

THE UNITED REPUBLIC OF TANZANIA

TEMEKE MUNICIPAL COUNCIL



LAND TENURE IMPROVEMENT PROJECT (LTIP)

**ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN FOR URBAN
CERTIFICATION PROCESS IN TEMEKE MUNICIPAL COUNCIL**



Prepared by:

TEMEKE MUNICIPAL COUNCIL

APRIL 2024

ACKNOWLEDGEMENTS

The Environmental and Social Safeguard team for Temeke District is indebted to all those who meet and devote their time to discussions or meetings with them to support the development of ESMP documents. The team is specifically thankful to the Land Tenure Improvement Project (LTIP) Management and Environmental Social Management Team for their guidance, criticism, and directives, significantly improving this ESMP. The Temeke District Council Environmental and Social Team also wishes to recognise the technical assistance provided by the World Bank consultant team of the government of Tanzania for their input and support in developing this ESMP report. Because the number of people who participated in this ESMP is large, it will be difficult to mention all of them.

We sincerely dedicate our appreciation to all of them and thank you very much.

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LIST OF ABBREVIATIONS AND ACRONYMS

CBO	-	Community Based Organization
CCRO	-	Certificate of Customary Right of Occupancy
CoC	-	Code of Conduct
CuCo	-	Council Urban Certification Office
CRO	-	Certificate of Right of Occupancy
E&S	-	Environmental and Social
EA	-	Environmental Assessment
EIA	-	Environmental Impact Assessment
EMA	-	Environmental Management Act 2004
ES	-	Environmental Screening
ESCP	-	Environmental and Social Commitment Plan
ESMT	-	Environmental and Social Management Team
ESMF	-	Environmental and Social Management Framework
ESMP	-	Environmental and Social Management Plan
ESF	-	Environmental and Social Framework
ESS	-	Environmental and Social Standard
GBV	-	Gender Based Violence
GoT	-	Government of Tanzania
GRM	-	Grievance Redress Mechanism
HIV/AIDS	-	Human Immunodeficiency Virus/Acquired Immuno- Deficiency Syndrome
ILMIS	-	Integrated Land Management Information System
LGAs	-	Local Government Authorities
LTIP	-	Land Tenure Improvement Project
MCDO	-	Municipal Community Development Officer
MD	-	Municipal Director
MEMO	-	Municipal Environmental Management Officer
MLHSD	-	Ministry of Land, Housing and Human Settlement Development
MTPO	-	Municipal Town Planning Officer
NEMC	-	National Environment Management Council
NGO	-	Non-Governmental Organisation
OHS	-	Occupational Health and Safety
PLUM	-	Participatory Land Use Management
PO-RALG	-	President's Office Regional Administration and Local Government
RPF	-	Resettlement Policy Framework
SEA	-	Sexual Exploitation and Abuse
SEP	-	Stakeholder Engagement Plan
TOR	-	Terms of Reference
URT	-	United Republic of Tanzania
VLUM	-	Village Land Use Management (Committee)
VLUP	-	Village Land Use Plan
VG	-	Vulnerable Groups
VGPF	-	Vulnerable Groups Planning Framework
WB	-	World Bank
WEO	-	Ward Executive Officer

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CHAPTER ONE

INTRODUCTION

1.1. Background Information

The Government of Tanzania (GoT), through the Ministry for Land, Housing, and Human Settlements Development (MLHSD), is implementing the Land Tenure Improvement Project (LTIP). The Project aims to increase land rights security and efficiency in land administration. It promotes land-based investments and ensures inclusion in social and economic development in urban and rural areas. The key project results indicators would be several Certificates of Rights of Occupancy (CROs), certificates of customer rights of occupancy (CCROs), residential licences issued and registered (gender disaggregated), increased number of land and property transactions, reduced number of land conflicts, increased tenure security, and gender disaggregation (survey data).

1.2. LTIP Project Scope in Temeke Municipal Council

The Temeke Municipal Council has long been formalizing informal settlements with the assistance of its Local Government Authority (LGA) experts and private firms before the LTIP commences. The initiative aligned with the objectives the Honorable Minister of Lands, Housing, and Housing Development outlined on July 13, 2018.

Following the Minister's announcement, the Council began authorising Surveying and Planning Companies that fulfilled the stipulated criteria to undertake the formalisation process within the Temeke Municipal Council.

The LTIP scope of the Temeke Municipal Council has five key objectives.

- a) Conducting screening which aims at finding environmental and social risk levels with subsequent devising mitigation measures to be adopted during project implementation
- b) Addressing the challenges of ongoing regularization projects.
- c) Facilitating the title registration process at the Ardhi Clinic.
- d) Completing cadastral surveying for stalled regularisation projects.
- e) Community sensitization about the project.

Six of the Mitaas, namely, Mzambarauni, Sigara, Machimbo, Dovya, Uwazi, and Mikwambe, located in Yombo Vituka, Makangarawe, and Toangoma Wards, respectively, will be provided with CROs. The project is expected to issue approximately 8,000 CROs in the Six Mtaas (estimation of 1,300 CROs from each Mtaa).

The process of issuing CROs is detailed in the LTIP CRO Manual and involves five (5) major activities:

- a) Public awareness and engagement of marginalized groups (people with disabilities and old people);
- b) Employing and Training Para-surveyors
- c) Parcels adjudication;
- d) Preparation of DSP (regularisation layout)
- e) Block Planning and Negotiation of Road Accessibility
- f) Printing and issuing CROs.

The aforementioned activities have potential to cause Environmental and Social (E&S) risks and impacts. To address the potential E&S risks and impacts the Project has prepared this Environmental and Social Management Plan (ESMP) which will guide all the project implementers.

1.3.1.2.1 General Objectives of ESMP

This ESMP is a valuable tool for managing and monitoring the E&S impacts associated with the proposed project activities. Specifically, it depicts how organizational capacity and resources are utilised to implement the proposed mitigation measures. Therefore, the Government Project implementation team, as well as private firms, will implement the project in accordance with the ESMP. The district E&S team handled preparing the ESMPs under the supervision of the Council Urban Certification Office (CUCO) and the Environmental and Social Management Team (ESMT) of the project at the Ministry level.

The preparation of this ESMP is consistent with the Project's Environmental and Social Management Framework (ESMF) and aims at reaching the following objectives:

- i. Identification of potential E&S impacts associated with urban certification activities supported by LTIP

- ii. To develop mitigation/enhancement measures to minimize E&S risks and impacts;
- iii. To define the implementation arrangement and organizational structure of the ESMP,
- iv. To assess the ability of the implementation agencies and develop plans for training and other capacity-building activities.
- v. To identify the parameters to be monitored and the respective tools used for monitoring and reporting.

1.4.

1.5.1.2.2 Methodology for Preparation of ESMP

The preparation of this ESMP is consistent with the Project's Environmental and Social Management Framework (ESMF). It was prepared by the Temeke Municipal Council in collaboration with the Project's Environmental and Social Management Team (ESMT) through undertaking the following activities:

- a) Environmental and social screening to determine risks and impacts associated with the certification process using (i) Annex 4 of ESMF on Screening Checklists for Environmental and Social Issues; (ii) Annex 6: Environmental and Social Safeguards Criteria for selecting project-specific areas; and (iii) Annex 5: Terms of Reference for the preparation of ESMP.
- b) Literature review
- c) Identification of mitigation, enhancement, and monitoring measures for the identified impacts;
- d) Validation of mitigation, enhancement, and monitoring measures through stakeholders' engagement; and
- e) Finalization of ESMP report and sharing with wider stakeholders

1.6.1.3 Screening results

This section presents the results of the Environmental and Social Screening conducted for the Land Tenure Improvement Project (LTIP) in Songwe District Council, Tanzania. Screening was carried out using the E&S Safeguard Criteria established by the project for selecting specific project areas. This was performed using the screening

form found in the ESMF guiding document (attached in Annex 6), which assessed the potential environmental and social impacts of the LTIP in the selected Songwe area.

CHAPTER TWO

BASELINE ENVIRONMENTAL AND SOCIAL CONDITION OF THE PROJECT AREA

1.7.2.1 Introduction

The Temeke Municipal Council is one of the five Municipalities of the City of Dar es Salaam, which was established on 10 November 1999 under the Local Government (Urban Authorities) Act, 1982 No. 8 Sections 8 and 9. 1.3 Location Temeke Municipal has an area of 240 square kilometers and a coastal zone of 5 km. In addition, it was 390 12 °–390 °33' east and 60 °48 '–70 °33' South. It covers a total area of 150.4 km². Temeke is found South of the City of Dar es Salaam, where in the East, it is bordered by the Indian Ocean, the Southern part is bordered by the Mkuranga district, and the northwest is adjacent to the Ilala district. The Kigamboni District borders the northeast. The municipality is divided into two administrative divisions, Mbagala and Temeke. The divisions were subdivided into 23 smaller administrative units called wards and further subdivided into 142 Mitaa.

2.2. Land Use Patterns in Temeke Municipality

Temeke Municipality, a vibrant district in Dar es Salaam, displays the dynamic interplay of urbanization, economic growth, and social needs. Its land-use patterns reflect these forces, with diverse functions shaping the city's landscape.

2.1.1. Residential Patterns

Temeke's residential landscape is characterised by a mix of high-density and low-density housing. High-density residential areas are dominated by multistore apartments and densely packed housing, catering to the city's growing population and limited land availability. Conversely, low-density residential areas are marked by single-family homes, bungalows, and spacious compounds, attracting a more affluent demographic and seeking a relaxed lifestyle. However, informal settlements occupy a large proportion of the municipality. These unplanned areas are characterised by high population density and a lack of basic infrastructure, resulting from rapid urbanisation and limited access to formal housing options.

2.1.2. Commercial Activities

Temeke boasts a bustling commercial sector, with retail and trade activities playing key roles in the municipality's economy. Bustling markets, shopping malls, and street vendors are common sights, particularly in Temeke town centres, which serve as hubs for wholesale and retail operations. The municipality also houses a significant industrial zone, including manufacturing plants, warehouses, and distribution centres, concentrated around the port area and along Morogoro Road.

