



nema HQ: 0005688

nema

mazingira yetu | uhai wetu | wajibu wetu

**NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY(NEMA)
THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT
ENVIRONMENTAL IMPACT ASSESSMENT LICENSE**

License No: **NEMA/EIA/PSL/12833**

Application Reference No: **NEMA/EIA/PSR/22167**

This is to certify that the Environmental Impact Assessment Project Report received from **Baharini Farmers Irrigation Self Help Group**

P. O. Box 37 – 50241 Kipkarren River, Kenya, Tel. No.: +254 721431455

submitted to the National Environment Management Authority in accordance with the Environmental Impact Assessment & Audit Regulations, 2003 regarding the:

Baharini Dam Rehabilitation for Integrated Water Project (Aquaculture and Irrigation)

whose objective is to carry on

To promote aquaculture through demonstration of modern techniques of fish farming and to exploit the dam waters for fish production and for irrigated agriculture

located at

Plot No. Kakamega/Chekalini/3 in Baharini Village, Koromaiti Sub-Location, Chekalini Location, Lugari Sub-County in Kakamega County, Kenya

has been reviewed and a license is hereby issued for the implementation of the project, subject to attached conditions.

Issue date : 06 August, 2021

Signature

(seal)

Director-General
The National Environment
Management Authority.

P.T.O.



ISO 9001:2015 Certified

CONDITIONS FOR LICENSING OF ENVIRONMENTAL IMPACT ASSESSMENT PROJECT REPORT FOR THE PROPOSED BAHARINI DAM REHABILITATION FOR INTEGRATED WATER PROJECT ON PLOT NO. KAKAMEGA/CHEKALINI/3 IN BAHARINI VILLAGE, CHEKALINI LOCATION, LUGARI SUB-COUNTY

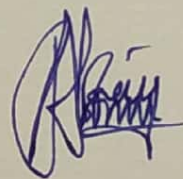
The National Environment Management Authority (NEMA) has reviewed the Environmental Impact Assessment (EIA) Project Report of the above mentioned proposed project and in light of the provisions of the Environmental Management and Coordination Act of 1999; the Authority has considered granting an EIA license for the proposed project with the following mandatory conditions:

General Conditions

- 1.1 The development is for the **proposed Baharini Dam Rehabilitation for Integrated Water Project on Plot No. Kakamega/Chekalini/3 in Baharini Village, Chekalini Location, Lugari Sub-county within Kakamega County.**
- 1.2 Without prejudice to the other conditions of this license, the proponent shall implement and maintain an environmental management system, organizational structure and allocate resources that are sufficient to achieve compliance with the requirements and conditions of this license.
- 1.3 The Authority shall take appropriate action against the proponent in the event of breach of any of the conditions stated herein or any contravention to the Environmental Management and Coordination Act, 1999 and regulations there under.
- 1.4 This license shall not be taken as statutory defense against charges of pollution in respect of any manner of pollution not specified herein.
- 1.5 The proponent shall ensure that records on conditions of licenses/approval and project monitoring and evaluation shall be kept on the project site for inspection by NEMA's Environmental Inspectors.
- 1.6 The proponent shall submit an Environmental Audit Report in the first year of occupation/operation/commissioning to confirm the efficacy and adequacy of the Environmental Management Plan.
- 1.7 The proponent shall comply with NEMA's improvement orders throughout the project cycle.
- 1.8 The proponent shall provide the final project accounts (final project costs) on completion of construction phase. This should be done prior to project commissioning/operational/occupation.

2. Construction conditions

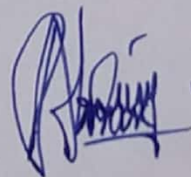
- 2.1 The proponent shall put up a project signboard as per the Ministry of Works Standards indicating the NEMA license number among other information.
- 2.2 The proponent shall ensure that all excavated material and debris is collected, re-used and where need be disposed off as per the Environmental Management and Coordination (Waste Management) Regulations, 2006.
- 2.3 The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Noise and Excessive Vibrations Pollution Control) Regulations, 2009.
- 2.4 The proponent shall ensure that all construction workers are provided with adequate personal protection equipment (PPE) and are in strict adherence with the Ministry of Health protocols on prevention and control of COVID19.



