



COUNTY GOVERNMENT OF BUNGOMA
DEPARTMENT OF ENVIRONMENT, WATER AND TOURISM

**BUNGOMA COUNTY ENVIRONMENTAL
AND SOCIAL SAFEGUARD POLICY, 2019**

Partners



World Bank Group



Ministry of Devolution and ASAL

© June, 2020

FOREWORD

Kenyans adopted the devolved system of governance that continues to spur its economic growth towards attaining its aspirations of vision 2030. This means that Counties are the frontiers of innovation, industrialization and infrastructural development all geared towards Kenya`s socio-economic transformation. Bungoma County intends to contribute greatly towards this transformation through either Government, Donor or Partner funded programmes geared towards ensuring accessibility across the County; maximum productivity of our agricultural sector; a healthy and productive population; access to clean, safe and adequate water among others. However, it should be emphasized that Sustainable Development and attainment of the Sustainable Development Goals (SDGs) remains to be a key tenet of our County.

The County government of Bungoma has prepared the Environmental and Social Safeguards (ESS) Policy as a standard reference in implementation of programs or projects in the County in a way that ensures, positive social impacts are maximized while negative ones are minimized or avoided. The county government is cognizant of the fact that, in the course of implementation of its development programs, entities encounter environmental and social risks that calls for a strategic framework to mitigate them. The Bungoma County Environment and Social Safeguard (ESS) policy is based on the guidelines provided for by the National Environment Management Authority whose mandate is derived the Environment Management and Coordination Act (1999) and regulations therein. Further, the policy is fine tuned in line with the national government guidelines on environment and social protection. This policy framework will be applied to all projects or programs within the County, including those implemented by its development partners and other stakeholders. The County government will ensure an efficient and accurate flow of information contained in this policy.

On behalf of the County Government of Bungoma and all executing entities I wish to express our commitment and readiness to implement the Environment and Social Safeguard Policy (ESSP) requirements.

H.E. HON. WYCLIFFE WAFULA WANGAMATI

An Environmental and Social Safeguard Policy prepared by the Department of Environment, Water and Tourism under the World Bank Funded Kenya Devolution Support Programme

THE GOVERNOR, BUNGOMA COUNTY

PREAMBLE

At National government level, Environmental and Social safeguard issues are being addressed by the National Environment Management Policy and other guiding documents including the Environment Impact Assessment (EIA) guidelines and tools developed by National Environment Management Authority (NEMA). National government projects have been using the World Bank Environment and Social Safeguards and other donor -specific ES policies. At county level, these policies are actualized through development of county Environment and Social Safeguard Policies (ESSP). Other key existing laws and policies relating to the safety of environment and community are outlined in Kenya Constitution (2010), the National Environment Management Policy (1999), the National Resettlement Policy framework, the Environment Management and Coordination Act (1999) and National Climate Change Action Plan (2018-2022).

In order to harmonize coordination of Environmental and Social-Safeguards during implementation of its development projects, the county government of Bungoma through a participatory process has developed this policy framework. The document is intended to act as reference point for operation during county Government and Donor funded projects in the county. All executing entities of county government required to follow this framework to ensure that environment and social aspects are adequately addressed.

There are eleven (11) standards which the Bungoma County Environment and Social safeguard policy is based on. The standards will guide the scope of risk and impact assessments. Some standards always apply to all projects while some are relevant to specific projects. The ESS standards are:- Environmental Assessments, Conservation of Biodiversity, Climate Change, Community Health and Safety, Labour Relations, Cultural Heritage, Displacement and Resettlement, Indigenous Peoples, Pollution Prevention and Resource Efficiency, Stakeholder Engagement and Financial Intermediaries

HON. RENSON MAKHETI WANYONYI
COUNTY EXECUTIVE COMMITTEE MEMBER

DEPARTMENT OF ENVIRONMENT, WATER AND TOURISM

ACKNOWLEDGEMENT

The Department would like to express its utmost gratitude to the following who contributed immensely in the development of this policy:-

Firstly, the World Bank which facilitated the preparation of this Policy under the Kenya Devolution Support Program (KDSP) under key result area 5 of the program whose main objective is to put in place environmental and social safeguards that will help to ensure environmental and social sustainability in terms of project implementation.

Secondly, The County Government of Bungoma through the Leadership of the His Excellency the Governor, the Office of the County Secretary and Head of Public Service, the County Executive Committee Members and the Members of the County Assembly whose leadership and advise was invaluable.

Thirdly, the technical team from the Department that worked tirelessly to produce the Policy with assistance from Dr. Mayeku Philip Wafula a lecturer at Embu University

Lastly, the Department appreciates the contribution of all stakeholders, opinion leaders and the public in the development of this Policy.