2.1.3. Infrastructure and Public Services

Temeke Municipality is well-equipped with infrastructure, encompassing a complex network of roads, including major highways and local streets. The presence of Dar es Salaam Port and the railway system further emphasises the importance of transport infrastructure. The municipality also offers a range of public services, including hospitals, schools, community centres, and government offices, catering to the needs of its residents. Although limited, the municipality has green spaces, such as parks, sports fields, and open spaces.

2.1.4. Agricultural Practices

Although not as prominent as other land use categories, urban agriculture persists in Temeke, with residents engaging in vegetable gardens and livestock rearing, reflecting a continued connection to agricultural practices within the urban environment.

2.2. Population

According to the NBS (2002), the council had 768,451 people, and the area was 786.5 km², including Kigamboni District. In the 2012 National Census, the population increased to 1,346,674, and by 2022, the population grew to 1,346,674 people, with an average household size of four persons per household.

2.3. Climatic conditions

2.3.1. Precipitation

The Temeke Municipal Council lies in the tropical coastal belt of Tanzania and is therefore influenced by two major climatic conditions: rainfall and temperature. The rainfall pattern was bimodal with erratic conventional rain. Monsoon rain occurred

throughout the Municipality between December and February. At the same time, heavy rain occurred from March to June. The amount of rainfall received ranges from 800 to 1200 mm per annum.

2.3.2. Temperature

Similar to rainfall, temperature is also influenced by the ocean. High temperatures prevail throughout the year, ranging from 25°C during the period of June to August and up to 35°C in the period from January to March.

2.3.3. Soil type

The soil found in Temeke Municipal is often clay and partly sandy; therefore, it is relatively unproductive in terms of its agricultural use. In river valleys, which are recent floodplains and subject to flooding, alluvial soils (mainly EutricFluvisols and EutricGleysols) are dominant. Soil erosion in urban areas occurs primarily on the slopes of river valleys, where no vegetation is left to hold the soil in place. It is intensified by human activities such as developing unplanned settlements and extracting construction materials. Two major geological units characterise the topography of the Temeke Municipal Council City Council: the underlying substratum of (semi-) combined formations and outcropping rocks, and superficial mainly loose sediments. Several gully valleys and flat areas require attention when planning and regularising activities. No permanent rivers exist, but gullies and seasonal streams exist, and stormwater is collected during the rainy season.

2.3.4. Topography

Temeke Municipality, nestled in the heart of Dar es Salaam, is characterized by a generally flat terrain with subtle variations in elevation. The land gently slopes towards the Indian Ocean, creating a gradual incline from the western parts of the municipality towards the eastern coast. This gentle slope influences the water flow, particularly during the rainy season, creating a network of drainage channels and streams. The most prominent topographic feature within Temeke is the Kizinga River, which flows from north to south and carves a path through the municipality. The Kizinga River is vital for the region's water resources, contributes to the fertile alluvial plains along its banks, and is often utilised for agricultural purposes. While the municipality is generally flat, some areas with higher ground, typically in the western parts, create variations in

elevation. These subtle variations influence drainage patterns and contribute to the diverse ecological landscape of Temeke. Flat terrain also presents drainage and flooding challenges during heavy rainfall, requiring proper infrastructure and management to mitigate potential risks.

2.4. Selected Urban Areas for Certification

Therefore, in the Temeke Municipal Council, Six Mtaas, namely Mzambarauni, Sigara, Machimbo, Dovya, Uwazi, and Mikwambe, found in Yombo Vituka, Makangarawe, and Toangoma Wards, respectively, are currently selected for Urban Certification. The selected Mitaas are among the areas where contracted companies implement regularisation schemes. These Regularised Mitaas areas are characterised by a lack of social amenities and high-density housing, which some houses access through an informal road hierarchy.

2.4.1 Sigara Mtaa

Sigara Mtaa, found in Yombo Vituka Ward within the Western part of Temeke Municipal Council, is situated approximately 12.2 kilometers from the Temeke central business district (CBD) and adjacent to Dar es Salaam International Airport. The area is characterised by seasonal streams, specifically the Kwa Mpetu and Kipera River channels, which flow from the north (Dar es Salaam International Airport) to the south. These streams are susceptible to soil erosion and flooding because of poorly drained silt clays enriched with organic matter. The Environmental Management Act of 2004 mandates a 60-meter buffer zone along these streams to mitigate flood risks and other associated hazards. Although high-density settlements exist within this buffer zone, the project acknowledges the absence of recorded flood events or associated risks. However, the project will identify these settlements and collaborate with the National Environment Management Council (NEMC) and the Ministry of Land, Housing, and Human Settlement Development (MLHSD) to determine the appropriate course of action for certification.

Non-agricultural activities dominate the local economy in Sigara Mtaa, highlighting the need to acknowledge the mixed land use in urban areas to facilitate economic growth. The project recognises the ongoing regularisation scheme implemented by a contracted company in the area and engages with this company to ensure smooth integration with the project's implementation. The project will gather the necessary information and seek permission from the MLHSD to facilitate integration. Furthermore, the project acknowledges an illegal settlement within a public area designated as a cemetery. The project will identify this issue and work with stakeholders (including government officials, community leaders, and potential residents of the

settlement) to resolve it using applicable laws and regulations before proceeding with certification.

Sigara Mtaa has an approved Town Planning drawing, which includes essential social amenities such as schools, dispensaries, cemeteries, open spaces, and markets. The project will incorporate these plans and provide Certificates of Recognition (CROs) for these amenities as needed, supporting the development of essential services in the area. The project will also address the area's survey encroachment issues by utilising available rules and regulations to resolve these concerns before proceeding with certification activities.

1.8.2.1.2 Mzambarauni Mtaa

Mzambarauni Mtaa, located in Yombo Vituka Ward within the Western part of Temeke Municipal Council, is approximately 12.2 kilometers from the Temeke central business district (CBD). It was bordered by Sigara, Machimbo, Vituka, and Buza Mtaas. A defining feature of Mzambarauni is the Kwa Mpeta River channel, a branch of the Kizinga River that flows from north to south. This seasonal river is characterised by poorly drained silt clays enriched with organic matter, making it susceptible to soil erosion and frequent flooding during the rainy season. The Environmental Management Act of 2004 identifies a 60-meter buffer zone along the river to mitigate flood risks and other associated hazards. However, the project recognises the presence of high-density settlements within this 60-meter buffer zone. It will collaborate with the National Environment Management Council (NEMC) and the Ministry of Land, Housing, and Human Settlement Development (MLHSD) to determine the appropriate course of action for certification. The primary economic activity in Mzambarauni is non-agriculture, with a significant portion of the population engaged in various sectors. Recognising this mixed land-use pattern is crucial for projects to facilitate economic prosperity.

Ongoing Regularization and Survey Encroachment

Mzambarauni is currently undergoing a regularisation scheme implemented by a contracted company. The project will identify and gather relevant data on these regularisation efforts, ensuring smooth integration with ongoing development plans. Additionally, the project will address issues of survey encroachment within Mzambarauni, utilising the available rules and regulations to resolve these concerns before proceeding with any certification activities.

Machimbo Mtaa: Planning for Social Amenities

Machimbo Mtaa has an approved Town Planning drawing that identifies essential social amenities such as schools, dispensaries, cemeteries, open spaces, religious sites, and markets. The project will incorporate these plans and provide Certificates of Recognition (CROs) for these amenities as needed, supporting the development of essential services in the area.

2.1.3 Machimbo Mtaa

Machimbo Mtaa, located in Yombo Vituka Ward within the Western part of Temeke Municipal Council, is home to 10,128 people, according to the 2022 Population Census. Situated about 12.2 kilometers from the Temeke Central Business District (CBD), it borders Mzambarauni, Sigara, Vituka, and Buza Mtaas. While non-agricultural activities dominate the local economy, highlighting the need to acknowledge mixed land use for economic prosperity, Machimbo Mtaa also faces challenges. The area is characterised by small, paved seasonal river streams flowing from North to South as a branch of the Kizinga River. These streams are susceptible to flooding during the rainy season, posing risks to settlements within 60 m of riverbanks, as outlined by the Environmental Management Act of 2004. The project recognises the presence of high-density settlements within this buffer zone and will collaborate with the National Environment Management Council (NEMC) and the Ministry of Lands, Housing, and Human Settlement Development (MLHHSD) to determine the appropriate course of action for certification. The area is also undergoing a regularisation scheme implemented by a contracted company, with which the project will engage to ensure smooth integration with ongoing development plans. Additionally, the project will address issues of survey encroachment using the available rules and regulations before proceeding with certification activities. Machimbo Mtaa's approved Town Planning drawing includes essential social amenities like schools, health centers, religious sites, and markets, which the project will incorporate and provide Certificates of Recognition (CROs) for as needed, supporting the development of essential services in the area.

2.1.4 Mikwambe Mtaa

Mikwambe Mtaa, located in Toangoma Ward within the Eastern part of Temeke Municipal Council, is home to a population of 7,592 people, according to the 2022 Population Census. Situated approximately 16.6 kilometers from the Temeke Central

Business District (CBD), Changanyikeni Mtaa borders it to the west, Mwapemba Mtaa to the south, and the Kigamboni Municipal Council to the east and north. While non-agricultural activities dominate the local economy, underscoring the need to acknowledge mixed land use to facilitate economic growth, Mikwambe Mtaa also faces certain challenges. The area is characterised by seasonal river streams, specifically Kwa Chabaruba, which flow from north to southwest. Although settlements exist within 60 m of these riverbanks, as per the Environmental Management Act of 2004, the project acknowledges the absence of recorded flood events or associated risks. However, the project will identify these high-density settlements and collaborate with the National Environment Management Council (NEMC) and the Ministry of Land, Housing, and Human Settlement Development (MLHHSD) to determine the appropriate course of action for certification.

