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mazingira yetu | uhai wetu | wajibu wetu

Application Reference No. **PR/420**
Registration No. **0060760**

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
KENYA CLIMATE SMART AGRICULTURE PROJECT (KCSAP) (Name of individual/firm) of **P.O BOX 33- 70200 WAJIR** (Address)

Submitted to the National Environment Management Authority (NEMA) in accordance with the Environment Impact Assessment and Audit Regulations 2003 regarding

PROPOSED CONSTRUCTION OF DIIF LIVESTOCK MARKET

(title of project) whose objective is to carry on

TO IMPROVE ACCESS TO LIVESTOCK MARKET IN THE AREA

TO INCREASE INCOME FOR THE PASTORALIST THROUGH SALES OF LIVESTOCK

(briefly describe purpose) located at

DIIF VILLAGE, DIIF WARD, WAJIR SOUTH SUB COUNTY, WAJIR COUNTY.

(locality and county) has been reviewed and a license is hereby issued for implementation of the project, subject to attached conditions

Date this **02** Day of **AUGUST 2021**

Signature

SEAL

MOHAMUD HASHIR ALI

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.

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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 Environmental Management and Coordination Act of 1999, the Authority has considered granting an EIA license for the proposed project with the following **terms and conditions**:

1.0 General Conditions

- 1.1 The development is for construction of Diif livestock market to provide access market for pastoralist in Diif village , Wajir South Sub county, Wajir county at estimated cost of kshs **19,965,585** /=
- 1.1 The license shall be valid for **24 months** from the date of issue.
- 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 therein.
- 1.4 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.
- 1.5 This license shall not be used as proof of land ownership and any dispute arising thereof shall be resolved with the relevant lead agencies
- 1.6 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.
- 1.7 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.
- 1.8 The proponent shall comply with NEMA's improvement orders throughout the project cycle.
- 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.

2.0 Construction Conditions

- 2.1 The proponent shall put up a project signboard as per the Ministry of Transport and Infrastructure standards indicating the NEMA EIA license number among other information.
- 2.2 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 out once construction is complete.

- 2.3 The proponent shall ensure the project site is fenced to both people and livestock movement
- 2.4 The proponent shall ensure that the cooling systems fitted are suitable alternatives with zero ozone depleting potential as per the Environmental Management and Coordination (Controlled Substances) Regulations of 2007.
- 2.5 The proponent shall ensure control of nuisances such as noise, dust and odour facilities are in place throughout the project cycle.
- 2.6 The proponent shall obtain approval from all the relevant agencies prior to commencement of construction works.
- 2.7 The proponent shall ensure that the project will not encroach on way-leave and road reserves.
- 2.8 The proponent shall ensure that all demolition waste 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. No construction waste shall be deposited in the river or its way-leave zone.
- 2.9 The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Noise and Excessive Vibrations Pollution Control) Regulations of 2009.
- 2.10 The proponent shall ensure strict adherence to the Occupational Safety and Health Act (OSHA), 2007.
- 2.11 The proponent shall ensure that construction workers are provided with adequate personal protection equipment (PPE) as well as adequate training.
- 2.12 The proponent shall ensure that construction activities are undertaken during the day (and not at night) between 0800 hours and 1700 hours and that transportation of construction material to site are undertaken during weekdays at off peak hours.
- 2.13 The proponent shall ensure strict adherence to the Environmental Management Plan developed throughout the project cycle.
- 2.14 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 Wajir, with emphasis on approved land use for the area.
- 2.15 The proponent shall ensure that the project site has land ownership documents in accordance with the requirements of Ministry of lands and Physical Planning and Department of Lands, Housing and Public Works-Wajir County prior to commencement

3.0 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 of 2006.
- 3.2 The proponent shall ensure that rain water harvesting facilities are provided to supplement surface water.

- 3.3 The proponent shall ensure that all drainage facilities are fitted with adequate functional grease/oil water separators and silt traps.
- 3.4 The proponent shall ensure that appropriate and functional efficient air pollution control mechanisms are installed to control all air emissions.
- 3.5 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.
- 3.6 The proponent shall ensure that all solid waste is handled in accordance with the Environmental Management and Coordination (Waste Management) Regulations of 2006.
- 3.7 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 Wajir, Ministry Water, Environment and Natural Resources, Ministry of Land, Housing and Urban Development, Ministry of Public Health, Directorate of Occupational Health and Safety Services, Water Resources Management Authority and other relevant Authorities.
- 3.8 The proponent shall ensure that environmental protection facilities or measures to prevent pollution and ecological deterioration such as soil erosion control mechanism, solid waste management plan, landscaping and tree planting, energy and water saving fixtures, occupational safety and health of workers, functional drainage system, noise abatement measures, dust control measures 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.
- 5.3 The proponent shall comply with ministry of health republic of Kenya covid 19 guideline and protocols at all time
- 5.4 proponent shall collect all waste generated as a result of corona virus and level it as infections wastes.

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