

REVIEW OF THE ENVIRONMENTAL AND SOCIAL MANAGEMENT PLANS FOR THE TILENGA PROJECT

Civil Society Organizations' Comments and Recommendations Submitted to the Total E & P

The comments and recommendations herein were generated by member organizations of the Civil Society Coalition on Oil and gas (CSCO) in partnership with the Environment and Natural Resources Network (ENRCSOs Network), with support from The democratic Governance Facility (DGF), the World-Wide Fund for Nature (WWF) and Advocates Coalition for Development and Environment (ACODE),

August 2020

Supported by:



I. Introduction

In July, 2020, Total E & P Uganda requested the Civil society coalition on oil and gas to rally civil society actors to review and critique the Environmental and Social Management Plans (ESMPs) for Tilenga Project. Ideally, an Environmental and Social Management Plan provides a framework for implementation of the mitigation measures identified in the environment and social impact assessment of the project. The ESMP outlines the requirements and standards on which the Project will be based to address the impacts on the environment, biodiversity and livelihoods. It also lays out the roles and responsibilities of key stakeholders, and outlines the environmental and social documentation and compliance procedures that will be required.

Upon receiving a call to review and scrutinize of the ESMPs for the Tilenga project, CSCO reached out to various Civil society organized that have diverse expertise and constituted a technical team of experts in line with CSCO's thematic areas. These technical teams reviewed all the ESMPs and generated the comments presented here below. Working through CSCO and ENR, we were also able to solicit for reviews, comments, analysis and recommendations from amongst the coalition and network membership, as well as other strategic partners.

We are grateful to Total E&P for making an effort to fulfill some of the conditions for the award of the certificate of project approval from NEMA and for availing an opportunity to CSCO to make her input into this process. We believe that our comments if addressed will improve the quality of the ESMPs and also ensure sustainable and equitable operations of the Tilenga project.

II. General comments

Overall, the draft Plans (all the 28 plans shared by TEPU) are good and show that the drafters invested tremendous time in analyzing and incorporating a number of important issues relevant to the sustainable implementation of the project. *At the same time, there are procedural issues and areas where some if not all of the draft plans need improvement. The issues that need urgent attention and/or response by TEPU include;*

- a) A clear statement on the progress of implementation of NEMA requirement to update, review and re-submit Tilenga ESMP alongside other draft (38) management plans. It is observed that Section 9.1(ii) of the Certificate of Approval

(CoA) for the Tilenga project (2019)¹ requires the developer to **Update, Review and Submit** the Environmental and Social Management Plan (ESMP) to the Authority for consideration, including the management plans listed in Annex 1 of the CoA to be in place not later than 30th June, 2020. *HOWEVER*, the updated ESMP was not among the documents shared by the developer (Total E&P), and there is no communication made by the developer (TEPU) regarding compliance with this statutory requirement. Further still, the updated ESMP (if available) affects much of the mitigation actions presented in the 28 project specific management plans shared by TEPU since it (the ESMP) acts as the overriding framework for the development of the associated management plans. Therefore, reviewing the shared plans without an updated version of the overriding ESMP framework, affects the quality of input and level of detail in this regard.

b) **Structure/Format of the Plans.** It is observed that the structure of the draft plans differs significantly. For instance, in some Plans such as Community Environment Conservation Plan, Tourism Management Plan and a few others; the inter-linkage with other plans is shown, a log-frame or summary of mitigation actions is provided while in many other draft Plans this format/structure is abandoned. We recommend that all Plans should at a bare minimum provide an overall framework of all mitigation measures (actions) summarized in a table format (Log-frame) indicating at least the following in compliance with Uganda's Ministry of Water and Environment (MWE) Guidelines (2011)² and IFC World Bank Standards (2012) guidance on development of project management plans;

- i. The likely impacts and their indicators;
- ii. The proposed actions (mitigation measures)
- iii. Responsible persons and staff
- iv. Monitoring indicators;
- v. Data sources; and
- vi. Planned Methods of data collection per each of the monitoring indicator

c) It is also observed that **the draft Plans do not provide schedules on when the different activities and actions will be implemented.** For instance; under the

¹ GoU (2019): *Conditions of Approval for the Environmental and Social Impact Statement for the Tilenga Project.* M/s. Total E&P Uganda and M/s. Tullow Uganda Operations Pty Limited. Issued by the National Environment Management Authority (NEMA), Kampala

² GoU (2011): *Environmental Impact Assessment Guidelines for water resources related projects in Uganda.* Ministry of Water and Environment, Kampala

Stakeholder Engagement Plan, commitments are made to inform different stakeholders on the activities of the project but the estimated time schedules on when these engagements are planned to take place at each level is not stipulated. Failure to include schedules in the Management Plans leaves a lot of speculation and indicates limited commitment by the developer in so far as implementing mitigation actions is concerned; it also leads to planning challenges among the developers and their targeted stakeholders such as CSOs, and Government MDAs who would need to plan beforehand in reference to timelines of particular themes of interest as may be provided in the management plans.

- d) **The draft Plans refer to existing laws and regulations in general terms** as opposed to quoting specific provisions of the laws relevant to the aspects addressed by each of the plans. FOR INSTANCE, the draft SRDMP³ plan indicates that “*The applicable national standards related to surface water quality and relevant to this SRDMP are prescribed by the Water Act Cap 152*” without indicating the particular section of the Act and how such a section guides, in specific terms, on how the risk assessment issues in that plan should be managed. This cuts across all the 28 draft plans shared by TEPU.
- e) **The draft Plans do not indicate how the positive impacts of the project identified in the ESIA will be enhanced.** This is the case with the Physical Environment Management Plan (PEMP), Social Management Plan (SMP), Site Restoration Plan, Waste management Plan, Stakeholder Engagement Management Plan (SEMP), and Tourism Management Plan among others;
- f) **The Plans, seem not to be well aligned to the commitments and assurances specified in the Tilenga ESMP** (see volume v, page 200 of the Tilenga ESIA). For instance, therein, the ESMP lists a number of aspects and indicates the various management plans where each of those issues would comprehensively be dealt-with, instead, it is observed that most of the draft management plans have picked on new issues and abandoned those prescribed in the ESMP. This creates a mismatch between the draft plans and the ESMP (which is the overriding management framework over and above other associated project management plans). This issue is more evident in the Dust Control Plan, the Local Content Management Plan, and the Social Management Plan (SMP).

³ SRDMP in this report refers to the draft surface run off and drainage management plan for Tilenga Project (the draft of June/July/August, 2020)

- g) The Plans provide sources of information in some sections while in others, they are not provided. Recommendation is to revisit all draft plans and provide references.
- h) **The Plans are silent on strategic issues, such as the conduct of strategic environment assessments.** The Certificate of Approval (CoA) for the Tilenga Project requires the developer to implement the project under the national environment Act, 2019. The Act (NEA, 2019), under Section 47(2) requires landscape projects and large scale investments (such as Tilenga project) to undergo strategic environment assessments⁴. The Draft Management plans are silent on this legislative requirement. The silence of the draft plans on this issue coupled with the confusion created by the repealed Act (1995)⁵ and the new Act (NEA, 2019) is likely to result into contradictions during implementation of the Tilenga project;
- i) It is appreciated that the draft management plans lay down mechanisms of addressing impacts of the project on environment and society. **However, the plans are silent on similar measures for addressing the likely impact that may emerge from the environment and society onto the project** (these may include floods due to rise in water levels hence affecting different components of the project; social unrest, and long lasting community conflicts among others) that may in turn lead to stalemate of project activities. Therefore, measures and actions should be planned in a two-way fold approach that is, addressing likely impacts of the project on environment and human society and vice-versa. This helps in ensuring that there is a differentiated approach in managing both generic and specific impacts, for the sustainable implementation of the project.