Furthermore, the project recognises the ongoing regularisation scheme implemented by contracted companies in Mikwambe Mtaa and engages with these companies to ensure smooth integration with the project's implementation, seeking permission from the MLHHSD. Additionally, the project will address issues of survey encroachment, utilising available rules and regulations to resolve these concerns before proceeding with certification activities. Mikwambe Mtaa has approved Town Planning drawings, which include essential social amenities like schools, dispensaries, playgrounds, and markets. The project will incorporate these plans and provide Certificates of Recognition (CROs) for these amenities as needed, supporting the development of essential services in the area.

1.9.2.2 Common Social Issues in Dovyia and Uwazi Mtaa/Mitaa

Dovyia and Uwazi Mtaas, located in Makangarawe Ward within the western part of Temeke district, are home to a combined population of 19,065 people, according to the 2022 Population Census. Situated approximately 6.7 kilometers from the Temeke central business district (CBD), the ward borders the Yombo Vituka, Kilakala, Buza, and Tandika Wards. The area is characterised by seasonal streams, specifically Kwa Solapawa, which flow from northwest to east. These streams are susceptible to soil erosion and flooding because of poorly drained silt clays enriched with organic matter. The Environmental Management Act of 2004 mandates a 60-meter buffer zone along these streams to mitigate flood risks and other associated hazards. Although high-density settlements exist within this buffer zone, the project acknowledges the absence

of recorded flood events or associated risks. Nevertheless, the project will identify these settlements and collaborate with the National Environment Management Council (NEMC) and the Ministry of Land, Housing, and Human Settlement Development (MLHSD) to determine the appropriate course of action for certification.

The Dovyva and Uwazi Mtaas are primarily inhabited by middle- and low-income earners, with non-agricultural activities dominating the local economy. This emphasises the need to acknowledge mixed land use in urban areas to facilitate economic growth. The project recognises the ongoing regularisation schemes implemented by contracted companies in both Mtaas and engages with these companies to ensure smooth integration with the project's implementation. The project will gather the necessary information and seek permission from the MLHSD to facilitate integration. Both Mtaas have approved Town Planning drawings, which include essential social amenities such as schools, dispensaries, cemeteries, open spaces, and markets. The project will incorporate these plans and provide Certificates of Recognition (CROs) for these amenities as needed, supporting the development of essential services in the area. Additionally, the project will address issues of survey encroachment in both areas, utilising the available rules and regulations to resolve these concerns before proceeding with any certification activities.

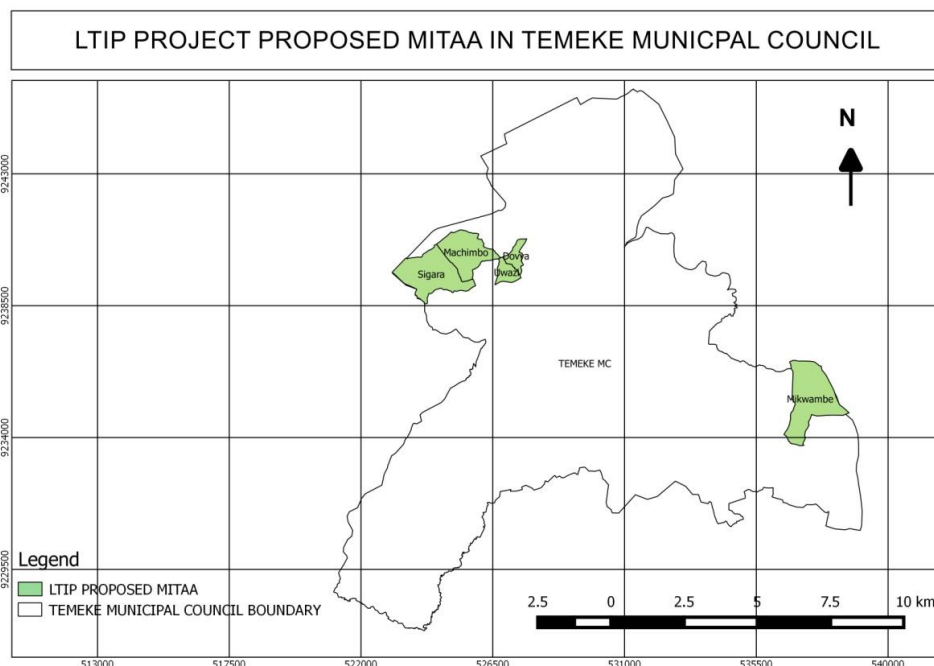


Figure 1: Map has shown Proposed Mtaas/Mitaa for LTIP project in Temeke Municipal Council

CHAPTER THREE

3.0. Legal And Institutional Framework

3.1. Introduction

This chapter describes the relevant legal and institutional frameworks governing ESMP. The focus has been placed on legislation as it provides environmental and social requirements relevant to the project.

3.2. Country's Legal Framework

The Occupational Health and Safety Act, No. 5 of 2003: This law requires employers to provide a good working environment for workers to safeguard their health. The LTIP will ensure the implementation of this act by training drivers to eradicate incidents and accidents and provide proper Personal Protective Equipment (PPE) and welfare facilities such as tents, drinking water, and toilets to the direct and indirect implementing teams.

The Employment and Labour Relations Act, No. 6 of 2004: The Act provides labour rights and protections, particularly on child labour, forced labour and discrimination in the workplace, and freedom of association. The Act prohibits child labour and provides that no child under the age of 14 is employed. The LTIP will ensure equality in employment, forbid child labour, and provide valid employment contracts to direct and indirect workers. The employment contracts for direct and indirect teams will ensure compliance with basic employment standards, which include: i) wage determination that stipulates a minimum term and condition of employment; (ii) an employment standard constitutes a term of a contract with an employee unless the term of the contract contains a term that is more favourable to the employee, and the provision of an agreement alters the employment standard to the extent permitted by the provisions; and iii) a provision of any collective agreement, a written law regulating employment, wage determination, or exemption granted under section 100. The law also requires provision for health insurance and joining national compensation funds for labour on employment beyond six months.

The Environmental Management Act (EMA) 2004 provides guidance for regulation processes in sensitive areas such as rivers, lakes, wetlands, forest areas, and wildlife resources. The Act provides a legal framework for coordinating harmonious and conflicting activities by integrating these activities into an overall sustainable environmental management system and providing key

technical support to Sectoral Ministries. Specifically, the LTIP project in Dar es Salaam will adhere to the 60-meter buffer zone requirement when issuing CROs along the rivers and streams in Six Mtaa.

The National Land Act, No. 4 and 5 of 1999:The Land Act (1999) recognises that all land in Tanzania belongs to the public, and the president acts as the trustee of the land for the benefit of the people (Land Act, 1(1)(a)). The Land Act classifies all land in Tanzania into three categories: (1) Reserved Land, (2) General Land, and (3) Village Land (Section 4(4)). The first two categories are governed by provisions of the Land Act and its regulations. About 68% of all land in the country is Village Land, 30% is Reserved Land, and only 2% is general land.

These Acts, among other things, are the procedures for land administration, allocation, acquisition, regularisation schemes, land registration and certification, compensation, and resource management in urban and rural areas. Land Acts contain provisions of critical environmental importance and modalities for stakeholder engagement through meetings and public hearings. Both Acts translate the fundamental principles of land policy into the body of law. One of these fundamental principles is to ensure that land is used productively, and that any such use complies with the principles of sustainable development. In issuing CROs, the LTIP in Dar es Salaam complies with the specified provisions in land acts.

Urban Planning Act of 2007:This is the principal legislation governing urban planning. The LTIP will leverage the Urban Planning Act of 2007 and Tanzania's primary urban planning legislation to guide its regularisation efforts. This will involve preparing detailed planning schemes, engaging the public and stakeholders, and ultimately facilitating the approval of the regularisation scheme. The project also spearheads the preparation of an environmental and social assessment to ensure the sustainability of the scheme.

Public Health Act of 2012: The Act, among others, stipulates the need to consolidate public health through the prevention of disease, promotion, safeguarding, and maintaining and protecting the health of humans and animals. The presence of LTIP workers may result in the risk of disease transmission, which will be addressed by conducting HIV/AIDS campaigns and providing hand washing facilities, condoms, and dustbins.

Water Resources Management Act No. 11 of 2009: Act no. Eleven 2009 Act No. 11 2009 is the principal legislation governing water resource utilisation and pollution control. Specifically, this Act aims to ensure that water resources are protected, used, developed, conserved, managed, and controlled for sustainable development. The LTIP will identify streams, rivers, and other water source areas in Dar es Salaam, and will not issue CROs in such areas to enhance the management of water resources.

1.10. 3.3 World Bank Environmental and Social Framework

The ESMF identified ESS1, ESS2, ESS3, ESS4, ESS5, ESS6, ESS7, ESS8, and ESS10 to be applicable to LTIP. However, for the Temeke Municipal Council, the following ESSs are applicable, and this ESMP describes how specific ESSs are operationalised during the issuance of CROs:

ESS1: Assessment and Management of Environmental and Social Risks and Impacts

- Screening of environmental and social risks and impacts to determine the level and magnitude of risks and impacts;
- Prepared an ESMP for Temeke to mitigate identified risks and impacts, monitor the effectiveness of proposed mitigation measures, and enhance project benefits.

ESS2 Labour and Working Conditions

- Provision of Valid Employment Contractors to workers for both direct and indirect teams
- Provide Occupational Health and Safety (OHS) measures to workers, including PPE and welfare facilities;
- Training HIV/AIDS project workers in direct and indirect teams

ESS4 Community Health and Safety

- Sensitization of the community about the project and associated health risks and impacts; and
- Training HIV/AIDS project workers in direct and indirect teams
- Avoid accidents and provide community safety measures

ESS5 Land acquisition, Restriction on Land use and Involuntary Resettlement

- Sensitization of community about the project and land requirements for access roads, community facilities such as schools, health facilities, markets, cemetery; recreational and open areas; and
- Land donation requirements and procedures stipulated in the Resettlement Policy Framework (RPF);

ESS10 Stakeholders Engagement and Information Disclosure

- Sensitization of community about the project
- Formulation and operationalization of Grievance Redress Mechanism (GRM)
- Implementation of district stakeholder engagement forum (DSEF) and national stakeholder engagement forum (NSEF).

