

NFA/E/9.1/20

The Executive Director
National Environment Management Authority (NEMA)
P. O. Box 22255
KAMPALA



RE: REVIEW OF THE ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT REPORT FOR KYANGWALI MIXED LAND USE PROJECT TO BE LOCATED ON PLOT 216 BLOCK 2, BUHAGUZI, KYANGWALI SUB-COUNTY, BUHAGUZI COUNTY, KIKUUBE DISTRICT.

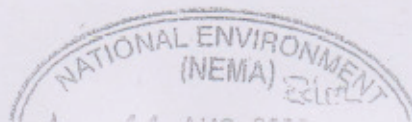
Reference is made to your letter NEMA/4.5 dated 11th May 2020 on the above subject. We reviewed the ESIA Report and respond as follows:

1. Review observations and concerns:

1.1 Project site not well defined. Information presented in the scoping report submitted to NFA on 31st May 2019 for review entitled "The expansion of Hoima Sugarcane estate indicated Plot 216 Block 2 in Kiswazi village, Kiziranfumbi sub county, Hoima District. The ESIA mentions two areas as Plot 216 Block 2 and Plot 216 block 3 which is confusing. Plot 216 block 2 is mentioned in the summary of Kyangwali Mixed Land use project and is also mentioned in May 2019 Scoping Report whose location is in Kiswazi village, Kiziranfumbi Sub-county. Another contradiction is in the approval of Scoping Report by NEMA for the proposed mixed land use project by Hoima Sugar Ltd located on Plot 216 Block 3 Buhanguzi County, Kikuube District. This document is different from what was made available to NFA for review. It is not clear why the Scoping reports and project areas were changed after submission to NEMA.

1.2 Public participation, consultation and involvement, Section 6.0. During the Stakeholder engagement National Forestry Authority Management was not consulted and yet NFA is a lead agency in forest management. NFA input was therefore missed out. Consultations focused on other stakeholders and forest adjacent communities as indicated in the executive summary and the main report. Furthermore, Bugoma CFR is an internationally recognized conservation area which requires key stakeholders to participate and provide inputs.

1.3 Complete forest clearance of over 5000 hectares of a forest will adversely impact on forest estate and respective biodiversity: The proposed area for development is contiguous with the Bugoma CFR ecosystem, a key chimpanzee habitat. There is ongoing chimpanzee habituation and research in areas of Mwera,



Nsozi and Kaseeta beats in Muhangaizima Block. Planned habitat destruction and loss of biodiversity leaves the survival of the endangered key stone species, the Chimpanzees at stake. The ESIA Report in its current state does not provide for sustainable biodiversity management and protection as required by law:

- a. It does not address the adverse environmental impact (of land use change, deforestation, exposure of land to soil erosion, depletion of water sources, pollution of surface water - streams like Misanga and Biru and rivers namely Kamugamba and Rwemiseke that are the main tributaries of River Hohwa) and contamination of ground water as a result of the intense use of agro-chemicals);
- b. Total forest removal in areas of high species diversity like in Bugoma forest increases the likelihood of loss of species and of genetic resources. Part of the moist tropical high forest will be lost forever after clear-cutting for sugarcane plantation establishment. The clear cutting will displace animals and may eliminate rare, endangered or protected species like chimpanzees, monkeys, and endemic plant species, conflict with existing, planned or potential conservation areas.
- c. **Project components – Table 1 Nos. 4 and 5, recognize the existence of the Bugoma Forest Reserve (though they note that it is adjacent).** However, while describing the project area, (in paragraph 2), It is stated as follows: *"two forms of land use characterize Kyangwali ancestral land; one under subsistence farming where local people have settled and the other land under forest cover being originally under management of National Forestry Authority before it reverted back to Bunyoro Kingdom."* It should be noted that the report goes ahead to indicate that the contested part of Bugoma CFR reverted back to Bunyoro Kingdom, which is not the case. The Kingdom opted to possess the land by acquiring a title in area previously managed as part of Bugoma CFR, which action was challenged in courts of law.

1.4 The Minister to direct use of forests owned by traditional institutions. Section 25 of the National Forestry and Tree Planting Act, 2003 (NFTPA) requires forests owned or managed by cultural or traditional institutions and subject to Article 246 of the Uganda Constitution to be managed subject to such directions as the Minister may prescribe. **Page 18 and 132 of 140 of ESIA.** Consequently, the approval and/or implementation of this proposed project on 5779.7 hectares of forest should be done in consultation with the responsible Minister of Water and Environment to comply with this law.

