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nema HQ: 0005170

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

License No: **NEMA/EIA/PSL/15632**

Application Reference No: **NEMA/EIA/PSR/26959**

This is to certify that the Environmental Impact Assessment Project Report received from
KWAWANYIKA AND SHANGA-NYACHE INTEGRATED WATER PROJECT

1272-80304 Wundanyi

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

Proposed Kwa Wanyika and Shanga-Nyache Integrated Water Project

whose objective is to carry on

**Integrating Kwa Wanyika and Shanga Nyache Water Intakes into one, development a
25km transmission and distribution pipe network, construction of six storage water
tanks, establishment, operation and maintenance system through Tavevo Water and
Sewerage Company, and training the community on water use management**

located at

**Nyache Sub location, Wumingu Location, Wumingu/ Kishushe Ward, Taita Sub County
Taita Taveta County**

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

Issue date: **22 November, 2021**

Signature

(seal)

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**Director-General
The National Environment
Management Authority.**

P.T.O.



ISO 9001:2015 Certified

1.0 General Conditions

- 1.1 This project is for the integration of Kwa Wanyika and Shanga Nyache water intakes. It entails construction of Shanga weir, construction of 400m³, 150 m³ and four(4) 100m³ concrete storage tanks and 25km pipeline installation works for water transmission and distribution at **Wumingu sub location, Wumingu/Kishushe Ward, Wundanyi Sub County, Taita Taveta County.**
- 1.2 The license shall be valid for 24 months (time within which the project shall commence from the date hereof).
- 1.3 The Director General shall be notified of any transfer, variation or surrender of this license.
- 1.4 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.
- 1.5 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 therein.
- 1.6 This license shall not be taken as statutory defence against charges of environmental degradation or pollution in respect of any manner of degradation/pollution not specified herein.
- 1.7 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.
- 1.8 The proponent shall submit an Environmental Audit report in the first year of occupation/operations/commissioning to confirm the efficacy and adequacy of the Environmental Management Plan.
- 1.9 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.
- 1.10 The proponent shall comply with NEMA's improvement orders throughout the project cycle.

2.0 Construction Conditions

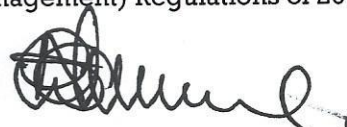
- 2.1 The proponent shall obtain the requisite approvals from the County Government of Taita Taveta and all other relevant Authorities prior to commencement of works.
- 2.2 The proponent shall put up a project signboard as per the Ministry of Transport and Infrastructure standards showing the NEMA EIA license number among other details.
- 2.3 The proponent shall seek authorization from the Water Resources Authority for the proposed in-water works and for water abstraction, prior to commencement of works.
- 2.4 The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Noise and Excessive Vibrations Pollution Control) Regulations of 2009.
- 2.5 The proponent shall ensure strict adherence to the Occupational Safety and Health Act (OSHA), 2007.
- 2.6 The proponent shall ensure relocation, compensation and restoration of livelihoods for any project affected persons (PAPs) and develop a consultative plan for emerging issues and grievance redress mechanisms (GRM) as shall be prescribed in the Resettlement Action Plan (RAP).



- 2.7 The proponent shall continually consult with the County Government of Taita Taveta to ensure that pertinent issues relating to equitable sharing of the abstracted water are resolved amicably to ensure project sustainability.
- 2.8 The proponent shall ensure that 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 provisions of the National Construction Act of 2011.
- 2.10 The proponent shall ensure that no excavated debris or other forms of wastes are disposed off or deposited in the rivers.
- 2.11 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 of 2006.
- 2.1 The proponent shall ensure that activities are undertaken during the day between 0800hrs and 1800hrs and on Saturday between 0800hrs to 1300hrs. No work shall be undertaken on Sundays; and that transportation of construction material to and from site is undertaken during weekdays and Saturdays only during the hours specified herein.
- 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 County Government of Taita Taveta with emphasis on approved land use for the area.
- 2.13 The proponent shall ensure strict adherence to the Environmental Management Plan (EMP) developed throughout the project cycle.

3.0 Operational Conditions

- 3.1 The proponent shall adhere to the conditions issued by the Water Resource Management Authority for in-water works and water use permits.
- 3.2 The proponent shall ensure that sanitary facilities are constructed at suitable places so as to avoid contamination of water bodies and the subsequent water-borne diseases/vectors.
- 3.3 The proponent shall ensure that the chemicals used for water treatment (such as Alum), agrochemicals and pesticides used on farms are appropriately handled and disposed off as provided for in their respective Material Safety Data Sheets.
- 3.4 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 of 2006.
- 3.5 The proponent shall ensure strict adherence to the provisions of the Environmental Management and Coordination (Air Quality) Regulations of 2014.
- 3.6 The proponent shall ensure that appropriate and functional efficient air pollution control mechanisms are installed to control all air emissions.
- 3.7 The proponent shall ensure that all drainage facilities are fitted with adequate functional oil water separators and silt traps.
- 3.8 The proponent shall ensure that rain water harvesting facilities are provided to supplement surface and ground water.
- 3.9 The proponent shall ensure that all equipment used are well maintained in accordance with the Environmental Management and Coordination (Noise and Excessive Vibration Pollution Control) Regulations of 2009.
- 3.10 The proponent shall ensure that all solid waste is handled in accordance with the Environmental Management and Coordination (Waste Management) Regulations of 2006.



- 3.11 The proponent shall ensure that all workers are well protected and trained as per the Occupational Safety and Health Act (OSHA) of 2007.
- 3.12 The proponent shall comply with the relevant principal laws, by-laws and guidelines issued for development of such a project within the jurisdiction of the **County Government of Taita Taveta, Kenya Forest Service, Ministry of Health, Ministry of Agriculture, Livestock, Fisheries and Co-operatives, Kenya Rural Roads Authority, Ministry of Lands and Physical Planning, National construction Authority, Water Resources Authority**, and other relevant Authorities.
- 3.13 The proponent shall ensure that environmental protection facilities or measures to prevent pollution and ecological deterioration such as soil erosion control, functional storm drainage, catchment protection, river pollution prevention, equitable water supply mechanisms are designed, constructed and employed simultaneously with the proposed project.

4.0 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 hours on the NEMA hotline No. **020 6006041/0786101100** and mitigation measures put in place.
- 4.3 The proponent shall keep records of all pollution incidences and notify the Authority within 24 hours.
- 4.4 The proponent shall notify the Authority in writing of its intent to decommission the facility **three (3) months** in advance.

5.0 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.

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