MR. MOSES SICHEI SOET
COUNTY CHIEF OFFICER
DEPARTMENT OF ENVIRONMENT AND TOURISM

ABBREVIATIONS AND ACRONYMS

BCESSP	- Bungoma County Environmental and Social Safeguard Policy
CIDP	- County Integrated Development Plan
ESIA	- Environmental and Social Impact Assessment
ESMP	- Environmental and Social Management Plan
ESMF	- Environmental and Social Management Framework
ESSP	- Environmental and Social Safeguard Policy
FAO	- Food and Agricultural Organization
FPIC	- Free, Prior and Informed Consent
GHG	- Green House Gases
GMO	- Genetically Modified Organisms
HIV	- Human Immunodeficiency Virus
ILO	- International Labour Organization
LMO	- Living Modified Organisms
NEMA	- National Environmental Management Authority
PSG	- Project Screening Guidelines
SESA	- Strategic Social and Environmental Assessment
TB	- Tuberculosis
UNDRIP	- United Nations Declaration on the Rights of Indigenous Peoples
UNFCCC	- United Nations Framework Convention on Climate Change

WHO

- World Health Organization

Table of Contents

FOREWORD	1
PREAMBLE.....	2
ACKNOWLEDGEMENT.....	3
ABBREVIATIONS AND ACRONYMS.....	4
1.0 INTRODUCTION.....	6
1.1 DEMOGRAPHICS.....	7
1.2 PHYSICAL AND GEOGRAPHICAL FEATURES.....	7
2.0 STRATEGIC POLICY OBJECTIVES AND GUIDING PRINCIPLES	8
3.0 RATIONALE.....	9
4.0 LEGAL FRAMEWORK GUIDING THE POLICY	10
5.0 POLICY STATEMENT OF COMMITMENT.....	12
6.0 ENVIRONMENTAL AND SOCIAL SAFEGUARD STANDARDS	13
6.1 ENVIRONMENTAL ASSESMENT	14
6.2 CONSERVATION OF BIODIVERSITY.....	14
6.3: CLIMATE CHANGE	15
6.4: COMMUNITY HEALTH AND SAFETY	15
6.5: LABOUR RELATIONS.....	16
6.6: CULTURAL HERITAGE	16
6.7: DISPLACEMENT AND RESETTLEMENT.....	16
6.8: INDIGENOUS PEOPLES	17
6.9: POLLUTION PREVENTION AND RESOURCE EFFICIENCY	17
6.10 STAKEHOLDER ENGAGEMENT	18
6.11 FINANCIAL INTERMEDIARIES	18
7.0 POLICY IMPLEMENTATION FRAMEWORK.....	19
7. 1 SCREENING.....	19
7.2 ASSESMENT.....	20
7.3 MANAGEMENT.....	20
8.0 MONITORING AND EVALUATION FRAMEWOK.....	21
8.1 PROJECT LEVEL.....	21
8.2 GOVERNMENT LEVEL	21
ANNEX.....	22

1.0 INTRODUCTION

Environment is a broad term representing the totality of the surrounding such as plants, animals, microorganisms, socio-economic and cultural factors. It includes the physical factors of the surroundings of human beings such as land, water, atmosphere, sound, odour, taste, the biological factors of animals and plants and the social factors of aesthetics that includes both natural and the built environment.

Environmental and social safeguard policy is an essential tool required for decision-making in order to prevent and mitigate undue harm to people and their environment in the development process. When identifying and designing a project, safeguards should help assess the possible environmental and social risks and the impacts either positive or negative associated with a development intervention. During project implementation, safeguards should help define measures and processes to effectively manage risks and enhance positive impacts. The process of applying safeguard policies can be an important opportunity for stakeholder engagement, enhancing the quality of project proposals and increasing ownership.

Environmental and social safeguards Policy (ESSP) is the cornerstone of human development and poverty reduction because:

- I. It reinforces any project proponent's commitment to mainstream social and environmental sustainability in its Programmes and Projects to support sustainable development.
- II. The ESSP requires that all programmes or projects enhance positive social and environmental opportunities and benefits as well as ensure that adverse social and environmental risks and impacts are avoided, minimized, mitigated or managed.
- III. The application and adherence to ESSP enhances consistency, transparency and accountability of any organization's decision-making and actions, improves performance and strengthens achievement of positive development outcomes.

The ESSP shall apply to all programmes and projects within Bungoma County.

1.1 DEMOGRAPHICS

The County Integrated Development Plan (C.I.D.P) projects the County to be home to 1,814,043 people given a 3.1% population growth rate from the 2009 population census which estimated the population at 1,378,224. Poverty is a major challenge that cuts across the County with the poverty index currently estimated at 52 %.

1.2 PHYSICAL AND GEOGRAPHICAL FEATURES

The Bungoma County is one of the four Counties that make up the former Western Province. The County lies between latitude 00 28' and latitude 10 30' North of the Equator, and longitude 340 20' East and 350 15' East of the Greenwich Meridian. The County covers an area of 3032.4 Km². It borders the republic of Uganda to the North west, Trans-Nzoia County to the North-East, Kakamega County to the East and South East, and Busia County to the West and South West.