1.5 Section 5.1 No-Action Alternative, see Executive summary page 9 of 140. The Consultant has misrepresented the state of the forested area and selectively stated that "the area is heavily degraded as a result of cattle grazing, logging, cultivation, charcoal burning and annual fires" which is not the case with the greater part of the proposed project site. More than half of this area comprises of well stocked tropical high forest.

1.6 Operational phase impacts and proposed mitigation measures. The ESIA mentions loss of vegetation cover to be replaced with a sugarcane crop, loss of wildlife habitat and loss of biodiversity. However, the mitigation measures proposed are inadequate to address the identified impacts, protect and conserve forest biodiversity. The maps provided in the EIA are not of a sufficient quality or appropriate resolution / scale for indicating how the forest and thicket habitat in the proposed project area is currently spatially used by wildlife species – especially chimpanzee (*Pan troglodytes*) to help ascertain and mitigate the impacts of the proposed land use change. There are no maps and plans of the proposed forest buffer zones or thicket islands in relation to the proposed plantation and supporting farm areas upon which to gauge the extent and effectiveness of the proposed mitigating actions. In addition, there are no maps and plans to propose and explain how agricultural run-off, water drainage and existing wetlands will be properly managed, monitored and/or conserved. As a result, the mitigation proposal does not amount to a specific, measurable (quantifiable), actionable, relevant, attainable and time-bound set of actions commensurate with sufficiently mitigating and avoiding the adverse impacts of the proposed land use change on biodiversity, on forest, thicket and grassland habitat, and on the hydrology of the area, and on the general ecological functioning of the ecosystem. We therefore do not consider the mitigation plan as set out to be sufficiently plausible or thorough on the basis of sound environmental management. Approval of this report should therefore be done with strict conditions indicating the different zones and phased actions to be undertaken to conserve biodiversity.

The alternative action proposed is incomplete and should include improved forest management and conservation in collaboration with forest adjacent communities and the private sector, alternative economic activities such as eco-tourism and sustainable forest use, and the provision of ecosystem services (water and local climatic regulation important for the surrounding agricultural economy) in support of local livelihoods.

1.7 Table 15 Environmental Monitoring and Social Management Plan, (Page 99 of 140). There is no monitoring team proposed to monitor the environmental and social plan. The responsibility of monitoring is only assigned to the developer, contractor and communities which is limiting and inadequate. The Developer and/or their contractors need to be supported by other relevant lead agencies/players in compliance with the law. Appendix 1. Gives a list of trees and birds recorded during the survey and some of them are the threatened species. Consequently, Hoima Sugar Limited should establish an offset as a compensation for the expected loss of Biodiversity (Page 109 of 140).

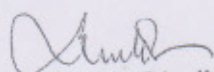
2. Recommended Actions

From the observations and concerns above, I recommend as follows:

2.1 Consult and get the Minister of Water and Environment's input in line with Section 25 of the National Forestry and Tree Planting Act, 2003 and article 246 of the Uganda Constitution: Approval of the proposed project should be done in consultation with the responsible Ministry, the Minister of Water and Environment, that is required to direct management of forests held by traditional and cultural institutions.

2.2 Call a public hearing: I strongly advise that NEMA calls for a public hearing given that the likely adverse impacts on the forest estate and related biodiversity due to the land use change are not adequately addressed in the ESIA. Bugoma Central Forest Reserve is a high-profile forest reserve, which is well known internationally as well as nationally. Given this, the hearing will provide an opportunity for the general public to provide their input. Alternatively, if the COVID-19 SOPs prevents such a hearing, NEMA should require the general public to submit views on this ESIA report.

2.3 Advise the Developer (Hoima Sugar Limited) to get alternative land: The Developer should be advised to get alternative land elsewhere given that the proposed site is of high biodiversity status (habitat for chimpanzees and other endemic species) of national and international importance. In the event that alternative site is not feasible, the developer must preserve the natural forest habitat and only use the grassland and woodland area.