III. Specific Comments

The specific comments were generated as a result of content analysis of select management plans related to environment, biodiversity and other natural resources. The Plans reviewed in this category include; the Physical Environment and Monitoring Plan (PEMP), Surface Run off and Drainage Management Plan (SRDMP), Water Resources Management Plan (WRMP), Waste Management Plan, Biodiversity and Ecosystem

⁴ GoU (2019): *National Environment Act*. Ministry of Water and Environment (MWE), Kampala

⁵ GoU (1995): *National Environment Act Cap 153 of the Laws of Uganda*. Ministry of Water and Environment (MWE), Kampala

Service Management Plan (BESMP) and; the Biodiversity and Ecosystem Service Action Plan (BESAP) among others. Include others... social plus.....

A) COMMENTS ON THE DRAFT PHYSICAL ENVIRONMENT & MONITORING PLAN (PEMP) - 4a

1. Whereas the PEMP presents sections indicating inter-linkage with other TEPU's Project Implementation Plans and Contractors' Plans, **the draft PEMP falls short of showing similar inter-linkages with the ESMP** which is recognized (the ESMP) as the overriding framework for all other project management plans shared by TEPU.
2. In some sections, the draft PEMP presents important secondary data without quoting the source. See tables 5, 6, 7, 8 and figure 4 of the draft PEMP.
3. **Structure of the PEMP.** It is observed that the monitoring plans of different physical environmental aspects are provided in separate sections of the draft PEMP, and these plans are isolated from the roles and responsibilities, monitoring frequency, and parameters. To ensure consistence and coherency, a log-frame or table summarizing all monitoring aspects of the physical environment against their monitoring parameters, responsible person, frequency of monitoring, and methods of data collection should be provided (in a single table and in a phased manner consistent with the different phases of the project). The structure and format of the draft Community Health, Sanitation, Safety and Security Management Plan is a good example of a fairly-considered structure for a management plan in view of the specifications prescribed by Uganda's Ministry of Water and Environment MWE (2011) for the development of ESMPs and project management plans.
4. The draft PEMP provides **no particular section for the analysis of legislative framework** relevant to the physical environment and other operations of the project.
5. Although the draft plan recognizes that feeder pipelines will cross important environmental resources including protected areas (MFNP), **the plan makes no**

attempt to indicate the planned width of the Right of Way

(RoW). International best practices⁶ for a pipeline construction RoW is 15 meters⁷;

- i. Maximum construction RoW in protected areas is 10 meters according to E-Tech International, *Best Practices: Design of Oil and Gas Projects in Tropical Forests*, 2012 and 2015 editions.
 - ii. The intention is to reduce the foot print in the protected area⁸. A bigger RoW means a bigger foot print along the pipeline length. Silence on this issue also means undue consideration of the likely impact of the activity onto the environment.
6. The draft plan is silent on redress measures and methods for managing and monitoring cumulative and overlapping impacts of the project on the physical environment.
 7. The draft PEMP inter-district conflicts arising from the shared responsibility between Buliisa and Nwoya over the physical environment resources such as Murchison Falls National Park, and water body resources among others.
 8. There is also need for the PEMP to look into the cost of each of the suggested monitoring strategies and financing of the PEMP. Thus, a schedule of estimated cost of implementation of the PEMP should be appended to the Plan.
 9. The plan is more inclined to monitoring aspects than management which leaves the cycle incomplete.

⁶ The term “international best practices” in this review means that multiple oil and gas projects have used, or have proposed to use, a specific technique that most effectively avoids or mitigates the environmental or safety challenge being posed

⁷ See: E-Tech International, *Best Practices: Design of Oil and Gas Projects in Tropical Forests*, 2012 and 2015 editions.

Also see: *PennState Extension (U.S.), Negotiating Pipeline Rights-of-Way in Pennsylvania, 2015...*
<https://extension.psu.edu/negotiating-pipeline-rights-of-way-in-pennsylvania>

⁸ CSCO and ENR-CSOs (2019): *Comments on the draft EACOP ESIA Report*. Civil Society Organizations’ Comments and Recommendations Submitted to the National Environment Management Authority (NEMA), and Petroleum Authority of Uganda (PAU), August 2019

Table 1: Other Content Analysis issues on the Draft Physical Environment & Monitoring Plan (PEMP)

Issue	Justification	Recommendation
<p>10. Limited scope of activities covered by the draft PEMP in comparison to those listed in the project ESMP. (see section 1.2 of the draft PEMP)</p>	<p>✚ The scope of activities listed in the TILENGA Project ESMP does not match with that provided in the PEMP. The ESMP lists over 20 activities to be covered by the Physical Environmental Monitoring Plan (PEMP) yet the draft PEMP only lists less than 7 of those issues and activities.</p> <p>✚ Besides, the physical environment in reality goes beyond terrestrial soils, surface and ground water, landscape and visual amenity (listed in the draft PEMP) to include other aspects <i>such as; avi-fauna; forests and vegetation; climate and weather; Humans and animals (both domestic and wild)</i> all of which are not considered in the Draft PEMP.</p> <p>✚ It should also be noted that management and monitoring of physical environment aspects cannot be handled in isolation</p>	<ul style="list-style-type: none"> • <i>There is need to widen the scope of activities to match with those listed in the Tilenga Project ESMP and;</i> • <i>The PEMP should comprehensively address all key aspects of the physical environment.</i>
<p>11. The draft PEMP does not provide clear justifications as to why measures on managing and monitoring decommissioning activities are not part of the scope of the PEMP (see section 1.4: scope of the Plan)</p>	<p>It is appreciated that the PEMP is a living document and that it can be revised from time to time. It is also recognized that under Section 112 of the Petroleum (EDP) Act, 2013, the developer is required to prepare and submit a detailed decommissioning plan before cessation of the project. However, the statement under section 1.4 of the draft plan that ‘decommissioning measures will be incorporated later’ leaves a lot to be desired because decommissioning occurs at almost all phases of project implementation including the formative phases of the project such as site clearance, construction and other early phases of the project. In this case, indicative measures for managing impacts of preliminary decommissioning, are usually stated in the management plans subject to review once a formal/detailed decommissioning plan is in place.</p>	<p><i>The PEMP should entail some preliminary and indicative measures for managing initial decommissioning operations resulting from early project implementation activities as the developer (TEPU) prepares to develop a detailed Decommissioning Plan that will later be submitted to the Authority</i></p>
<p>12. Ambiguity on commitments for quality</p>	<p>✚ The management plan is not an authority on soil quality control. There are well</p>	<p><i>The developer (drafting</i></p>