CHAPTER FOUR

ENVIRONMENTAL AND SOCIAL IMPACTS, RISKS AND MITIGATION MEASURES

1.11.

1.12. 4.1 Introduction

Based on the environmental and social baseline conditions of the project area, environmental and social assessments have identified the following project benefits, risks, and impacts:

1.13. 4.2 Project Social Benefits

In the Temeke Municipal Council, LTIP has the following benefits:

Security of Tenure: The issuance of CROs will enhance the security of tenure for individuals, community members, and institutions, such as grape farm owners and religious institutions.

Capital Creation: Individuals and communities use CROs as collateral to access capital from financial institutions, which will be reinvested in other productive activities. This will also stimulate land-based investment.

Effective Land Control and Management: Different land uses will be identified during the urban certification processes, and their use will be prescribed. This will reduce conflicts over land and provide land for road infrastructure, social services, and residential and commercial use. In addition, the plan identifies hazardous areas unsuitable for human activities.

Reduction of costs associated with informal land transactions: Providing CRO to Temeke Municipal Council community members will enhance the reliability of land transactions. CROs serve as evidence of land ownership with clear sizes and boundaries. Equally, it discourages multiple sales of the same land to different buyers, thus reducing land-related conflicts.

Employment Opportunities: Urban Certification activities in the Temeke Municipal Council require the workforce to perform different activities. The project employs approximately 176 people: 32 skilled, 64 semi-skilled, and 80 unskilled. The duties and responsibilities of each category of worker are detailed in the CRO Manual.

1.14. 4.3 Negative Social Risks and Impacts

The following are identified as negative social risks and impacts associated with LTIP regularisation activities in Temeke:

a) Conflict over land use and land rights

In the project area, people live without properly identifying their areas, land size, or boundaries with neighbours. During adjudication, the chance of not agreeing to the boundaries might lead to conflicts over land. Similarly, rearranging access roads might require neighbours to negotiate for road access and voluntary land donations, leading to misunderstandings among residents. In addition, some conflicts might involve resolving the legal owner of the land parcels, especially in polygamous extended families and where there are inheritance cases.

b) Ineligibility to CROs

Based on Annex 6 of the ESMF and CRO's Manual, communities residing within 60m are associated with floods and other risks and will not be eligible for CROs, as such areas are protected by the EMA of 2004. The affected individuals of communities may feel that they have been excluded from project benefits.

c) Women and Other Marginalized Group

Traditional practices among dominant ethnic groups stipulate that women have less access to the right to own land. In addition, marginalised groups such as elders, long-time patients, and youth have fewer chances to get CROs due to a lack of project information, and this could formalise inequalities between men and women regarding access to CROs.

d) Gender Based Violence (GBV), Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH)

In the Six Mtaas, community members with access to project resources such as employment, income, and power over others might subject subordinates, children, spouses, and people from low-income status to GBV and SEA/SH.

e) Influx of Laborers

Mass urban land certification involves many workers within and outside project areas. Interactions between project workers and the local community are likely to accelerate the further spread of STIs, crimes, and over-tasking available social services.

f) Physical and Economic Displacement

Certification and registration may require land. The community or households may already use this land for a range of purposes (housing, economic activities, grazing land, businesses, etc.). Where land is acquired or donated, this may result in the economic resettlement of households, which may have an associated impact on livelihood activities and household income. Physical resettlement for land regularisation was not undertaken.

1.15. 4.4 Positive Environmental Impacts of Land Certification

The following are the positive environmental impacts of this project in Dar es Salaam.

- a) *Enhancement of the protection of sensitive areas:* The project areas have gullies, river streams, and road reserves which will be identified. The provision of CROs in such areas is restricted in accordance with the Urban Planning Act (2007), EMA (2004), and the Road Act (2007).
- b) *Liveable Settlements:* The regularisation process in Dar es Salaam creates a safe and conducive environment by providing green structures and mobility enhancement.

1.16. 4.5 Negative Environmental Impacts of Land Certification

The major negative environmental impacts of the regularisation process in the Temeke Municipal Council are as follows.

a) *Soil Erosion and Dust*

Installation of beacons may result in localised soil erosion and dust due to the loose soil around the beacons. However, these effects were considered minor.

Additionally, the fabrication of beacon activities involves sourcing materials from quarries and borrowing pits, such as gravel and sand, which may result in land degradation, soil erosion, and dust. This includes the OHS risks of the workers of the primary suppliers. However, this impact will be minor if the project leverages iron pins to earn plot boundaries.

b) Waste management

During the certification process, project workers generate solid and liquid wastes such as plastic, food, and human waste, leading to the possibility of land and water pollution.

c) Health and Safety Hazards

The fabrication, transportation, and subsequent installation of beacons may lead to incidents that may result in injuries and fatalities.

4.6 Mitigation Measures of the Identified Impact

This subsection describes mitigation measures for adverse impacts, measures for enhancing the beneficial effects, and the cost of mitigation against impacts. The Temeke Municipal Council and the Ministry of Land will implement an Environmental and Social Management Plan (ESMP), which was developed for the LTIP project. The ESMP will also ensure compliance with applicable environmental standards during land use and certification. Table 1 shows the Risks and Impacts and the Mitigation Matrix for Land Certification for Temeke Municipal Council. It details the proposed impacts, mitigation measures, responsible party, timeframe, and costs that the LTIP project implementation team will oversee and manage. The total cost of the mitigation measures was estimated to be 39,300,000 TZS.

Table 1: Mitigation Measures of Identified Impacts

S/ N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
Negative Social Risks and Impacts						
1	Conflict over land use	<ul style="list-style-type: none"> - Formulation and operationalization of GRM - Capacity building and awareness creation to local leaders on conflict resolution. - Operationalization of Land Donation Procedures (following the exact process described in the Project Resettlement Policy Framework) - Sensitization on the importance of joint land titling. - Educate men on the importance of including their wives on CROs. 	10,000,000/=	<ul style="list-style-type: none"> - Temeke Municipal Council E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - NGOs 	ESMT	During Urban Certification Process.
	Conflicts of Land Rights	<ul style="list-style-type: none"> - Formulation and operationalization of GRM - Sensitization on the importance of joint land titling. 		<ul style="list-style-type: none"> - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - CBO 		
	Conflicts of Plot Boundaries	<ul style="list-style-type: none"> - Engagement of land owners during land adjudication - Involvement of the Mtaa Committee in resolution of neighbors' conflicts 		<ul style="list-style-type: none"> - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa leaders - CBO 		
2	Ineligibility to CROs	<ul style="list-style-type: none"> - Identification of households located along road reserves, gullies, and river streams. - Awareness of ineligibility for CROs - Compensation will be paid to those along the road reserve by TARURA/TANROADS as per country laws. - Consult with NEMC and Water Basin Authority for further guidance. - Signage informing potential new settlers that those areas cannot be titled and should not be occupied - 	2,000,000/=	<ul style="list-style-type: none"> - Temeke Municipal Council Urban Certification Office (CUCO) - Temeke Municipal Council E&S Team - Participatory Land Use Management Team (PLUM) - National Environmental Management Council (NEMC) 	ESMT	During the identification of Parcels.

S/ N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
		to avoid further occupation, including by those who would like to be compensated.		- Tanzania Rural and Urban Road Agency (TARURA) - Tanzania Road Agency (TANROADS) & - Central Water Basin Authorities.		
3	Inequalities for Women and Other Marginalized Group	<ul style="list-style-type: none"> - Identification of marginalized groups such as women, elders, chronically ill persons, and youth - Sensitization on the importance of CROs and other project benefits. 	2,000,000/=	<ul style="list-style-type: none"> - Temeke Municipal Council E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - Community-Based Organisation (CBO) 	ESMT	During Project Sensitization and identification
4	GBV/SEA/SH	<ul style="list-style-type: none"> - Engage the Police Gender Desk to train Project staff on GBV/SEA/SH. - All LTIP staff to sign a code of conduct (CoC) which include GBV/SEA issues. - To develop a GBV Action Plan for the District. - To identify relevant government agencies and/ or NGOs in the district who can provide survivors of GBV and SEA assistance, for example, medical care, psychosocial support, legal redress, safety, etc., as and when necessary. 	8,000,000/=	<ul style="list-style-type: none"> - Temeke Municipal Council E&S Team - Ward Executive Officer (WEO), - Ward Community Development Officer (CDO) - Mtaa Leaders - Private Companies involved in certification activities. 	ESMT	Before placement of employees and During the Urban Certification Process.
5	Influx of Laborers	<ul style="list-style-type: none"> - Community awareness of STI transmission and basic hygiene practices and crimes - Give priority to unskilled laborers from within project areas. - Provide project workers welfare facilities such as water, toilets, and food vending. - Distribution of condoms 	2,000,000/=	<ul style="list-style-type: none"> - Temeke Municipal Council, Council Urban Certification Office (CUCO) - Temeke Municipal Council E&S Team - Mtaa Leaders - Private Companies involved in certification activities. 	ESMT	During Urban Certification Process.
6	Physical and Economic Impacts	- The project will address all physical and economic displacement in line with the requirements of the Resettlement Policy Framework (RPF) and the	10,000,000/=	- Temeke Municipal Council, Council Urban Certification Office (CUCO)	ESMT	Before Urban Certification Process.