Tom .O. Okello
EXECUTIVE DIRECTOR

C.C: Director Policy and Planning, NFA



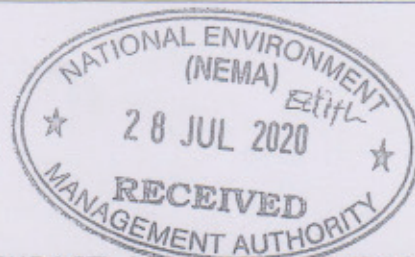
UGANDA WILDLIFE AUTHORITY

OFFICE OF THE EXECUTIVE DIRECTOR
PLOT 7 KIRA ROAD KAMWOKYA
P. O. Box 3530, Kampala, Uganda

Our Ref: COD 43/82/01

21st July, 2020

The Executive Director
National Environment Management Authority (NEMA)
P.O. Box 22255,
KAMPALA



COMMENTS ON THE ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT REPORT
FOR KYANGWALI MIXED LAND USE PROJECT TO BE LOCATED ON PLOT 2016 BLOCK
2 BUHAGUZI, KYANGWALI SUB-COUNTY, BUHAGUZI COUNTY, KIKUUBE DISTRICT

Reference is made to your letter dated 11th May 2020 which was received by Uganda Wildlife Authority (UWA) on 15th June 2020 requesting this Authority to review the above mentioned report. The following are the comments for your consideration.

1. The area under consideration for this development is a continuation of Bugoma Central Forest Reserve landscape which is a rich biodiversity habitat in Uganda. It is a habitat for key species of national and international importance such as elephants, the critically endangered chimpanzees, antelopes, Uganda Mangabey which is endemic to this reserve and a variety of birds and butterflies which are very important for pollination. It is estimated that the density of individual Chimpanzees in Bugoma CFR is at 1.24 individuals per km². For this and other ecological reasons, the area is under consideration for upgrade to a national park status for better protection according to the Protected Area Assessment conducted in 2018 by the multisector team coordinated by Ministry of Tourism, Wildlife and Antiquities (MTWA).
2. UWA strongly discourages conversion of the natural forest into a sugar cane plantation as this would fragment the biodiversity habitat and cause irreversible impacts on the ecosystem and wildlife. It has been mentioned in the report that buffer zones will be created between Bugoma forest and the project area but given the behavior of the chimpanzees and elephants, which are far ranging animals, this option may not be sufficient. In addition, chimpanzees are attracted to sugarcane and therefore this makes the plantation incompatible with the surroundings. Furthermore, fragmenting the chimpanzee habitat has been linked to the increased instances of human wildlife conflicts in Bunyoro region. Therefore, the developer should consider project alternative number 3 instead of the planned development (the option of replanting the degraded areas with indigenous trees, maintain the undisturbed forest and get paid for keeping the forest by government, section 5.3 page 73)

I have incorporated in the review 15/7

II Reconsel 10/08/2020

3. Considering the planned and ongoing developments in the landscape (oil refinery, pipelines, roads, airport, central processing facilities and other oil related developments), cutting down this part of the forest is likely to exacerbate cumulative impacts resulting from all these projects. This further underscores the need to consider project alternative No.3.
4. UWA has also noted that the developer did not carry out comprehensive consultations with stakeholders as was advised to do (Appendix 7: Approval letter for the scoping Report and Terms of Reference (ix)). The evidence provided is for only one community meeting in Nsozi Village and nothing on sector/lead agencies such as the National Forestry Authority, district local governments, UWA, among others. It is stated that *"responses from sector agencies are yet to be received but were contacted using a questionnaire"*. This is to note that UWA neither received any request for consultations nor the aforementioned questionnaire stated on page 74. This makes this report extremely unreliable since sector agencies are considered as Lead Agencies in ESIA in Uganda as prescribed in the legislation governing ESIA.

In addition to the above stated fundamental concerns, UWA has also noted the following regarding the quality of the ESIA.

5. The report in section 1.1 and 2.3.2 refers to the Environment Act of 1995 yet this act was repealed and replaced with the National Environment Act of 2019. The developer should review the new law and comply with the provisions therein.
6. Among the policies, acts and institutions stated, the Uganda Wildlife Policy, Uganda Wildlife Act and UWA were left out yet the proposed area is a renowned wildlife habitat. It is important that these laws and policies are reviewed to ensure that the development is complying with the provisions.
7. Background on the management of the reserve is missing yet it was a requirement in the Terms of Reference (Appendix 7: Approval letter for the scoping Report and Terms of Reference (ix)).
8. The link between the project and the laws cited was not provided in the review. The purpose of the review of legislation is to show the requirements and safeguards that are provided that are relevant to the project.
9. The report indicates that the survey of mammals was concentrated in what the authors consider as "forest". This implies that the woodland and other natural ecosystems were not surveyed. More so, there is no evidence that an inventory of nocturnal mammals was undertaken. The data therefore is inadequate and cannot be used to characterize the mammalian diversity in the project site.
10. The report does not provide any inventory on reptiles, amphibians and insects yet each of them has species on the IUCN lists of threatened species.



