

UNITED REPUBLIC OF TANZANIA



MINISTRY OF WATER

**LAKE VICTORIA ENVIRONMENTAL MANAGEMENT
PROJECT II**

**REPORT ON PREPARATION OF RESETTLEMENT ACTION
PLANS FOR BUKOBA SLUDGE DISPOSAL FACILITY, MAGU
SOLID WASTE DUMP AND SIMPLIFIED COMMUNITY
SEWERAGE SYSTEM FOR IGOGO AND MABATINI,
MWANZA**

Part I – RESETTLEMENT ACTION PLAN

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LIST OF ABBREVIATIONS/ACRONYMS

BUWASA	Bukoba Urban Water and Sewerage Authority
CDD	Community Driven Development
CMC	Community Management Committee
DED	District Executive Director
DLFO	District LVEMP II Focal Officer
DLFT	District LVEMP II Facilitation Team
EAC	East African Community
GEF	Global Environmental Facility
GIS	Geographical Information System
GoT	Government of Tanzania
IEC	Information, Education and Communication
LGA	Local Government Authority
LVB	Lake Victoria Basin
LVBC	Lake Victoria Basin Commission
LVEMP	Lake Victoria Environmental Management Project
M&E	Monitoring and Evaluation
MIS	Management Information System
MoW	Ministry of Water
MWAUWASA	Mwanza Urban Water and Sewerage Authority
NEMC	National Environment Management Council
NFPM	National Focal Point Ministry
NPC	National Project Coordinator LVEMP II
NPCT	National Project Coordination Team LVEMP II
NPSC	National Policy Steering Committee
NTAC	National Technical Advisory Committee
PAP	Project-Affected People
PMORALG	Prime Minister's Office – Regional Administration and Local Government
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SLM	Sustainable Land Management
SAP	Strategic Action Programme
VC	Village Council
WB	World Bank

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Table of Contents

LIST OF ABBREVIATIONS/ACRONYMS	2
ACKNOWLEDGEMENTS	6
EXECUTIVE SUMMARY.....	7
1. INTRODUCTION	11
2. DESCRIPTION OF THE PROPOSED WORKS AND THEIR POTENTIAL IMPACTS .	15
3. FIELD ACTIVITIES AND FINDINGS	
36	
4. LEGAL FRAMEWORK.....	45
5. INSTITUTIONAL FRAMEWORK	50
6. ELIGIBILITY FOR RESETTLEMENT, VALUATION AND COMPENSATION PRINCIPLES	54
7. RESETTLEMENT MEASURES & GRIEVANCE PROCEDURES	61
8. COMMUNITY PARTICIPATION	64
9. IMPLEMENTATION SCHEDULE.....	66
10. COST AND BUDGET	68
11. MONITORING AND EVALUATION	70
12. CONCLUSION AND RECOMMENDATIONS.....	73
REFERENCES	74
APPENDIX 1 - LIST OF OFFICIALS MET.....	75
APPENDIX 2 – TERMS OF REFERENCE FOR PREPARATION OF RAP	78

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EXECUTIVE SUMMARY

1. This is a Report on the Preparation of Resettlement Action Plan prepared for three proposed LVEMP II Works namely: Simplified Community Sewerage System for Igogo and Mabatini within Mwanza City, Bukoba Sludge Disposal Facility and Magu Solid Waste Disposal Dump The report was prepared by a special team comprising of experts from Sito Associates and other experts. This report builds on the Environmental and Social Impact Assessments done for all three Works carried out in 2012.
2. The field work was carried out between 13th August and 3rd September 2013 as follows: The activities carried out at each of the sites and for the assignment as a whole included the following:
 - Sensitization of respective LGAs and community leaders given by the Consultant and other experts generally satisfied the communities.
 - Formation and capacity building for co-opted Valuation Team staff for each facility
 - Public sensitization meetings for all the communities, held under the chairmanship of the respective ward/village leadership.
 - Identification and review/confirmation of land areas required for the Works and physical measurement where necessary
 - Identification and enumeration of Project-Affected Persons including taking their photographs
 - Filling and signing of valuation forms for each PAP; example of a completed form is shown below; based on the standard Government Valuation Forms
 - Valuation of properties and calculation of property values based on standard rates in consultation with Government Chief Valuer where necessary.
 - Compilation of results and report writing
 - Briefing meetings with LVEMP II Staff

3. The specific objectives of the RAP include:

- a. To identify all people directly or indirectly to be affected by the proposed projects both during the implementation stages and the life of the project.
- b. To mitigate possible negative impacts of the project in the community
- c. To identify affected persons who are eligible for relocation in accordance with national and donor requirements
- d. To identify resettlement action that may be required
- e. To liaise with municipal governments (LGA) and Project Affected People (PAPs) in developing comprehensive resettlement plan

4. A total of 154 households and public properties were identified as likely to be directly affected by the proposed projects. The head of each Project Affected Household was interviewed by the respective team members and their properties were inspected, measured and photographed. Properties data collected by Valuers were used to prepare Valuation Reports and Compensation Schedules which form part of this Resettlement Action Plan Documentation. The total Resettlement cost is estimated at Tshs 434,343,874.00 covering Land, Crops, Houses/Other Structures and Allowances for all the three Works Construction items.

5. A number of challenges were met during the work including the following:

(i) Bukoba Sludge Disposal Facility

- Demarcation signs at the site had been removed by some community members due to long time elapsed since the surveying was done, so the area had to be identified in consultation with the local village leadership.
- There were dual claimants for some land portions which could not be immediately resolved – this was left to Bukoba Municipality and Village leadership to resolve before compensation is effected.

(ii) Magu Solid Waste Dump:

- The design has not yet been finalized as the Consultant has not yet been procured, hence the Team could not be certain that the land area proposed would be adequate

- Reluctance of some members of Kipeja village to provide site for access road; in the end the RAP Team and District Staff agreed to use an alternative site wholly within Sagani Village.
- Unclear border between Kipeja and Sagani village which are located in the vicinity of the site – the RAP Team recommended that the District Leadership facilitate the two villages to formally agree on the border to remove future misunderstanding.

(iii) Simplified Community Sewerage for Igogo and Mabatini:

- There were changes made in the final design compared to previous information communicated to the community
- Inadequate design/facility location data
- Location of some of the facilities not being consistent with the actual terrain and needs on the ground

6. The summary of the total number of project-affected persons and compensation cost is shown below.

SN	Work	Beneficiary Institution	Number of PAPs	Total Compensation (Tshs)
1	Bukoba Sludge Disposal Facility	Bukoba Municipality	6	30,811,205
2	Magu Solid Waste Dump	Magu District Council	6	18,540,000
3	Simplified Community Sewerage for Igogo-Mabatini, Mwanza	MWAUWASA	142	384,992,669
	Total		154	434,343,874

7. The number of households/properties which would require full resettlement is twenty-seven (27) in Mabatini and Igogo areas of Mwanza City for technical reasons for the layout of the Simplified Community Sewerage there. These will be paid transport, accommodation and disturbance allowances to facilitate their resettlement in addition to compensation for their properties. A capacity building programme will be implemented to sensitize them/prepare them for resettlement. The total value of the compensation package for these properties is Tshs 291,768,962.50.

8. The report gives a number of recommendations for LVEMP II and implementing institutions to take up including the following.

- Need to source for funds for the compensation of the PAPs as soon as possible
- Preparing and implementing a Capacity building for PAPs on Income Restoration
- Formation of RAP/Compensation Committee to oversee the compensation for each beneficiary institution.
- Setting up a Progress Monitoring within LVEMP's system together with the beneficiary institutions.

9. The RAP Implementation Schedule has been proposed indicating that the Valuation is to be approved by October 2013 and compensations paid by January 2014. For the construction activities to take place, the compensation needs to be done as soon as possible as per the proposed programme.

1. INTRODUCTION

1.1 Overview of LVEMP II

The Lake Victoria Environmental Management Project phase two (LVEMP-II) is a regional initiative implemented by the five East African Community (EAC) Partner States of Burundi, Kenya, Rwanda, Tanzania and Uganda, being implemented from 2009-2015. LVEMP II is regionally coordinated by the Lake Victoria Basin Commission (LVBC) through its LVEMP II Regional Project Coordination Team (RPCT) based in Kisumu, Kenya.

The Project is funded by the World Bank, Global Environmental Facility (GEF), Swedish International Development Agency (SIDA), Governments of the EAC Partner States including Tanzania and Communities.

The project has four main components: (i) Strengthening Institutional Capacity for Managing Shared Water and Fisheries Resources; (ii) Point Source Pollution Control and Prevention; (iii) Watershed Management; and (iv) Project Coordination and Management.

The main objective of Component 2 - Point Sources Pollution Control and Prevention is to reduce within the lake and littoral zone environmental stresses, through the implementation of mitigation and prevention measures. There are three sub-components: (i) Rehabilitation of wastewater treatment facilities; (ii) Promotion of cleaner production technologies; and (iii) Pollution risk management and safety of navigation.

For Tanzania, there are a number of interventions earmarked for rehabilitation of wastewater treatment facilities in the Lake Victoria Basin, including Bukoba Sludge Disposal Facility, Magu Solid Waste Dump and Simplified Community Sewerage for Igogo and Mabatini in Mwanza City.

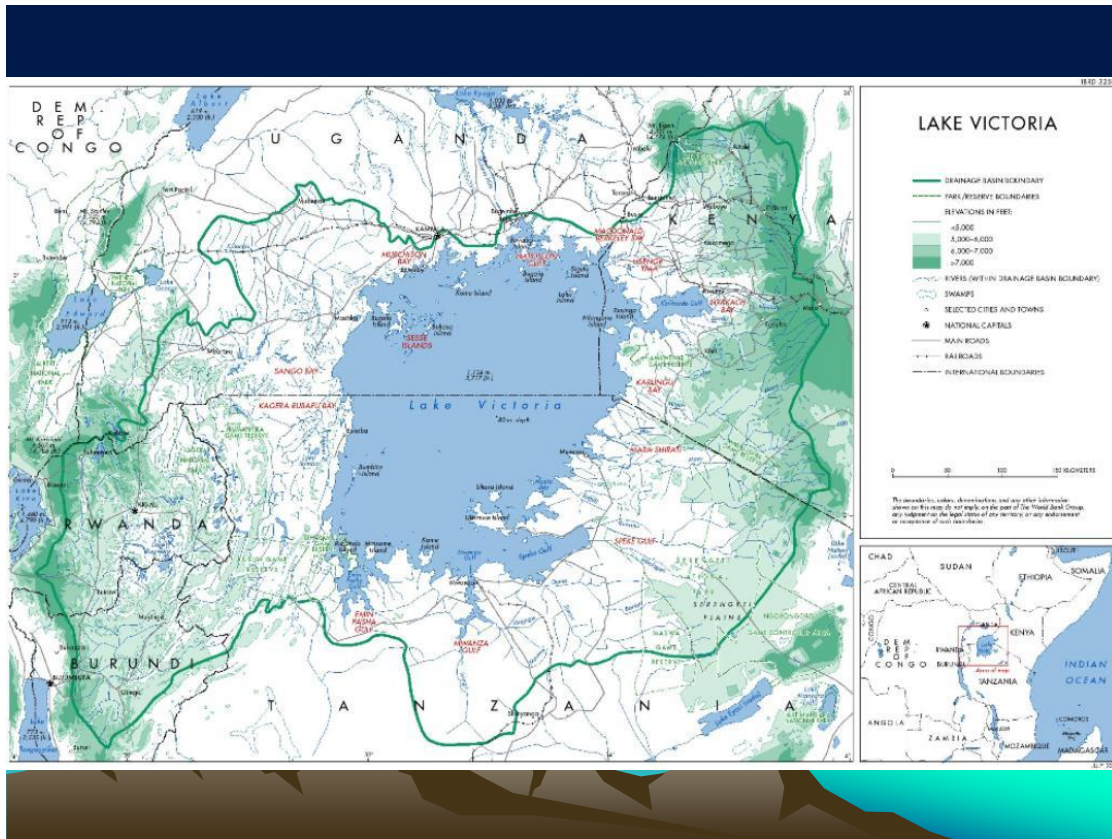


Figure 1 - Map of Lake Victoria Basin

Overview of LVEMP II Resettlement Policy Framework

Development projects such as LVEMP-II implementation and operations usually affect the rights of different groups and create a wide range of risks for various ranges of interest groups. Projects like catchment rehabilitation; cleaner production and research development requirements can displace people from their habitats and livelihood without giving them any control over alternatives. Others who can be affected are those who depend on natural resources, and catchment communities living in the affected areas. Sometimes some groups may not be recognized as affected and hence the number of affected people may be underestimated. The mentioned factors call for recognition and incorporation of Resettlement Policy Framework (RPF) in any environmental projects.

Non-recognition or partial recognition of the entitlement of those identified as affected may lead into inadequate restitution for losses. As a result projects like dams may often adversely affected impoverished people.

Having RPF in place, the project will be socially acceptable and legitimate and will produce positive and sustainable outcomes. Therefore resettlement policy framework calls for all sub-projects mentioned above, to provide for greater involvement of all interested groups in a wider society. All stakeholders should be given opportunities to participate in the decision-making process through a fair, informed and transparent system.