S/ N	Potential Impacts	Social	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
					Implementation	Supervision	
			Vulnerable Groups Planning Framework (VGPF) where relevant. - Adjudication to minimize land take and loss of assets from any given household through negotiated agreements. - Surveying will ensure all the plots are viable and of acceptable sizes to enable continued use after land take. - Reconstruction and restoration for minimal losses of structures by the community.		- Tememe Municipal Council E&S Team - Mtaa Leaders		
Negative Environmental Impacts							
1	Soil Erosion and Dust		- Tree and grass planting - Dust suppression using water - Provide workers with PPEs (Masks, Boots, Gloves, and Helmets).	500,000/=	- Tememe Municipal Council, Council Urban Certification Office (CUCO) - Tememe Municipal Council E&S Team - Private Companies involved in certification activities. - Mtaa Leaders	ESMT	During Urban Certification Process.
2	Waste management		- Provision of dustbins in all project areas - Use of welfare facilities such as toilets and water.	800,000/=	- Tememe Municipal Council, Council Urban Certification Office (CUCO) - Tememe Municipal Council E&S Team - Private Companies involved in certification activities. - Mtaa leaders	ESMT	During Urban Certification Process.
3.	Health and Safety Hazards		- Provide workers PPEs (Masks, Boots, Gloves, and Helmet). - Training drivers of direct and indirect teams on road safety - Provide Health and Safety Training to project workers	2,000,000/=	- Tememe Municipal Council, Council Urban Certification Office (CUCO) - Tememe Municipal Council E&S Team - Private Companies involved in certification activities. - Mtaa leaders	ESMT	During Urban Certification Process.

S/ N	Potential Social Impacts	Mitigation Measures	Cost Estimates (TZS)	Responsible		Implementation Time Framework
				Implementation	Supervision	
4	OHS risks for primary supplier workers	- Contractor to conduct OHS due diligence assessment of primary supplier	2,000,000/=	- Temeke municipal Council Urban Certification Office (CUCO) - Private Companies involved in certification activities.	ESMT	

CHAPTER FIVE

ENVIRONMENTAL AND SOCIAL MONITORING PLAN

1.17. 5.1 Introduction

This ESMP establishes benchmarks that can be used to assess the level of compliance with the ESMP. Monitoring will be continuously and periodically reviewed to determine the effectiveness of implementing the mitigation measures. Therefore, the monitoring plan specifies the institution's arrangement for execution of the ESMP. In particular, it clarifies the type of monitoring, who will carry out it, and what other inputs, such as training, are necessary.

The objectives of the Environmental and Social monitoring plan are as follows:

- i. To monitor the effectiveness and implementation of ESMP during the planning and CROs issuance phases of proposed mitigation measures;
- ii. To confirm compliance with environmental, social, and safety legislation/regulations during certification as well as safeguard tools and instruments in place;
- iii. Controlling risks and ecological/social impacts
- iv. To ensure best practices management as a commitment to continuous improvement in environmental and social performance
- v. Provide environmental information to the community/stakeholders
- vi. To provide early warning signals on potential environmental degradation for appropriate actions to be taken to prevent or minimise environmental consequences.

Table 2 summarises the monitoring plan for urban certification in the Temeke Municipal Council.

Table 2: Environmental and Social Monitoring Plan for Implementation of Mitigation Measures during Land Certification and Registration Process in Temeke Municipal Council

S/N	Environmental/ Social Impacts	Monitoring Parameters	Targets/Legal Standards	Monitoring Methods	Frequency /Duration	Responsibility Host institution Supervising institutions	Monitoring Budget
Enhancement of Social Benefits							
1.	Security of Tenure	No. of CROs issued in each Mtaa	8,000	ILMIS data	Quarterly	ESMT & PIT	1,200,000/=
2.	Capital Creation	No. of Beneficiaries using CROs to secure capital.	20	Project report	Quarterly	ESMT & PIT	2,000,000/=
3.	Effective Land Control and Management.	Percentage decrease in land-related conflict cases in Six Mtaas.	50%	Project Report	Quarterly	ESMT & PIT	2,000,000/=
4.	Reduction of Cost Associated with Informal Land Transaction	Percentage decrease of cost associated with access to land to Six Mtaas.	100%	Project Report	Annually	ESMT & PIT	2,000,000/=
5.	Employment Opportunities	No. of people employed	174	Report	Quarterly	ESMT & PIT	0
Enhancement of Environmental Benefits							
6.	Enhancement of protection of sensitive areas	Number of land development within sensitive areas (Gullies & river streams).	0	Report	Quarterly	ESMT & PIT	4,000,000/=
7.	Livable Settlements	Percentage of green structures and enhanced mobility in Six Mtaas	-10% green structures & -15% mobility	Scheme of regularization	Annually	ESMT & PIT	2,000,000/=
Social Negative Impacts							
1.	Conflict over land use and land rights	Percentage decrease in land-related conflict cases in Six Mtaas. Number of resolved land disputes	50% Tbd	Report	Annually	ESMT & PIT	2,000,000/=
2.	Ineligibility to CROs	No of the identified ineligible parcels in Six Mtaas	N/A	Report	Quarterly	ESMT & PIT	2,000,000/=
3.	Inequalities for Women and Other Marginalized Group	Percentage of Women and Other Marginalized Groups with CROs.	30%	Report	Quarterly	ESMT & PIT	2,000,000/=
4.	Gender-Based Violence	% of grievances that have been successfully resolved	100%	Report	Quarterly	ESMT & PIT	2,000,000/=
5.	Influx of Laborers	Percentage of laborers employed from within the project areas.	40%	Report	Quarterly	ESMT & PIT	2,000,000/=
Environmental Negative Impacts							
6.	Soil Erosion and Dust	No. of trees planted	300 trees @ 50 Mtaa	Report	Quarterly	ESMT & PIT	2,000,000/=
7.	Waste Management	No. of dustbins provided in Six Mtaas	30 dustbins @ 5 Mtaa	Report and observation	Quarterly	ESMT & PIT	2,000,000/=
8.	Health and Safety Hazards	No. of incidents and accidents reported.	0	Report	Quarterly	ESMT & PIT	2,000,000/=
9.	OHS risks for primary supplier Workers	% of primary suppliers that have undergone an OHS due diligence assessment by contractors	100%	report	Quarterly	ESMT&PIT	2,000,000/=
	Total						29,400,000/=

CHAPTER SIX

INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF ESMP IN TEMEKE MUNICIPAL COUNCIL

6. Institutional Arrangements for ESMP Implementation

6.1 Introduction

The success of the LTIP, particularly in eliminating and reducing the potential to impact both the environment and local communities, relies heavily on the effective planning and implementation of this ESMP. Thus, the Environmental and Social Management Plan (ESMP) plays a crucial role. For the Temeke Municipal Council Urban Certification project, the ESMP is a comprehensive guide for achieving positive social and environmental outcomes while effectively mitigating potential risks. This chapter delves into the institutional arrangements that underpin the implementation of ESMP, highlighting the roles and responsibilities of key institutions and stakeholders. By understanding these arrangements, we can ensure that the project is conducted responsibly, ethically, and sustainably.

1.18. 6.2 ESMP Implementing Institutions

The effective implementation of this ESMP relies on the coordinated efforts of diverse institutions, each playing a critical role in a project's success. These institutions work collaboratively to ensure that the project's environmental and social objectives are met and potential risks are mitigated effectively.

6.2.1 Temeke Municipal Council Urban Certification Office (CUCO).

The Temeke Municipal Council Urban Certification Office (CUCO) is a key player in the certification process, managing daily operations and ensuring the smooth execution of certification activities. CUCO's role is to support the Temeke Municipal Council E&S Team, facilitating the efficient implementation of the project's environmental and social components. This support includes providing guidance, resources, and logistical assistance, ensuring that the certification process aligns with the ESMP's objectives. CUCO's contributions ensure that the certification process is efficient and adheres to the highest environmental and social standards.

6.2.2 Temeke Municipal Council's E&S Team

The Temeke Municipal Council's E&S Team is at the forefront of implementing the environmental and social aspects of the project. This team is responsible for mitigating potential risks, enhancing positive impacts, and ensuring that the project aligns with the sustainability principles. The E&S Team works diligently to address environmental and social concerns, ensuring that the project's implementation is responsible, ethical, and beneficial to the community. CUCO's support provides the E&S Team with the necessary resources and guidance to effectively carry out its vital functions.

6.2.3 Participatory Land Use Management Team (PLUM):

The participatory land-use management team (PLUM) plays a crucial role in identifying households situated within sensitive areas, such as road reserves, gullies, and river streams. This identification process is critical for mitigating the potential risks associated with these areas and ensuring responsible implementation of the project. PLUM works directly with communities and engages in participatory approaches to gather information and ensure that the project's activities are undertaken with consideration of the needs and concerns of residents. PLUM promotes transparency and ownership in project implementation by involving local communities.

6.2.4 National Environment Management Council (NEMC) and Central Water Basin Authorities

The National Environment Management Council (NEMC) and Central Water Basin Authorities are essential partners in the project's environmental stewardship. Their expertise in environmental regulation and management provides valuable guidance, ensuring that the project complies with national and regional environmental standards. These institutions work closely with the project team to address potential environmental impacts, particularly those related to households situated near gullies and river streams, ensuring that the project minimises its footprint and protects sensitive ecosystems. Their involvement ensured that the project was environmentally responsible and sustainable.

6.2.5 Tanzania Rural and Urban Road Agency (TARURA) and Tanzania Road Agency (TANROADS)

The Tanzania Rural and Urban Road Agency (TARURA) and the Tanzania Road Agency (TANROADS) are crucial partners in managing road infrastructure and ensuring the well-being of

communities residing along roads. Their road construction and management expertise provide vital guidance, particularly regarding compensation arrangements. Their involvement ensures that communities impacted by the project are treated and compensated fairly, fostering trust and minimising potential conflicts. By collaborating with these agencies, the project demonstrates its commitment to responsible development, which considers the needs of the local population.

6.2.6 Ward and Mtaa Leaders

Ward and Mtaa leaders play a pivotal role in local governance and community engagement. They are essential intermediaries between the project teams and local communities. Their key responsibilities include the following.