Therefore, any development project that involves land use change ought to show the conservation of status of these species in the project area to ensure that appropriate mitigation measures are put in place.

IC
JT

We hope these comments will guide in decision making on the approval of this project.

Conserving for Generations

Yours sincerely,



Sam Mwandha

EXECUTIVE DIRECTOR

Copy: Director Conservation, UWA

Deputy Director Planning, Monitoring and Research, UWA

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Chief Finance Officer	0772-513572
District Health Officer	0782-783288
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THE REPUBLIC OF UGANDA

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER
KIKUUBE DISTRICT LOCAL GOVERNMENT
P. O. BOX 318

HOIMA

UGANDA

Email: caokikuube@gmail.com

In any correspondences on
this matter please quote Ref No. CR.

16th July, 2020

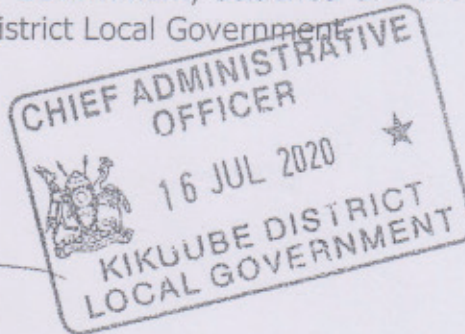
The Executive Director
National Environmental Management Authority
P.O.Box 22255
Kampala

SUBMISSION OF ESIA REVIEW REPORT ON HOIMA SUGAR LIMITED

Greetings from Kikuube District Local Government, attached are the findings on ESIA review report submitted by Kikuube District Local Government.

Thanks

Moses Chuna Kapolon
Ag. Chief Administrative Officer



Copy to: The District Chairperson, Kikuube
 The Resident District Commissioner, Kikuube

KIKUUBE DISTRICT LOCAL GOVERNMENT
COMMENTS ON ESIA REPORT FOR PROPOSED
KYANGWALI MIXED LAND USE PROJECT

SITE: PLOT 216 BLOCK 2 BUHAGUZI,
KYANGWALI SUB-COUNTY, KIKUUBE
DISTRICT

JULY, 2020

INTRODUCTION

Kikuube District Local Government received a draft ESIA report for the proposed Kyangwali Mixed Land Use Project on 23rd day of May 2020. Consequently, a multidisciplinary team comprised of nine (9) members was constituted to do a comprehensive review of the ESIA draft report.

The review was done systematically (theme by theme) and was hinged on the three core values of EIA (sustainability, integrity, and utility) and the EIA regulations of Uganda (1998).

Below are the comments and thoughts raised by district review Team;

OBJECTIVES

#	Observation	View/Comments
1.	The general objective is not precise!! It states identification of possible environmental & social impacts of the proposed project, incorporation of environmental considerations into the project implementation plan before the pre-operational stage.	The general objective is supposed to be precise, reflecting the primary objective of ESIA e.g provide information for decision-making on the environmental consequences of proposed actions; promotion of environmentally sound & sustainable development through the identification of appropriate mitigation measures
2.	The 3 rd & 4 th specific objectives state; promotion of public consultations amongst stakeholders, and compilation of environment impact statement of the project respectively are just a reflection of good practice & part of the ESIA output.	ESIA specific objectives have to be precise, achievable, and feeding into the general objective.
Opinion: Fuzzy objectives can potentially mislead the entire ESIA. Ultimately, a wrong decision might be taken! The objectives presented in the draft report can't be accepted.		

SCOPE OF ESIA

The ESIA scope is determined by Terms of Reference of the proposed project and basically it must reflect aspects recommended in the first Schedule of the Environmental Impact Assessment Regulation of 1998, Section I, No. 13.