Involuntary resettlement arising from development projects often gives rise to severe economic, social and environmental hardships. The hardships stem from the following reasons among others:

- (a) Disruption of production and income generating systems;
- (b) Affected persons' skills being rendered inapplicable in new environments;
- (c) Increased competition for resources;
- (d) Weakening of community and social fabric and networks;
- (e) Dispersion of kin groups;
- (f) Loss of cultural identity and traditional authority; and
- (g) Loss of mutual help.

The objective of the RPF is to provide a screening process, for LVEMP-II project activities, to ensure that where land acquisition for the project activities is inevitable, resettlement and compensation activities for lost land should be conceived and executed in a sustainable manner. This entails providing sufficient investment resources to meet the needs of the persons affected and/or displaced from their habitat and resources. It also requires adequate collaborative consultation and agreement with the PAPs to ensure that they maintain or improve their livelihoods and standards of living in the new environment. Proper resettlement planning can enhance the development impact of a project.

The RPF lists the following steps to be carried out as part of the RAP:

- Developing understanding of the project activities, particularly those requiring land acquisition
- Determination of land ownership
- Screening of the project sites and activities
- Property and asset valuation
- Preparation and approval of resettlement plans
- Implementation and monitoring of the resettlement plans
- Effective redress of complaints and grievances
- Public consultation and participation

Resettlement Action Plan (RAP)

The RAP must identify the full range of people affected by the project and justify their displacement *after consideration of alternatives that would minimize or avoid displacement*. The RAP outlines eligibility criteria for affected parties, establishes rates of compensation for lost assets, and describes levels of assistance for relocation and reconstruction of affected households. The RAP's planning protects the sponsor against unanticipated or exaggerated claims from individuals who have spurious eligibility for resettlement benefits. The mediation of such claims can cause significant delays in project implementation, which can result in cost overruns for the sponsor.

Finally, the project shall ensure that affected communities are meaningfully consulted, have participated in the planning process and, are adequately compensated to the extent that their pre-displacement incomes have been restored and that the process is fair and transparent

2. DESCRIPTION OF THE PROPOSED WORKS AND THEIR POTENTIAL IMPACTS

2.1. Bukoba Sludge Disposal Facility

2.1.1 Site Description: The proposed Bukoba Sludge Disposal Facility is envisaged to be constructed near Nyanga Village in Nyanga Ward in Bukoba Municipality in Kagera region. The project was conceived under LVEMP I but was not implemented due to the designs not being ready. The LGA had already surveyed the area, but due to the long time that has elapsed, the pegs have already been removed. There are no households in the immediate vicinity of the facility site, so there was no major valuation issues as the community had already been sensitized in previous stages (design, ESIA, etc.)

Nyanga site is located in Nyanga ward which is in the North West of Bukoba Municipality. The lies between latitudes 1°6'0" to 1°8'42" south of the equator and longitude 31°16'12" to 31°18'54" east of Greenwich. Nyanga Ward is bordered by Buhembe ward to the North East, Nshambya ward to the South East, Rwamishenye and Kogondo wards to the North.

LVEMPII in collaboration with Bukoba Urban Water and Sanitation Authority identified poor Sludge disposal as one of the areas responsible for pollution of Lake Victoria. Bukoba Municipality lacks a central sewerage system. Each building or a number of buildings have own on-site sanitation facilities which include extensive use of cesspits, soak-away pits, septic tanks and pit latrines. When most of these on-site sanitation facilities fill up, the following methods are normally applied:

- emptied manually to the nearby open pit which is later backfilled
- drained into the nearby storm water channel leading to the river which later drains into the lake (mainly during rainy season)
- Abandon the pit latrine and dig another hole nearby
- Use mechanical cesspit emptier followed by illegal and indiscriminate dumping in rivers or open land.



Figure 2 Map showing location of proposed Sludge Disposal Facility

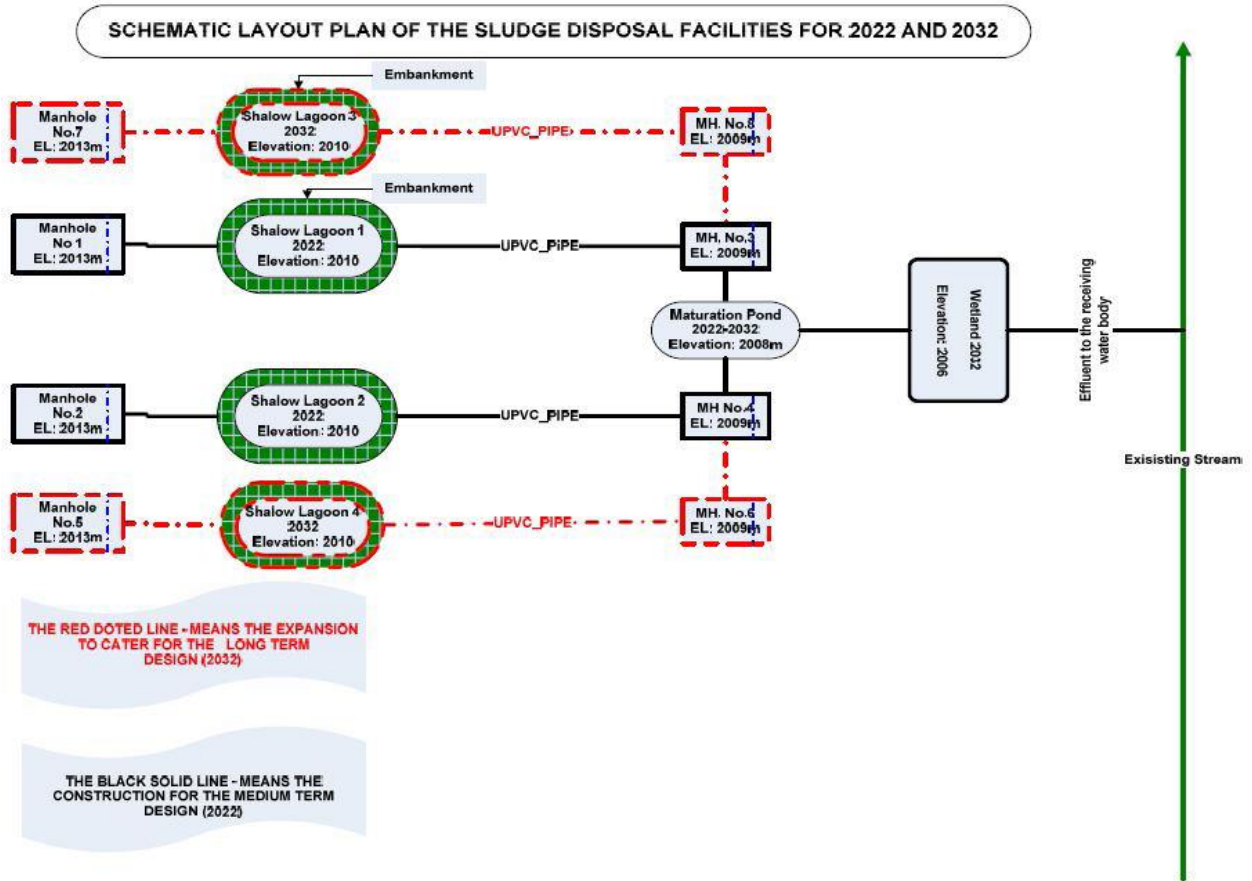


Figure 3 Schematic Layout Plan of Bukoba Sludge Disposal Facility



Figure 4 Photograph of RAP Team Undertaking Valuation at Bukoba Sludge Disposal Facility, July 2013

2.1.2 Positive Impacts expected from the proposed project

- Improved quality of health from proper management of faecal matter that would otherwise be dumped haphazardly and drain into rivers where others may become in contact with.
- Improved water quality in rivers and subsequent reservoir downstream- Lake Victoria
- Increased fish catch from depleted nutrients which support the growth of water hyacinth and algae. The growth of the two plants has the tendency of depleting light and oxygen, respectively in the water bodies detrimental to the life of fish and other aquatic life.
- The government coffers will equally benefit from statutory contributions made by the Contractor for his employees. Sales from construction materials will have value added tax that goes to the government.
- It is also anticipated that properly treated sludge can be re-used as fertilizer to increase agricultural productivity. The use of decomposed sludge (compost) can also minimize the use of chemical fertilizers, which are potential pollutants of Lake Victoria. Similarly, the

properly treated supernatant overflow from sludge digestion process can be used for land irrigation.

2.1.3 Negative Impacts: Like any other development project in a village located in remote place, a number of minor to major negative environmental and socio impacts are likely to occur from the planned construction activities of the sludge disposal facility ranging from site clearance to transportation of building materials, erection, construction and operation of the facility. Such potential environmental and social impacts include:

- Presently the proposed site with the temporary locally made sludge disposal facility has Some vegetation and greenery areas that blend very well with the surroundings. These vegetations will be lost and thus losing the familiar aesthetic view of the area. Of course due to the nature of the sludge, there has been vegetation overgrowth in the existing local facility which is also a nuisance.
- The proposed project will involve construction of waste stabilization ponds, sludge drying beds and other ancillaries all of which will change the current land use, scenic and the visual quality of the area. without the existing locally made sludge disposal facility and some heaps of solid waste, the area would have been a beautiful greenery landscape which extends to Kangoma village in the background of the picture. Once the sludge disposal facility is built, it will reduce the aesthetic quality of the area.
- Disturbances, particularly land scarring at borrow sites for sources of construction materials (sand, aggregates, stones,) - Borrow materials to be used for construction of the sludge disposal facility will be collected from sources far from the construction site. The immediate impact of borrow areas/sites is land scarring in the course of sourcing materials.

- Increase in traffic levels likely to cause accidents - during construction there will be heavy duty vehicles that come to construction site to deliver various construction materials.
- Poor air quality from dust and emissions around the construction site and material hauling routes
- Soil erosion- this is likely to occur because the soils will remain bare and in some areas the soils will become loose due to vegetation clearance or cut and fill to level the ground.

2.1 4 Socio-economic Impacts

- Spread of diseases (HIV/AIDs, STIs or STDs) among members involved in construction - The construction site will be a place of work where job seekers and other service providers such as food vendors commonly known as “Mama Lishe” and sex workers will gather for various purposes of work and services. Such gatherings will allow contacts that cannot be avoided.
- In addition, drastic increase in a number of people in a small construction area such a Nyanga Village which is without adequate provision for potable water supply, waste disposal, or other basic services such as toilets and accommodation. In case this happens, then public health in the neighbourhood will actually worsen as a result of this project.
- Such influx of job seekers in the project area will demand and put more pressure on available services. While there will be a general benefit in getting income from employment but not all job seekers will get employment.
- Construction of sludge disposal facility, like any other development sites, are inherently dangerous places and safety of the people around, who may not be aware of the hazards, must be assured, particularly at the vicinity of the construction equipment such as front wheel loaders, back hoe excavators, rollers and compactors.

- Various wastes will be generated during this stage of which will be disposed to the municipal disposal site. These will include solid wastes from packaging materials, wood and steel crates, cardboard, wrapping materials, boxes, cement bags and sacks, drums, cans and chemical containers and any other unused materials. Along with this, upgrading for damaged areas will be carried out before commissioning the project.
- Wastewater will also be generated from work camps, and runoffs crossing hydrocarbon contaminated areas. As this wastewater can cause detrimental effects to the surrounding environment, conventional wastewater treatment systems such as septic tank and soak away pit will be employed to ensure safe and proper onsite disposal of waste water.
- After the project completion, temporary workers especially unskilled ones will have to go back to other places or former areas where they were working before construction of the sludge disposal started. During demobilization this temporary employment opportunity will be lost and the temporary workers especially unskilled ones will have to go back to other places or former areas where they were working before construction of the sludge disposal started.
- Sludge to be disposed at the facility will be odorous and will contain highly putrescible organic matter and will be thus very objectionable. The sludge will be producing foul gases and lot of nuisance likely to cause pollution and a health hazard.
- Next to the site proposed for sludge disposal facility there is haphazard dumping site of solid wastes collected from the municipality. Leachate from this site will eventually reach the stream nearby thus defeating the purpose of having the sludge disposal facility in the same area. This should be relocated.
- If sludge disposal facilities do not function as planned, there may be a significant impact of polluting the nearby stream flowing to Kyamato River thus endangering the ecosystem downstream of the proposed works

