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Mazingira Yetu | Uhai Wetu | Wajibu Wetu

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

Approval No: **NEMA/EIA/SPA/223**

Applicaton ID: **NEMA/SPR/5/2/335**

NEMA/SPR/BSA/5/2/282

10/02/20.

COUNTY GOVERNMENT OF BUSIA – DIRECTORATE OF CLIMATE CHANGE.

P.O. BOX 392 – 50400, BUSIA (K).

**RE: SUMMARY PROJECT REPORT APPROVAL FOR THE PROPOSED REHABILITATION AND
HYBRIDIZATION OF BUKHAKHALA COMMUNITY WATER PROJECT PLOT L.R NO IN
BUKHAKHALA, MARACHI CENTRAL, BUTULA SUB-COUNTY – BUSIA COUNTY., BUTULA, BUSIA
COUNTY**

Reference is made to your Summary Project Report submitted to the Authority on 27/01/2025 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) (Amendment) Regulations, 2019 the Authority has approved the proposed project with the following mandatory conditions.

CLIFF BARKATCH

FOR: DIRECTOR GENERAL

P.T.O.



ISO 9001:2015 Certified

1.0 General Conditions

- 1.1 This development is for the proposed Hybridization of Bukhakhala Community project in Butula Sub-county, Busia County;
- 1.2 The License once issued shall be valid for 24 Months from the date of issue;
- 1.3 Without prejudice to other conditions of the license, the proponent shall implement maintain an Environmental Management System, Organizational Structure and all resources that are sufficient to achieve compliance with the requirements conditions of the license;
- 1.4 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 thereunder;
- 1.5 The License once issued shall not be taken as statutory defence against charge of pollution in respect of any manner of pollution not specified herein;
- 1.6 The proponent shall ensure that records on conditions of Licenses/Approval Project Monitoring and Evaluation shall be kept on site at all times for inspection by N.E.M.A's Environmental Inspectors;
- 1.7 The proponent shall submit an Environmental Audit Report in the first year of occupation/operation/commissioning to confirm the efficacy and adequacy of Environmental Management Plan;
- 1.8 The proponent shall comply with NEMA's improvement orders throughout the project cycle;

2.0 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 a minimum of six (6) metres and a maximum of 30 metres on either sides based on 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;

- 2.3 The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Noise and Excessive Vibrations Pollution Control) Regulations, 2009;
- 2.4 The proponent shall ensure strict adherence to the Occupational Safety and Health Act No. 15 of 2007;
- 2.5 The proponent shall ensure that construction workers are provided with adequate personal protection equipment (PPE), sanitary facilities as well as adequate training where necessary;
- 2.6 The proponent shall ensure that construction activities are undertaken during the day (and not at night) - between 08.00 hrs and 17.00 hrs; and that transportation of construction materials to and from site is undertaken during weekdays (and not weekends) off peak hours;
- 2.7 The proponent shall fence the site for safety of the public, control pollution and take care of debris on the site;
- 2.8 The proponent shall after completion of the civil works ensure that the site is restored to its initial status;
- 2.9 The proponent shall design the project in such a way that people living along the line will also get water;
- 2.10 The proponent shall give first priority to locals when it comes to employment opportunities made available by the project;
- 2.11 The proponent shall, in the event, the project damages utilities, award commensurate compensation;
- 2.13 The proponent shall, put in place, a grievance redress mechanism, to receive and address grievances that may arise from the project affected persons;
- 2.14 The proponent shall ensure strict adherence to the Environmental Management Plan developed throughout the project cycle;
- 2.15 The proponent shall collaborate with the EIA Expert(s) and the contractor (s) to ensure that proposed mitigation measures are adhered to during the construction phase and where necessary appropriate mending-up activities undertaken and a report of the



same submitted to NEMA. Emphasis must be given to control of dust, noise, vibration occupational hazards and provision of sanitary accommodation to construction the workforce.

2.16 The proponent shall ensure that all construction works and materials meet the specifications for such works and materials as provided for by the relevant regulatory Authorities and the Building Code.

3.0 Operational Conditions

3.1 **The proponent shall apply for a Water Permit (or authorization for works) from Water Resources Authority.**

3.2 The proponent shall ensure that all Noise emitting equipment in use at the premises are well maintained in accordance with the provisions of the Environmental Management and Coordination (Noise and Excessive Vibrations Pollution Control) Regulations, 2009;

3.3 The proponent shall ensure that solid waste is handled in accordance with the Environmental Management and Coordination (Waste management) Regulations, 2006;

3.4 The proponent shall comply with the relevant principal laws, by-laws and guidelines (including zoning specifications) issued for development of such a project within the jurisdiction of **County Government of Busia, Water Resources Authority, the Ministry of Public Health and Sanitation, and the Directorate of Occupational Safety and Health Services** and any other relevant Authorities;

3.5 The proponent shall ensure that environmental protection facilities or measures to prevent pollution and ecological deterioration such as soil erosion control measures, dust emission control measures, solid waste management plan, and site restoration plans are designed, constructed and employed simultaneously with the proposed project;

3.6 The proponent shall fence the site for safety of the public, control pollution and take care of debris on the site;

3.7 The proponent shall put in place a program of leak detection to identify ageing casings/pipes for replacement to avoid major bursts and frequent repairs, and in the event of actual bursts, attend to repairs as soon as possible;



- 3.8 The proponent shall ensure that workers are provided with adequate personal protection equipment/clothing (PPE), sanitary facilities as well as adequate training where necessary;
- 3.9 The proponent shall ensure that a buffer area is created on all boundaries and that it is vegetated with suitable plants or trees
- 4.0 Notification Conditions**
- 4.1 The proponent shall seek written approval from the Authority for any operational changes under the License;
- 4.2 The proponent shall ensure that the Authority is notified of any malfunctioning of a system within 12 hrs through the NEMA hotline 0786 101 100 and mitigation measures put in place immediately;
- 4.3 The proponent shall keep records of all pollution incidences and notify the Authority within 24 hrs;
- 5.0 Decommissioning Conditions**
- 5.1 The proponent shall ensure that a decommissioning plan is submitted to the Authority for approval at least 3 (three) months prior to decommissioning;
- 5.2 The proponent shall ensure that all pollutants and polluted material is contained and adequate mitigation measures provided during this phase.