<p>assurance in collection of soil and water samples. (See Sections 6.1.1; and 6.1.2). <u>The sections</u> state that; “Quality assurance/quality control (QA/QC) soil samples will be collected in accordance with this management plan”.</p>	<p>documented procedures for soil sample collection, analysis, and laboratory tests. See Buurman P.B et al (1996)⁹ Biswas P. et al (2011)¹⁰; Pichtel J (2016)¹¹; and Mwesigye R.A (2016)¹²</p> <p>✚ Credibility and reliability of soil and water sample results greatly depends on the quality control procedures deployed. Failure to commit to a clear and re-known quality control procedure is likely to undermine soil sample results, hence making it hard to rule out the possibility of soil and water contamination and the eventual loss of soil and water quality at both the local and external environments.</p>	<p><i>team) of the PEMP should adopt a clear and internationally acceptable quality control procedure for collection of water and soil samples to ensure quality, reliable and credible sample results</i></p>
<p>13. The PEMP seems not to consider organic pollutants (such as dieldrin, H₂S, lindane, PCBs, e.t.c) among parameters for soil and water monitoring. (see Tables 11, and 12)</p>	<p>✚ Both inorganic (heavy metals and trace elements) and organic pollutants form important monitoring parameters for the quality of soil and water</p>	<p><i>The list of monitoring parameters for soil and water should be widened to include organic pollutants.</i></p>

B) COMMENTS ON THE DRAFT SURFACE RUN OFF AND DRAINAGE MANAGEMENT PLAN (SRDMP) – 4b

14. Generally, the Plan shows a clear linkage with other management plans, and is well linked to the mitigation measures and commitments made in the Tilenga project ESMP. It also provides a Summary of Management and Monitoring Requirements in a table form (table 8) which makes it easy to understand.

⁹ Buurman P.B., Van L., and Velthorst E.J (1996): *Manual for soil and water analysis*. Backherys Publishers, Netherlands

¹⁰ Biswas P., Pal S.S. Inamul H., and Verma N.K (2011): *Manual on sampling, analyzing and characterizing hazardous wastes*

¹¹ Pichtel J (2016). Oil and Gas Production Wastewater; Soil Contamination and Pollution. *Applied and Environmental Soil Science* Vol.2- 2016

¹² Mwesigye R. A., and Tumwebaze B.S (2016). Water contamination with heavy metals and trace elements from Kilembe copper mine and tailing sites in Western Uganda; *implications for domestic water quality*. School of Forestry, Environment and Geographical Sciences, Makerere University, Kampala, Uganda

However, the plan does not provide information on the estimated cost of implementing each of the mitigation actions listed therein. The Plan also does not;

- 15. Provide answers to key issues which the ESMP refers to the SRDMP.** It is observed that, instead of providing answers in form of redress measures to key issues which the ESMP refers to the SRDMP, the draft SRDMP only reproduces such issues in the same way they were stated in the ESMP. Some of the issues which the ESMP refers to the SRDMP for detailed analysis and redress include;
- i. Providing options or methods on how locations where tracks, roads and/or pipelines crossing smaller surface water bodies such as the River Tangi, will be assessed and the most appropriate option adopted for implementation. However, the draft SRDMP provides no answer to this question but instead reproduces the statement in the same format it was stated in the ESMP;
 - ii. The ESMP refers the consideration of further mitigation for the pipeline across seasonal river between JBR-09 and JBR-08 to the SRDMP. However, the SRDMP does not provide any further mitigation measures on this aspect.
- 16. The SRDMP falls short of providing arrangements for storm water control, and standards for construction and management of effective drainage systems.** The draft SRDMP presents sections on standards governing management of portable water (section 3.2.1), effluent discharge (section 3.2.2), and surface water quality standards (section 3.3.5). These are relevant for the SRDMP, HOWEVER, standards and guidelines concerning sediment control, storm water management, and the key requirements of effective drainage systems (for which the major focus of the SRDMP should have been drawn), are missing. Such standards and guidelines can be extracted from Uganda's Road and Bridge Works Design Manual for Drainage Systems (2010), IFC World Bank Guidelines for Infrastructure Development (2007), and the Physical Planning Standards and Guidelines for Uganda (2011).
- 17. The draft plan is silent on responsibility and management of the already existing erosion sites in the project area of influence.** If not planned beforehand, areas already affected by erosion may present environmental and social challenges

during implementation of the project. Therefore, the SRDMP should attempt to provide erosion control arrangements, measures and plans on how such areas will be dealt-with;

- 18. The draft plan does not consider treatment and re-use of surface run off and storm water from camps and work stations as one of the mitigation measures.** In view of ensuring resource efficiency amidst water scarcity problem in Nwoya and Buliisa districts, it is important to consider options such as treatment and re-use of storm water and surface run off to be re-used for enhancement of certain project activities. If adopted, this practice will help limit potential impacts associated with pressure exerted on natural water resources as a result of competition between the demands of the project and community use. This mitigation measure, once adopted, will further promote the principle of resource efficiency and pollution prevention in accordance with Standard 3 of the IFC World Bank Performance Standards (2012).

Table 2: Other content analysis issues of the draft Surface Run off and Drainage Management Plan (SRDMP)

Issue	Justification	Recommendation
<p>19. Misinformation: on page 14 (section 3), paragraph 1 it is wrongly stated that “<i>The SRDMP is required by National Environment Management Authority (NEMA) (as per the conditions of approval associated with the Tilenga Project ESIA) to demonstrate compliance with the principles outlined in the IFC Performance Standards (PS)</i>”</p>	<p>The primary objective of the certificate of approval issued by NEMA, is for the project to comply with the principles and requirements of applicable Ugandan Laws NOT principles of IFC as wrongly stated under section 3 of the draft SRDMP</p>	<p><i>TEPU drafting team to revisit section and correct the fact</i></p>

<p>20. Inadequate analysis of Policies, Laws and Regulations relevant to the control and management of surface run off, erosion and drainage management (<i>see section 3: policy, legal, and regulatory framework</i>)</p>	<p>Failure to analyze in detail the relevance of legal frameworks, quoting specific articles, sections/paragraphs relating to surface run off and drainage management limits the scope of mitigation actions and monitoring indicators and parameters because specific sections of the law always point to far reaching mitigations and monitoring parameters which can be transferred in the appropriate section of the SRDMP to enrich the plan.</p>	<p>✚ <i>Review national and sector specific policies, laws, regulations, and plans</i></p> <p>✚ <i>The TEPU Drafting team should insert separate sub-sections under section 3 to address the issue of Policies and Laws relevant to the SRDMP;</i></p>
<p>21. The section wrongly intermingles principle Acts with sector Regulations (see section 3.2 of the draft SRDMP). And does not mention any sector policies</p>		
<p>22. <i>Thirdly</i>, the section leaves out important pieces of legislation that directly address issues of surface run off, drainage management, storm water and Erosion control. These pieces of legislation include;</p> <ul style="list-style-type: none"> i. Road and Bridge Works Design Manual for Drainage Systems (2010); ii. National Physical Planning Act (2010), iii. The National Building Control Act (2013); iv. The National Physical Planning Standards and Guidelines (2011) among others 		