The following issues have been observed:

METHODOLOGY

#	Observation	View
1.	Document review only focused on project reports and area development plans among others is very shallow	Document review ought to be exhaustive/desk based research to obtain information on merits & demerits of related projects
2.	Several households are said to have been visited. However, there is no indication of the number & physical address of households visited, and the sampling technique used.	Lack of detailed information on households visited makes hard to authenticate findings. Aside, inconsideration of representativeness of households visited makes the findings unreliable.
3.	There is only one village community meeting indicated in the document despite a claim that consultations were made. Aside, there is no proof that key stakeholders (UWA, Kikuube DLG, NFA, Eco-Trust, Chimpanzee Trust etc) had been consulted. This implies that the principle of participation was violated!	Shortage of stakeholder participation in ESIA implies no provision of appropriate opportunities to inform and involve the interested and affected publics, and thus their inputs and concerns left out/not addressed explicitly.
4.	The very good practice of indicating the experts (name, qualification, competences, and address) who conducted the ESIA is deficient in the document.	Lack of expert details/Team composition implies that experts can hardly be verified! The project of this nature and the site warrant a multidisciplinary team of experts e.g taxonomist, orthnologist, primatologists, hydrologists, agriculturalist, economists, soil scientist, foresters etc
5.	The report does not show the scoping study and how it was conducted! Scoping is a critical segment of the ESIA that marks commencement of the exercise, determination of project alternatives, determination of key issues requiring in-depth assessment, and development of Terms of Reference.	An ESIA report that does not show how ToR were development points to a non-transparent process/lacking credibility. In principle, ESIA ought to be clear, easily understood and open process; should also be carried out with professionalism, rigor, fairness, objectivity, impartiality and balance

	The ToR approved by NEMA must be borne of an explicit & transparent process, which must be well documented in the report.	
6.	Kikuube District Local Government is a Lead Agency with a mandate of ensuring proper implementation of the activities in the ESMP of a given project. This calls for her involvement in the ESIA, especially community meetings. There is no scintilla of her involvement in community meetings!	The National Environment Act, 2019 requires that the Lead Agency convenes community meetings during ESIA. Absence of Kikuube DLG in community meetings implies the findings can't be authenticated.
7.	The minutes for the community meeting were captured in vernacular and presented in a hand writing which is not legible. This violates the principle of transparency because a few can afford to read and understand the content.	It is a good practice to get an interpreter to make a national language version and typeset it.
8.	Still photography has been used in the document! They can hardly be verified thus not serving the purpose.	ESIA ought to be rigorous, applying the best practicable methodologies/techniques to study the proposed project and to address the impacts/issues being investigated. Instead of still photography, GIS & remote sensing techniques (satellite imagery) can be used without imposing a huge cost burden on proponents

Opinion: The methodology reflected in the document cannot help achieve the three core values of ESIA notably; sustainability, integrity, and utility

SPECIFIC COMMENTS

LEAD AGENCY / STAKEHOLDER	OBSERVATIONS / CONCERNS	REMARK / RESPONSE
1. National Forestry Authority <i>(Submitted in July, 2020)</i>	(i) Project site not well defined. Information presented in the scoping report submitted to NFA on 31 st May 2019 for review entitled "The expansion of Hoima Sugarcane estate indicated Plot 216 Block 2 in Kisuubi village, Kizirafumbi sub county, Hoima District. The ESIA report mentions two areas as Plot 216 Block 2 and Plot 216 block 3 which is confusing.	The correct location has been provided – Plot 216, Block 2.
	(ii) Public participation, consultation and involvement, Section 6.0. During the Stakeholder engagement National Forestry Authority Management was not consulted and yet NFA is a lead agency in forest management. NFA input was therefore missed out. Consultations focused on other stakeholders and forest adjacent communities.	The NFA Officer in the NFA main office located in Hoima Municipal Council, was also consulted.
	(iii) Complete forest clearance of over 5000 hectares of a forest will adversely impact on forest estate and respective biodiversity: The proposed project area is contiguous with the Bugoma CFR ecosystem, a key chimpanzee habitat. The ESIA Report in its current state does not provide for sustainable biodiversity management and protection as required by law. Part of the moist tropical high forest will be lost forever after clear-cutting for sugarcane plantation establishment.	It is inevitable that some environmental impacts will be irreversible. The Developer is required to employ mitigation hierarchies including off-setting some impacts, as provided for under the National Environment Act (NEA), 2019.
	(iv) Table 1 Nos. 4 and 5 recognize the existence of the Bugoma Forest Reserve. The report indicates that the contested part of Bugoma CFR reverted back to Bunyoro Kingdom, which is not the case. The Kingdom opted to possess the land, which action was challenged in courts of law.	NFA went to Court to contest the land ownership by the Bunyoro Kingdom, but the ruling was made in favour of the Kingdom.

