

TERMS OF REFERENCE

ACTIVITY 2.2.2.2: SUPPORT MAINSTREAMING OF WETLAND CONSERVATION IN TO RIVER BASIN MANAGEMENT AND LAND-USE PLANNING IN THUA THIEN HUE

Assignment	Support mainstreaming of wetland conservation into river basin management and land-use planning in Thua Thien Hue province
Project	Conservation of critical wetland Protected Areas and linked landscapes (UNDP-GEF)
Number of consultants	04 National Consultants
Duty station	Ha Noi, Thua Thien Hue province and others (if required)
Duration & timing	From December 2017 to April 2018
Reporting to	DONRE TTH and PMU, ISPONRE

1. INTRODUCTION& BACKGROUND

The Project “*Conservation of Critical Wetland Protected Areas and Linked Landscapes*” (Wetlands Project) is being funded by the Global Environment Facility (GEF) through the United Nations Development Program (UNDP), being implemented in 4 years from 2015 to 2018. The Project was approved under the Decision No. 1131/QĐ-TTg dated July 09, 2014 by the Prime Minister of Viet Nam and Decision No. 837/QĐ-BTNMT dated April 13, 2015 by the Minister of Natural Resources and Environment of Viet Nam. The Institute of Strategy and Policy on Natural Resources and Environment (ISPONRE) is assigned as the National Implementing Partner; the Biodiversity Conservation Agency (BCA) is assigned the role of Co-Implementing Partner; and two pilot provinces were selected for project implementation activities – Thua Thien Hue (TTH) Province and Thai Binh (TB) Province.

The Project’s immediate objective is “*to establish new wetland Protected Areas and create capacities for their effective management to mitigate existing and emerging threats from connected landscapes*”. The Project expects to achieve this by strengthening systemic, institutional and operational capacity for effective wetlands biodiversity management in Viet Nam nationally and at provincial level at selected sites, with major thrust to strengthen national and provincial capacities for planning, administering and managing wetland PAs.

Output 2.2 of the project focuses on addressing threats to wetlands that arise at the landscape level, by mainstreaming wetlands conservation and sustainable use into key provincial and sectoral policies and plans, contributing to Outcome 2 of the Wetlands Project “Integrity of wetland PAs is secured within the wider wetland connected

landscapes”. A review of entry points for mainstreaming of wetland in to planning processes has identified some potential areas for mainstreaming of wetland conservation into planning documents at both the district and provincial level, including the master plan for development of TG-CH lagoon and relevant land use plans, as well as planning processes for river basin management.

The project is currently supporting TTH to mainstream wetland conservation into a Master plan for TG-CH lagoon. The Master Plan will be submitted for TTH PPC for approval by June of next year.

This TOR outlines the consultancy assignment to support and enhance wetland mainstreaming into land use planning as well as development of multi-sector Regulation for Huong River integrated management in Thua Thien Hue province. The consultancy is designed as one of follow-up activities of the activity 2.2.1.1.1 “Research in entry points for mainstreaming of wetland conservation into provincial development plans in Thua Thien Hue” and the activity 2.2.2.1.1 “Propose approach for mainstreaming wetland conservation into river basin management planning in TTH”.

2. BACKGROUND

Huong River basin management

Huong River basin currently is managed by various TTH provincial authorities, i.e. Department of Tourism in aspect of tourism exploitation and management, Department of Agricultural and Rural Department in aspect of management of watershed protection forest, fisheries, agriculture and so on. The DONRE is in charge of management on water resources, including river basin management.