- **Conflict Resolution:** They act as mediators to resolve conflicts effectively through the project's grievance redress mechanism, ensuring that any concerns or disputes are addressed in a fair and equitable manner.
- **Identifying marginalised groups:** They work to identify marginalised groups (women, elders, chronically ill persons, youth) within the community to ensure that their needs and perspectives are considered and addressed.
- **Community sensitisation:** They conduct crucial sensitisation efforts, raising awareness about the importance of Certificates of Recognition (CROs), waste management practices, gender-based violence and sexual exploitation and abuse (GBV/SEA) matters, health and safety, and other project benefits. This ensured that the communities were informed and involved in the implementation of the project.

6.2.7 Civil Society organisations (CSOs)

Civil society organisations (CSOs) contribute significantly to a project's success by promoting awareness about the project's benefits and advocating for the community's interests. They emphasise the importance of joint titling, ensuring that land ownership is equitable and transparent. CSOs also play a critical role in addressing critical issues like gender-based violence and sexual exploitation and abuse (GBV/SEA) matters, ensuring that the project upholds ethical standards and protects vulnerable groups. Their involvement emphasises the project's commitment to community engagement, social responsibility, and promoting inclusive development practices.

6.2.8 Private Firms:

Private firms play a vital role in the practical implementation of a project by ensuring safe and responsible practices. Their responsibilities include the following.

- **Personal Protective Equipment (PPE):** Providing essential personal protective equipment (PPE) to workers, such as masks, boots, gloves, and helmets, to protect their health and safety.
- **Training:** Conduct training on road safety, health, and safety for workers, ensuring that they are equipped with knowledge and skills to work safely.
- **Waste Management:** Supplying dustbins and implementing proper waste management practices to minimise environmental pollution.
- **Welfare Facilities:** Creating welfare facilities, such as toilets and water access, for workers and ensuring a comfortable and sanitary work environment.
- **Environmental Initiatives:** Engaging in environmental initiatives such as tree and grass planting and dust suppression to minimise the project's environmental footprint and promote sustainability.

6.3 Supervision and Monitoring Roles

The project Environment and Social Management Team (ESMT) are responsible for ensuring compliance with ESMPs. In particular, the team conducts regular audits and prepares reports demonstrating that the ESMP is being implemented accordingly. The team is required to submit monthly reports to the MLHHSO. The MLHHSO, through the PCU, will then be required to submit quarterly reports on ESMP implementation to the World Bank.

6.4 Capacity Development and Training

Capacity development training for the LTIP was stipulated in the ESMF. For the Temeke Municipal Council, the following training was provided to the E&S Team at the LGAs level and Mtaa leaders to enhance their capacity to implement environmental and social risk management issues during the certification process (Table 3).

Table 3: Training Activities

S/N	Name of Training	Training Institution	Date
1.	Environmental and Social Framework Training to LGAs E&S Teams	World Bank	13 th – 14 th December 2022
2.	Preparation and Implementation of ESMP to CUCOs members.	ESMT	21 st - 23 rd December 2022
3.	Training on Safeguards Compliance to Mtaa and ward leaders	ESMT	3 rd – 4 th March 2023

Other E&S training plans for the Temeke Municipal Council to enhance their capacity to implement ESMP are as follows:

- a) Health and Safety Training for project drivers and field teams will be conducted in March 2024.
- b) Training on the implementation of ESMP in private firms prior to the certification process
- c) Training of the code of conduct for GBV/SEA and ethics practice to ESMT and Temeke Municipal Council E&S Team to be conducted in June 2024.

CHAPTER SEVEN

CONCLUSIONS AND RECOMMENDATIONS

1.19. 7.1 Conclusions

This ESMP is specifically for the Temeke Municipal Council LTIP activities. It proposes mitigation measures to minimise adverse impacts while enhancing positive ones. The assessment and evaluation processes of the proposed project activities indicate that the project will bring net social benefits within the project area. The negative implications of this project have been identified and need to be mitigated in order to make this project environmentally and socially sound.

The social benefits of this project include enhanced security of tenure, capital creation, effective land control and management, reduction in costs associated with informal land transactions, and employment opportunities.

Apart from the positive impacts, the ESMP also identified some negative implications associated with the proposed interventions, which must be mitigated to ensure project acceptability and sustainability. The negative impacts include conflict over land use and land rights, ineligibility for some people to obtain CROs, inequalities for women and other marginalised groups, likely the emergence of gender-based violations, influx of labourers, soil erosion and dust, generation of waste, and health and safety hazards.

To address the aforementioned risks and impacts, the ESMP includes a comprehensive Environmental and Social Management Plan (ESMP), Monitoring Plan for proper implementation of the project, and reduction of the negative effects of the project. The MLHHD is committed to affecting this ESMP by ensuring that a sufficient budget, human resources, and logistics are available.

1.20. 7.2 Recommendations

- All Mtaa / Wards where the project is implemented should have a copy of this ESMP,
- Private firms and institutions to be hired to conduct the certification process in Dar es Salaam should be given this ESMP as part of the contract to ensure its implementation,

- An adequate budget should be allocated to facilitate the implementation of mitigation measures to avoid project impacts on the environment and community and enhance project benefits.
- Training all stakeholders on E&S issues is the key to achieving ESMP objectives. All key stakeholders identified in the ESMP must be trained to facilitate the smooth implementation of E&S issues during project implementation.

Annexes

Annex 1: E&S Safeguard Criteria for Selecting Specific Project Areas in Temeke District

1.21. E&S Safeguard Criteria for Selecting Specific Project Areas in Dovya Mtaa				
SN	Area/issue of concern	Criteria	Applicability (Yes/No)	Guiding Remarks
1	Area/Mtaa bordering reserved areas such as forests, National parks, game reserves	Boundaries of the reserved area and the Mtaa are clear and well-identified	NO	The certification process can proceed as boundaries are clear, and certificates will not be issued in reserved areas
		There is encroachment between the Mtaa and the reserved area, and the boundary is not clearly known.	NO	The issue of boundary should be resolved between stakeholders such as the Mtaas, Tanzania Forest Services, other stakeholders, and mediators using available laws and regulations before proceeding with the certification
		There is encroachment between Mtaa and the reserved area, although the boundary is well known to all the parties	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
2	Area/Mtaa bordering rivers and lakes	Settlement is found 60m away from the bank of the river as per the Environmental Management Act of 2004	YES ¹	Under the Environmental Management Act of 2004, settlements found to be at least 60m from shoreline/ bank can be considered for certification
		Settlement is found within 60 meters from the river banks, but no floods or any other risk is associated	YES ²	Clarification should be obtained from NEMC on how to proceed with the certification; if permission is given, the process should proceed. The MLHSD will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
		Settlement is found within 60m of the banks of the river and is associated with floods and other risks	YES ³	The area is considered hazardous, and no certification should be required. The MLHSD will clarify with NEMC in advance

¹There are about 3103 found 60m away from the bank of the river as per the Environmental Management Act of 2004.

²About 42 Households located found within 60m from the banks of the river but no floods or any other risk is associated.

³About 14 found within 60m from the banks of the river and are associated with floods and other risks

				before the project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
3	Area/Mtaa/settlements bordering wetlands and water catchment areas	Mtaa/area is located near or bordering wetlands and/or watershed areas. The area/Mtaa boundary should maintain a 60m distance as per the national laws	NO	Wetlands/water catchment areas are considered areas with high biological importance and are protected by national and international laws and agreements. Under such circumstances, the conservation status of such areas will be established by relevant authorities as per the Water Act of 2019, the Environmental Management Act of 2004, and other national and international laws. When identified as per the laws and regulations, such areas will be considered hazardous and certification will not proceed in these areas
4	Wildlife areas, corridors or migratory routes	Mtaas borders wildlife areas, wildlife corridors or migratory routes	NO	Such areas should be identified by relevant authorities (Tanzania Wildlife Authority, Ngorongoro Conservation Area Authority, etc) and no certification should be allowed in such areas.
5	Livestock grazing areas and stock routes	Mtaa has communal land reserved for livestock grazing only or for established stock routes	NO	These areas should be given certificates in the name of the Mtaa for communal use. No one within the Mtaa should be denied access as a result of certification process. Individual titles should not be provided in these areas.
6	Cultural Heritage Sites	Boundaries of the registered cultural heritage area and the Mtaa are clear and well identified	NO	Certification process can proceed as boundaries are clear and no certificates will be issued in reserved areas
		There is encroachment between the Mtaa and the registered cultural heritage site and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders using available laws and regulations before proceeding with the certification
		There is encroachment between Mtaa and the registered cultural heritage site although the boundary is well known to all the parties	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
		The Mtaa contains a locally important cultural site which is not protected.	NO	The areas should be agreed as part of the Mtaa land use plan, bylaws for use agreed and should be

				certified for communal use in the name of the Mtaa
7	Flood prone areas	Settlement is located in flood prone areas which may be restricted for any development activities.	YES ⁴	These are considered as hazardous land and no certification process should proceed, in case no clear boundary is seen, clarification will be sought from NEMC who will determine whether the area should be considered or not
8	High density informal settlements	High density informal settlements in urban settings which are not aligned with planning requirements.	YES ⁵	In the issuance of Residential Licenses, clarification may need to be sought from NEMC and other relevant authorities before decision is made to proceed with RL in case of any other environmental constraints.

1.22. E&S Safeguard Criteria for Selecting Specific Project Areas in Machimbo Mtaa

SN	Area / issue of concern	Criteria	Applicability (Yes/No)	Guiding Remarks
1	Area/Mtaa bordering reserved areas such as forest, National parks, game reserves	Boundaries of the reserved area and the Mtaa are clear and well identified	NO	Certification process can proceed as boundaries are clear and certificates will not be issued in reserved areas
		There is encroachment between the Mtaa and the reserved area and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders such as the Mtaas, Tanzania Forest Services, other stakeholders and mediators using available laws and regulations before proceeding with the certification
		There is encroachment between Mtaa and the reserved area although the boundary is well known to all the parties	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities

⁴About 14 Households located in flood prone areas which may be restricted for any development activities.

⁵There are about 17 Households subjected to encroached survey which may delay the certification process.