HOIMA SUGAR LIMITED MIXED-USE PROJECT

SUMMARY

OF

THE STAKEHOLDERS COMMENTS PERTAINING TO THE HOIMA SUGAR LIMITED MIXED-USE PROJECT IN KIKUUBE DISTRICT

NOTE

The views/comments of the Lead Agencies and other stakeholders highlighted below, are based on the copy of the Environmental and Social Impact Statement (ESIS) that was submitted to the National Environment Management Authority (NEMA) by Hoima Sugar Limited on 27th February, 2020. The detailed copies of review comments and minutes of meeting held with NEMA, are available in a separate file. The key concerns / issues have been extracted and summarised in the table below.

After review of the said first submission, the Developer was notified about sections in the ESIS made to revise the initial ESIS and the revised/updated ESIS was submitted to NEMA on 6th July, 2020.

SPECIFIC COMMENTS

LEAD AGENCY / STAKEHOLDER	OBSERVATIONS / CONCERNS	REMARK / RESPONSE
1. National Forestry Authority <i>(Submitted in July, 2020)</i>	(i) Project site not well defined. Information presented in the scoping report submitted to NFA on 31 st May 2019 for review entitled "The expansion of Hoima Sugarcane estate indicated Plot 216 Block 2 in Kisuubi village, Kizirafumbi sub county, Hoima District. The ESIA report mentions two areas as Plot 216 Block 2 and Plot 216 block 3 which is confusing.	The correct location has been provided – Plot 216, Block 2.
	(ii) Public participation, consultation and involvement, Section 6.0. During the Stakeholder engagement National Forestry Authority Management was not consulted and yet NFA is a lead agency in forest management. NFA input was therefore missed out. Consultations focused on other stakeholders and forest adjacent communities.	The NFA Officer in the NFA main office located in Hoima Municipal Council, was also consulted.
	(iii) Complete forest clearance of over 5000 hectares of a forest will adversely impact on forest estate and respective biodiversity: The proposed project area is contiguous with the Bugoma CFR ecosystem, a key chimpanzee habitat. The ESIA Report in its current state does not provide for sustainable biodiversity management and protection as required by law. Part of the moist tropical high forest will be lost forever after clear-cutting for sugarcane plantation establishment.	It is inevitable that some environmental impacts will be irreversible. The Developer is required to employ mitigation hierarchies including off-setting some impacts, as provided for under the National Environment Act (NEA), 2019.
	(iv) Table 1 Nos. 4 and 5 recognize the existence of the Bugoma Forest Reserve. The report indicates that the contested part of Bugoma CFR reverted back to Bunyoro Kingdom, which is not the case. The Kingdom opted to possess the land, which action was challenged in courts of law.	NFA went to Court to contest the land ownership by the Bunyoro Kingdom, but the ruling was made in favour of the Kingdom.

LEAD AGENCY / STAKEHOLDER	OBSERVATIONS / CONCERNS	REMARK / RESPONSE
<p>National Forestry Authority</p> <p><i>(Submitted in July, 2020)</i></p>	<p>(v) The Minister to direct use of forests owned by traditional institutions. Section 25 of the National Forestry and Tree Planting Act, 2003 (NFTPA) requires forests owned or managed by cultural or traditional institutions and subject to Article 246 of the Uganda Constitution to be managed subject to such directions as the Minister may prescribe. Page 18 and 132 of 140 of ESIA. Consequently, the approval and/or implementation of this proposed project on 5779.7 hectares of forest should be done in consultation with the responsible Minister of Water and Environment to comply with this law.</p>	<p>Since now the land / project area belongs to the Developer, NEMA is mandated to manage the ESIA process pertaining to the proposed project.</p>
	<p>(vi) The ESIA mentions loss of vegetation cover to be replaced with a sugarcane crop, loss of wildlife habitat and loss of biodiversity. However, the mitigation measures proposed are inadequate to address the identified impacts, protect and conserve forest biodiversity. There are no maps and plans of the proposed forest buffer zones or thicket islands in relation to the proposed plantation and supporting farm areas. There are no maps and plans to propose and explain how agricultural run-off, water drainage and existing wetlands will be properly managed, monitored and/or conserved.</p> <p>Approval of this report should therefore be done with strict conditions indicating the different zones and phased actions to be undertaken to conserve biodiversity.</p>	<p>The Developer has provided additional maps in the updated ESIA report – showing areas / ecosystems which need to be conserved, areas to be replanted with indigenous tree species, buffer zones, among others.</p>
	<p>(vii) The alternative action proposed is incomplete and should include improved forest management and conservation in collaboration with forest adjacent communities and the private sector, alternative economic activities such as eco-tourism and sustainable forest use, and the provision of ecosystem services.</p>	<p>The Developer has integrated the Eco-tourism component into the overall design of the Mixed-Use Project.</p>