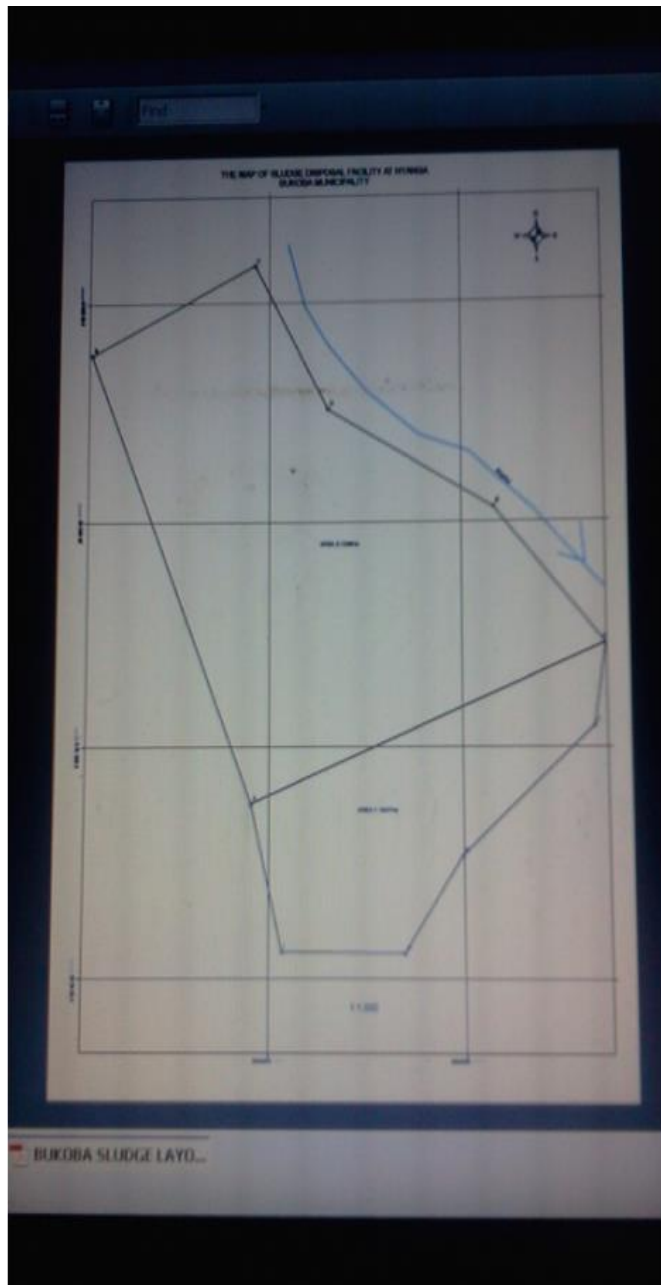


Figure 5 Layout Map of Bukoba Sludge Disposal Facility

2.2 Magu Solid Waste Dump

2.2.1 Site Description: Magu District is one of the Districts in Mwanza Region. The current Magu solid waste disposal site is a large existing dam which was excavated in 1980s by Sogesca contractor during construction of Musoma - Nyanguge road and is located in Magu ward which is also the Magu Township Authority geographical area. During that time the wastes produced was only one tone, compared today's wastes that was increased to five tons per day. Two portions of the dam embankment were washed out by El Nino storms in 1997- 1998. Gullies have developed downstream of the destroyed embankments. This has caused flood, erosion and reduction of the dam head while disposal of wastes from Magu township community has decreased the dam bed level.

In addition, the dump is situated very close to Simiyu River causing potential environmental pollution. The site was initially designed as a water storage dam hence does not fit for dump site. Currently both the collection point and the dump are surrounded by settlements within Magu Township which pose health risk to the population.

Due to this situation, the Magu Township Authority decided to find a new location to construct a modern waste disposal facility. The site is within Mwamala sub-village, Sagani Village in Nyigogo Ward about six and a half (6.5) Kilometers South-West of Magu Township.

The site is on the Eastern down slope of a rocky hill overseeing a rice paddy valley about 2.5 Kilometers downstream. Almost half of the site is covered by Granitic rocks and the remaining portion is covered by unstable loam soil where cotton and sisal plantations exist. There is no any surface water source and ground water potential might be insignificant. The nearby settlements are in Mwamala sub Village about one (1) Kilometer Westward. The intervention aims to provide sustainable solid waste disposal mechanism, in order to reduce the accumulated solid wastes in town as well as nearby villages.

Some valuation work had been done by the LGA based on the initial survey, but this had not yet been approved. Prior to 2013, an access road existed and was serving the quarry site, but at the time of the valuation, it was found that some members of the village of Kipeja had blocked-off the access, planting some vegetation and growing crops. The village leadership seemed to be

giving mixed signals about accepting the project, and the public sensitization meeting called to discuss the issue was inconclusive. The Valuation Team in collaboration with the LGA staff decided to look for an alternative access route passing through the adjacent Sagani Village. The Sagani Village leadership and community members were much more receptive to the project. This route was mapped and surveyed, and adjoining property owners identified.

The site for the facility had been earmarked and surveyed since 2010. After checking the site which had been used as a quarry, the Valuation Team became concerned regarding the adequacy of the site, so it was decided to find additional land to augment the area available. An area of around 2 hectares was found adjacent to the site. The land owner agreed to provide additional area of and the valuation was carried out.



Figure 6 Proposed Layout Plan for Magu Solid Waste Disposal Site

2.2.2. Environmental Impacts

Positive Impacts

- Improved health and hygiene of Magu township
- Reduced the environmental impacts caused by improper disposal of solid waste including pollution of Simiyu river which is currently affected by the nearby existing haphazard dumping site

- Reduced spread of communicable diseases
- Creation of employment in the community
- Creation of new businesses at the construction site
- Communities around the project site will exploit new business opportunities such as food vendors (Mama Ntilie/Lishe) investing in both long and short-term ventures
- Opportunities for temporary employment: Solid waste disposal facility construction works require both skilled and unskilled labour. The project will create job opportunities for youth mainly living at Mwamala sub-village. This may eventually lead to migration of youth from the neighbour villages in an attempt to seek better opportunities a result of exposure from social interaction with the migrant population.

Negative Impacts

- Presently the proposed site has some vegetation and greenery areas which will be lost and thus losing the familiar aesthetic view of the area. Such vegetation clearance will try as much as possible to avoid indigenous trees and proper consultation will determine what mitigation measures should be followed. Minimum and necessary clearance will be enforced to reduce vegetation loss.
- The proposed area is owned by individuals and is currently used for other activities mainly farming and grazing, different from solid waste disposal facility. Undoubtedly, this will change the life of people adjacent to the proposed site who depend on these activities. Most of these impacts will be in form of loss of land for agricultural and grazing activities and removal of flora and fauna in respective areas of proposed works.
- Borrow materials to be used for construction of the activities will be collected from sources far from the construction site. Some aggregates can be collected from the site where there is a small scale rock crushing activities near the proposed solid waste disposal site. The immediate impact of borrow areas/sites is land scarring in the course of sourcing materials.

- Poor air quality from dust and emissions around the construction site and material hauling routes
- Noise and Vibration Nuisance from Construction Activities
- A number of different wastes will be generated during construction phase mainly from workers camp. Various wastes, ranging from solid to liquid and gaseous materials will be generated. The staff camp like any other domestic place will generate wastes in form of garbage, packaging, sacks, papers, cardboard boxes, plastic wrapping and bags, wood crates, bottles, glass, metal cans and the like. Site clearance, excavation and levelling will also generate solid waste which requires proper disposal.
- Borrow pits with large, stagnant waters and slow water level variations, less surface agitation offer favourable living conditions to vector carriers. Vegetation in the pits also offer improved living conditions for several types of infection carriers in terms of supply of nutrients, improved conditions for breeding and protection during low water levels. Moreover, the aquatic vegetation shields disease carriers from strong sunlight.
- In addition, research reveals that mosquito species carrying malaria and filariasis are hatched in the presence of vegetation in borrow pits mainly with stagnant water.
- Occupational hazards as a result of poor instruction and/ or awareness on safety regulations, ignorance of warning signs and reckless personnel may result from construction works.

Socio-economic Impacts

- There is possible increase in the number of scavengers since the place will have the facilities for collecting all the wastes from Magu Township. Once other disposal sites are closed this proposed site will be the largest in Magu district thus inviting all scavengers. Also there might be a possibility of a small unplanned villages developing immediately

near the disposal site. This practice has to be discouraged otherwise it may become the source of other socio-cultural problems. During construction, there will be people who may be coming at the site to look for employment. A drastic increase in a number of people in area without adequate provision of basic services such as toilets and accommodation, the public health around the solid waste disposal facility site will actually be worse if the community is not prepared to deal with such issues.

- Construction activities tend to attract migrant labour population that results into social interaction with the resident community. The construction site will be a place of work where job seekers and other service providers such as food vendors commonly known as “Mama Lishe” will gather for the purpose of work and services. As a result of the mixed population differences in behaviour and norms particularly those related to sexual practise may lead to spread of sexually transmitted diseases such as HIV/AIDS, gonorrhoea and syphilis.
- Construction of solid waste disposal facility, like any other development sites, are inherently dangerous places and safety of the people around, who may not be aware of the hazards, must be assured, particularly at the vicinity of the construction equipment such as bulldozers, front wheel loaders, back hoe excavators, rollers and compactors .
- Noise and nuisance – these impacts will be related to movement of tracks loaded with refuse coming to site at regular times. Noise and vibration at the proposed Mwamala sub-village dump site will have no effect on the residents of Sagani village since the houses are more than 1km away from the proposed site. Only farmers, pastoralists, rock crushing people near the proposed site and residents along the access road will be affected by noise and vibrations from solid waste carrying trucks.
- As the proposed solid waste disposal facility is not designed as sanitary landfill, there is a great potential of groundwater pollution from leachate percolation if the optimum dry density of impervious base is not reached. Leachate poses potential threats for

contamination of groundwater resources. Leachate contamination may also affect wider area downstream if the planned wetland system will not work effectively.

- Gas emission and consequential fires –landfills generate leachate and gas as the result of decomposition. Explosion may emanate from the gas that collects in confined spaces. Gas emissions from the waste disposal site due to fire eruption may also cause respiratory problems like coughing and chest problems.
- Pests and risk to scavengers (birds, vermin, animals and flies) may become a nuisance to workers and surrounding inhabitants and usually they are potential health risk to humans. Flies, mosquitoes, rats and other rodents spread diseases such as malaria, rabies, rat-bite fever, plague etc, Rodents are brought to the site in loads of wastes or migrate from surrounding areas. Solid waste disposal site also attract human scavengers who always seeks for recyclable materials. The solid waste site contains different materials including hazardous materials which could be harmful to human health.
- Wastes to be disposed at the facility will be odorous and will contain highly putrescible organic matter and will be thus very objectionable due to decomposition of wastes at collection points. The leachate will be producing foul gases and lot of nuisance likely to cause pollution and a health hazard. Solid waste with sharp edges may also endanger the workers.

2.3 Simplified Community Sewerage System for Igogo-Mabatini

2.3.1 Overview:

Igogo and Mabatini areas are located in Nyamagana district, one of the two districts in Mwanza City. Mabatini area is located in Mbugani Ward.

The simplified sewerage system construction project in Mabatini and Igogo in Mwanza City is one of the proposed measures for point source pollution control. Its expected benefits include:

- To reduce pollution of Lake Victoria by reducing discharge of untreated effluent from City/municipal waste through implementing off-site sanitation system.
- To improve quality of health from proper management of faecal matter
- To improve water quality in rivers and subsequent reservoir downstream- Lake Victoria
- To increase fish catch from depleted nutrients which normally support the growth of water hyacinth and algae
- To solve the problem of pit latrines overflowing during the wet season from Mabatini and Igogo areas

The design for the works has been undertaken by Beonham Consulting Engineers, with final draft drawings submitted in 2012.

