



NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY

APPROVAL NO: NEMA/SPA/7256

APPLICATION ID: NEMA/SPR/5/2/10701

3/31/2022

NEMA/SPR/WPT/5/2/108

kikin irrigation management committee

BOX 1 - 30100 ELDORET

RE: SUMMARY PROJECT REPORT APPROVAL FOR THE PROPOSED UPGRADING OF KIKIN IRRIGATION PLOT L.R NO.: SOOK WARD, TAMUCH LOCATION, WEST POKOT, WEST POKOT COUNTY

Reference is made to your Summary Project Report submitted to the Authority on 2022-02-25 on the above subject.

The National Environment Management Authority (NEMA) has reviewed the Summary Project Report of the above mentioned proposed project and in light of the provisions of the Environmental Management and Coordination Act, EMCA 1999 and pursuant to Section 3(b) of the Environmental (Impact Assessment and Audit) (Ammendment) Regulations, 2019 the Authority has approved the proposed project with the following mandatory conditions.

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CLIFF BARKATCH

FOR: DIRECTOR GENERAL

**MAZINGIRA YETU
UHAI WETU
WAJIBU WETU**

MAZINGIRA YETU, UHAI WETU, WAJIBU WETU
ISO: 9001-2015 Certified

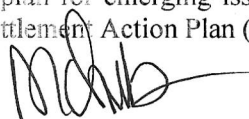
**MAZINGIRA YETU
UHAI WETU
WAJIBU WETU**

1.0 General Conditions

- 1.1 This project is for the construction of Kikin Irrigation Project- Intake weir construction, Gravity pipeline supply and irrigation of farmers' fields in Tamugh, Sook Ward, West Pokot Sub County, West Pokot 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, 1999 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 comply with NEMA's improvement orders throughout the project cycle.

2.0 Construction Conditions

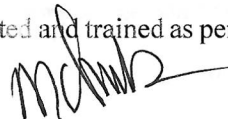
- 2.1 The proponent shall obtain the requisite approvals from the County Government of West Pokot and all other relevant Authorities prior to commencement of works.
- 2.2 The proponent shall put up a project signboard as per the Ministry of Transport and Infrastructure standards showing the NEMA EIA license number among other details.
- 2.3 The proponent shall seek authorization from the Water Resources Authority for the proposed 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 that any changes made to the designs are submitted to Water Resource Authority for checking and recording.
- 2.6 The proponent shall ensure in the event of changes the design consultant to produce as built drawings at the end of construction period and submit a copy to Water Resource Authority.
- 2.7 The proponent shall ensure strict adherence to the Occupational Safety and Health Act (OSHA), 2007.
- 2.8 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).



- 2.9 The proponent shall continually consult with the County Government of West Pokot to ensure that pertinent issues are resolved amicably, including equitable sharing of the abstracted water to ensure project sustainability.
- 2.10 The proponent shall ensure that workers are provided with adequate personal protection equipment (PPE), sanitary facilities as well as adequate training.
- 2.11 The proponent shall ensure strict adherence to the provisions of the National Construction Act of 2011.
- 2.12 The proponent shall ensure that no excavated debris or other forms of wastes are disposed off or deposited in the rivers.
- 2.13 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.
- 2.14 The proponent shall ensure strict adherence to the provisions of the Environmental Management and Coordination (Air Quality) Regulations of 2014.
- 2.15 The proponent shall ensure that activities are undertaken during the day between 0800 hours and 1700 hours and that transportation of construction materials to and from site are undertaken during weekdays at off peak hours.
- 2.16 The proponent shall ensure minimal destruction of vegetation along the pipeline and in the farmers' fields.
- 2.17 The proponent shall ensure that passages and or way leaves are obtained where necessary from relevant authorities e.g. KeRRA
- 2.18 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 conditions issued by Water Resource Authority for any in-water works and water use permits, including pollution control during construction activities of the intake weir.
- 3.2 The proponent shall provide Water Resource Authority with the work plan, and the inspection schedule ensuring that during the site meetings, Water Resource Authority technical staff is/or are involved to enhance adherence to design for safety purposes.
- 3.3 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.
- 3.4 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 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 ensure that all workers are well protected and trained as per the Occupational Safety and Health Act (OSHA) of 2007.



- 3.8 The proponent shall ensure that water usage is done in a way that there is no wastage but water is utilised in a sustainable and wise manner.
- 3.9 The proponent shall ensure that an Irrigation water users association is properly constituted and trained to deal with any disputes that may arise from time to time.
- 3.10 The proponent shall ensure that a buffer of 50 metres is maintained from the nearest water body in order to minimize water pollution from chemical fertilizers as per the Water Quality regulations.
- 3.11 The proponent shall ensure that agroforestry is carried out in the farmers' fields
- 3.12 The proponent shall ensure that no stagnant pools of water are in irrigation fields to control mosquito breeding;
- 3.13 The proponent shall ensure that there is continuous public education on health is conducted to reduce the social impacts of the project;
- 3.14 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 West Pokot, Ministry of Health, **Kenya Rural Roads Authority**, Water Resource Authority, Ministry of Water and Sanitation, Ministry of Land, Housing and Urban Development, Kenya Wildlife Service, Ministry of Agriculture, Livestock, Fish and Irrigation and other relevant Authorities.
- 3.15 The proponent shall ensure that environmental protection facilities or measures to prevent pollution and ecological deterioration such as reducing sedimentation of farms through use of sedimentation pit, pesticides management and control, catchment conservation measures, **and 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.