<p>23. The draft Plan refers to existing laws and regulations in general terms as opposed to quoting specific provisions of the laws relevant to surface run off and drainage management. For instance, the draft plan indicates that “The applicable national standards related to surface water quality and relevant to this SRDMP are prescribed by the Water Act Cap 152” without indicating the particular section of the Act and how such a section guides, in specific terms, on how surface run off, storm water, erosion, and drainage issues should be managed.</p>		
<p>24. Mistake of fact: on page 14 (para.1), Section 3.1 wrongly states that “This <u>Water Management Plan....</u>”</p>	<p>The document at hand is “Surface Run off and Drainage Management Plan” but not Water Management Plan</p>	<p><i>TEPU drafting team to correct fact</i></p>
<p>25. Tables 1, 2, 3, 4, and 5 should be moved to the appendices/annexes (see Sections 3.2.1; 3.2.2; 3.2.3; 3.3.4; 3.3.5)</p> <p>The sections provide general guiding framework on the standards. The tables thereto provide a list of parameters and limits that should be complied with during project implementation.</p>	<p>In view of limiting bulkiness of the main body of the Plan, the tables indicating list of guiding parameters and Limits need to be transferred to the Annex and only maintain the text while referring to such annexes.</p>	

<p>26. Guidance on effective and adequate drainage and sediment control systems is not stated (see Section 3.3: International Standards and requirements)</p>	<ul style="list-style-type: none"> ✚ One of the key aspects of the SRDMP is drainage and sediment control. Several international standards provide guidance on this aspect, however, the draft SRDMP makes no effort to address this issue. ✚ The IFC World Bank Guidelines for Infrastructure development (Roads), 2007: provides that an effective drainage system should have the following for storm water management and sediment control; <ul style="list-style-type: none"> i. Wide enough Drainage Channels; ii. Filter barriers; and iii. Settling basins; 	<p><i>The SRDMP should provide guidance from an international perspective on how an effective and adequate drainage and sediment control system looks like.</i></p>
--	---	---

C) Draft Water Resources Management Plan (WRMP) - Reference: L2-PRO-HSE-04-51

27. Both the Tilenga project ESMP and draft WRMP are silent on the impact of environment on the project. For example flood impact. The recent back surge of Lake Albert water towards the water abstraction point and the Ngasa oil pad could be an indication that siting of these infrastructure was not adequately informed by climatological data and/or lake water recharge data. Therefore mitigation actions

in the draft WRMP should be two-way fold focusing on likely impacts of the project but also the likely impacts of the environment onto the project.

28. The WRMP focuses on water abstraction and discharge, but **does not factor in integrated water resources management**, which is a key national policy direction. With exception of re-injection of process water and reuse of black and Grey water e.g. for flushing toilets (table 6, draft WRMP2 implementation actions), the WRMP does not present other circular use of water. The WRMP recognizes the value of harvested rain-water, but does not clearly state how such water would be utilized. Rainwater harvesting and use is a clear government policy in Uganda.
29. Water Resources are an important component of ecosystem services. **The WRMP does not demonstrate how it will sustain, improve and/or preserve the services water offers to ecosystems and biodiversity.** The Biodiversity and ecosystems services action plan is also silent on this water service. It will be important to include commitments and mitigation actions on how ecosystem services of water for wildlife, plants (vegetation, forests) and human beings will be sustained, improved and preserved. This may require benchmark studies to inform water's ecosystem services as well as developing appropriate key performance indicators.
30. **The draft WRMP does not provide commitments and assurances** on how groundwater recharge in catchments where groundwater abstraction is likely to occur will be managed.
31. **The draft WRMP assumes that all grievances will be resolved by company's internal mechanisms, which is not the case.** There are grievances that will trigger national and international mechanisms that the company needs to respond. It is important that TEPU drafting team demonstrate how the developer (TEPU) will respond in such cases. For example, water abstraction will occur on Lake Albert, which is a trans-boundary resource that is captured in a 1929 agreement between Egypt and Sudan that requires riparian countries to seek clearance from each other for the construction of infrastructure on the Nile water system.

D) **Biodiversity and Ecosystem Service Management Plan (BESMP) and; (E) the Biodiversity and Ecosystem Service Action Plan (BESAP)**

This section presents comments of both the Biodiversity and Ecosystem Services Plan (BESAP) and the Biodiversity and Ecosystem Service Action Plan (BESAP). This was done with the objective of;

- I. Finding out the similarities and differences between these two draft plans whose titling appeared to be similar;
 - II. Examining the level of detail addressed by each of these draft plans in so far as providing commitments and assurances on respective mitigation actions are concerned; The findings and comments are that;
- 32.** Both plans i.e. the BESMP and BESAP are aimed at delivering on the same outcomes i.e. the project vision of *'leaving Murchison Falls National Park and, where feasible, its surrounding landscape in better ecological condition than if the Project had not taken place, by achieving a positive effect for biodiversity'* (as stated in both draft plans).
- 33.** While the project vision in both plans recognize and emphasize a landscape management approach, it is observed that both draft plans have a biased vision emphasizing MFNP at the expense of other ecosystems like Ramsar sites, Lake Albert, wildlife reserves, and forest reserves across the Tilenga Project Area of Influence (Aol).
- 34.** Both plans emphasise **Biodiversity** and not **Ecosystem services** contrary to what is stated in the Plan naming. All actions in the BESAP are centred on Biodiversity management (see **Appendix 4** of the draft BESAP; and Section on the Risk-based mitigation action prioritisation). The draft plans (BESAP, and BESMP) need to be improved to clearly address ecosystem services issues, as well as show the nexus between Biodiversity and ecosystem services.
- 35.** It is also observed that the BESAP provides a section on roles and responsibilities of key actors/stakeholders, while the draft BESMP is silent on this issue (roles and responsibilities of other key actors), and there is no justification in the draft plan stating reasons for the omission;
- 36.** It is further observed that even in the BESAP where roles of key actors are stated, the plan (draft BESAP) leaves out important actors in the sector such as CSOs, CBOs, NGOs and NEMA;

- 37.** The Legal frameworks such as policies and laws in both draft plans were stated without clear citation (version, year, and particular sections of reference);
- 38.** Both Plans' focus is centered on addressing the negative impacts of the project on biodiversity and are silent on measures for enhancing positive impacts associated with biodiversity and ecosystem services. This is contrary to section 4.2.3.7 of Uganda's Ministry of Water and Environment (MWE) on EIA Guidelines (2011) which require developers to ensure that measures for enhancement of the positive impacts of the project are well enumerated in the project management plans while at the same time ensuring that the negative ones are adequately addressed through proposition of appropriate mitigation actions and other related enhancement commitments.
- 39.** The Draft Plans (BESAP, and BESMP) indicate that some studies on key issues are not yet conducted. This raises questions and concerns on what informed the targets and monitoring indicators provided in the draft plans. There are existing studies by UWA, WCS, and Makerere University whose results could provide important preliminary data for generation of indicative mitigation actions to enrich the draft BESAP and BESMP.