The Huong River is the main river entering the TG-CH lagoon. The River plays a central role for socio-economic development of the province. The total area of the basin is 2,850 km², covering 53% of the total area of province. The basin plays an important role in providing livelihood for the surrounding community and all economic sectors in the province, including the agriculture, livestock, aquaculture, transportation, tourism, etc. The river also contributes to maintain the biodiversity in the region. However, in recent years the Huong River has been seriously affected by the economic activities. The pollution sources come from households’ activities, processing enterprises, tourism and traditional villages, directly discharging in to the river without proper treatment which impact on water quality of the Huong river as the connecting landscape to TG-CH lagoon. Over the past decade(s) also 3 dams and accompanying reservoirs have been constructed in the river basin to support of hydropower generation, irrigation and flood water management, affecting water discharge, sedimentation and pollution dynamics, all with impacts on upstream and/or downstream biodiversity. At the same time, climate change related variance in rainfall together with expanding development of infrastructure (roads and dikes) is linked to the increased occurrence of catastrophic flood levels in the downstream Huong River basin. In 2015, the TTH PPC has promulgated the Strategy on Water Resource

Development and Integrated Management of River Basins in TTH province to the year 2020. In this, several initiatives were proposed to enhance the collaboration on water resources management in TTH, including the project on “*Survey and assessment of surface water resources in Thua Thien Hue Province*” (2016-2018); “*Integrated Management of Huong River Basin contributing to the preservation of the world cultural heritage - Hue imperial capital*” (2016 – 2018), the project “Emergency Reservoir Operation and Effective Flood Management Using Water-related Disaster Management Information Systems” (2017-2020). However, there are still many pressures to the River in term of insufficient water resources management and poor collaboration among the sectors. The effective coordination/collaboration among sectors on water resources management and utilization is required to reduce the impacts on the Huong River. It is necessary to develop a ***Multi-sector Regulation for integrated water management of Huong river basin***, to be adopted by PPC, to enhance the collaboration among sectors. The target groups under the Regulation will be different investment projects (i.e hydropower plan, aquaculture, agriculture, tourism, etc.) and conservation projects as well as the government sectoral authorities at different levels. The Regulation will ensure that the roles and responsible of all stakeholders in the basin are clearly identified for sustainable use of water resources in the basin.

Land use planning

The Land Law, which was approved by the National Assembly in 2013, provides a solid foundation for land use planning and management. There are several legal documents pertaining to Land use planning (LUP), including the Decree 43/2014/ND-CP issued by the Government guiding the implementation of the Land Law.

In Thua Thien Hue province, all districts and cities, including five districts around TG-CH lagoon, will adjust their land use master plans for the period of 2017-2020 and their annual land use plans, based on the adjusted provincial land use planning supposed to approved by beginning of next year. The District LU Plans for 2017-2020 are supposed to be submitted to TTH PPC for approval by June 2018. These are opportunities to mainstream wetland conservation and sustainable use into the plans. The district-level land use planning process will identify different land use options and will serve as the framework for all subsequent sector planning in the province and districts.

3. OBJECTIVES

The current consultancy assignment distinguishes two main assignments:

- Support the TTH DONRE to develop a Multi-sector Regulation for integrated management of Huong river basin to enhance collaboration of relevant sectors and local authorities for sustainable management of Huong river basin.
- Support to mainstream wetland conservation into land use plans at district level in TTH.

4. SCOPE OF WORK / TASKS

1) Develop a multi-sector Regulation for integrated water management of Huong river basin

- Review the legal documents relating to the water resources management at national and provincial levels;
- Summarize the previous/on-going initiatives on water resources management in Huong river basin, assess the achievements and challenges;
- Take lead in preparing the Inception Report for development of Multi-sector Regulation for integrated management of Huong river basin that describe the consultants' understanding, methodology and approaches;
- Identify different target groups who have direct/indirect impacts on water resources in the Huong river basin;
- Work with relevant stakeholders (local authorities, districts, communities and the private sector) directly related to water resources exploitation and management to understand current status of water resources management in relation to the future development of the river basin; identify the challenges and opportunities to reduce the negative impacts to water quantity and quality and impacts on the TG-CH lagoon environmental conditions and wetlands biodiversity from development activities;
- Support the DONRE and line Departments in TTH province to formulate the Regulation. The Regulation shall meet the following criteria:
 - ✓ Follow the existing legal documents on water resources management and be in line with the international trends on integrated water management of river basins;
 - ✓ Describe clearly objectives and managed objects of the Regulation;
 - ✓ Each Regulation article should specify the content management requirements (permitted, unauthorized, or conditionally authorized) and penalty for infringements;
 - ✓ Specify the role of stakeholders in implementing the Regulation;
 - ✓ Feasible and consistent to the management principle and contents mentioned in the Regulations;
 - ✓ Take biodiversity conservation and sustainable management into account.
- Participate in consultation meetings/workshops on presenting the draft Regulation to relevant stakeholders, including the TG-CH LWWG ;
- Support DONRE to revise and finalize the Regulation, taking into account the inputs/comments received from stakeholder's consultation.