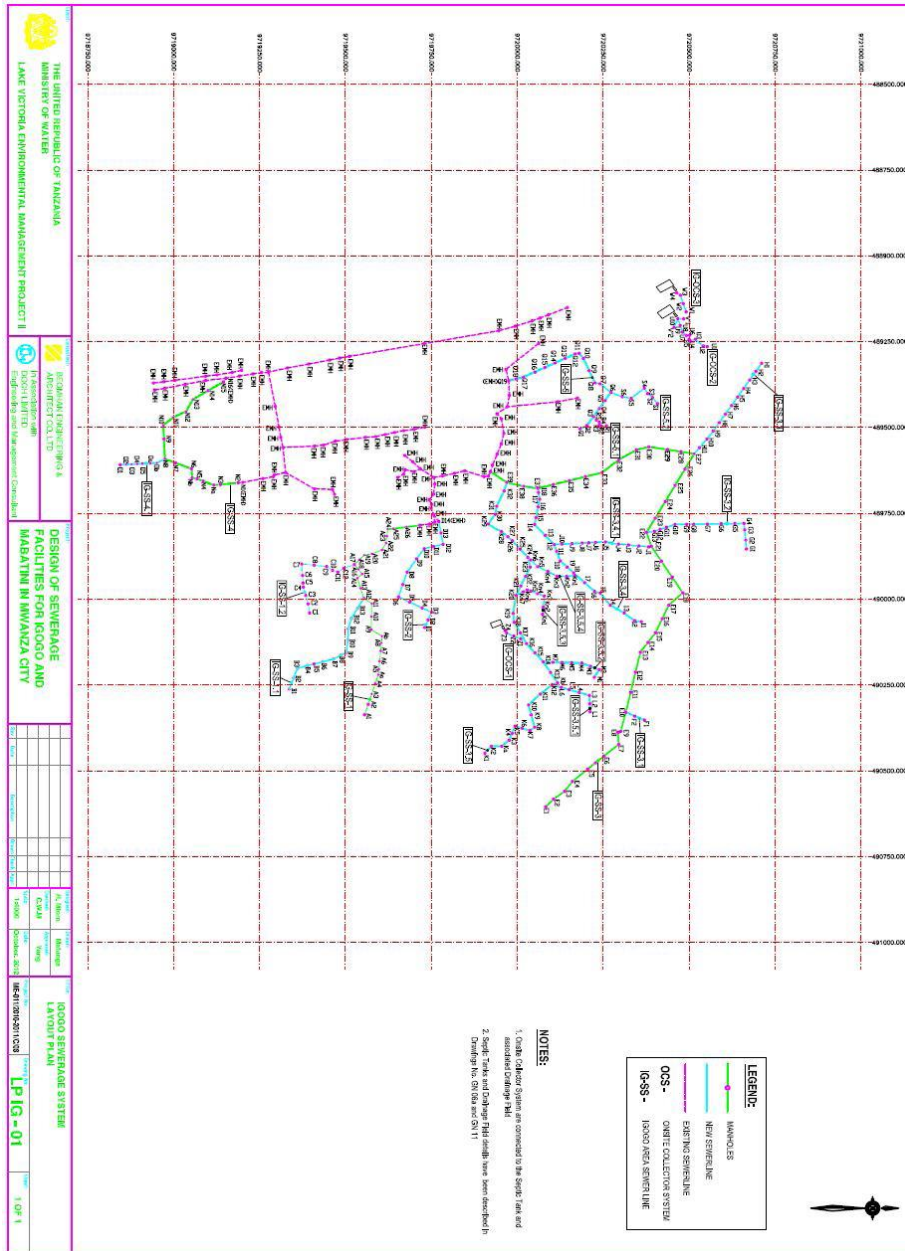


Figure 7 Original Proposed Layout for Simplified Community Sewerage - Igogo

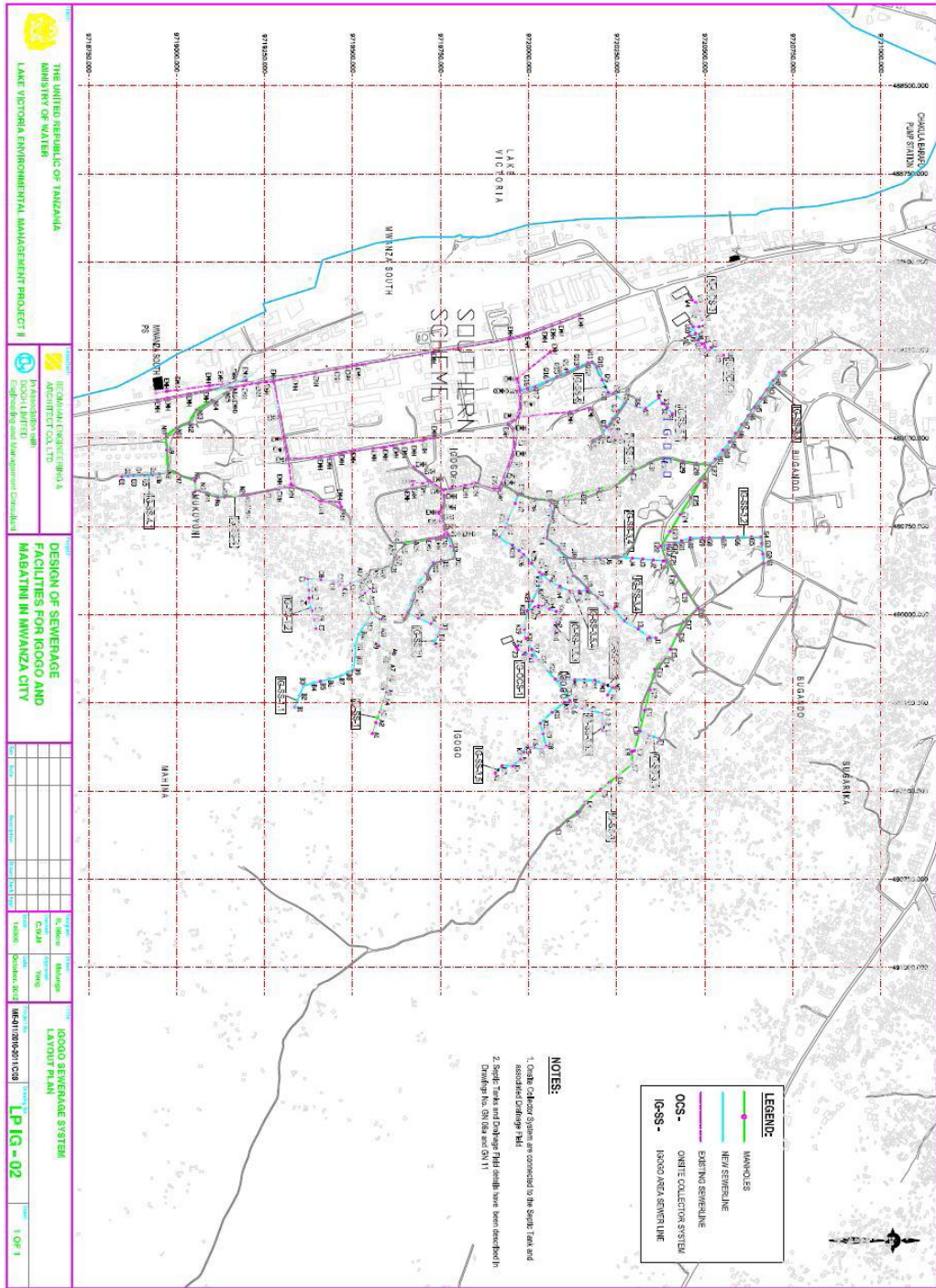


Figure 8 Original Proposed layout for Simplified Community Sewerage - Mabatini

2.3.2 Environmental Impacts:

Construction of a simplified sewerage system which includes construction of lateral lines, in unplanned areas and partly busy areas of Igogo and Mabatini, a number of minor to major environmental impacts are likely to occur from the planned construction activities ranging from site clearance to transportation of building materials, erection, construction and operation of the Sewerage system. According to the Draft ESIA Report (Environmental Benchmark 2013, the potential environmental and social positive and negative impacts likely to emerge in different phases of the project are:

- Noise from transport of equipment to facilitate detailed engineering design phase
- Likely motor accidents with pedestrians in the course of implementing planning phase activities
- Vegetation clearance and deterioration of original land use, scenic and visual quality
- Displacement of Properties for camp establishment
- Resettlement and disturbance to some of the residents particularly at the area where septic tanks and drainage fields will be constructed
- Disruption of services from relocation of infrastructures e.g. water pipes, electric poles, telephone lines etc
- Displacement of people and properties
- Demolition of paved surfaces during trenches excavation
- Interference with access routes and existing utilities
- Disturbances, particularly land scarring at borrow sites or sources of construction materials (sand, aggregates, stones,) -
- Nuisance from noise and vibration during construction ,
- Soil Erosion
- Likely accidents from increase in traffic levels in the project area.
- Increased safety risk to construction/project personnel
- Contamination of water from leakages of fuels and lubricants from construction equipment

- Poor air quality from dust and emissions around the construction site and material hauling routes
- Possible injuries to neighbours from falling into trenches and open pits for inspection chambers.
- Generation of construction solid and liquid wastes followed by poor disposal of the same
- Socio-economic Impacts Increased transmission of communicable diseases(HIV/AIDs, STIs or STDs);
- The main impact from demobilization activities is generation of wastes
- Continued pollution from some public places and other houses that have been left out the sewerage system.
- Occupation safety health hazards and safety
- Odours
- Sewer system vandalism and Illegal connections
- Increased eutrophication
- Health risks related to polluted vegetables

Positive impacts of the proposed project

- Improved quality of health from proper management of faecal matter
- Improved water quality in rivers and Lake Victoria
- Increased fish catch from depleted nutrients
- Increased employment and trading opportunities
- The government coffers will equally benefit from statutory contributions and value added tax from sales of materials.
- Treated sludge can be re-used as fertilizer to increase agricultural productivity. The use of decomposed sludge (compost) can also minimize the use of chemical fertilizers, which are potential pollutants of Lake Victoria. Similarly, the properly treated supernatant overflow from sludge digestion process can be used for land irrigation.



Figure 9 Community Sensitization Meeting in Mabatini during RAP, July 2013

3. FIELD ACTIVITIES AND FINDINGS

3.1 Overview:

The field work was carried out between 13th August and 3rd September 2013 as follows:

SN	Facility	Start Date	Completion date	Remarks
1.	Bukoba Sludge Disposal facility	15 th July 2013	14 August 2013	Site visits in two phases
2.	Magu Solid Waste Dump	22 nd July 2013	25 th August 2013	At least 5 site visits made
3.	Igogo-Mabatini Sewerage System	23 rd July 2013	3 rd September 2013	

The activities carried out at each of the sites and for the assignment as a whole included the following:

- Initial reconnaissance visits were undertaken in June 2013 for the RAP Team to familiarize with the sub-project areas and make initial consultations with the host institutions
- Courtesy calls to Heads of the Host Institutions, i.e. Bukoba Municipality, Magu district Council and Magu Township Authority, and Mwanza Urban water and Sewerage Authority.
- Sensitization of respective LGAs and community leaders: There were two levels of consultations for the purpose of preparing the Resettlement Action Plan. The first level was through public consultation meetings in the respective project areas while the second level was the one-to-one consultation with the identified individual property owners. In the first set of meetings, the general purpose of the Projects was outlined in the meetings convened by the Ward Leaders and attended by communities in the project areas, the Consultant, field staff and Local Government Authority (LGA) leaders. After the briefings, the community/audience was allowed to ask questions. These questions sought clarification on various issues pertaining to the projects. Explanation given by the Consultant and other experts generally satisfied the communities.
- Formation and capacity building for co-opted Valuation Team staff for each facility
- Public sensitization meetings for all the communities, held under the chairmanship of the respective ward/village leadership.

- Identification and review/confirmation of land areas required for the Works and physical measurement where necessary
- Identification and enumeration of Project-Affected Persons including taking their photographs
- Filling and signing of valuation forms for each PAP; example of a completed form is shown below; based on the standard Government Valuation Forms
- Valuation of properties and calculation of property values based on standard rates in consultation with Government Chief Valuer where necessary.
- Compilation of results and report writing – this was done in two sessions from 30th August 2013 in Musoma and from 9-16th September 2013 in Dar es Salaam.



Figure 10 One of the PAPS for Bukoba Sludge Facility, from Nyanga Village

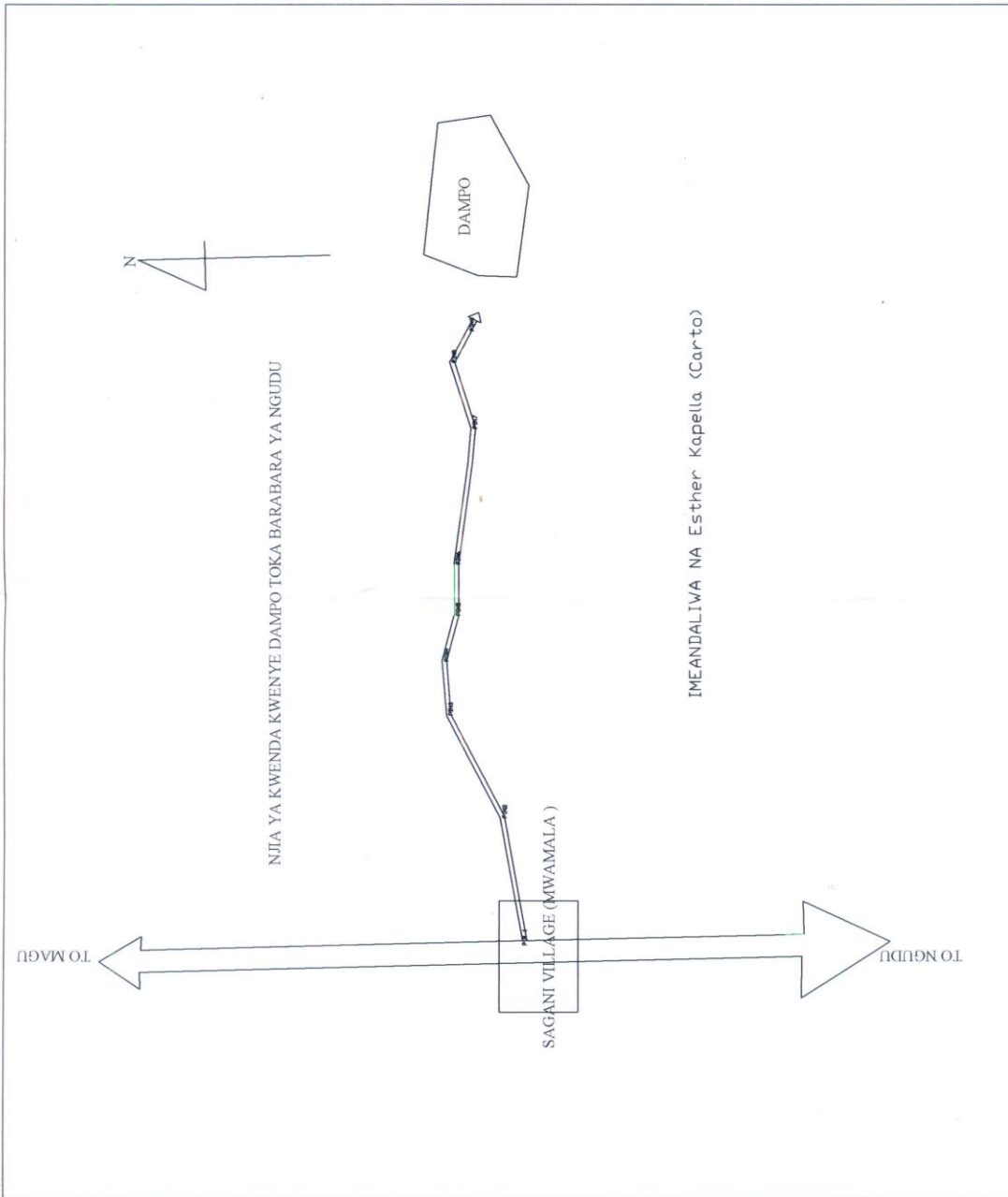


Figure 11 Layout of Revised Access Route for Magu Solid Waste Dump

3.2 Challenges Met:

(i) Bukoba Sludge Disposal Facility

- Demarcation signs at the site had been removed by some community members due to long time elapsed since the surveying was done, so the area had to be identified in consultation with the local village leadership.
- Part of the area is currently being used for dumping municipal solid waste; there is occasional burning of the waste which produces a lot of smoke. This may also compete with the sludge facility in relation to the land requirements
- There were dual claimants for some land portions which could not be immediately resolved – this was left to Bukoba Municipality and Village leadership to resolve before compensation is effected.