- 2.5 The proponent shall ensure strict adherence to the requirements of the National Construction Authority Act (2011).
- 2.6 The proponent shall ensure strict adherence to the Environmental Management Plan developed throughout the project cycle.
- 2.7 The proponent shall ensure that the development adheres to zoning specifications issued for development of such a project within the jurisdiction of **County Government of Kakamega** with emphasis on approved land use for the area.
- 2.8 **The proponent shall ensure that adequate and appropriate sanitary facilities are provided for the workers during construction phase and that proper decommissioning of the facilities is carried once construction is complete.**

3 Operational conditions

- 3.1 The proponent shall ensure that the reservoir site is secured appropriately from access by unauthorized persons
- 3.2 The proponent shall ensure continuous inspections are undertaken to validate the structural stability of the water reservoir.
- 3.3 The proponent shall prohibit all kinds of activities that might compromise the integrity of the reservoir embankment and the spillway
- 3.4 The proponent shall ensure that the capacity of the reservoir is not exceeded especially during long rains
- 3.5 The proponent shall ensure that all waste water is disposed as per the standards set out in the Environmental Management and Coordination (Water Quality) Regulations 2006.
- 3.6 The proponent shall ensure that all solid waste is handled in accordance with the Environmental Management and Coordination (Waste Management) Regulations, 2006.
- 3.7 The proponent shall ensure that the cooling systems employed are suitable alternatives with zero ozone depleting potential.
- 3.8 The proponent shall ensure that rain water harvesting facilities are provided to supplement surface and ground water.
- 3.1 The proponent shall ensure that all hazardous waste containers or packages for storing such hazardous chemicals and waste are securely stored and labeled in easily legible characters, written in both Swahili and English.
- 3.2 The label shall contain on the identity of the hazardous waste, the name and address of the generator of the waste, the net contents, the normal storage stability and methods of storage, warning and caution statements, a pictogram of a skull and crossbones, and first aid measures.
- 3.3 The proponent shall ensure that all hazardous and/or toxic waste generated from the facility shall be treated, or cause to be treated so as not to cause environmental pollution and public health hazards.
- 3.4 The proponent shall ensure that no pesticides or toxic substances are disposed off other than at a designated site or plant approved by the Authority.



- 3.5 The proponent shall ensure **compliance to provisions made under the Pest Control Products Act relating to classification, registration, labeling, packaging, import, export, advertising, distribution, storage, transportation, handling and disposal of pesticides.**
- 3.6 The proponent shall ensure that appropriate and functional efficient Air Pollution Control mechanisms are installed in the facility to control all air emissions.
- 3.7 The proponent shall ensure that all equipment used is well maintained in accordance with the Environmental Management and Coordination (Noise and Excessive Vibration (Pollution Control) Regulations, 2009.
- 3.8 The proponent shall ensure that environmental protection facilities or measures to prevent pollution and ecological deterioration such as solid waste management, landscaping mechanisms are designed, constructed and employed simultaneously with the proposed project.
- 3.9 The proponent should ensure that the project adheres to the provisions of the Water Act 2016
- 3.10 **The proponent shall comply with relevant principal laws, by laws and guidelines issued for development of such projects within the jurisdiction of the Ministry of Public Health and Sanitation, Directorate of Occupational Safety and Health Services, County Government of Kakamega, National Construction Authority and Water Resources Authority.**

4 Notification conditions

- 4.1 The proponent shall seek written approval from the Authority for any operational changes under this license.
- 4.2 The proponent shall ensure that the Authority is notified of any malfunction of any system within 12 hrs on the NEMA hotline 020606041 and mitigation measures put in place.
- 4.3 The proponent shall keep records of all pollution incidences & notify the Authority within 24hrs.
- 4.4 The proponent shall notify the Authority of its intent to decommission three months in advance in writing.

5 Decommissioning conditions

- 5.1 The proponent shall ensure that a decommissioning plan is submitted to the Authority for approval at least three (3) months prior to decommissioning
- 5.2 The proponent shall ensure that all pollutants and polluted material is contained and adequate mitigation measures provided during the phase.
- 5.3 The above conditions will ensure environmentally sustainable development and must be complied with.

The above conditions will ensure environmentally sustainable development and **MUST** be complied with.