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





When replying please quote

Date: 20th November, 2024

Ref: CG/BSA/DWIENR/CC/PMC/2024/25/19

REHABILITATION AND HYBRIDIZATION OF BUKHAKHALA COMMUNITY WATER PROJECT FOR WATER RESILIENCE BUILDING, BUTULA

1. Eng. Ken Wabwire- Project Manager
- ✓ 2. Bonface Omondi- Ward Administrator
3. Simon Esamai- SCWO
4. Ruth Consolata- Member
5. Edwin Sigunga- Chairperson
6. Sadat Juma- Member
7. Vincent Ochieng – Village Administrator
8. Wilfred Oduori- Member

RE: APPOINTMENT AS A PROJECT MANAGEMENT COMMITTEE MEMBER

You are hereby appointed as a member of the Project Management Committee for Rehabilitation and Hybridization of Bukhakhala Community Water Project for Water Resilience Building, Butula.

Your appointment as a committee member is effective from the date of this letter up to the completion of the project, your Roles and Responsibilities are as follows:

1. Represent the community in overseeing project implementation.
2. Document project progress including data on project implementation milestone, challenges and gaps, beneficiary details and expectations, experiences and transformation among others.
3. Enhance access to information concerning the project to the communities as the first point of call on the project information.
4. Enhance community feedback through relevant community engagement platforms
5. Educate the communities on the project implementation, benefits, and strategic goals for increased ownership

I take this opportunity to congratulate you for this well-deserved appointment and wish you a fruitful engagement as we address the impacts of Climate Change for resilience building on behalf of the residents of Busia County.

Thank you.



JOHN MUROKI

**CHIEF OFFICER -ENVIRONMENT, NATURAL RESOURCES, CLIMATE CHANGE
& ENERGY
CC: DIRECTOR- CLIMATE CHANGE**



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**CHIEF OFFICER -ENVIRONMENT, NATURAL RESOURCES, CLIMATE CHANGE
& ENERGY**

CC: DIRECTOR- CLIMATE CHANGE

MINUTES OF BUKHAKHALA COMMUNITY WATER PROJECT PMC MEETING HELD ON 4TH APRIL 2025 AT AMS POWER HOUSE SITE AT 9AM .

MEMBERS PRESENT

1. Simon E.Ouma Scwo Butula secretary
2. Bonface Omondi Ward Administrator Marachi West
3. Wilfred Oduory Member
4. Sadat Juma Member
5. Edwin Sigunga Chairman
6. Ruth Consilata Vice Chair
7. Ken Wabwire Project Manager
8. Vincent Otieno Village Administrator
9. Tobias Oburu Contractor

AGENDA

1. Prayer And Introduction
2. Site Inspection
3. Remarks From The Project Manger
4. Approval Of Part Payment
5. Remarks From Members

MIN 1/4/2025 members of PMC visited the site headed by project manager to determine scope of work done and project progress they visited pipeline extension as per the BOQ ,masonry tank site, steel tank ,kiosk and bukhakhala primary school .

MIN 2/4/2025 the meeting started by a word of prayer from mr Wilfred oduory followed by self-introduction from members and remarks from the project chairman who welcomed all members to the meeting. He invited the project manager to outline project progress to members.

MIN 3/4/2025 project manager explained to PMC members project progress and challenges, he informed members that he has received request for part payment from the contractor .He requested PMC members to allow contractor to be paid measured works as per what has been done .

S/NO	DESCRIPTION
BILL NO 1	Preliminary And General Items
BILL NO 2	Intake Works
BILL NO 3	Hybridization
BILL NO 4	Rising Main To Masonry Tank And Steel Tank
BILL NO 5	Distribution Main AMS Chamber Bumala Market 900m
BILL NO 6	Distribution Line Ems Chamber Bumala Market 1476m
BILL NO 7	Distribution Line To Bumala A Health Centre 290M
BILL NO 8	Distribution Line From Chamber To Bukhakhala Primary School 874m
BILL NO 9	Distribution Line To Bukhakhala Community 770m
BILL NO 10	Distribution Line To Murende ACK Church 480m

Approved Contingency

TOTAL


KSH 12858524.10

MIN 4/4/2025 All members approved contractor to be paid KSH 12858524.10 in order facilitate him to complete the project on time and address all the challenges witnessed during site inspection by committee members.

MIN 5/4/2025 REMARKS FROM MEMBERS

- Members raised issues affecting the project and requested contractor to complete work as per the work plan and agreed time frame
- Members requested contractor to address leakage at the steel tank and contractor to install security light at the solar panel site and the intake.
- Contractor informed PMC members that he has employed 4NO security guard at the intake and the solar panel

Secretary SIMON ESAMBA SUMA -sign  -date 7/4/2024

Chairman EDWIN SIAUNGA -sign  -date 7/4/25