

## **COMPLIANCE WITH ENVIRONMENTAL AND SOCIAL SAFEGUARD REQUIREMENT TO SUPPORT THE COUNTY AGGREGATION AND INDUSTRIAL PARK IN BUSIA**

### **Introduction**

The checklist highlights the requirement on documentation detailing the proposed investments relating to Environmental and social Impact Assessment (ESIA) Report (Number 7 in the checklist) of the intended activities to be jointly funded by the County and National Government. This requirement as observed by the technical teams is to be met at the project implementation stage of the project since ESIA reports are generated and submitted to NEMA for approval upon development of the structural and architectural drawings.

This report therefore, presents a self-assessment details of the County Government of Busia in matters Environmental and social safeguards in readiness for the project.

### **Mechanisms in place in readiness for the Project**

As you are aware the County Government of Busia benefited from the Kenya Devolution Support Program (KDSP) in both Level 1 and 2 of funding of the program. The program had 5 Key Result Areas (KRA) and KRA 5 was on Environment and Social safeguards. The County therefore intends to leverage on the gains of the program to implement the Aggregation and industrial park project.

The county made milestones in the following areas that are of relevance to us today;

#### **a) Environmental and Social technical staff in place**

This requirement ensured that the county recruited technical staff in matters Environmental and Social issues to handle the same in projects and day to day operations of the county.

This led to establishment of a fully fledged directorate for Environment. The staff were also trained and ensured that all county projects are compliant to the World bank safeguard policies.

This therefore demonstrated that the county is sufficiently covered having technical expertise in place for the project and some of the evidences are attached in this report. These officers will be utilized fully in the implementation of this project.

#### **b) Environmental and Social Management Framework (ESMF)**

This requirement under the KDSP was to ensure all participating counties had a checklist to be used in screening proposed projects for compliance to Environmental and Social safeguards before project implementation. The county developed the checklist through Technical Assistance of the Ministry of devolution and NEMA and the checklist was ratified by the County Executive Committee as a tool to be used by the County in all of our projects. This document will be instrumental to ensure compliance in the County Aggregation and industrial park project.

**c) Impact Assessment Reporting and the National Environment Management Authority (NEMA)**

In the KDSP project, ESIA licenses were to be obtained from NEMA for each project before it is implemented. The county in this regard ensured that the same was done. This demonstrates that the County in full compliance of the law will obtain relevant statutory requirements of NEMA whenever need arises.

Attached also is an ESIA licenses obtained for a county project.

**d) Grievance Redress Mechanism (GRM) in place**

In any project cycle, grievances are expected to arise and as thus KDSP required that counties have a robust GRM mechanism in place to deal with emerging issues regarding any project being implemented.

The GRM for the County is existent and very thorough in matters relating to Project Affected Persons (PAPs). The county will leverage on this GRM to handle all issues related to this project.

**e) Civic Education, Stakeholder Engagement and Consultation and public participation**

This is a requirement of the constitution of Kenya, 2010 that counties should engage the public in any development activities they plan to undertake. The County Government of Busia is compliant with this requirement and has to extent involved the public in planning, design and implementation of its projects. This therefore demonstrates that the County Aggregation and industrial park project will not be an exception once the project design phase is reached.

**Conclusion and Recommendation**

In a nutshell, the county is more than ready to undertake the project as far as Environmental and social safeguard requirements are concerned.

From the foregoing, we observe and recommend our consideration for the project since the county promises to leverage on existing structures and processes listed above.

Prepared by:



**Chirande Dennis**  
**County Director of Environment**  
**Busia County Government**

## ANNEXES

Annex 1 training certificates of some core staff







nema  
NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY

**NATIONAL ENVIRONMENT MANAGEMENT  
AUTHORITY**

*This is to certify that*

***Samuel Omijo Emase***

*attended the Basic Enforcement Course Training  
at the Four Point Hotel - Hurlingham, Nairobi  
County between 21st - 26th June 2021, and  
successfully completed the course.*

**Mamo B. Mamo  
Director General**



*Council of the*

**KENYA SCHOOL OF GOVERNMENT**

*certifies that*

**Chirande Dennis**

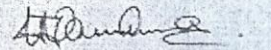
*having fulfilled the requirements of the program of study and upon  
recommendation of the Academic Board  
is hereby awarded a certificate in*

**Social Risk Management Course**

*on this 16th day of August, 2019*

*and is entered into official records*

  
DIRECTOR GENERAL

  
DIRECTOR ACADEMIC AFFAIRS

Certificate NO. 06145



*Council of the*



## KENYA SCHOOL OF GOVERNMENT

*certifies that*

**Robert Muganda Ekirapa**

*having fulfilled the requirements of the program of study and upon  
recommendation of the Academic Board  
is hereby awarded a certificate in*

**Social Risk Management Course**


*on this 16th day of August, 2019*

*and is entered into official records*

DIRECTOR GENERAL

DIRECTOR ACADEMIC AFFAIRS

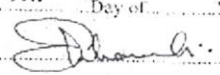
## ANNEX 2 ESIA Licenses from NEMA


  
**nema**  
NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

PR 636  
0055832

**THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT  
ENVIRONMENT IMPACT ASSESSMENT LICENSE**


This is to certify that the Environmental Impact Assessment Project Report received from  
COLONY GOVERNMENT OF BUSIA (Name of individual/firm) of PRIVATE, BAGA, BUSIA (Address)  
Submitted to the National Environment Management Authority (NEMA) in accordance with the Environment  
Impact Assessment and Audit Regulations 2003 regarding PROPOSED COMPLETION OF MATERNITY AND NEW BORN UNIT  
PROVISION OF HEALTHCARE SERVICES  
(Title of project/whose objective is to carry on  
(briefly describe purpose) located at  
PORT VICTORIA HOSPITAL, BUSIA, LA SUB-COUNTY-BUSIA COL. XIX  
(locality and county) has been  
reviewed and a license is hereby issued for implementation of the project, subject to attached conditions.

Date this 8TH Day of MAY 2019  
Signature 

 **SEAL**  
**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





nema

through people, for people

Application Reference No. PR 637

Registration No. 0055902

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  
COUNTY GOVERNMENT OF RUSIA (Name of individual/firm) of PRIVATE RAG RUSIA (Address)  
Submitted to the National Environment Management Authority (NEMA) in accordance with the Environment  
Impact Assessment and Audit Regulations 2003 regarding

COMPLETION AND EQUIPPING OF THEATRE

(title of project) whose objective is to carry on

PROVISION OF MEDICAL HEALTH SERVICES

(briefly describe purpose) located at

RUTLA SUB COUNTY, RUSIPAL, RUSIA COUNTY

(locality and county) has been

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

Date this 17TH Day of MAY 2016

Signature

SEAL

fw

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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