LEAD AGENCY / STAKEHOLDER	OBSERVATIONS / CONCERNS	REMARK / RESPONSE
<p>National Forestry Authority</p> <p>(Submitted in July, 2020)</p>	<p>(viii) Table 15 Environmental Monitoring and Social Management Plan, (Page 99 of 140). There is no monitoring team proposed to monitor the environmental and social plan. The responsibility of monitoring is only assigned to the developer, contractor and communities which is limiting and inadequate. The Developer and/or their contractors need to be supported by other relevant lead agencies/players in compliance with the law. Appendix 1. Gives a list of trees and birds recorded during the survey and some of them are the threatened species.</p> <p>Consequently, Hoima Sugar Limited should establish an offset as a compensation for the expected loss of Biodiversity (Page 109 of 140).</p>	<p>An independent multi-sectoral team can be constituted is deemed necessary. Also Environment Inspectors from NEMA are obliged to monitor the implementation of project activities to ensure compliance with various/relevant laws and standards.</p> <p>The NEA, 2019, provides for biodiversity off-set.</p>
	<p><u>Recommended Actions</u></p> <ul style="list-style-type: none"> • Consult and get the Minister of Water and Environment's input in line with Section 25 of the National Forestry and Tree Planting Act, 2003. Approval of the proposed project should be done in consultation with the responsible Ministry, the Minister of Water and Environment, that is required to direct management of forests held by traditional and cultural institutions. • Call a public hearing: I strongly advise that NEMA calls for a public hearing given that the Bugoma Central Forest Reserve is a high-profile forest reserve, which is well known internationally as well as nationally. • The Developer (Hoima Sugar Limited) should be advised to get alternative land elsewhere. In the event that it is inevitable to develop this land, the developer must preserve the natural forest habitat and only use the grassland and woodland area. 	<p>Discussions with the Hon. Minister have been held.</p> <p>The Developer has already been permitted to develop the proposed project area.</p>

LEAD AGENCY / STAKEHOLDER	OBSERVATIONS / CONCERNS	REMARK / RESPONSE
2. Uganda Wildlife Authority <i>(Submitted in July, 2020)</i>	(i) The proposed project area is a continuation of the Bugoma Central Forest Reserve and it hosts some of the endangered wildlife species, e.g., the Chimpanzee, Antelope and a variety of birds and butterflies, the latter are important for pollination. There is a proposal to upgrade the status of Bugoma Forest to a national park.	The portion of the Bugoma Forest Reserve area that is now owned by the Developer will not be affected by the proposed upgrade of the Forest Reserve.
	(ii) UWA strongly discourages conversion of natural forest into a sugarcane plantation, as this would fragment the biodiversity habitat and cause irreversible impacts on the ecosystems and wildlife. It is better to replant the degraded areas and maintain the undisturbed forest and get paid by government to keep the forest intact.	The Developer was designated sections (portions) of the project area to be replanted with indigenous tree/plant species.
	(iii) Considering the planned and ongoing developments in the neighbouring landscapes – including the oil refinery, pipelines, roads, airport, among others, cutting down this part of the Bugoma Forest Reserve is likely to exacerbate cumulative impacts resulting from these projects.	The NEA, 2019, provides for separate studies to be undertaken to establish the scope/scale of cumulative impacts of large-scale projects; however, even oil related projects are still in preparatory stages or have not yet been completed.
	(iv) The developer did not carry out comprehensive stakeholder consultations and input from UWA was not sought.	Even though the project area is not within a national park or wildlife reserve, UWA was availed a copy of the ESIS to review.