F. DRAFT WASTE MANAGEMENT PLAN

- 40.** The structure of the draft waste management plan does not match with that recommended by Uganda's Ministry of Water and Environment (MWE) for development of ESMPs and project management plans, neither does it match with that recommended under standard 1 of the IFC World Bank Standards (2012). The structure recommended by both MWE and IFC World Bank performance standards includes;

 - i. Presentation of a Log-frame (table) summarizing likely project impacts, mitigation actions, monitoring indicators, methods of data collection, time schedules, sources of data, roles and responsibilities for each of the mitigation actions;
 - ii. Providing mitigation actions in a phased manner across the different stages of the project;

- iii. Cost estimates for implementation of each of the mitigation actions;
- iv. e.t.c

- 41.** The scope of the draft plan (under section 1.4 on page 10 of the draft plan) **creates an impression that the waste management plan is only limited to waste generation contrary to what is actually presented in the rest of the sections of the plan** (see sections 4.3 and 4.4 of the draft waste management plan). Sections 4.3; and 4.4 onwards, of the draft plan cover a wider scope of the waste management streams which include therein; temporary storage, generation, collection, transportation, treatment and disposal. For consistency and coherency purposes, there is need for TEPU drafting team to consider updating section 1.4 of the draft plan to ensure that the conceptual scope rhymes with what is presented in the body of the draft plan.
- 42.** The draft waste management plan inadequately presents the legislative framework governing waste management. For instance;
- i. Although the section therein, is titled ‘policy, laws and regulations’; **No attempt is made to present** (therein), **a single policy related to management of waste in Uganda;**
 - ii. On page 16 section 3 para.1, it is indicated that the Tilenga Certificate of Approval (CoA) was issued by NEMA¹³ to demonstrate compliance with the principles outlined in the IFC Performance Standards (PS) **which is not correct.** The CoA is aimed at ensuring that the project complies with Ugandan Legislation over and above any other form of legislative framework;
 - iii. **Laws, in the draft waste management plan, are referred-to in general terms** without any attempt to quote what the specific provisions of the law say and how such provisions will be used to address specific aspects of waste management. Failure to quote specific provisions of the law limits the quality of mitigation actions. In most cases such specific provisions of the law provide remedies/solutions in form of redress measures to different aspects of the project.

¹³ Uganda’s National Environment Management Authority (NEMA).

43. There is need to revisit the draft plan to **transfer tables extracted from the different pieces of legislation to the annexes** and only make reference to such tables. This will ensure systematic presentation of key issues, make the document more clear, and further reduce bulkiness of the main body of the plan.

G. Plans and strategies for justice, gender and human rights

	Issue	Reference	Comment and Justification	Recommendation
1	Titles Inconsistency in the titles of supporting documents (plans)	Cover page All titles of supporting documents e.g. 1. Tilenga Influx Management Strategy 2. Labour Management Plan	Some of the supporting documents have the word “ <i>Tilenga</i> ” as the first word of a title while others do not. This creates in consistency in the titles	Consider including the word “ <i>Tilenga</i> ” at the begging of each title of the supporting documents to make the titles consistent
2	Document Structures & Formats Inconsistency in structures, formats, etc of the supporting documents (plans)	All plans	There is a lot of variation in the structure, format, etc of the plans yet the plans support the same ESMP and belong to the same company TEPU	Develop a “ standard template ” and “ guidelines ” to guide the structuring and formatting of all the plans
3	Section on	Sections on:	The ESMP will be	Revise the ESMP and

	Issue	Reference	Comment and Justification	Recommendation
	<p>Changes in legislation</p> <p>Many of the plans lack a section on: “<i>Changes to National Legislation</i>” as provided for in the “<i>Tilenga Social Management Strategy</i>”</p>	<p>Policy, Legal and Regulatory context: National policies, laws, regulations, guidelines and standards of the plans</p> <p>Appendices--- National Policies, legal and regulatory frameworks</p>	<p>implemented from 2020 onwards so the relevant sections of the plans should reflect the amendments or development of new laws.</p> <p>See Section 2.1.5: Changes to National Legislation on page 22 of “<i>Tilenga Social Management Strategy</i>” as an example of good practice</p>	<p>the plans to have a section on: <i>Changes to National Legislation.</i> The section can be used for updating amendments or new legislation. This will ensure project implementation is done in line with the revised National legislation: e.g.</p> <ul style="list-style-type: none"> • The National Environment Act, Cap 153 (Ref. 2-25) has been amended to National Environment Act (2019) • The Ugandan Wildlife Act (Ref. 2-33) has been amended to The Uganda Wildlife Act (2019) • Roads Act No 16 of 2019 • Human Rights (Enforcement) Act 201 • Update the relevant Appendices on

	Issue	Reference	Comment and Justification	Recommendation
				<p>National Policies, legal and regulatory frameworks</p> <p>For good practice see Section 2.1.5: “Changes to National Legislation” on page 22 of “<i>Tilenga Social Management Strategy</i>” as an example of good practice</p>
4	<p>Formats of Impacts and mitigation Tables</p> <p>In many of the plans, formats of the Impacts and Mitigation Tables are not consistent.</p> <p>In addition, there are no direct links</p>	Refer to mitigation tables in the plans	<p>It is a good practice that ESMP identifies measures and actions in accordance with the mitigation hierarchy to reduce potentially adverse environmental and social impacts to acceptable levels.</p> <p>ESMPs should also</p>	<p>Provide a standard mitigation table template for purposes of consistency.</p> <p>Revise the mitigation initiatives to show direct link between impacts and mitigation initiatives and hierarchy to reduce impacts to acceptable levels</p>

	Issue	Reference	Comment and Justification	Recommendation
	<p>between impacts and mitigation initiatives.</p> <p>For example, the cultural heritage and archeological management frameworks have sections on scope and tables on impact mitigation measures while the National content program framework does not have a section on scope and not table on impact mitigation measures</p>		<p>describe—with technical details—each mitigation measure, including the type of impact to which it relates and the conditions under which it is required.</p>	<p>For good practice see “Table 1. Impacts Addressed in this Plan; page16, in: <i>“Transport Management Plan”</i>”</p>
5	<p>Main Streaming cross-cutting activities</p> <p>Cross cutting activities such as gender mainstreaming, stakeholder</p>	<p>All social and environment management plans, frameworks and strategies must be gender sensitive. The</p>	<p>In order to implement some of the cross-cutting activities, they should be reflected, costed and responsibilities</p>	<p>Update the plans to reflect the cross-cutting activities to ensure such activities are costed and responsibilities assigned for implementation</p>

	Issue	Reference	Comment and Justification	Recommendation
	engagement etc are to be mainstreamed in many of the plans but they are not.	Gender Management Plan will serve as a reference document to guide gender mainstreaming in all project activities as well as a tool for planning, monitoring and evaluation of gender integration in Tilenga project. See pages 8-9 of “ <i>Gender Management Plan</i> ”	assigned for implementation	
6	Lack of coordination Lack of coordination between the teams which prepared the plans led to duplication of the same impacts in many of the reports e.g.	Refer to Table 4. Summary of EDCP Requirements on page 27. In: “ <i>Emissions and Dust Control Plan</i> ” and Table 1. Impacts Addressed in this Plan; page16, in: “ <i>Transport Management</i>	Duplication of similar impacts can cause confusion for implementers and double costing.	Make sure all the teams are coordinated and all the plans are linked to each other to avoid confusion for implementers and double costing

