



ISLAMIC REPUBLIC OF AFGHANISTAN
MINISTRY OF MINES AND PETROLEUM



ENVIRONMENTAL SOCIAL IMPACT ASSESSMENT
AND RESETTLEMENT PLANNING FOR
SHEBERGHAN-MAZER GAS PIPELINE, THE AMINE
FACTORY THE AMINE UNIT AND GAS
DEHYDRATION UNITS

MARCH-2019

Terms of Reference

Environmental Social Impact Assessment and Resettlement Planning for Sheberghan-Mazar Gas Pipeline, the Amine Unit and Gas Dehydration Units

Background

1 To meet the growing energy demand in the Mazar-e-Sharif region and to provide for viable gas supply infrastructure in the long run, the government has been constructing a new gas pipeline of about 90 kilometers since 2012. Some 44 kilometers of new pipeline have been welded and corresponding trench excavated. The government has requested World Bank support to complete the construction of the Sheberghan-Mazar Gas Pipeline, as well as the optimization of an Amine Plant and Gas Dehydration Units to process gas from nearby gas fields and reduce its harmful and acid Hydrogen Sulfide (H₂S), CO₂ and BTEX content to safe levels prior to its use as a fuel by the planned new IPP Gas-fired Thermal Power Plants and other users.

2 The government is planning to conduct an Environmental and Social Impact Assessment and associated Environmental and Social Management Plan (ESIA/ESMP), including a Health & Safety Plan in compliance with international standards, as well as required resettlement planning in compliance with relevant national laws and the World Bank Environmental and Social Framework (ESF) to identify, assess and plan to mitigate pipeline-construction induced social environmental impacts. The government has contracted UNICON, a consulting firm for the development of the engineering and technical design of the gas delivery system (gathering lines, dehydration, compression, processing and transport), including ESIA, ESMP and Resettlement Action Plan (RAP) preparation. UNICON has delivered an assignment inception report that includes a scoping report of the associated social environmental impacts. This TOR is meant to help UNICON further elaborate and detail their work plan on the ESIA and RAP as part of the inception report.

Environmental & Social Impact Assessment

3 **Objective.** The objective of this assignment is to undertake an environmental and social assessment of the impacts associated with the construction of the Sheberghan-Mazar Gas Pipeline, as well as the procurement and installation of the Amine Plant and Gas Dehydration Units by the project. The ESIA will be conducted in accordance with relevant laws and policies of the Government of Afghanistan and the Environmental Social Framework (ESF) of the World Bank, and taking into consideration the World Bank Group General Environmental, Health and Safety Guidelines, the EHSB for Gas Distribution Systems and the EHSB for Onshore Oil and Gas Development. It will ensure that all

positive and adverse impacts associated with construction and operation of the pipeline will be taken into account. and that the appropriate mitigation measures will be in place. Specific objectives of assignment include

- To carry out site investigations to collect primary data and review all available relevant secondary data to establish a comprehensive environmental and social baseline (including physical, biological, social, cultural and economic environments) for the Direct and Indirect Project Area of Influence;
- To explore whether there is any alternative direction/corridor for the remaining pipeline that might be better in terms of avoidance or minimization of environmental and social risks
- To define the area of influence, screen, identify and assess potential positive and adverse environmental and social impacts, including direct, indirect, induced and cumulative environmental and social impacts associated with the gas pipeline, Amine Unit and Gas Dehydration Units optimization and operation by using an internationally acceptable ESIA and RAP Methodology;
- To develop proposed measures to avoid, reduce, mitigate, manage and/or compensate for such impacts, including the institutional arrangements and required capacity building to implement all such measures;
- To ensure that impacts on vulnerable communities are avoided, minimized, mitigated and/or compensated, and that mechanisms are designed to ensure their meaningful participation during Project planning and implementation;
- To conduct a public consultation process that ensures that Project affected people and other stakeholders are informed about the Project and its possible impacts;
- To document all of the above mitigation and development interventions

4 Scope of work. The entire 90 kilometers of the gas pipeline, as well as the Amine gas processing plant and the Gas Dehydration Units, is considered as one whole project and the government and World Bank environmental, social, health and safety policies and requirements apply to the entire project. This assignment is divided into two parts. The first part is related to the construction work of 44 km of welded and partially backfilled (buried) pipeline that has taken place since 2015, and the second part is the remaining gas pipeline section of 46 km yet to start construction. To make it easier and practical, all planning tasks are being grouped into one planning process, but different considerations and efforts are highlighted in the same process for the two parts of the pipeline. The specific tasks under this assignment are outlined below, covering the entire length of the gas pipeline

- Review all related technical design and engineering of the entire pipeline construction, including assessment and management plans related to environmental and social impacts, as well as health and safety concerns, as well as earlier government review output and clearances given for the entire length of the gas pipeline;
- Define and describe the Project *Direct and Indirect Area of Influence*, based upon which are the areas likely to be affected either directly or indirectly, including

construction and linked activities. It should be noted that the area of influence is different from the direct project impact zone, the primary one of which is the demarcated line corridor for construction where land will be taken. This would be for the entire length of the gas pipeline. The Consultant should also carry out due-diligence on the gas fields and assess the environmental, social and health and safety risks;

