



nema
mazingira yetu | uhai wetu | wajibu wetu

Application Reference No..... **PR/2012**

Registration No.....

0066936

For Official Use

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


This is to certify that the Environmental Impact Assessment Project Report received from
..... **BENARD KAGUNZA FOR COUNTY GOVERNMENT OF KISUMU**.....(Name of
individual/firm) of..... **P.O. BOX 1700-40100, KISUMU**.....(Address)

submitted to the National Environment Management Authority (NEMA) in accordance with the Environment
Impact Assessment and Audit Regulations 2003 regarding.....
**PROPOSED CONSTRUCTION
OF KODIKRE COMMUNITY WATER PAN IN KODIKRE VILLAGE**

.....(title of project) whose objective is to carry on
**TO EXCAVATE A WATER PAN TO PROVIDE WATER FOR DOMESTIC AND
AGRICULTURAL USE**

.....(briefly describe purpose) located at
PLOT NO. KISUMU/KABODHO EAST/2964 IN CENTRAL NYAKACH WARD
NYAKACH SUB-COUNTY, KISUMU COUNTY.....(locality and County) has been
reviewed and a license is hereby issued for implementation of the project, subject to attached conditions

Dated this..... **29TH**..... Day of **MAY** 20**20**.....

Signature..... 

SEAL

for
**Director General
The National Environment Management Authority**

CONDITIONS OF LICENSE

1. This license is valid for a period of 24 months (time within which the project should commence) from the date hereof.
2. The Director-General shall be notified of any transfer/variation, surrender of this license.

P.T.O.



ISO:9001-2008 Certified

General Conditions

- 1.1 This project is for the **PROPOSED CONSTRUCTION OF KODIKRE COMMUNIYT WATER PAN ON PLOT NO KISUMU/ KABODHO EAST/2964 IN CENTRAL NYAKACH WARD, NYAKACH SUB-COUNTY, KISUMU 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, CAP 387 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 /operation /occupation.
- 1.9 The proponent shall comply with NEMA's improvement orders throughout the cycle.

2. Construction Conditions

- 2.1 **In the event the project borders a river or stream, pursuant to regulation 6(C) of water quality regulations, 2006, the proponent shall protect the riparian reserve by ensuring that NO development activity is undertaken within the full width of the river or stream to a minimum of six (6) meters and a maximum of 30 meters on either sides based on the highest recorded flow level.**
- 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. The debris shall only be deposited to a NEMA licensed site.
- 2.3 The proponent shall put up a project signboard as per the Ministry of Works Standards indicating the NEMA license number among other information.
- 2.4 The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Noise and Excessive Vibrations Pollution Control) regulations 2009.
- 2.5 The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Wetlands, Riverbanks, Lakeshores and Sea shore management) Regulations 2009.
- 2.6 The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Water quality) Regulations 2006.
- 2.7 The proponent shall ensure strict adherence to the Occupational Safety and Health Act (OSHA), 2007.
- 2.8 The proponent shall ensure that construction workers are provided with adequate personal protection equipment (PPE), sanitary facilities as well as adequate training.
- 2.9 The proponent shall ensure strict adherence to the Water Act 2002 and its subsidiary legislations.
- 2.10 The proponent shall ensure that construction activities are undertaken during the day (and not at night) – between 08.00hrs and 17.00hrs; and that transportation of construction materials to and from the site are undertaken during weekdays (and not weekends) off peak hours.
- 2.11 The proponent shall ensure strict adherence to the Environmental Management Plan developed throughout the project cycle.
- 2.12 The proponent shall ensure that the development adheres to zoning specifications issued for development of such a project within the jurisdiction of the City Council of Kisumu and KIWASCO with emphasis on approved land use for the area.

2.13 The proponent shall ensure that adequate and appropriate sanitary facilities are provided for the workers during construction phase and the proper decommissioning of the facilities is carried out once construction is complete.

2.14 The proponent shall provide Project plans approved by relevant agencies.

3. Operational conditions

3.1 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, and all drainage facilities are maintained all the times.

3.2 The proponent shall ensure high standards of construction are employed to get value for money for the project.

3.3 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.

3.4 The proponent shall ensure that all solid waste is handled in accordance with the Environmental Management and Coordination (Waste Management) Regulations 2006.

3.5 The proponent shall ensure that all workers are well protected and trained as per the OSHA, 2007.

3.6 The proponent shall comply with the relevant principal laws, by-laws and guidelines issued for development of such a project within the jurisdiction of City Council of Kisumu, Public Health, occupational safety and act of 2007(OSHA), Physical Planning, Housing, Disability, KIWASCO, Public Works, WRMA, Kenya Urban Roads Authority, Kenya National Highways Authority, Kenya Rural Roads Authority, Kenya Power And Lighting Company (KPLC) and other relevant Authorities.

3.7 The proponent shall ensure that environmental protection facilities or measures to prevent pollution and ecological deterioration such as noise, excessive vibration, liquid and solid waste management.

3.8 The proponent shall ensure the environmental protection facilities or measures to prevent pollution and ecological deterioration such as noise pollution, excessive vibration, liquid and solid waste mismanagement.

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 is contained and adequate mitigation measures provided during the phase.