	Issue	Reference	Comment and Justification	Recommendation
	release of fugitive emissions and particles PM10 into the atmosphere	<i>Plan</i>		
7	<p>Inconsistencies in Budgeting</p> <p>Inconsistencies on the “budget Section” E.g. budget tables are included in some of the plans but activities are not costed. In some of the documents the budgets are given but duration and sources are not indicated etc</p>	Refer to Budget sections of the plans	<p>In Chapter 23, Section 23.3.2.2., of Tilenga ESIA Volume V, page 23-11 (200), the preliminary costs for the ESMP development and implementation are given as:</p> <ul style="list-style-type: none"> • Environment: about 4.5M\$/year • Social (incl. RAP): about 14M\$/year <p>With monitoring estimated to represent about 0.8M\$/year.</p> <p>These estimates are for Site Preparation, Enabling Works, Construction and Pre-Commissioning</p>	<p>Ensure all activities in the plans are budgeted for with duration and sources of funds indicated.</p> <p>The budget estimates in the ESMP in the ESIA report should be detailed, realistic and supported</p>

	Issue	Reference	Comment and Justification	Recommendation
			up to first oil. However, since there are a lot of inconsistencies in the budget section of the plans, it is difficult to understand how these figures are arrived at in the ESIA Report	
8	<p>Roles and responsibilities not assigned</p> <p>In many of the ESMPs, the roles of different partners are not clearly highlighted. Partners are just listed but how they will participate in the implementation of the ESMPs are not clearly spelt-out</p>	See tables on Roles and Responsibilities and the implementation arrangement plans	It is a good practice to assign specific roles to partners and provide a specific description of institutional arrangements, identifying which party is responsible for carrying out the mitigation and monitoring measures etc	There is need to tag activities to the specific stakeholders for easy follow up and harmonization of efforts to avoid duplication. There is need to develop an engagement plan that will spell out these roles, responsibilities, the levels of engagements and the timelines
9	Tullow's stake			It is important to

	Issue	Reference	Comment and Justification	Recommendation
	The concern that Tullow sold its stake in Uganda but it is still mentioned in some of the documents.			verify the extent to which Tullow will be involved in the operations and implementation of the plans

H. Community Content and Economic Development Management Plan				
1	Title The title of this plan changed from “ <i>Community Content, Economic Development and Livelihood Plan</i> ” given in the Tilenga ESIA Report Volume V to “ <i>Community Content and Economic Development Management Plan</i> ”. Also note change of objectives in the new plan.	Refer to the title page of the plan and Section 23.5 Project ESMP Implementation 23.5.1 Supporting Strategies and Plans of Tilenga ESIA Report Volume V page 23-145 (334)	It is important that changes in the title and objectives in the new plan with the previous one given in the Tilenga ESIA Report Volume V should be mentioned to make implementers and readers aware of the changes	It is recommended that the changes in title and objectives in the new plan with those previous one given in the Tilenga ESIA Report Volume V should be mentioned to make implementers and readers aware of the changes
	1.1. Background	1.1. Background TILENGA, the project name for	It is important that Tullow’s interest in the	It is important to verify the extent to which Tullow will be

	<p>The concern that Tullow sold its stake in Uganda but it is still mentioned in some of the documents.</p>	<p>the oil and gas project located in Contract Area 1 (CA-1) operated by Total E&P Uganda and Licence Area 2 (LA-2) operated by Tullow Uganda Operations Pty, both companies herein referred to going forward as COMPANY (Page 7)</p>	<p>project is established and made known since the company sold its shares</p>	<p>involved in the operations and implementation of the plans</p>
	<p>1.3 Objectives Under Objective 1, focus should also be on enhancing the positives impacts too.</p>	<p>Refer to 1.3 Objectives (Page 7)</p>	<p>Good practice requires positive impacts of a project are enhanced while negative ones are mitigated</p>	<p>Include a statement in the objectives to reflect enhancement of positive impacts of the project to maximise on benefits.</p>
	<p>1.4 Scope Under Hoima District, note that the right spelling is Bugambe S/C and not Bugamba and also add Pakwach.</p>	<p>Refer to Project Scope (Page 8)</p>		<p>Revise accordingly</p>

<p>Workforce Development</p> <p>No mention of employment for the youth</p>	<p>Refer to Project Scope (Page 8)</p>	<p>Youth should benefit through employment</p>	<p>Young people should be targeted in specific projects to enable them learn and gain experience in the sector</p>
<p>Section: Local Supplier Development Programme</p>	<p>Refer to Project Scope (Page 9)</p>		<p>Provide for provision of clear employment terms for Ugandan workers in form of contracts</p>
<p>2.2 Socio-Economic Context</p> <p>The population composition in Buliisa district is not well described</p>	<p>See 2.2. Socio-Economic Context page 11</p>	<p>It is important to give the right description in the districts of the Albertine Graben for meaningful engagement</p>	<p>See Sub-Section 3.1.1.4 Traditional Leadership Structures and Organisation page 25. In: “Stakeholder Management Plan” for a good description of the population in Buliisa district</p>
<p>3. Impacts and Mitigation Measures</p> <p>Table 1. “Identified Impacts and</p>	<p>Refer to Table_1. Identified Impacts and Summary of Mitigation Measures related</p>	<p>It is a good practice that ESMP identifies measures and actions in</p>	<p>Provide a standard mitigation table template for purposes of consistency.</p>

<p>Summary of Mitigation Measures related to Community Content, Economic Development and Livelihoods”</p> <p>has its own format and structure.</p> <p>No indication as to where the impacts and initiatives are extracted from the Tilenga ESIA Reports.</p> <p>Mitigation initiatives do not link directly to impacts</p>	<p>to Community Content, Economic Development and Livelihoods</p> <p>(Page 15)</p>	<p>accordance with the mitigation hierarchy to reduce potentially adverse environmental and social impacts to acceptable levels.</p>	<p>Revise the mitigation initiatives to show direct link between impacts and mitigation initiatives and hierarchy to reduce impacts to acceptable levels</p> <p>ESMPs should also describe—with technical details—each mitigation measure, including the type of impact to which it relates and the conditions under which it is required.</p>
<p>5. General Roles and Responsibilities</p> <p>Lacks a clear framework on how the partners e.g NGOs will be engaged</p> <p>CSOs, Media are listed as partners but</p>	<p>Refer to:</p> <p>5. General Roles and Responsibilities</p> <p>Table 2. Stakeholders and their Roles and Responsibilities</p> <p>(Page 60)</p>	<p>Good practice requires that the ESMP should assign specific roles, and capabilities of responsible parties</p> <p>It should also provide for specific</p>	<p>Revise the ESMP to reflect clear roles and responsibilities of partners.</p> <p>ESMP should provide for specific description of institutional arrangements, identify which party is responsible for carrying out the</p>