- Collect, review, analyze and present all available information on social and environmental baseline conditions of the project area for the entire length of the pipeline, including data from primary (field) and secondary sources, covering physical, biological, demographic, socioeconomic, livelihood, health, political, ethnic, gender and cultural aspects, as well as the health and safety aspects. Particular attention should be paid to land tenure, land use practice and identification of vulnerable communities. The assignment will describe and analyze the current security situation in the project area.
- Carry out field visits to all project sites to screen and assess all direct and indirect impacts and risks resulting from both construction and operation activities of the pipeline. The analysis should also include an inventory of communities and households that are likely to be affected and different types and levels of impacts upon different communities and sub-groups. Particular attention should be given to impacts and risks on women and other vulnerable groups in the analysis and mitigation intervention development and propose mitigation measures for each.
 - i. For the sections where construction has started, the assessment is more of a retroactive and audit nature. Teams should screen and identify impacts that have already happened. These impacts should be assessed for their scale, quantity and severity. Similarly, the affected communities and households should also be identified and recorded against the impacts they suffered. Given the retroactive nature, it is important that this is done with the project people together and in close consultation with the communities affected.
 - ii. For the sections that are yet to start construction, the impact identification and assessment should proceed as routinely done for any new investment operation.
- Impact analysis and development of mitigation measures. The above collected data, including impacts and impacted population, will be analyzed for their scale and severity. Based on this analysis, required mitigation measures and interventions should be developed. This would cover both the sections where impacts have already happened and sections where impacts are yet to happen. For the former, the consultant should review mitigation measures that have already taken place, assess their effectiveness and adequacy in addressing the impacts in line with the same policy objective and principles under the project. If necessary, additional interventions should be proposed to achieve the same project objective. These interventions are retroactive nature.

- Assess any if there is any locality and community due to its proximity to the pipeline that might be vulnerable to explosion and chalk out any action for improvement and response.
- Assess potential risks and impacts related to health and safety, and prepare an Occupational Health and Safety Management Plan (OHSMP) for the pipeline project as well as community health and safety plan and use the WBG EHS Guidelines given in below site:

<https://www.ifc.org/wps/wcm/connect/a99ab8804365b27aa60fb6d3e9bda932/EHS-Guidelines+101-Webinar.pdf?MOD=AJPERES>

- Conduct gender assessment and planning, including gender-based violence (GBV) risks. This will cover the entire gas pipeline and will cover, at least, the following aspects,
 - i. Review of the government’s legal and policy framework relevant to gender;
 - ii. Review of formal and informal institutional structures and processes that affect gender outcomes in the project, as well as setup, capacity and constraints within relevant institutions to address gender concerns and considerations;
 - iii. Analysis of local culture, particularly among different sub-groups, incl. regarding gender issues and women, focusing particularly on the informal institutions, cultural norms, behavior, and customs;
 - iv. Review of traditional roles and current status of women in the social, economic, cultural, political and institutional contexts of the different communities and groups in the project areas;
 - v. Analysis of potential project impacts, both positive and negative, on women, including risks of gender-based violence
 - vi. Analysis of barriers, challenges, constraints to women’s participation, including an assessment of women’s capacity to participate;
 - vii. Interventions to promote project benefits to women and their participation in the project.
- Develop an Environmental and Social Management Plan (ESMP) based upon the above, including the risk assessment for the gas fields. It should document recommended measures to be taken during construction and operation of the project to avoid, minimize, mitigate, compensate and/or offset the identified adverse environmental and social impacts, as well as the recommended specific actions, indicators for monitoring and evaluation, institutional responsibilities, reporting arrangements, and budget needed to implement these measures. Theses should cover both the retroactive actions that are necessary for the sections constructed already and planned actions for the remainder of the pipeline. Please refer to World Bank ESF, ESS1 for more details on ESMP and Environmental and Social Management System (ESMS) for Construction and Operation.

5 Approach and output. The assignment will be carried out through in-house desk reviews, field/household surveys, focus group discussions (FGDs) and key informant

interviews, stakeholder consultation as well as in-house analysis of the collected data and documentation of the analysis and agreed interventions. The applied methodology should be socially inclusive of women, vulnerable groups and local minorities. The final delivery is an ESIA report, an ESMP for the gas pipeline and an ESMP report for the Amine Plant and Gas Dehydration Units.

Resettlement Action Plan (RAP)

6 The UNICON inception report presents a brief description of the resettlement impacts that have happened and are expected. This largely includes acquisition of land, trees and structures. Detailed planning needs to be carried out and a full RAP needs to be developed.