(ii) Magu Solid Waste Dump:

- The design has not yet been finalized as the Consultant has not yet been procured, hence the Team could not be certain that the land area proposed would be adequate
- It was apparent that there was inadequate prior sensitization especially for the community members in Kipeja village through which the main access road was supposed to pass – this necessitated numerous additional consultations and meetings with the village leadership and community members
- Reluctance of some members of Kipeja village to provide site for access road; in the end the RAP Team and District Staff agreed to use an alternative site wholly within Sagani Village.
- Unclear border between Kipeja and Sagani village which are located in the vicinity of the site – the RAP Team recommended that the District Leadership facilitate the two villages to formally agree on the border to remove future misunderstanding.
- Leadership issues affected positive outcome of consultations with the community especially in Kipeja village

(iii) Simplified Community Sewerage for Igogo – Mabatini

- There were changes made in the final design compared to previous information communicated to the community
- Inadequate design/facility location data

- Location of some of the facilities not being consistent with the actual terrain and needs on the ground
- The target area is large located in hilly/rocky areas without poor infrastructure



Figure 12 One of the PAPs for Igogo Area

Some of the Issues raised by community members for clarification during the sensitization meetings for Simplified Community Sewerage for Igogo – Mabatini and explained by the RAP Team included:

- Procedures for compensation payments
- Rates for valuation of properties
- What happens in case of death of the PAP before receiving compensation
- Need for expanding to all communities in the target areas
- Possibility of compensation in kind in case of substantial loss of land
- Basis for payment of sewerage services for households without water supply
- Clarifications on actual areas to be served
- When will those currently not planned for be included?
- If someone is renting business premises, will they also be compensated/
- Safety of inhabitants in case the pipes/drains burst!
- Is good technology available to lay pipes in the rocky areas?

The following charts shows the revised/amended Coordinates for Igogo and Mabatini taken during the RAP Exercise conducted Early in August 2013. These Forms the basis of New / Adjusted Sewer line.

Igogo

Sewerline, 9/11/2013, Page 1

OBJECTID *	SHAPE *	Reference	SHAPE_Length	X	Y_Start	X	Y
1	Polyline	IGG_KUS_A	650.536249	490374.000122	9719548.000122	489979.849304	9719533.311523
2	Polyline	IGG_KUS_B	240.777564	490032.000122	9719804.000122	490028.387085	9719586.895874
3	Polyline	IGG_KUS_C	238.378572	489930.518494	9719682.251709	489773.752502	9719772.871704
4	Polyline	IGG_KUS_D	566.788074	490304.772278	9719231.01709	489900.942078	9719533.836731
5	Polyline	IGG_KUS_E	706.460485	490040.646484	9719401.989075	489646.204712	9719652.633301
6	Polyline	IGG_KUS_G	983.506326	490448.446289	9719905.253479	489642.955872	9719902.906677
7	Polyline	SOKONI_MAGERE	191.225461	489760.000122	9720226.000122	489677.413696	9720059.829285
8	Polyline	INDU_IGOGO	488.474944	489991.000122	9720486.000122	489848.645691	9720110.287903
9	Polyline	IGG_KAS_INDU_FLAT	462.89325	490081.000122	9720252.000122	490136.497314	9720139.839478
11	Polyline	IGG_KAS_A	381.056738	490330.000122	9720276.000122	490160.944885	9719976.009277
12	Polyline	IGG_KAS_B	104.356102	490305.000122	9720042.000122	490235.015686	9720119.386719
13	Polyline	BUGANDO_MAWE RD	709.566276	489394.000122	9720664.000122	489783.000122	9720618.000122
15	Polyline	MAWE RD_MRUNGUSHI	908.831786	489739.351685	9720401.234131	489660.000122	9720170.000122

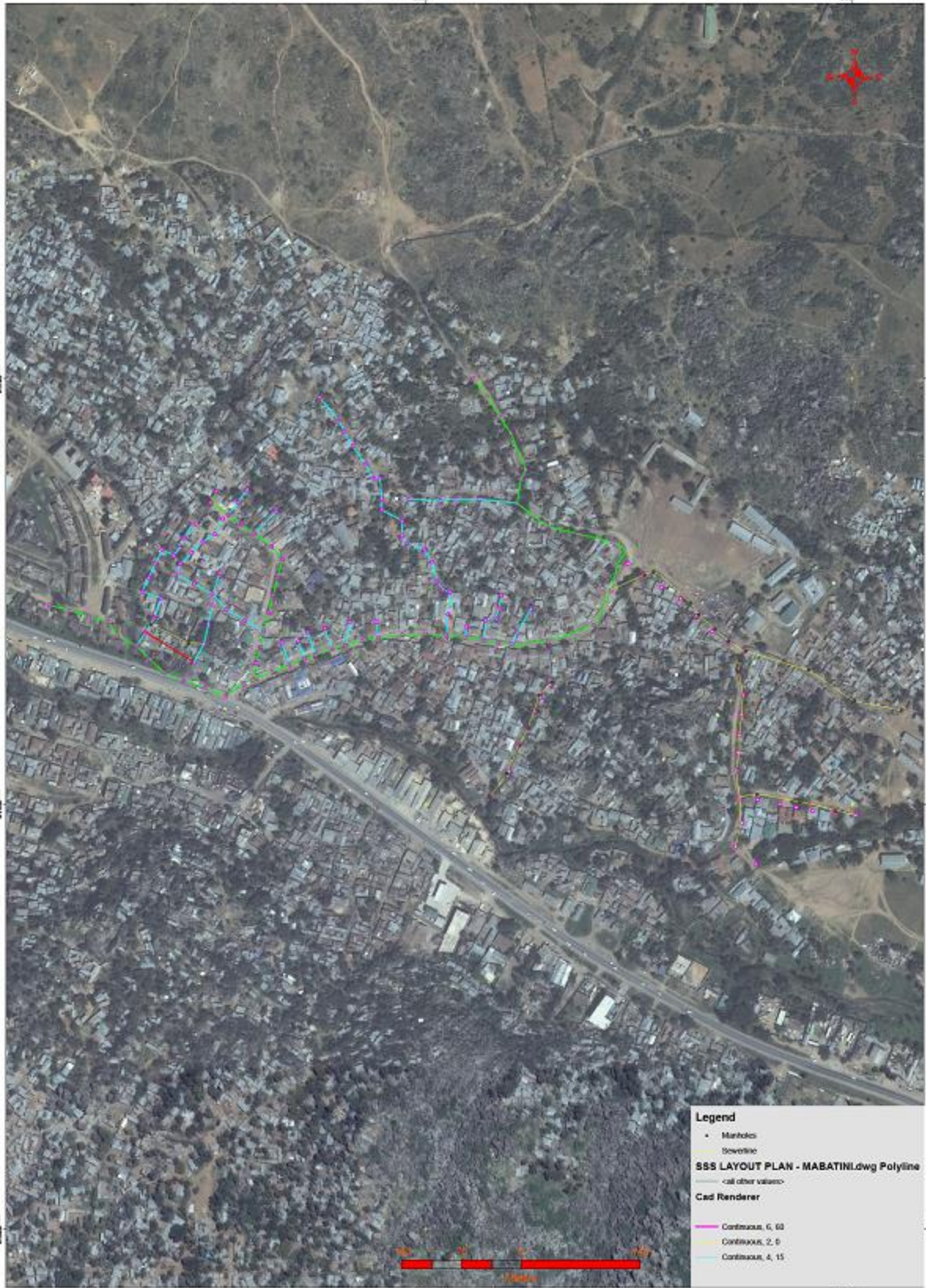
MABATINI

Sewerline, 9/11/2013, Page 1

OBJECTID *	SHAPE *	Reference	SHAPE_Length	X	Y_Start	X	Y
16	Polyline	SHULE_SOKONI	201.347083	491559.271912	9721110.36731	491373.699707	9721180.400696
17	Polyline	SOKON_COMCEPT	221.706735	491369.003296	9721169.751282	491363.116272	9720950.212708
18	Polyline	SHUL_COMUNCEPT	140.182236	491505.462524	9720986.725281	491368.408081	9721008.421082
19	Polyline	SOKON_MKITOFFICE	197.411011	491373.170471	9721179.871521	491217.066101	9721251.838318
20	Polyline	MABRDRIVERCOM	154.07936	491147.546692	9721142.763489	491074.786072	9721009.148682
21	Polyline	KUSIN_CEPT	198.70545	491966.433716	9720769.700317	491822.235474	9720633.439697
22	Polyline	KAKOBESOK_SOKON	96.415318	491823.558289	9720633.439697	491762.704102	9720707.523071
23	Polyline	KAKOBESOK_SOKON	76.926338	491830.173096	9720749.856689	491777.362915	9720694.828125
24	Polyline	KAZUNG_POLICE	67.935212	490739.067078	9721188.795471	490676.259277	9721211.834106

The images below show the new proposed layouts for both Igogo and Mabatini areas:

MABATINI SEWERAGE PROJECT AFTER REVIEW



MABATINI SEWERAGE PROJECT AFTER REVIEW



4. LEGAL FRAMEWORK

4.1 Overview:

The Ministry of Lands, Housing and Human Settlement Development is responsible for policy, regulation and it coordinates matters pertaining to land in Tanzania Mainland. Under Village Act, No. 5 of 1999, land administration matters are handled by Village Councils whereas in urban areas, under the Land Act No. 4 of 1999, land administration matters are handled by the Commissioner for Lands.

Applicable laws with relevance to Land Tenure Compensation and Resettlement are the following:

- (ii) The Land Tenure Act, 1992;
- (iii) The Land Survey Act, 1989;
- (iv) The Land Tribunal Act, 1994;
- (v) The Land Transfer Act, 1994;
- (vi) The Registered Land Act;

Land Acquisition and Compensation matters are regulated by the Land Acquisition Act No. 47 of 1967 while assessment of compensation is specifically provided under Land Regulations made under Section 179 of the Land Act no 4 of 1999.

Land tenure and ownership in Tanzania is governed by statutes such as Land Act Cap.113 of 1999, and Village Land Act Cap114 of 1999, Land Acquisition Act 1967, and Land Ordinance, 1923 Cap. 113. Land in Tanzania is owned by the public and vested to the President as a custodian. For the purpose of management of land under the land Act Cap 114 of 1999 and all other laws applicable to land. There are three categories of Lands i.e.: General land; Village land; or reserved land.

Socio-economic activities are permitted on land in the first two categories of general/public land and not permitted or restricted in land reserved for national parks, protected areas and wildlife/forest reserves except under special conditions stipulated by the Law.

In respect of public land, Tanzania has a dual system of land tenure. The system recognises both customary and statutory rights of occupancy. Tenure rights to land can be held by individuals and communities. Holdings of individuals can be (i) by leasehold right of occupancy for varying periods e.g. 33, 66 or 99 years; (ii) by customary rights of occupancy that have no term limit. The legislation and policies that are directly relevant are as follows:

4.2 National Land Policy, 1995

The National Land Policy, 1995, advocates for the protection of land resources from degradation for sustainable development. The policy addresses several environmental and social issues relevant to developmental projects such as land use planning. There are three categories of land namely General land, reserved land and Village land. General land is vested under the President of the United Republic of Tanzania, administered by Land Commissioner. The Reserved Land is mainly under the authorized institution such National parks and Game reserves and Watersheds. The village Land is the one demarcated for an established village and administer by the respective Village Government. There are procedures for shift the title from one category to another.

4.3 The National Environmental Policy (1997)

The National Environmental Policy (NEP) seeks to provide the framework for making fundamental changes necessary to bring environmental considerations to mainstream decision making. It seeks to provide policy guidelines, plans and give guidance to the determination of priority actions, and provides for monitoring and regular reviews of policies, plans and programmes. It further provides for sectoral and cross sectoral policy analysis in order to achieve compatibility among sectors.

4.4 National Forest Policy, 1996

The National Forest Policy, 1996, identifies four main policy areas namely; (i) forest land management, (ii) forest based industries and products, (iii) ecosystem conservation and management, and (iv) institutions and human resources. It presents policy statements and instruments/directives to be applied to each of these policy areas. The policy requires, Environmental Impact Assessment (EIA) to be considered for all interventions, which convert forestland uses or may cause damage to the forest environment. Some of the policy strategy statements that are relevant for developmental projects like LVEMP-II projects include the following:

- To enable sustainable management of forest on public lands, clear ownership for all forests and trees on these lands will be defined and management responsibility promoted.
- Biodiversity conservation and management as well as watershed management and soil conservation will be included in the management plans for all protection forests.