2) Mainstream wetland conservation and sustainable use into land use planning at district level

- Prepare Inception Report for mainstreaming of wetland conservation into LUP at district level;
- Review the Land Use Plans (LUP) for 2010 – 2015 for 5 districts around the TG-CH lagoon in Thua Thien Hue province, assess their objectives, planned activities, actual implementation, achievements and failure, planned and allocated budgets, and their impacts on wetland ecosystem;

- Conduct consultations with district authorities to understand the current status on preparing and drafting their land-use plans for 2017-2020; work with drafting teams/or related authorities at district level and related partners to identify interventions for wetland conservation mainstreaming in different stages of LUP;
- Review socio-economic development plans and relevant sectoral plans in 5 districts in Thua Thien Hue province, identify their linkages, overlaps and gaps with district LUPs for the period 2017 – 2020;
- Work with drafting teams of the province and/or districts to conduct impact assessment of LU options on wetland ecosystem and identify the appropriate (alternative) LU options to reduce impacts to the wetland ecosystem;
- Support the drafting teams at provincial and districts level to prepare district LUPs for 2017 – 2020 that include appropriate considerations for wetland conservation;
- Support the 5 districts to produce land use maps for inclusion into district LUPs for 2017 – 2020;
- Participate in consultation meetings in 5 districts to collect comments of related stakeholders on LUPs including considerations for wetland conservation;
- Prepare a consolidated report on the process of wetland conservation mainstreaming into district LUPs.

5. DELIVERABLES / OUTPUTS

Huong River basin multi-sector regulation

1. Inception Report including proposed methodology, detailed work plan and time table, outline for the consolidated report, no later than 10 days after signing of the contract.
2. Overview report on water resources management in Huong River basin, no later than 5th Feb 2018;
3. Draft Regulation no later than 15th Apr 2018;
4. Consolidated report on development of the Regulation no later than 30th May 2018.

Mainstreaming wetland conservation and management

1. Inception Report that describes the methodology and detailed work plan of the assignment, and includes an outline of the Final Report, no later than 10 days after signing of the contract;
2. Draft LUPs for 5 districts in Thua Thien Hue no later than April 30th 2018;
3. Final LUPs for 5 districts
4. Final consolidated report on mainstreaming wetland conservation into land use planning in selected districts in Thua Thien Hue province including lessons learned no later than June 15th 2018.

All above deliverables will be submitted to the PMU in both the English and Vietnamese language and to be accepted by PMU and UNDP.

5. REQUIREMENTS / QUALIFICATIONS

General requirements for all consultants

- Demonstrated practical experience with river basin planning and river basin integrated management at national and/or provincial levels.
- Adequate computer literacy required.
- Good oral and written communication skills in Vietnamese and English required.
- Excellent inter-personal and communication skills.