7 The following are some key resettlement planning activities that need to be carried out in this regard. Same as for the ESIA, the RAP has two types of situations to deal with under the project, i.e. impacts that already happened and impacts that are to happen. Differentiated interventions will be required for these two situations in the resettlement planning process.

- *Inventory survey of physical impacts.* This survey will cover all impacts and asset losses. It will develop a database of physical quantities of impacts and lay down the basis for developing an entitlement policy and compensation package.
 - i. For the sections where impacts have already happened, the entire exercise would have to be done retroactively, and this could encounter controversies and dispute during the impact data reconstruction. Therefore, it is important to have at least three parties together in the inventory process, i.e. the RAP planner, the affected households, the project owner, a representative from the local Community Development Council (CDC) and possibly some government representation (i.e. provincial Arazi's land clearance team).
- *Census survey of affected populations.* The survey will cover all affected population, recorded by households, and record types of potential impacts. The cut-off date for eligibility for resettlement entitlement has to be announced in advance of the census survey, which will constitute the actual cut-off date. Please see above for the impacts that have happened already. The inventory and census surveys will be combined into one field exercise, for both the RAP and ESIA resettlement impacts. Project Affected People (PAPs) will be issued a photo-ID and registration number and entered into a database of PAPs, where registered entitlements and subsequent payments also will be registered.

- *Review of relevant legal policies.* This review will cover relevant policies of the government and the World Bank, including the applicable Environmental, Health and Safety Guidelines (see above), identify any gaps, and propose measures to fill in these gaps under this project. This is a much repeated exercise and there should be ready info for this. The consultant can borrow directly from other World Bank projects.
- *Development of a Project resettlement policy.* On the basis of the above review, a project resettlement policy will be produced, including a resettlement entitlement matrix for the project. This will form the policy basis and chapter of the RAP. There are existing policies and entitlement matrix as such for other linear projects. The consultant can borrow from there, customize and update it for this project. It should be noted that the same project entitlement policy applies for both started and fresh sections of the pipeline.
- *Development of resettlement measures.* The proposed project is expected to have limited impacts in terms of physical relocation and livelihood. Nonetheless, the project needs to develop necessary mitigation interventions, including possible relocation arrangements and livelihood development measures.
 - i. From the scoping report, it seems unlikely that the pipeline will affect entire communities or groups of residences that require a resettlement site. Similarly, given the linear nature and the population sparsity, severe impacts on livelihood is unexpected. Most likely cash compensation would be the main intervention. But the RAP needs to present and rationalize whatever intervention options it chooses.
 - ii. For the sections where impacts have already happened, the consultant needs to: a) review what was implemented and what policies were followed; b) assess and determine the adequacy of any implemented measures in line with the same project resettlement policy and entitlement matrix; and: c) develop if necessary extra assistance measures.
- *Rate evaluation and budgeting.* Compensation rate evaluation, verification and finalization is subject to a formal government procedural with mandated agencies. This process is part of the RAP preparation and should start as early as possible.
- *Development of implementation arrangements,* including schedule, organization, responsibilities and staff etc. There should be lots of ready examples for referencing.
- *Development of grievance redress and monitoring mechanisms.* This would include internal and external monitoring arrangements. Again, ready examples exist. There should be Grievance Redress Mechanism for Contractor workers and a separate one for communities.

8 A resettlement action plan will be prepared for the entire gas pipe line, covering both the part that has started excavation and the remaining part that is yet to start. A RAP outline is suggested as attached.

Outline of ESIA

- Executive Summary in English and Pashto
- Introduction
- Detailed project Description
- Legal and institutional framework
- Baseline conditions
- Alternatives analysis
- Community consultation and participation, descriptions of consultations carried out during project preparation and plans to continue consultations during implementation
- Environmental and social risks and impacts
- Occupational Health and Safety Management Plans and System
- Community Health and Safety risks assessment and plan
- Mitigation measures, covering:
 - i. Details on all measures to be taken during construction and operation of the project;
 - ii. Plans and interventions to mitigate and manage environmental, social and health and safety impacts and risks identified through the impact assessment process;
- Monitoring and evaluation
- Institutional responsibilities
- Reporting arrangements
- Budget.

* Please refer to the World Bank ESF, ESS1 and other ESS, as well the applicable Environmental, Health and Safety Guidelines, that have more details.

Outline for Resettlement Action Plan (RAP)

1. Project description, including design alternatives considered
2. Socioeconomic baseline.
3. Project impacts and affected population
4. Project resettlement policy framework and entitlement matrix
5. Compensation rates, evaluation and resettlement and rehabilitation packages
6. Compensation and resettlement approach and action plan
7. Community consultation and participation, descriptions of consultations carried out during project preparation and plans to continue consultations during implementation
8. Institutional framework and arrangement for implementing resettlement
9. Grievance redress mechanisms
10. Costing and budget
11. Monitoring and evaluation.

Annex:

- Full list of PAPs with registered impacts and entitlements
- Documentation of community consultations (who, where, when what)