4.5 Local Government Acts 1977

The Local Government system in Tanzania is based in the decentralisation policy and is enshrined in the 1977 Constitution, which was amended through Act No. 15 of 1984 with the effect of making the existence of local government authorities constitutionally sanctioned. The decentralisation policy is implemented through the Regional Administration Act (1997), which effectively initiated the decentralisation process by scaling down the roles, functions and staffing at the regional level.

The Local Government Act No.8 of 1982 and Local Government (Urban Authorities) Act No.9 of 1982 provide for the system of local governments. Administratively, Tanzania is divided into three levels of Local Governments whereby each level has statutory functions with respect to development planning. The three levels are as follows: District / Municipal / city councils; Town Councils and Ward; and Village/"Mtaa" Councils.

4.6 The Land Act No. 4 (Cap113)

The basic principles of the Land Act are adopted from Land Policy 1995. The fundamental principles of the Land Policy are stipulated as follows:

- All land in Tanzania is public land vested in the president as trustee on behalfs of all citizens.
- Land has value.
- The rights and interest of citizen in land shall not be taken without due process of law.
- Full, fair and prompt compensation shall be paid when land is acquired to any person whose right of occupancy or recognised long-standing occupation or customary use of land is revoked or otherwise interfered with to their detriment by anybody or acquired under the Land Acquisition Act. The main objective is to protect the majority of citizens of Tanzania who have acquired land from either inheritance or village council allocation, compensated, purchased from others. As such they should not easily lose their land without full and fair compensation. The full and fair compensation is only assessed by including all components of land quality.
- Another important principle of the Land Act related to compensation is to facilitate the operation of a market in land and regulate the operation of a market in land to ensure that rural and urban smallholders and pastoralists are not disadvantaged. To protect the small holders and pastoralists the approach should not be to avoid consideration of land allocations to this group. Any disadvantage group should get compensation just like any other person of true land values of the land being held by any other group.
- Regarding resettlement, this should be in accordance with provisions of the Land Act (and Acquisition Act of 1967). A process for preparing and approving resettlement plans should be based on PLUM (Participatory Land Use Planning and Management) which is explicitly recognised in the Land Policy 1995. The village government should therefore be able to:
 - review the proposal to prepare a resettlement plan;
 - discuss the proposal in its village;
 - prepare and agree on the resettlement plan; and
 - Approve the resettlement plan subject to national legislation esp. Land Act No 4 of 1999 and Land Acquisition Act of 1967.

4.7 The Village Land Act Cap114 of 1999

The Village Land Act defines village land as consisting of:

- land falling in boundaries of a registered village under Section 22 of the District Authorities Act no. 7 of 1982;
- land designated as village land under the Land Tenure (Village Settlement) Act no. 27 of 1965;
- land having boundaries demarcated as village land under any law or administrative procedure in force at any time before the Land Act No. 4;
- land with its boundaries have been agreed upon between the village councils having jurisdiction over that land; or
- Land other than reserved land which the villagers have, during the 12 years preceding the enactment of the Land Act of 1999 been regularly occupying and using as village land in whatever manner.

4.8 The Land Acquisition Act, 1967

The Land Acquisition Act gives powers to the President to take “Land” for public purposes when in the public interest it is necessary to do so.

4.9 The National Land Use Planning Commission Act, (No. 3), 1984

The national land Use Planning Commission Act, (No. 3), of 1984, established the national land Use Planning Commission. The Commission is the principal advisory organ of the Government on all matters, related to land use.

The villages surrounding the project area may find themselves in land conflicts that may be a result of lack of land use planning. LVEMP-II project should take in consideration and understand the strategic planning of the other land surrounding the project implementation areas.

5. INSTITUTIONAL FRAMEWORK

Implementation of the RAP will involve many institutions as indicated below:

Table 1 – RAP Institutional Involvement

Sn	Institution	Responsibility
1	Ministry of Water	As the NFPM for LVEMP II, it is responsible for all policy issues and government ownership of project activities; provides overall leadership for implementation of the RSF. The LVEMP II NPCT on its part is responsible for day-to-day management of the project activities in collaboration with implementing and beneficiary institutions
2	Ministry of Lands, Housing and Human Settlements (ARDHI)	As the custodian of land legislation, it is the responsible for reviewing and approving the compensation rates and final figures. Also has technical responsibility over the valuation process
3	PMORALG – Mwanza Region	Oversees the process of compensation as part of its responsibility over the local government authorities in the case of Magu District Council.
4	PMORALG – Bukoba Region	Oversees the process of compensation as part of its responsibility over the local government authorities in the case of Bukoba Municipal Council.
5	Mwanza City Council	Has administrative jurisdiction over the project site and the communities, operating through the Ward executive officers and Mitaa Executive Officers located in each area
6	Magu District Council	Has administrative jurisdiction over the project site and the communities, operating through the Ward executive

Sn	Institution	Responsibility
		officers and Village executive officers located in each area. also oversees the functions of the Magu Town Authority which is not yet autonomous. Will set up the Compensation Committee for Magu Solid Waste Dump and administer the compensation package.
7	Bukoba Municipal Council	Has administrative jurisdiction over the project site and the communities, operating through the Ward executive officers and Village executive officers located in each area. Works in collaboration with BUWASA to ensure availability of community services such as water and sewerage. Has political ownership of the Bukoba Sludge Disposal facility project.
8	MWAUWASA	This is the beneficiary institution and implementer of the Igogo-Mabatini Community Sewerage System. Will set up the Compensation Committee and administer the compensation package in collaboration with Mwanza City Council.
9	BUWASA	This is the beneficiary institution and implementer of the Bukoba Sludge Disposal Facility. Will set up the Compensation Committee and administer the compensation package in collaboration with Bukoba Municipality.

Organizational Responsibility and Set Up

The Sub-projects Beneficiary Institutions i.e. Mwanza City Council, Bukoba Municipal Council and Magu District Council will be responsible for the actual Resettlement Plan within the framework provided in this report. The most possible arrangement would be for the respective Council to set up a steering committee for handling the Compensation Payment Procedures. The Committee should ideally be a high-powered unit within the Councils possibly chaired by the respective Director with representatives from consulting firms for the Project. Its primary function would be supervisory and should be assisted by technical unity. It is proposed that each Beneficiary Institution form a Compensation/RAP Steering Committee which will be responsible for supervising compensation payment procedures, giving explanations to PAPs where necessary on matters that they may raise, represent the Councils to relevant Lands Tribunal in case of litigation cases about the compensation or the land acquisition itself. The composition of members for this unit must include the City Valuer, City/Municipal /District State Attorney, City Engineer/Contractor Representative, Project' land acquisition/Valuer team members and at least one Ward Executive Officer and the RAP Consultants.

To mitigate and reduce complaints, enough sensitization needs to be carried out before effecting compensation payment. From experience, most of the complaints tend to be due to ignorance of the compensation sum to be paid. By explaining to the property owner what his/her compensation payment is constituted of, and his rights before the money is received, a great number of complaints will have been reduced.

It is recommended that a dedicated complaints desk be set up possibly at Ward level for the first two weeks staffed with a skilled person able to explain matters that are brought to his or her attention. The desk officer should be warned of possibilities of over committing to demands by the PAPs and need to channel some of the difficult cases for review by higher authorities.

The Compensation team that is suggested can also discharge services that address disputes related

to compensation, entitlement to resettlement, address affected people on redress mechanisms where the team is unable to resolve problems with the PAPs. For purpose of handling grievances by the Committee it may be necessary when the Committee sits to resolve such cases to involve an independent legal expert other those in the employment of respective Councils.

6. ELIGIBILITY FOR RESETTLEMENT, VALUATION AND COMPENSATION PRINCIPLES

6.1 Eligibility for Resettlement

Any person whose user rights to land have been curtailed by the state in Tanzania is entitled to compensation as per Section 3(g) and Section 156 of the Land Act. The amount of compensation payable is to be assessed by a qualified Valuer and the basis for assessment of the value of land and unexhausted improvement on the land is market value. The Land Act specifically provides ‘...the market value of any land and unexhausted improvement shall be arrived at by use of comparative method evidenced by actual recent, sales of similar properties or by use of income approach or replacement cost method where the property is of special nature and not saleable..’ Section 4 of the Land (Assessment of the value for compensation) Regulations, 2001.

6.2 Major principles for implementation of resettlement and compensation strategy:

Effective implementation of resettlement and compensation strategy is guided by the following principles:

- Recognition of rights and assessment of risks shall be the basis for identification and inclusion of adversely affected stakeholders in joint negotiations on mitigation, resettlement and development related decision-making.
- Impact assessment should include all people in project area i.e. reservoirs, upstream, downstream and in catchment areas and sources protected areas, treatment plants and distribution lines whose properties, livelihoods and non-material resources are affected. It should also include dam related infrastructure, such as canals, transmission lines, and resettlement development.
- All recognized adversely affected people negotiates mutually agreed, formal and legally enforceable mitigation, resettlement and development entitlement.
- Adversely affected people are recognized first among the beneficiaries of the project. Mutually agreed and legally protected benefit sharing mechanisms are negotiated to ensure implementation.

6.3 Valuation Methodology:

In the implementation of the envisaged projects, the Consultant employed services of qualified Valuers who carried out the assessments. To ensure conformity with national laws and land office practice, the Valuer consulted with the Council Valuer to deliberate on the appropriate rates. The Council Valuer appraised on the requirements of the Project to comply with World Bank Safeguard Operational Policy (OP 4.12 Involuntary Resettlement). The results of these consultations and eventually assessed compensation values are presented in this RAP.

In determining eligibility for resettlement in the context of best land office practices in Tanzania, only those in occupation of the affected properties at the time of notice to acquire are considered. These are limited to residential occupiers and unfortunately do not include Tenants. Commercial users such as retail shops, entertainment houses, bars etc are not considered for resettlement mainly for historical reasons in Tanzania. These users can afford to relocate themselves where they can restore the lost business goodwill if they are fairly compensated. None of the properties to be affected by the proposed works in the preliminary design works were found to have historical or such other cultural or ornamental value to warrant special consideration in Mwanza, Magu and Bukoba Project Sites

It is important to note that generally the legislative measures available in Tanzania are in conformity with the World Bank OP 4.12 in so far as compensation matters are concerned. The reference to Market Value in Land Act No 4 as opposed to Replacement Cost has tended to give impression that the two directives are at odds with one another. While the OP 4.12 insists on Replacement Cost as the ‘...amount of money needed to buy land or houses of equal make, dimension and location...’, Land Act No. 4 provides Market Value the best price the landowner would obtain in a free market operation but in addition provides for payment of allowances as rehabilitation to the affected persons as listed below:

- Disturbance Allowances
- Transport Allowance
- Loss of accommodation (36 months’ rent) in case of residential houses

- Loss of profit in case of business premises

The Land Act of 1999 accords the would-be ex-landowners the right to receive separate payments for the following items which are eligible for compensation:

- Compensation for the lost land
- Compensation for structures erected on the land
- Compensation for disturbance
- Compensation for lost accommodation or loss of profit in the case of business operators
- Compensation for transportation of personal belongings to another location

WIZARA YA ARDHI NA MAENDELEO YA MAKAZI
SHERHA YA ARDHI NA 4 (1998) EILUMBU 179 NA KADIRIO ZA UKADIRIAJI FIDA Q47R (2001)
UKAGUZI KWA AJILI YA UCHAMSI WA FIDA

VAL. FORM I

Kumb. No. Va/Comp/2006/06 Tarehe 16.07.2013
MAHALI Nyanja Busaba
I. Mhiki:

*Miliki: Demina Kakwenda Deogotias
*Amuni:

2. Maelezo ya jumla ya mali:
Ardhi fupi

3. Maelezo kuhusu jengo:

*Paa _____
*Kuta N/A
*Dori _____
*Madirisha _____
*Milango _____
*Sakafu _____
Vyumba: _____
Nyumba ndogo: _____

Maelezo mengine (pamoja na hali ya jengo, huduma na maendeleo mengine)
N/A

Matumizi: Makazi/biashara, _____ Kadirio la pango _____

4. Muzo
(a) Muzo:

Aina ya zao	Idadi/Ukubwa	% ya ukwaji
1		
2		
3		
4		
5	N/A	
6		
7		
8		
9		
10		
11		
12		
13		
14		

(b) Ukubwa wa shamba (kadirio) ekari 0.1282 au 519m²
Ushabahi:

Jina la mmiliki wa sambi: Demina Kakwenda Deogotias
Jina la kata nyumbani: _____
Jina la mtaa: _____
Jina la mji: _____
Jina la sambi yake: Mathias Nkanawa I Kien

MWENYAMA MIA KATA NYUMBA MANDIWA

Figure 13 Official Valuation Form for Compensation

6.4 Categories of Affected People and their Entitlement

Table 2 - Categories of Affected People and their Entitlement

Category of PAP	Type of Loss	Entitlement			Remarks
		Cash	Relocation	Allowances	
Landowner	Land	Market value		<ul style="list-style-type: none"> • Disturbance allowances as % of assessed asset value. – • Refund survey and legal fees paid for acquiring title to land (in case of those with granted titles to land) 	LGA may exercise option to compensate in kind (replacement plot) in lieu of cash
	Building	Market Value /Replacement Cost (no depreciation)	If residential and in occupation	<ul style="list-style-type: none"> • Disturbance as % of assessed value • Transport Allowance of up to 12 tons haulage over max distance of 20km • 36 months rent payments estimated on the basis of affected property 	Comply with Land Act No. 4, Act No. 47 of 1967 and WB OP 4.12
	Crops	Market Value – from a Schedule of Price (earnings approach)		Cash compensation of the crop, there were no farm business which would have attracted allowances for loss	

6.5 Displacements/Resettlements

According to the surveys that were carried out along the project corridors areas there will be some 27 properties that would need to be partially demolished to give way for structures for the Simplified Community Sewerage in Igogo and Mabatini, for a total compensation cost of Tshs 291,768,962.50. The affected persons were interviewed and their consent sought on how they would be relocated. All of the affected persons said that they had enough land that would remain after allowing for the projects to take off and therefore did not need to be moved. Thus they will pull down the affected structures and recess away from the acquired corridors / project areas.