LEAD AGENCY / STAKEHOLDER	OBSERVATIONS / CONCERNS	REMARK / RESPONSE
3. Forest Sector Support Department (FSSD) <i>(Submitted in July, 2020)</i>	(i) The report does not state the extent and impact of damage the urban centre, labour camps and other developments related to the sugar project will have on neighbouring Bugoma forest.	Separate ESIA's will be undertaken for these components.
	(ii) On land preparation it is indicated that there will be <i>removal of trees, shrubs and stumps</i> using mechanised approaches; What are the provisions for offsetting especially any species of greater ecological importance? Mitigation hierarchy and no-net loss principles are not clearly indicated or highlighted.	The Developer is required to provide for biodiversity off-sets as shall be guided by NEMA and NFA, and other relevant Lead Agencies.
	(iii) The specific agro-chemicals to must be indicated to stakeholders to foretell the potential impacts.	The Developer will use agrochemicals approved by the Agro-Chemicals Board / Ministry of Agriculture and Animal Industry.
	(iv) The scope of the study is narrow. Several aspects of the physical and social components of the environment were not included in the study – e.g., wildlife behaviour, behaviour of dispersers and pollinators, micro-climate, below ground biodiversity, changes in spatial configuration of the vegetation.	This is beyond the scope of the ESIA the Developer was permitted to undertake.
	(v) Sugarcane plantation requires workers and thus will attract more people into the area and surrounding villages.	This is beyond the control of the Developer. This requires different players to manage such situations, and should be managed by the District Local Government Authorities.

LEAD AGENCY / STAKEHOLDER	OBSERVATIONS / CONCERNS	REMARK / RESPONSE
<p>4. Kikuube District Local Government (Submitted in July, 2020)</p>	<p>(i) NFA is still contesting the Bunyoro Kitara land title for land area acquired within the Bugoma Central Forest Reserve.</p>	<p>The process of giving back land to the Kingdoms was by Government of Uganda through the Ministry of Gender, Labour and Social Development.</p> <p>NFA went to Court to contest the land ownership by the Bunyoro Kingdom, but the ruling was made in favour of the Kingdom.</p>
<p>5. Civil Society Organisation (CBO) – represented by Africa Institute if Energy Governance (AFIEGO) (Submitted in July, 2020)</p>	<p>(i) The ESIA report is lacking critical aspects such as potential impacts on soil characteristics, wildlife behaviour, wildlife corridors, cultural and supporting services characteristic of savanna woodland forest.</p> <p>(ii) The alternative of changing the woodland forest into sugarcane plantation will have irreversible impacts, yet the stated benefits cannot outweigh the socio-economic and ecological values of keeping the land as a woodland forest.</p>	<p>This is beyond the scope of the ESIA the Developer was permitted to undertake.</p> <p>This would require separate studies to be undertaken. Also the option of biodiversity off-sets is provided for under the NEA, 2019.</p>
<p>6. Civil Society Organisation (CBO) – represented by Africa Institute if Energy Governance (AFIEGO) (Submitted in July, 2020)</p>	<p>(i) NFA is still contesting the Bunyoro Kitara land title for land area acquired within the Bugoma Central Forest Reserve.</p> <p>(ii) Does NEMA conduct separate research during review of the ESIA Report?</p>	<p>NFA went to Court to contest the land ownership by the Bunyoro Kingdom, but the ruling was made in favour of the Kingdom.</p> <p>NEMA undertakes baseline verification exercises during the review period. This was done for this project area.</p>

LEAD AGENCY / STAKEHOLDER	OBSERVATIONS / CONCERNS	REMARK / RESPONSE
	(iii) The degraded areas within the project area should be restored.	Restoration is a requirement under the law, and developers have to take this into consideration.
5. Bunyoro Think Tank (Submitted in July, 2020)	(i) The scope of the study is narrow. Several aspects of the physical and social components of the environment were not included in the study – e.g., wildlife behaviour, behaviour of dispersers and pollinators, micro-climate, below ground biodiversity, changes in spatial configuration of the vegetation.	This is beyond the scope of the ESIA the Developer was permitted to undertake.
	(ii) Sugarcane plantation requires workers and thus will attract more people into the area and surrounding villages. The congestion will result in spread of communicable diseases, respiratory diseases, crime, among others; and, no mitigation measure has been provided to cater for this.	This is beyond the control of the Developer. This requires different players to manage such situations – should be managed by the District Local Government Authorities.
6. Ecotrust (Submitted in July, 2020)	(iii) The ESIA report is lacking critical aspects such as potential impacts on soil characteristics, wildlife behaviour, wildlife corridors, cultural and supporting services characteristic of savanna woodland forest.	This would require separate studies to be undertaken.
	(iv) The alternative of changing the woodland forest into sugarcane plantation will have irreversible impacts, yet the stated benefits cannot outweigh the socio-economic and ecological values of keeping the land as a woodland forest.	This would require separate studies to be undertaken. Also the option of biodiversity off-sets is provided for under the NEA, 2019.