Consultant 1: Water Resources Specialist_NC1 (60 days): Take overall responsibility for development of a multi-sector regulation for water resources management in Huong River Basin; taking responsibility for the quality of all deliverables to the PMU and UNDP;

Specific qualifications for the envisioned individual consultants include

- Degree in the field of management, use and development of water resources. PhD is preferable
- Experience in the field of development of regulation on water issues. Preferably 10 years of experience in the field of water legislation development
- Experience in projects on water resources management in trans-boundary, national and basin levels.
- Excellent data analytical skills.
- Experience on working with the Government authorities as well as other relevant stakeholders in TTH province is an advantage.
- Established network in key water sector policy and planning agencies and institutions in Vietnam, and specifically TTH province, is an advantage.

Consultant 2: Land use specialist_NC2 (60 days): Take lead in supporting 5 districts of TTH to develop LUP (2017 – 2020) with wetland consideration; coordinating with Wetland Specialist and GIS specialist for mainstreaming of wetland consideration in to LUP; taking responsibility for the quality of all deliverables to the PMU and UNDP

Specific qualifications for the envisioned individual consultants include

- Master's Degree or equivalent in Land Use Administration/Management or related fields
- Minimum 5 years' working experience in related field, including data and policy analysis
- Track records of practical experience in LUP and policy analysis of land use planning
- Proven experience in environment and natural resources management planning is an asset
- Practical experience on working with provinces and have good relationship with provinces (through reference check) are an advantage
- Proven knowledge of legislation on land use planning
- Track records of working in consultancy teams is an advantage

- Fluently report writing skill in Vietnamese and English (through previous consultancy reports) required

Consultant 3: Wetland Consultant_NC3 (50 working days): Primary responsibility of assistance in mainstreaming of wetland conservation in to LUP at 5 districts of TTH; assess the impacts of different LU options in to wetland; participating in stakeholder consultations and field survey; providing support on additional assignment as requested by the Land Use Specialist.

Specific qualifications for the envisioned individual consultants include

- Minimum Master's degree in ecology, conservation biology, environmental science or related fields.
- Minimum 10 years experience working in ecology, wetland and biodiversity conservation and management, with practical experience in governance, oversight and/or management of protected areas will be an advantage.
- Proven experience in developing legal documents related to environmental protection and conservation, preferably related to wetland/biodiversity, and preferably for Viet Nam;
- Excellent data analytical skills;
- Experience in working as part of a consultants' team;
- Good contacts in key environmental sector policy and planning agencies and institutions in Vietnam an advantage;

Consultant 4: GIS expert_NC4 (55 days): Primary responsibility of assistance in producing of different LUP maps in the period 2017-2020; producing maps on water resources utilization of Huong River Basin; participating in stakeholder consultations and field survey; providing support on additional assignment as requested by the Land Use Specialist.

Specific qualifications for the envisioned individual consultants include

- Minimum Master's degree in geography, natural resources, social sciences or other relevant discipline;
- Minimum 5 years' experiences working in data management, including social and spatial analysis;
- Proven GIS experience, including data management, map production, and spatial analysis;
- Excellent Data management skills and experience with a variety of data management software, including GIS packages, spatial databases and mapping skills;
- Experience with environmental / natural resources / biodiversity data and projects preferred;
- Good contacts in Viet Nam agencies holding spatial environmental datasets and in key environmental sector policy and planning institutions in Vietnam an advantage;
- Experience in working as part of international consultancy teams an advantage;
- Excellent written, oral and graphic communication skills.

6. PAYMENT METHOD

Issuing of any payment is subject to the deliverable being formally approved by the project PMU and UNDP. Payment method is via bank transfer. Payment schedule is expected as follows:

- Payment 1 - 20% of the contract value - within 07 days after approval of the Inception Report by the PMU and UNDP.
- Payment 2 - 30% of the contract value - within 07 days after approval of draft assessment report of river basin management and land use planning by the PMU and UNDP.
- Payment 3 - 20% of contract value - within 07 days after approval of the draft Regulation/Report by the PMU and UNDP.
- Payment 4 - 30% of contract value - within 07 days after approval of the final regulation/consolidated report by the PMU and UNDP.

The detailed payment schedule and conditions will be finalized in the Consultancy contract.