6.6 Avoidance- Mitigation Measures

In an attempt to reduce negative impacts of the Projects, the RAP Team held several meetings as already detailed in this report. In these meetings, PAPs were informed of the project's need to acquire the barest minimum corridors / area for the works. They were also assured of the opportunities to salvage re-useable building materials in the event of demolitions. At Project Management level, mitigating measures are to be considered on three levels:

- During construction works, care must be exercised to avoid damage to people's properties. The contractor should be apprised of this need in the bid documents
- In the compensation payment procedures, it is important a Valuer is present in the team to explain the assessment criteria and respond to queries about the assessment.

6.7 Assessment of Compensation

The World Bank OP 4.12 makes reference to value assessment for compensation. Article 7 of the Involuntary Resettlement Instruments (OP4.12) requires submission on the applicable legal framework covering valuation of assets and losses, compensation and indeed the extent to which the applicant can influence the nature of compensation and the valuation methodology to be deployed. Article 10(ibid) is even more explicit on the valuation methodology as reproduced below:

“...the methodology to be used in valuing losses to determine their replacement cost; and description of the proposed types and levels of compensation under local law and such supplementary measures the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, the cost of any registration and transfer taxes.

For Urban Land: it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.

For Houses and other structures: it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labour and contractors’ fees, plus the cost of any registration and transfer taxes.

The Valuer who carried out the Valuation assessment has considered the guideline and adopted Replacement Cost without allowing for depreciation as are necessary to achieve their replacement cost for lost assets...”

6.8 Alternative Community Compensation:

Compensation for a community as a whole will be in-kind only and take the form of reconstruction of the facility to at least the same or better standard to that being built by the LVEMP-II on the area to serve the same function. Examples of community compensation include school buildings, public toilets; water wells market place; access road and storage warehouse. The following subprojects are proposed for the communities affected by this RAP:

Table 3 – Suggestions for sub-projects for Community Compensation

S.N.	Construction Works	Community	Suggested Sub-projects
1	Magu Solid Waste Disposal Dump	Sagani Village, Magu	Charco Dam and Village Office
2	Bukoba Sludge Disposal Facility	Nyanga Village, Bukoba Municipality	Public Toilets and Rainwater Harvesting Tank at Kyakailabwa Primary School and Nyanga Dispensary
3	Simplified Community Sewerage	Igogo Area, Mwanza City	Metalwork Working Sheds for artisans
		Mabatini Area, Mwanza City	Desks for Mbugani Primary School

7.0 RESETTLEMENT MEASURES & GRIEVANCE PROCEDURES

7.1 Disclosing the RAP to PAPs:

The proposed RAP shall be disclosed to the affected people, local and central government functionaries and the project financiers. There are two possible ways of disclosure. First is through making copies available both in the English and Swahili language. Enough copies should be deposited at the respective Council office and at the respective ward offices in the affected areas. Information about personal entitlement to cash should not however be published lest the individuals for safety reasons. The second method is to put the RAP on the LVEMP II of MoW websites which would be accessible to even a larger population.

7.2 Consultation when preparing RAP

A 100% sampling interviews was carried out when looking for information to include in the RAP. By talking to the people and letting them ask questions, it was possible to list their concerns and report on them. This consultation process must be continued throughout the remaining phases of the Projects.

7.3 Handling Complaints and Grievances

The set up of Land Tribunals in Tanzania in 2002 has eased out procedures for handling objections and disputes at ward level making it possible for the poor to present their cases not too far away from their places of abode. The Land Act No. 4 of 1999 does provide for appeal against decisions related to compensation payment. It is important to note that in Tanzania one cannot resist land acquisition where this has been done under the Land Acquisition Act of 1967. The disputable items are limited to compensation sums, types and the time framework through which the compensation is made.

An aggrieved PAP may lodge his appeal to the respective District Land Officer and if not satisfied file a case to Ward or District Land Tribunal. The usual practice is, however, that a claimant first approaches the Project Beneficiary Institution i.e.

MWAUWASA, BUWASA or Magu District Council. The aggrieved person would be directed to the officer-responsible for the particular compensation exercise usually the City, Municipal or District Valuer who will then check records and advise the Claimant. This procedure has tended to discourage many claimants on account of the bureaucratic strings attached to it and many times the Municipal or City Value may not have been involved and hence waste of time for the claimant.

7.4 Dealing with Vulnerable groups

Throughout the surveys, no vulnerable groups were identified in the sense of disability, ageing or HIV/AIDS patients or indigenous communities. There are however tenants in some of the houses. These hold informal leases with the house owners. None of the tenants had special contractual relationship with their landlords which would warrant consideration for sharing property value compensation.

7.5 Training Needs and Income Restoration

An important area that needs attention in the implementation of the projects is to ensure that the projects impacts benefit the communities and the affected individuals, are shared between and amongst family members and contribute to the welfare of the families. In practice, however, the amount of money paid as compensation tends to be the largest lump sum money that an individual may have received in his lifetime. Frivolity in spending tends to be the norm in several cases. This poses risk for impoverishment of the individuals and their families. It is therefore important that Compensation front team takes up the challenge and organize educational program on wisdom of spending money by those who will be receiving compensation. There are two possibilities of doing these

- To arrange with a financial institution such as a Bank who will arrange payment to the affected persons. The Bank may be tasked to counsel the beneficiaries on saving benefits. These can help the involved families to restore their income levels and improve on their economy.
- To carry out sensitization meetings where both spouses attend. This can be an effective

way of protecting funds from being misused by a member of family.

- It should be noted that the Construction works will attract employment opportunities that may benefit the resident population. They will also attract emigrant labourers who will spend money in the area again generating further income.

8. COMMUNITY PARTICIPATION

Community consultations have been held at three different stages of the Projects as follows:

- (i) During Project Design Stage
- (ii) During ESIA: the ESIA Reports were prepared in 2012 and involved extensive consultations and sensitization of the communities
- (iii) During the preparation of the RAP.

During the preparation of the RAP, sensitization of respective LGAs and community leaders: There were two levels of consultations for the purpose of preparing the Resettlement Action Plan. The first level was through public consultation meetings in the respective project areas while the second level was the one-to-one consultation with the identified individual property owners. In the first set of meetings, the general purpose of the Projects was outlined in the meetings convened by the Ward Leaders and attended by communities in the project areas, the Consultant, field staff and Local Government Authority (LGA) leaders. After the briefings, the community/audience was allowed to ask questions. These questions sought clarification on various issues pertaining to the projects. Explanations given by the Consultant and other experts generally satisfied the communities.

Public Sensitization Meetings were held as follows:

Date	Community
	Kyakailabwa Village, Bukoba
2 nd August 2013	Kipeja Village, Magu
31 st July 2013	Igogo North A, Mwanza City
31 st July 2013	Igogo North B & C, Mwanza City
24 th August 2013	Igogo South B, Mwanza City
1 st August 2013	Mbugani (Mabatini), Mwanza City

Additional consultations were held as follows:

Date	Activity	Venue/Community
30 th July 2013	Leaders Sensitization Seminar	Igogo, Mwanza City
30 th July 2013	Leaders Sensitization Seminar	Mabatini, Mwanza City
6 th August 2013	Consultation Meeting with Sagani Village Committee	Sagani Village, Magu, Mwanza
13 th August 2013	Sensitization Meeting for Finance and Planning Committee	Bukoba Municipality

The minutes of the sensitization meetings held during the preparation of the RAP are attached in the Appendix.



Figure 14 - Sensitization Meeting for Sagani Village Council, Magu

9. IMPLEMENTATION SCHEDULE

The following activities/events are proposed to guide the implementation:

- Submission of Valuation Proposals to Chief Government Valuer for Approval
- Approval of Compensation Package by Regional/District Commissioners
- Funds Mobilization for Compensation by Beneficiary Institutions
- Capacity building for PAPs on Income Restoration
- Formation of RAP/Compensation Committees.
- Disclosing the RAP to PAPs
- Payment of Compensation Claims
- Progress Monitoring

Table 4 – Proposed RAP Implementation Schedule

	Activity	Time Frame	Responsibility
1	Submission of Valuation Proposal to Chief Government Valuer for Approval	September 2013	Beneficiary Institutions/Valuation Team
2	Approval of Compensation Packages by Regional/District Commissioners	October 2013	Beneficiary Institutions
3	Mobilization of Funds for Compensation	October 2013 – December 2013	Beneficiary Institutions & LVEMP II
4	Development and implementation of Capacity building for PAPs on Income Restoration	November – December 2013	Beneficiary Institutions & LVEMP II
5	Formation of RAP/Compensation Committees.	November 2013	Beneficiary Institutions & LVEMP II
6	Disclosing the RAP to PAPs	January 2014	Beneficiary Institutions

	Activity	Time Frame	Responsibility
7	Payment of Compensation Claims	January – February 2014	Beneficiary Institutions
8	Demarcation and fencing of the areas earmarked for Bukoba Sludge Facility and Magu Solid Waste Dump	October 2013	BUWASA/Magu District Council
10	Development of CDD sub-projects for the communities in the target areas	October- November 2013	Beneficiary Institutions/LVEMP II
11	Notice to PAPs to vacate where applicable	January 2014	Beneficiary Institutions
12	Earmarked Start of Construction	April 2014	Beneficiary Institutions/LVEMP II
13	Progress Monitoring	September 2013 – March 2014	Beneficiary Institutions & LVEMP II

10. COST AND BUDGET

Implementation Schedule and Budgets

The total projects durations range from 18 – 20 months. Compensation and resettlement Components of the Projects must be accomplished not more than three months from the date a Contractor will have been appointed to take up the construction works. This is crucial as the Contractor shall need to be handed over sites clear from third party rights for corridors / sites works. (PAPs). These are the two most important key milestones for the implementation of the RAP. It is possible to let the willing PAPs to demolish their own structures and in effect salvage whatever is salvageable for use in new constructions.

Table 5 - Summary of Valuation Assessment for Proposed Interventions (Tshs)

Works Item		No of PAPS	Valuation (Tshs)				
			Land	Houses/ Structures	Crops	Allowances	Total
Bukoba Sludge Disposal Facility		6	29,270,645			1,540,560	30,811,205
Magu Solid Waste Dump		6	17,613,000			927,000	18,540,000
Simplified Community Sewerage	Igogo	70	13,247,000	74,508,400	3,983,100	24,534,825	116,273,325
	Mabatini	72	21,552,700	200,423,630	5,131,950	41,611,064	268,719,344
Totals		154	81,683,345	274,932,030	9,115,050	68,613,449	434,343,874



Figure 15 Photograph of RAP Team at the end of field work in Igogo, Mwanza City, August 2013

11. MONITORING AND EVALUATION

The arrangements for monitoring will fit into the overall monitoring plan of the entire LVEMP-II Project. A final evaluation will be required in order to determine:

- (i) if affected people have been paid in full and before implementation of the project; and
- (ii) If the people who are affected by the project have been affected in such a way that they are now living at a higher standard than before, living at the same standard as before, or they are poorer than before.

Local Governments will maintain information on all individuals impacted by the projects' land use requirements including relocation/ resettlement and compensation, land impacts or damages. Each individual will have a compensation dossier recording his or her initial situation, all subsequent project uses of assets/ improvements, and compensation agreed upon and received.

There should also be monitoring over process indicators and regularly reported through local government to the LVEMP II NTAC and NPSC; these will include:

- Number of grievances and time and quality of resolution.
- Outstanding individual compensation or resettlement contracts.
- Number of impacted locals employed by the civil works contractors.
- Number of PAPs trained
- Impact of funds received by PAPs.
- Number of contentious cases out of the total.

The following indicators will be used in assessing the overall effectiveness of implementation of resettlement and compensation plans:

- Pre- project production versus present production (crop for crop, land for land).
- Ability of individual and families to – re establish their pre- displacement activities, standard of living, and land and crops or other alternative incomes.

- Outstanding compensation or resettlement contracts not completed before next agricultural season.
- Grievances recognised as legitimate out of all complaints lodged.
- Communities unable to settle village-level grievances/compensation after two years.
- All legitimate grievances rectified and time frame.