2	Area/Mtaa bordering rivers and lakes	Settlement is found 60m away from the bank of the river as per the Environmental Management Act of 2004	YES ⁶	Under the Environmental Management Act of 2004, settlements found to be at least 60m from shore line/ bank can be considered for certification
		Settlement is found within 60m from the banks of the river but no floods or any other risk is associated	YES ⁷	Clarification should be obtained from NEMC on how to proceed with the certification, if given permission the process should precede. The MLHSD will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
		Settlement is found within 60m from the banks of the river and are associated with floods and other risks	YES ⁸	The area is considered hazardous and no certification should be conducted. The MLHSD will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
3	Area/Mtaa/ settlements bordering wetlands and water catchment areas	Mtaa/area is found close to or bordering wetlands and/or watershed areas. The area/Mtaa boundary should maintain a 60m distance as per the national laws	NO	Wetlands/water catchment areas are considered as areas with high biological importance and are protected by national and international laws and agreements. Under such circumstances the conservation status of such areas will be established from relevant authorities as per the Water Act of 2019, Environmental Management Act of 2004, and other national and international laws. When identified as per the laws and regulations, such areas will be considered hazardous and certification will not proceed in these areas
4	Wildlife areas, corridors or migratory routes	Mtaas borders wildlife areas, wildlife corridors or migratory routes	NO	Such areas should be identified by relevant authorities (Tanzania Wildlife Authority, Ngorongoro

⁶There are about 2939 found 60m away from the bank of the river as per the Environmental Management Act of 2004.

⁷About 24 Households located found within 60m from the banks of the river but no floods or any other risk is associated.

⁸About 3 Households which found within 60m from the banks of the river and are associated with floods and other risks

				Conservation Area Authority, etc) and no certification should be allowed in such areas.
5	Livestock grazing areas and stock routes	Mtaa has communal land reserved for livestock grazing only or for established stock routes	NO	These areas should be given certificates in the name of the Mtaa for communal use. No one within the Mtaa should be denied access as a result of certification process. Individual titles should not be provided in these areas.
6	Cultural Heritage Sites	Boundaries of the registered cultural heritage area and the Mtaa are clear and well identified	NO	Certification process can proceed as boundaries are clear and no certificates will be issued in reserved areas
		There is encroachment between the Mtaa and the registered cultural heritage site and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders using available laws and regulations before proceeding with the certification
		There is encroachment between Mtaa and the registered cultural heritage site although the boundary is well known to all the parties	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
		The Mtaa contains a locally important cultural site which is not protected.	NO	The areas should be agreed as part of the Mtaa land use plan, bylaws for use agreed and should be certified for communal use in the name of the Mtaa
7	Flood prone areas	Settlement is located in flood prone areas which may be restricted for any development activities.	NO	These are considered as hazardous land and no certification process should proceed, in case no clear boundary is seen, clarification will be sought from NEMC who will determine whether the area should be considered or not
8	High density informal settlements	High density informal settlements in urban settings which are not aligned with planning requirements.	YES ⁹	In the issuance of Residential Licenses, clarification may need to be sought from NEMC and other relevant authorities before decision is made to proceed with RL in case of any other environmental constraints.

1.23. E&S Safeguard Criteria for Selecting Specific Project Areas Mikwabe

SN	Area / issue of concern	Criteria	Applicability (Yes/No)	Guiding Remarks
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⁹There are about 33 Households high density developed within Public area and 92 Households subjected to the issue of survey encroachment which may delay the certification process.

1	Area/Mtaa bordering reserved areas such as forest, National parks, game reserves	Boundaries of the reserved area and the Mtaa are clear and well identified	NO	Certification process can proceed as boundaries are clear and certificates will not be issued in reserved areas
		There is encroachment between the Mtaa and the reserved area and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders such as the Mtaa, Tanzania Forest Services, other stakeholders and mediators using available laws and regulations before proceeding with the certification
		There is encroachment between Mtaa and the reserved area although the boundary is well known to all the parties	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
2	Area/Mtaa bordering rivers and lakes	Settlement is found 60m away from the bank of the lake/river as per the Environmental Management Act of 2004	YES ¹⁰	Under the Environmental Management Act of 2004, settlements found to be at least 60m from shore line/ bank can be considered for certification
		Settlement is found within 60m from the banks of the river but no floods or any other risk is associated	YES ¹¹	Clarification should be obtained from NEMC on how to proceed with the certification, if given permission the process should precede. The MLHHS D will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
		Settlement is found within 60m from the banks of the river and are associated with floods and other risks	YES ¹²	The area is considered hazardous and no certification should be conducted. The MLHHS D will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
3	Area/Mtaa/ settlements bordering wetlands and water catchment areas	Mtaa/area is found close to or bordering wetlands and/or watershed areas. The area/Mtaa boundary should maintain a 60m distance as per the national laws	NO	Wetlands/water catchment areas are considered as areas with high biological importance and are protected by national and international laws and agreements. Under such circumstances the conservation status of such areas will be established from relevant

¹⁰ There are about 1990 located 60m away from the bank of the river as per the Environmental Management Act of 2004.

¹¹ There are about 57 found within 60m from Chabaruba river banks but no floods or any other risk is associated.

¹² There are about 13 Households located within 60m from Chabaruba river banks and are associated with floods and other risks

				authorities as per the Water Act of 2019, Environmental Management Act of 2004, and other national and international laws. When identified as per the laws and regulations, such areas will be considered hazardous and certification will not proceed in these areas
4	Wildlife areas, corridors or migratory routes	Mtaas borders wildlife areas, wildlife corridors or migratory routes	NO	Such areas should be identified by relevant authorities (Tanzania Wildlife Authority, Ngorongoro Conservation Area Authority, etc) and no certification should be allowed in such areas.
5	Livestock grazing areas and stock routes	Mtaa has communal land reserved for livestock grazing only or for established stock routes	NO	These areas should be given certificates in the name of the Mtaa for communal use. No one within the Mtaa should be denied access as a result of certification process. Individual titles should not be provided in these areas.
6	Cultural Heritage Sites	Boundaries of the registered cultural heritage area and the Mtaa are clear and well identified	NO	Certification process can proceed as boundaries are clear and no certificates will be issued in reserved areas
		There is encroachment between the Mtaa and the registered cultural heritage site and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders using available laws and regulations before proceeding with the certification
		There is encroachment between Mtaa and the registered cultural heritage site although the boundary is well known to all the parties	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
		The Mtaa contains a locally important cultural site which is not protected.	NO	The areas should be agreed as part of the Mtaa land use plan, bylaws for use agreed and should be certified for communal use in the name of the Mtaa
7	Flood prone areas	Settlement is located in flood prone areas which may be restricted for any development activities	YES ¹³	These are considered as hazardous land and no certification process should proceed, in case no clear boundary is seen, clarification will be sought from NEMC who will determine whether the area should be considered or not
8	High density informal settlements	High density informal settlements in urban settings	YES ¹⁴	In the issuance of Residential

¹³There are about 13 Households located in flood prone areas which may be restricted for any development activities

¹⁴There are about 9 Households within encroached survey which may delay the certification process.

		which are not aligned with planning requirements.		Licenses, clarification may need to be sought from NEMC and other relevant authorities before decision is made to proceed with RL in case of any other environmental constraints.
1.24. E&S Safeguard Criteria for Selecting Specific Project Areas in Mizambarauni Mtaa				
SN	Area / issue of concern	Criteria	Applicability (Yes/No)	Guiding Remarks
1	Area/Mtaa bordering reserved areas such as forest, National parks, game reserves	Boundaries of the reserved area and the Mtaa are clear and well identified	NO	Certification process can proceed as boundaries are clear and certificates will not be issued in reserved areas
		There is encroachment between the Mtaa and the reserved area and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders such as the Mtaas, Tanzania Forest Services, other stakeholders and mediators using available laws and regulations before proceeding with the certification
		There is encroachment between Mtaa and the reserved area although the boundary is well known to all the parties	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
2	Area/Mtaa bordering rivers and lakes	Settlement is found 60m away from the bank of the river as per the Environmental Management Act of 2004	YES ¹⁵	Under the Environmental Management Act of 2004, settlements found to be at least 60m from shore line/ bank can be considered for certification
		Settlement is found within 60m from the banks of the river but no floods or any other risk is associated	YES ¹⁶	Clarification should be obtained from NEMC on how to proceed with the certification, if given permission the process should precede. The MLHSD will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
		Settlement is found within 60m from the banks of the river and are associated with floods and other risks	YES ¹⁶	The area is considered hazardous and no certification should be conducted. The MLHSD will clarify with NEMC in advance before project commencement on

¹⁵There are about 5,432 Households which found 60m away from Kwa Mpeta river banks per the Environmental Management Act of 2004.

¹⁶About 8 Households within 60m from Kwa Mpeta river banks and are associated with floods and other risks.

				the issue so that it is included in the process manual to avoid delays during project implementation
3	Area/Mtaa/ settlements bordering wetlands and water catchment areas	Mtaa/area is found close to or bordering wetlands and/or watershed areas. The area/Mtaa boundary should maintain a 60m distance as per the national laws	NO	Wetlands/water catchment areas are considered as areas with high biological importance and are protected by national and international laws and agreements. Under such circumstances the conservation status of such areas will be established from relevant authorities as per the Water Act of 2019, Environmental Management Act of 2004, and other national and international laws. When identified as per the laws and regulations, such areas will be considered hazardous and certification will not proceed in these areas
4	Wildlife areas, corridors or migratory routes	Mtaas borders wildlife areas, wildlife corridors or migratory routes	NO	Such areas should be identified by relevant authorities (Tanzania Wildlife Authority, Ngorongoro Conservation Area Authority, etc) and no certification should be allowed in such areas.
5	Livestock grazing areas and stock routes	Mtaa has communal land reserved for livestock grazing only or for established stock routes	NO	These areas should be given certificates in the name of the Mtaa for communal use. No one within the Mtaa should be denied access as a result of certification process. Individual titles should not be provided in these areas.
6	Cultural Heritage Sites	Boundaries of the registered cultural heritage area and the Mtaa are clear and well identified	NO	Certification process can proceed as boundaries are clear and no certificates will be issued in reserved areas
		There is encroachment between the Mtaa and the registered cultural heritage site and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders using available laws and regulations before proceeding with the certification
		There is encroachment between Mtaa and the registered cultural heritage site although the boundary is well known to all the parties	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
		The Mtaa contains a locally important cultural site which is not protected.	NO	The areas should be agreed as part of the Mtaa land use plan, bylaws for use agreed and should be certified for communal use in the name of the Mtaa

7	Flood prone areas	Settlement is located in flood prone areas which may be restricted for any development activities	YES ¹⁷	These are considered as hazardous land and no certification process should proceed, in case no clear boundary is seen, clarification will be sought from NEMC who will determine whether the area should be considered or not
8	High density informal settlements	High density informal settlements in urban settings which are not aligned with planning requirements.	YES ¹⁸	In the issuance of Residential Licenses, clarification may need to be sought from NEMC and other relevant authorities before decision is made to proceed with RL in case of any other environmental constraints.