<p>there is no clear framework of engagement.</p> <p>The lumping of stakeholders causes duplication of efforts especially by the gov't ministries e.g. Min of Labour, Gender, Agric altogether.</p> <p>It also causes confusion in coordination and resource allocation</p>		<p>description of institutional arrangements, identify which party is responsible for carrying out the mitigation and monitoring measures</p>	<p>mitigation and monitoring measures</p>
<p>8. Budget</p> <p>Some activities are budgeted for while other are not</p> <p>Timeframe for budget not indicated</p> <p>Some activities in the budget were not costed</p> <p>There was no budget provided for monitoring and evaluation</p>	<p>Refer to Table 4. CCEDP Budget (Page 68)</p>	<p>A good ESMP should provide for all the three aspects of i) mitigation ii) monitoring and iii) capacity development</p> <p>ESMP should provide for implementation schedules for measures that must be carried out as part of the project, showing phasing and</p>	<p>Update the budget table to include funding for all three aspects of mitigation, monitoring and capacity development</p> <p>The ESMP should provide for implementation schedules for measures that must be carried out as part of the project, showing phasing and coordination with overall project implementation plan</p>

	Budget does not provide for monitoring		<p>coordination with overall project implementation plan</p> <p>Source of funding should be indicated</p>	Source of funding should be indicated
I. Gender Management Plan				
1	<p>1.1 Background</p> <p>The concern that Tullow sold its stake in Uganda but it is still mentioned in some of the documents</p>	<p>1.1 Background</p> <p>Total Exploration & Production (E&P) Uganda B.V, Tullow Uganda Operations Pty Limited and the China National Offshore Oil Company Uganda Limited (referred to as the Joint Venture Partners (JVPs) or Project Proponents) plan to develop the discovered oil fields located in the Lake Albert region of Western Uganda</p>	<p>It is important that Tullow's interest in the project is established and made known since the company sold its shares</p>	<p>It is important to verify the extent to which Tullow will be involved in the operations and implementation of the plans</p>
2	<p>1.3. Objectives</p>	<p>Refer to 1.3 Objectives (Page 8)</p>	<p>Good practice requires positive</p>	<p>Include a statement in <u>Objective 1</u> to reflect</p>

			impacts of a projects are enhanced while negative ones are mitigated	enhancement of positive impacts of the projects to maximise on benefits.
	Pakwach is missing as one of the towns to be affected	See Sub-Section 1.3 Scope 1 (page 8	Pakwach is a frontier town	Add Pakwach among the areas affected because it is a frontier town and area of influence
4	The abbreviation ‘GNP’ in the last sentence on page 9 “The linkage between GNP and other social and environment management plans isshould be GMP	See page 9	Error	Correct ‘GNP’ to ‘GMP’
5	2.1 Socio-Economic Context	2.1 Socio-Economic Context; 2 nd paragraph (Page 11)		
6	According to the context of application of this plan, women raised fear and concern with the requirement to have	See 2. CONTEXT OF APPLICATION 2.1 Socio-Economic Context; last paragraph on page 12	Women in the project area do not feel comfortable with their husbands having	Revisit the suggestion to have joint accounts for couples as a mitigation initiative

<p>joint bank accounts with their husbands, as a prerequisite for getting the compensation money because they would not have access to those accounts. However, one of the mitigation measures still suggested was having a joint account for families</p>		<p>joint accounts</p>	
<p>3. IMPACTS AND MITIGATION MEASURES</p> <p>The process of compensation takes unnecessarily long and affects the beneficiaries</p> <p>Inconsistency in stating the activities in table of impacts and mitigation measures</p>		<p>It is a good practice that ESMP identifies measures and actions in accordance with the mitigation hierarchy to reduce potentially adverse environmental and social impacts to acceptable levels.</p> <p>ESMPs should also describe— with technical details—each</p>	<p>Revise the mitigation initiatives to show direct link between impacts and mitigation initiatives and hierarchy to reduce impacts to acceptable levels</p>

	Some impacts have no mitigation measures against them. Cross-referencing with ESMPs is necessary		mitigation measure, including the type of impact to which it relates and the conditions under which it is required.	
	5. General Roles and Responsibilities Ministry of Internal Affairs and other Security operatives missing among stakeholders	5. General Roles and Responsibilities Table 3: Roles and responsibilities for implementing GMP (page 35)		Include security operatives among the partners e.g RDC, DPC, HR & Legal Officers, ISO, Office of the President (Oil & Gas Security)
	8. Budget The budget given is for only monitoring and no budget provisions for capacity building, livelihoods restoration, stakeholder's engagement.	8. Budget Table 6: Budget for Gender monitoring, evaluation and audit (page 44)	Some activities in this plan are recommended for mainstreaming in other plans but it is not clear whether they were really mainstreamed	Include budget for implementation of other activities
J. Stakeholder Engagement Plan (1d+e. Tilenga Social Management Plan)				
	Objective	1.3. Objectives		Revise objective 8 to

<p>Objective 8 should be revised to show collaborative relationship</p>	<p>page 8</p>		<p>include the word “collaborative”</p>
<p>2.2. Legal and Policy Framework</p> <p>2.2.1. Ugandan Policy and Legislation</p> <p>Strategic Environmental Assessment of Oil and Gas Activities in the Albertine Graben, (2015) is included in pieces of legislation</p>	<p>2.2. Legal and Policy Framework</p> <p>2.2.1. Ugandan Policy and Legislation (Page 11)</p>	<p>Strategic Environmental Assessment of Oil and Gas Activities in the Albertine Graben, (2015) is an environmental management tool</p>	<p>Remove Strategic Environmental Assessment of Oil and Gas Activities in the Albertine Graben, (2015) from the list of pieces of legislation given on page 11 since it is an environmental management tool</p>
<p>3. STAKEHOLDER ENGAGEMENT PROGRAMME:</p> <p>Stakeholder Identification, Groups and Categories</p> <p>Include cultural leaders in the list of stakeholders</p> <p>Development partners like donors,</p>	<p>Stakeholder Identification, Groups and Categories</p> <p>Table 2: Stakeholder Categories</p> <p>Page 15</p>		<p>Recommended to incorporate comments the following comments:</p> <p>3. STAKEHOLDER ENGAGEMENT PROGRAMME:</p> <p>Include cultural leaders in the list of stakeholders</p> <p>Categorise development partners</p>