The Local Governments and the NFPM will maintain financial records to permit calculation of the final cost of resettlement and compensation per individual or household. Each individual receiving will have a dossier containing:

- (a) individual bio- data information;
- (b) number of people s/ he claims as household dependents; and
- (c) amount of land available to the individual or household when the dossier is opened.

Table 6 - Key RAP Indicators:

Key Results Areas	Indicators	Frequency of Measurement	Responsible
Compensation Packages Approved by Chief Government Valuer and PORALG (regional level)	Approved Documents Available	Weekly until approved	Beneficiary Institutions/LVEMP II
Mobilization of Funds for Compensation	Requests submitted to Relevant Authorities	Monthly until approved	Beneficiary Institutions/LVEMP II
	Budget Approval Obtained	Monthly until approved	
Formation of RAP/Compensation Committees	Number of RAP/Compensation Committee Meetings held	Monthly	Beneficiary Institutions
	Number of PAPs met	Monthly	
Development and implementation of capacity building for PAPs on Income Restoration	Number of PAPs trained	Quarterly	Beneficiary Institutions/LVEMP II
	Livelihoods improvement of PAPs	Quarterly	
Payment of Compensation Claims	Number of PAPs fully paid	Weekly until completed	Beneficiary Institutions
	Percentage of legitimate grievances dealt with	Monthly	
Development of CDD sub-projects for the communities in the target areas	Number of sub-projects developed/approved		Beneficiary Institutions/LVEMP II
Relevant Information Disseminated to Key Stakeholders	Number of Stakeholders Meetings Held		Beneficiary Institutions
	Reports submitted to NTAC/NPSC		

12. CONCLUSION AND RECOMMENDATIONS

The Preparation of the RAP is important and crucial for the process of finalizing construction projects such as these three projects planned by LVEMP II. The following recommendations are made for helping to speed up the process or increase effectiveness:

- (i) There is need for urgent planning for provision of water for areas not yet served in Igogo-Mabatini, Mwanza City as strongly requested by the Communities
- (ii) LVEMP II should consider provision of CDD sub-projects for communities in all the three areas as incentive for the communities as a whole
- (iii) There is need for speeding up process of procurement of the contactors for the actual construction works to start as soon as possible.
- (iv) Beneficiary Institutions should mobilize and allocate funds for compensation of the Project-affected People as soon as possible, with support from LVEMP II.
- (v) The Consultant for Igogo-Mabatini Sewerage System should be requested to revise the drawings in line with the recommendations given by the RAP Team
- (vi) The process of procurement of the Consultant for Magu Solid Waste Dump Site for finalization should be speeded up
- (vii) There is need for clear demarcation and fencing of the areas earmarked for Bukoba Sludge Facility and Magu Solid Waste following the Valuation.
- (viii) Establish a short-term PAP Capacity Building programme to mitigate incidence of complaints, before effecting compensation payment. This will also provide an opportunity for training/counselling interested PAPs on entrepreneurship and best investment for the funds if required
- (ix) Prompt payment of compensation is one of the cardinal principles of the Land Act that must be adhered to. In the Tanzania laws any compensation payment delayed for more than six months attracts a penalty that is calculated at the commercial bank deposit rates over the delayed time.
- (x) Each Beneficiary Institution should form of Compensation/RAP Steering Committee. This committee will discharge services that address disputes related to compensation, entitlement to resettlement, address affected people on redress mechanisms One of the members should be a dedicated Desk Officer e.g. Valuer who can be easily accessible to PAPs.

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Real Estate Valuation – Principles and Applications

APPENDIX 1 - LIST OF OFFICIALS MET

A. LVEMP II Staff

1. Mr. Omari Myanza – National Project Coordinator
2. Ms Anna Mdamo – Environment Specialist
3. Mr. Simeon Msemwa – Forestry Management Specialist
4. Mr. Renatus Machumi - Monitoring & Evaluation Specialist
5. Mr. Hassan Maalim – Environment Officer. NEMC

B. MAGU DISTRICT

SN	NAME	POSITION	INSTITUTION
1	Mr. Gideon Nyagabona	Chief Executive Officer	Magu Township Authority
2	Mr. Lupabula Mayomba	District LVEMP II Focal Officer	Magu LGA
3	Ms Fortunata Mganga	Heath Officer	Magu Township Authority
4	Mr. James Mang'ara	District Environmental Management Officer	Magu LGA
5	Mr Edwin Siyantemi	Surveyor	Magu LGA
6	Ms Esther Kapela	Surveyor	Magu LGA
7	Mr Silas Hongo	Valuer	Magu LGA
8	Mr Masanja Japhet	Valuer	Magu LGA
9	Mr Joseph Magai	Community Development Officer	Magu LGA
10	Mr. Kessy Makune Gabugwese	Village Chairperson	Kipeja Village
11	Mr. Jacob Ngangala	Village Executive Officer	Kipeja Village
12	Ms Happy Buguma	Extension Officer (Agriculture)	Magu Ward
13	Ms Mary Mwandu	Ward Executive Officer	Magu Ward
14	Mr. Lucas Kaliwa	Village Chairperson	Sagani Village, Magu
15	Mr. Iroga Nyakia	Village Executive Officer	Sagani Village, Magu

C. BUKOBA MUNICIPALITY:

SN	NAME	POSITION	INSTITUTION
1	Eng Stephen Nimzehirwa	Ag Municipal Director	Bukoba Municipal Council
2	Mr Richard Salu	MLFO/Community Development Officer	Bukoba Municipal Council
3	Mr.Projectus Katabaro	Municipal Valuer	Bukoba Municipal Council
4	Eng. Charles Chibuga	Network Engineer	BUWASA
5	Ms Rosada Antelmy	Ag Adminsiative Manager	BUWASA
6	Mr Amday Kamala	Chairman. Mtaa	Bukoba Municipality
7	Mr Stephen Mtashubiwa Ngaiza	Chairman Nyalubanja Mtaa	Bukoba Municipality
8	Mr Wilbrod Mutatina	Chairman, Rubabumba Mtaa	Bukoba Municipality
9	Mr Rwegasira Patrick	MEO, Kyakailabwa	Bukoba Municipal Council
10	Mr Leonard Revelian	Mwenyekiti wa Mtaa,	Bukoba Municipality
11	Mr Egidius Rwekaza	WEO. Nyanga	Bukoba Municipal Council
12	Mr Deus Mutakyabwa	Councillor, Nyanga Ward	Bukoba Municipal Council
13	Mr Derick Rwelwamula	MEO Nyarubanja	Bukoba Municipal Council

D. MWANZA CITY

SN	NAME	POSITION	INSTITUTION/ STATION
1	Eng Ngombela Nswila	Sewerage Engineer	MWAUWASA
2	Mr. Stanley William	Technician	MWAUWASA
3	Mr. Patrick Kihenche	Technician	MWAUWASA
4	Eng Gogadi	Environmental Engineer	MWAUWASA
5	Eng Daniel Chegere	Technical Manager	MWAUWASA
6	Mr Sospeter Mtaki	Technician	MWAUWASA
7	Mr Kombo Chande	Technician	MWAUWASA

SN	NAME	POSITION	INSTITUTION/ STATION
8	Ms Mariam Mshana	Administrative Manager	MWAUWASA
9	Mr. Majuto Masunga	Community Development Officer	Mwanza City Council
10	Mr. Engeberth Rwabukambwe	Valuer	Mwanza City Council
11	Ms Zera Burebe	Mtaa Executive Officer, Mtaa wa Maendeleo, Igogo	Mwanza City Council
12	Mr. Edward Natus	Mtaa Executive officer, Mtaa wa Igogo Kaskazini A& D	Mwanza City Council
13	Mr. Peter Kiberenge	Mtaa Chairperson, Mtaa wa Igogo Kaskazini A& D	Igogo Kaskazini, Mwanza City
14	Mr. Juma Richard Masanja	Mtaa Chairperson Mtaa wa Igogo Kaskazini C	Mwanza City
15	Mr. Ramadhani Mayilo	Mtaa Chairperson, Mtaa wa Igogo Kaskazini B	Mwanza City
16	Mr. Saidi Mbela	Mtaa Executive officer, Mtaa wa Igogo Kaskazini B	Mwanza City Council
17	Mr. Rulamy	Mtaa Executive officer, Mtaa wa Igogo Kaskazini C	Mwanza City Council
18	Mr. Ntobi B. Ntobi	Chairman, Mabatini	Mwanza City Council
19	Mr. Yohana Mnono	Mtaa Chairperson, Mtaa wa Igogo Kaskazini C	Mwanza City Council
20	Mr. Yona Mpuya	Mtaa Chairperson, Mtaa wa Igogo Kaskazini C	Mwanza City Council
21	Ms Hawa Shaban	Mtaa Executive officer, Mtaa wa Igogo Kaskazini C	Mwanza City Council

APPENDIX 2 – TERMS OF REFERENCE FOR ASSIGNMENT ON
PREPARATION OF RAP

THE UNITED REPUBLIC OF TANZANIA

MINISTRY OF WATER



**LAKE VICTORIA ENVIRONMENTAL MANAGEMENT PROJECT
(LVEMP II)**

Draft ToR for Preparation of Resettlement Action Plan in Lake Victoria Basin

LVEMP II
P.O Box 211
Mwanza

June 2013

INTRODUCTION

Lake Victoria is the second largest freshwater Lake in the world with a surface area of about 68,000 km² located in the proportions of 6%, 43% and 51% in Kenya, Uganda and Tanzania respectively. Its catchment area is about 194,000 km², extending to Republics of Rwanda and Burundi as well with a population of about 30 million people living in the basin. This is the largest inland water and fishery sanctuary in East Africa, with an estimate of annual fish catch of about 750,000 metric tons and an inland water transport linkage for the three riparian countries. Furthermore, the lake is a major reservoir and source of water for domestic, industrial, hydropower production and commercial purposes. The lake also is a repository for both treated and untreated wastes generated from various activities in the basin, some of which can alternatively be reused.

The lake has suffered from increasing pollution from expansion of development activities and population growth in the basin for the past thirty years. LVEMP has been planned to address these environmental problems. LVEMP II interventions are aimed at reducing environmental stresses at source – within the lake, on littoral zones, and from the basin.

LVEMP II is regional project that is implemented by five East African countries of Kenya, Tanzania, Uganda, Rwanda and Burundi is aimed at reducing environmental stresses within the Lake and littoral zone, through the implementation of mitigation and prevention measures. LVEMP II which was started on 25th of September 2009 complements LVEMP I which was completed in December 2005. The project

The Overall Objective of LVEMP II is to contribute to achieve the vision of the EAC for the LVB of *“having a prosperous population living in a healthy and sustainably managed environment, providing equitable opportunities and benefits”*

Project Development Objectives

The Project development/global environmental objectives are to:

(i) Improve collaborative management of the trans-boundary natural resources of LVB for the shared benefits of the EAC Partner States; and (ii) reduce environmental stress in targeted pollution hotspots and selected degraded sub-catchments to improve the livelihoods of communities, who depend on the natural resources of LVB

Under component 2: Point sources pollution control and prevention, the project will finance investments aimed at reducing point sources of pollution in priority hotspots including rehabilitation of waste water treatment facilities and waste management. These investments will complement on-going activities supported by other Bank-funded projects in water and sanitation.

1. JUSTIFICATION

LVEMP II has finalized preparation of designs for some proposed works and some are still at different stages of completion. For the completed ones the Project is in the process to engage contractors for construction to commence. But some of these investments will require displacement of people and facilities before construction. These have to be known and resettled according to World Bank and National Regulations. Therefore Resettlement Action Plan has to be prepared by a team of RAP experts including Local Government Authorities experts.

2. OBJECTIVE OF Assignment

The objective of this assignment is to prepare Resettlement Action Plan for three sites proposed for construction of;

- i. Sludge Disposal Facility in Bukoba Municipality
- ii. Simplified Community Sewerage System for Mabatini and Igogo areas in Mwanza City
- iii. Magu Solid Waste Disposal Site

3. SPECIFIC TASKS

The tasks to be carried out by the team of experts shall include but not be limited to the following tasks:

- i. Identify Persons Affected by Project (PAPs)
- ii. Carry out sensitization meeting with PAPs (local communities) on the project and compensation right/benefits according to WB and National regulations
- iii. Physical identification and verification of properties and facilities that will be affected by the project
- iv. Take measurement and count properties that will be affected by the project
- v. Coding and photographing of the properties and owners that will be affected
- vi. Prepare a RAP report as per WB guidelines - Valuation report and Compensation schedules duly signed and approved by the Government Chief Valuer

4. EXPECTED OUT PUT

A RAP report for the three sites is produced.

Duration of the Assignment:

This assignment is estimated to take 30 days including field work which is expected to take around 14 days.

5. ORGANIZATION AND ADMINISTRATION

(a) Institutional Arrangements

Day-to-day supervision of the assignment will be carried out by the LVEMP II National Project Coordination Team (NPCT)

(b) Responsibility of the Client:

- i. Providing relevant reference documents and information that are available like project proposals and designs where applicable.
- ii. The project will provide transport to project sites

(c) Responsibility of the RAP team:

- i. Preparation of own work schedule
- ii. Making arrangements for own accommodation
- iii. Arranging meetings with the relevant institutions and stakeholders as necessary

NPCT

June 2013