1.25. E&S Safeguard Criteria for Selecting Specific Project Areas in Sigara Mtaa

SN	Area / issue of concern	Criteria	Applicability (Yes/No)	Guiding Remarks
1	Area/Mtaa bordering reserved areas such as forest, National parks, game reserves	Boundaries of the reserved area and the Mtaa are clear and well identified	N O	Certification process can proceed as boundaries are clear and certificates will not be issued in reserved areas
		There is encroachment between the Mtaa and the reserved area and the boundary is not clearly known	N O	The issue of boundary should be resolved between stakeholders such as the Mtaas, Tanzania Forest Services, other stakeholders and mediators using available laws and regulations before proceeding with the certification
		There is encroachment between Mtaa and the reserved area although the boundary is well known to all the parties	N O	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
2	Area/Mtaa bordering rivers and lakes	Settlement is found 60m away from the bank of the river as per the Environmental Management Act of 2004	YES ¹⁹	Under the Environmental Management Act of 2004, settlements found to be at least 60m from shore line/ bank can be considered for certification
		Settlement is found within 60m from the banks of the	YES ²⁰	Clarification should be obtained from NEMC on how to proceed with the certification, if given

¹⁷There are about 8 Households located in flood prone areas which may be restricted for any development activities.

¹⁸There are about 45 Households subjected to survey encroachment which may hinder the process of certification.

¹⁹There are about 4,243 found 60m away from Kwa Mpeta and Kipera river banks as per the Environmental Management Act of 2004.

²⁰About 56 Households located within 60m from Kwa Mpeta and Kipera river banks but no floods or any other risk is associated.

		river e but no floods or any other risk is associated		permission the process should proceed. The MLHSD will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
		Settlement is found within 60m from the banks of the river and are associated with floods and other risks	YES ²¹	The area is considered hazardous and no certification should be conducted. The MLHSD will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
3	Area/Mtaa/ settlements bordering wetlands and water catchment areas	Mtaa/area is found close to or bordering wetlands and/or watershed areas. The area/Mtaa boundary should maintain a 60m distance as per the national laws	NO	Wetlands/water catchment areas are considered as areas with high biological importance and are protected by national and international laws and agreements. Under such circumstances the conservation status of such areas will be established from relevant authorities as per the Water Act of 2019, Environmental Management Act of 2004, and other national and international laws. When identified as per the laws and regulations, such areas will be considered hazardous and certification will not proceed in these areas
4	Wildlife areas, corridors or migratory routes	Mtaas borders wildlife areas, wildlife corridors or migratory routes	NO	Such areas should be identified by relevant authorities (Tanzania Wildlife Authority, Ngorongoro Conservation Area Authority, etc) and no certification should be allowed in such areas.
5	Livestock grazing areas and stock routes	Mtaa has communal land reserved for livestock grazing only or for established stock routes	NO	These areas should be given certificates in the name of the Mtaa for communal use. No one within the Mtaa should be denied access as a result of certification process. Individual titles should not be provided in these areas.
6	Cultural Heritage Sites	Boundaries of the registered cultural heritage area and the Mtaa are clear and well identified	NO	Certification process can proceed as boundaries are clear and no certificates will be issued in reserved areas
		There is encroachment between the Mtaa and the registered cultural heritage site and the	NO	The issue of boundary should be resolved between stakeholders using available laws and

²¹There are about 43 Households found within 60m from Kwa Mpeta and Kipera river banks and are associated with floods and other risks.

		boundary is not clearly known		regulations before proceeding with the certification
		There is encroachment between Mtaa and the registered cultural heritage site although the boundary is well known to all the parties	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
		The Mtaa contains a locally important cultural site which is not protected.	NO	The areas should be agreed as part of the Mtaa land use plan, bylaws for use agreed and should be certified for communal use in the name of the Mtaa
7	Flood prone areas	Settlement is located in flood prone areas which may be restricted for any development activities	YES ²²	These are considered as hazardous land and no certification process should proceed, in case no clear boundary is seen, clarification will be sought from NEMC who will determine whether the area should be considered or not
8	High density informal settlements	High density informal settlements in urban settings which are not aligned with planning requirements.	YES ²³	In the issuance of Residential Licenses, clarification may need to be sought from NEMC and other relevant authorities before decision is made to proceed with RL in case of any other environmental constraints.

1.26. E&S Safeguard Criteria for Selecting Specific Project Areas in Uwazi Mtaa

SN	Area / issue of concern	Criteria	Applicability (Yes/No)	Guiding Remarks
1	Area/Mtaa bordering reserved areas such as forest, National parks, game reserves	Boundaries of the reserved area and the Mtaa are clear and well identified	N O	Certification process can proceed as boundaries are clear and certificates will not be issued in reserved areas
		There is encroachment between the Mtaa and the reserved area and the boundary is not clearly known	N O	The issue of boundary should be resolved between stakeholders such as the Mtaas, Tanzania Forest Services, other stakeholders and mediators using available laws and regulations before proceeding with the certification
		There is encroachment between Mtaa and the reserved area although the boundary is well known to all the parties	N O	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities

²²There are about 43 Households located in flood prone areas which may be restricted for any development activities.

²³There are about 72 Households high density developed within Public area (Cemetery) and 32 Households subjected to the issue of survey encroachment which may delay the certification process.

2	Area/Mtaa bordering rivers and lakes	Settlement is found 60m away from the bank of the river as per the Environmental Management Act of 2004	YES ²⁴	Under the Environmental Management Act of 2004, settlements found to be at least 60m from shore line/ bank can be considered for certification
		Settlement is found within 60m from the banks of the river but no floods or any other risk is associated	YES ²⁵	Clarification should be obtained from NEMC on how to proceed with the certification, if given permission the process should proceed. The MLHSD will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
		Settlement is found within 60m from the banks of the river and are associated with floods and other risks	YES ²⁶	The area is considered hazardous and no certification should be conducted. The MLHSD will clarify with NEMC in advance before project commencement on the issue so that it is included in the process manual to avoid delays during project implementation
3	Area/Mtaa/ settlements bordering wetlands and water catchment areas	Mtaa/area is found close to or bordering wetlands and/or watershed areas. The area/Mtaa boundary should maintain a 60m distance as per the national laws	NO	Wetlands/water catchment areas are considered as areas with high biological importance and are protected by national and international laws and agreements. Under such circumstances the conservation status of such areas will be established from relevant authorities as per the Water Act of 2019, Environmental Management Act of 2004, and other national and international laws. When identified as per the laws and regulations, such areas will be considered hazardous and certification will not proceed in these areas
4	Wildlife areas, corridors or migratory	Mtaas borders wildlife areas, wildlife corridors or	NO	Such areas should be identified by relevant authorities (Tanzania

²⁴ There are about 2,366 Households found 60m away from the existing bank of the river as per the Environmental Management Act of 2004.

²⁵ There are about 49 Households found within 60m from the banks of the river but no floods or any other risk is associated

²⁶ About 7 Households are located within 60m from the Kizinga river channel and are associated with floods and other risks.

	routes	migratory routes		Wildlife Authority, Ngorongoro Conservation Area Authority, etc) and no certification should be allowed in such areas.
5	Livestock grazing areas and stock routes	Mtaa has communal land reserved for livestock grazing only or for established stock routes	NO	These areas should be given certificates in the name of the Mtaa for communal use. No one within the Mtaa should be denied access as a result of certification process. Individual titles should not be provided in these areas.
6	Cultural Heritage Sites	Boundaries of the registered cultural heritage area and the Mtaa are clear and well identified	NO	Certification process can proceed as boundaries are clear and no certificates will be issued in reserved areas
		There is encroachment between the Mtaa and the registered cultural heritage site and the boundary is not clearly known	NO	The issue of boundary should be resolved between stakeholders using available laws and regulations before proceeding with the certification
		There is encroachment between Mtaa and the registered cultural heritage site although the boundary is well known to all the parties	NO	The issue of encroachment should be resolved using available rules and regulations before proceeding with any certification activities
		The Mtaa contains a locally important cultural site which is not protected.	NO	The areas should be agreed as part of the Mtaa land use plan, bylaws for use agreed and should be certified for communal use in the name of the Mtaa
7	Flood prone areas	Settlement is located in flood prone areas which may be restricted for any development activities	YES ²⁷	These are considered as hazardous land and no certification process should proceed, in case no clear boundary is seen, clarification will be sought from NEMC who will determine whether the area should be considered or not
8	High density informal settlements	High density informal settlements in urban settings which are not aligned with planning requirements.	YES ²⁸	In the issuance of Residential Licenses, clarification may need to be sought from NEMC and other relevant authorities before decision is made to proceed with RL in case of any other environmental constraints.

²⁷There are about 7 Households located within flood prone areas which may be restricted for any development activities.

²⁸There are about 13 Households affected by survey encroachment.