	<p>banks and multinational companies should stand alone and not be categorized as Civil society</p> <p>CBOs and faith-based organizations not captured</p>			<p>like donors, banks and multinational companies outside Civil society</p> <p>Include CBOs and faith-based organizations among stakeholders</p>
	<p>Cultural institutions have cultural mandate not legal mandate</p>	<p>3.1.1.4 Page 25 of 81</p>		<p>Correct the sentence to read “Cultural institutions have cultural mandate not legal mandate</p>
	<p>3.1.3.1. Non-Governmental Organizations (NGOs)</p> <p>BAPENECO is indicated as working in Kibaale only</p> <p>Information on all the CSOs in the region incomplete</p>	<p>Page 30</p>	<p>There is need to update the stakeholder list.</p>	<p>Revise the plan to reflect:</p> <p>BAPENECO is in the entire Bunyoro not just Kibaale</p> <p>Get an updated information on the office of the district Community Development Officer for information on all the CSOs in the region, there are some stakeholders that have been excluded and</p>

				there are others that have since been dissolved but are still reflected in the document.
K. Tilenga Influx Management Strategy				
	Title	Title page		
	<p>3.2.3 The Local Area</p> <p>Biiso is not close to the CPF as indicated in table 2 (PAC) it is a transit route.</p> <p>It is Olweyo not Anaka that is on the main transport road as indicated in Table 2</p> <p>It is Cumulative impacts from road construction not dams and railway projects as indicated in table 2</p> <p>The plan indicates local governments will address influx</p>	<p>Table 2: Project Affected Communities (PACs) (Page 15)</p>		<p>Revise accordingly</p> <p>CSOs should be included among stakeholders to manage the influx</p> <p>Design a plan that is complete within the boundaries of the project</p>

	<p>but data shows that the departments are currently underfunded and cannot undertake this mandate</p>			
	<p>Some activities are not assigned a person responsible; some key performance indicators are missing; some mitigation measures do not connect with the impacts.</p> <p>No budget and strategic actions to operationalize the plan.</p> <p>The role of CSOs in the plan are not clear. The plan just indicates that they will interface. ref 5.1.4,</p>			<p>See comments on good practice above</p> <p>Indicate a budget and clear actions</p> <p>Clarify roles of stakeholders</p>
<p>L. COMMUNITY ROAD SAFETY MANAGEMENT PLAN</p>				
	<p>Lacking a realistic program/frequency</p>	<p>(Page 24)</p>		<p>The frequency for sensitization should</p>

	for sensitization. The plan indicates daily which is unrealistic to achieve			either be weekly or monthly.
	On chapter 26 , the plan indicates that Government institutions on monitoring at the District and Ministerial levels will be engaged but does not embrace joint monitoring with Civil Society Organizations/Joint monitoring.			Include Civil Society and community leaders on the monitoring team
	Civil Society Organizations not indicated as external stakeholders.	(Page 38) (5.2)		Include CSOs as external service providers
M. LABOUR MANAGEMENT PLAN				
	Hoima not indicated in the scope	(Page 10) (2.1)		Hoima should be indicated in the scope because of the Feeder pipeline from the CPF in Buliisa to the refinery in Kabaale
	Lacks clear statistical values on levels of income, poverty and	(Page 10) Paragraph 2		There should be clear statistical values on levels of income,

	<p>skills for the respective districts</p>			<p>poverty and skills for the respective districts given the fact that there was a socio-economic survey that was carried out in 2018 by Atacama consults on the PAPs that would have a reflection of indices in a given confidence interval</p>
	<p>On paragraph 3 page 10, the last sentence needs to be corrected. It requires statistical values of levels of employment in terms of the kind of jobs either casual or white collar jobs.</p>	<p>On paragraph 3, page 10</p>		<p>Qualify the statement</p>
	<p>Specify the number direct and indirect under paragraph 4.</p>			
	<p>Under the policy legal and regulatory framework (2.2), specific Uganda Labour laws and legislations should be well stated in a</p>			

<p>way the IFC standards have been stated and under 2.2, the relevant articles of the Constitution of the Republic of Uganda should be indicated in the context rather than outlining them in a list of laws indicated.</p>			
<p>Under Table 1, the National Development Plan should be indicated with their respective years and phase of implementation. The Whistleblowers Protection Act 2010 and the Anti-Corruption Act 2009 should be included.</p>			
<p>O. CULTURAL HERITAGE & ARCHAEOLOGY MANAGEMENT FRAMEWORK</p>			
<p>Title</p>	<p>Title page</p>		
<p>The scope does not consider Hoima district The plan did not put into consideration</p>	<p>page 7</p>		<p>Include Hoima</p>

<p>preservation of the cultural and archaeological sites of the projects undertaken by developers of associated projects like road construction in the TILENGA project area.</p>			<p>Include strategies for preserving sites that require preservation</p>
<p>The plan did not clearly state the anticipated budget of the proposed activities</p>			<p>Include a budget</p>
<p>P. HEALTH, SANITATION, SAFETY AND SECURITY PLAN</p>			
<p>There is no budget to implement the plan</p>			<p>Provide budget</p>
<p>Some of the risks are not tagged to the specific activities to mitigate them</p>			
<p>How to handle pandemics like COVID 19 should be considered in the plan, this was not envisaged</p>			<p>Make the context foresighted</p>

Q. Strategies for local economic empowerment

ISSUE	REFERENCES	COMMENT & JUSTIFICATION	RECOMMEDATIONS
<p>Skilling and capacity building is not given the kind of attention it deserves</p>	<p>CCEDP, page 26.</p>	<p>It is through skills locals to take advantage of the opportunities available that they can benefit from the project</p>	<p>There's need for a clear definition of who a youth is and who are the target groups in these ESMPs that should be targeted for the skilling.</p>
<p>Contradiction with government plans</p>	<p>CCEDP, page 27,chapter 4.2.1</p>	<p>Other government programmes such as operation wealth creation (OWC), NAADS and plan for modern agriculture (PMA) have been operational in the oil districts and this plan should not be presented in isolation</p>	<p>The ESMP should clearly be aligned with already existing government programmes and also clearly define this ESMP's contribution.</p>
<p>On local supplies of goods and services the plan recognizes the inadequate capacity of Ugandans but spells out no solution</p>	<p>National Content Programme Framework, Pg 10</p>	<p>The Framework states that action plans will be put in place, yet this is what is expected at this point</p>	<p>The ESMP should have a specific plan for building capacity of Ugandans to be able to supply the project</p>

<p>The strategies outlined for promotion of national content are not costed and there is no timeframe indicated</p>	<p>National Content Programme Framework</p>	<p>Lack of cost indication makes it difficult to tell whether the company will follow the plan through</p>	<p>Develop a cost structure and timeline as part of the framework</p>
<p>The Framework does not reference the recent national content legal framework</p>	<p>National Content Programme Framework</p>	<p>Monitoring of compliance will need to follow dictates of the applicable law and regulations</p>	<p>Review the national content legislation and design the plan in conformity with the legal framework</p>
<p>Reference to Masindi Municipality as the only area affected in Masindi District is misleading.</p>	<p>Tilenga Community Environmental Conservation Plan, section: social economic context. Page 11 (First Paragraph)</p>	<p>Masindi Municipality is not the only area that will be affected. Other sub counties within Masindi district will be affected as well.</p>	<p>Refer to Masindi District, not Masindi Municipality</p>
<p>Tourism focus is limited to only MFNP</p>	<p>Tilenga Tourism Management Plan Chapter 3 and 4, Table 2 &3. Page 13 – 20</p>	<p>The document in the aforementioned chapters highlights MFNP as the sole center of tourism attraction, yet there are other features like Bugungu game reserve, Budongo Forest Reserve, Lake Albert, River Nile etc.</p>	<p>Mitigation measures should apply to all tourism points and broad conservation areas</p>