The County is within the Lake Victoria basin, rising from 1200M in the West and South-West to over 4000m to the North of Mt. Elgon. Apart from Mt Elgon, the rest of the County is underlain by granite which forms the basement system. The forest cover of the gazetted forest in Mt. Elgon is at 14.29%, whereas tree cover which represents trees on farm lands and trees in areas outside the gazetted forest stands at 7.9%. Mt Elgon forest Ecosystem support life systems in the County through hydrological cycle and plant production. The forests also provide soil nutrients through decomposition of biomass, consequently supporting both soil and terrestrial life. It should be emphasized that that the Mt. Elgon ecosystem is one of the five major water towers in the Country that is a source of many rivers that form the lake victoria basin that is a source of the River Nile.

2.0 STRATEGIC POLICY OBJECTIVES AND GUIDING PRINCIPLES

The **overall objective** of the Bungoma County Environmental and Social Safeguard Policy (BCESSP) is to ensure social and environmental sustainability is systematically mainstreamed into the County`s programmes and projects.

In order to operationalize the Environmental and social safeguard policy the County shall be guided by the following specific objectives:-

- a) To maximize positive and minimize negative environmental, social impacts during implementation of county projects.
- b) To strengthen the County government and donor partnerships to achieve maximum environmental and social impacts of development projects
- c) To ensure compliance to local and international legal environmental and social frameworks by all projects within the County
- d) To encourage public participation and integration in environment and social protection activities to enhance environmental conservation for posterity

The guiding principles of the Bungoma County Environmental and Social Safeguard Policy include the following;

- a) Right to clean and healthy environment;
- b) gender equality;
- c) environmental sustainability
- d) precautionary principle
- e) public participation and inclusivity
- f) inter-and intra-generational equity
- g) the polluter pays principle
- h) good governance

3.0 RATIONALE

Bungoma County implements diverse projects across all sectors of the economy. These projects results to a number of adverse impacts on the environment and social well-being. There is hence need to put in place clear mitigation measures that protect communities affected by projects and the environment. Currently, various international and national policies on environmental and social impact mitigation during project cycle exist. There is need to customize these at county level. On the basis of this, the county government of Bungoma hereby presents the Environment and social safeguard policy 2019.

4.0 LEGAL FRAMEWORK GUIDING THE POLICY

The Bungoma County Environmental and Social Safeguard Policy, is guided by various legislations that govern the environment and social aspects of everyday life such as:-

- The Constitution of Kenya (2010) that makes it a right for all Kenyans to live in a clean and healthy environment and to have the environment protected for the benefit of the present and future generation; be able to access all basic needs and amenities and provide services willingly in a safe environment
- County Government Act (2012) provides for county governments' powers, functions and responsibilities to deliver services and for connected purposes.
- Urban Areas and Cities Act (2011) that categorizes urban areas and provides for mechanisms for establishment of the urban areas
- The Environmental Management and Coordination Act (1999) cap 387 amended in 2015 is the foundation of all environmental legislation in Kenya and it encourages sustainable development to safeguard the needs of future generations. The Act has several regulations that are key for the BCESSP such as
 - ❖ EMCA (Environmental Impact Assessment and Audit) Regulations, 2003 that guides project's environmental and social impacts assessment
 - ❖ EMCA (Wetlands, Riverbanks, Lakeshores and Sea shore Management) Regulations, 2009 that regulates management of wetlands
 - ❖ EMCA (Waste Management) Regulation, 2006 that regulates Waste management
 - ❖ EMCA (Noise and Excessive Vibration Pollution Control) Regulations, 2009 that regulates excessive noise pollution
 - ❖ EMCA (Air Quality) Regulations, 2009 that provides for prevention, control and abatement of air pollution to ensure clean and healthy ambient air.
 - ❖ Water Quality Regulations (2006) provide for the protection of lakes, rivers, streams, springs, wells and other water sources.
- National Gender And Equality Commission Act (2011) that promotes gender equality and freedom from discrimination and contributes to the reduction of gender inequalities

and the discrimination against all; women, men, persons with disabilities, the youth, children, the elderly, minorities and marginalized communities

- Occupational Health and Safety Act (2007) that provides for the safety, health and welfare of all workers and all persons lawfully present at workplaces.
- National Land Policy (2009) that was formulated to address issues related to land administration, access to land, land use planning, restitution of historical injustices, environmental degradation, land conflicts.
- Physical Planning Act (1996) cap 286 that provides for physical planning and development control
- Land Act (2012) that provides for the sustainable administration and management of land and land-based resources and for connected purposes
- Water Act (2002) that provides for the the ‘conservation, apportionment, and use’ of water resources. This act prohibits pollution of water.
- Forest Conservation and Management Act (2016) that provides for the establishment, development and sustainable management, including conservation and rationale utilization of forest resources for the social economic development of the country.
- Public Health Act, cap 242 that provides for securing and maintaining public health
- Wildlife Conservation and Management Act (2013) that provides for the protection, conservation, sustainable use and management of wildlife in Kenya and for connected purposes
- The National Climate Change Action Plan 2018-2022 and many others.

5.0 POLICY STATEMENT OF COMMITMENT

This Environmental and Social Safeguards Policy highlights the importance of managing environmental and social performance for all county supported or implemented projects and programs. It also extends to all other projects or programmes implemented by development partners and individuals within the County. Bungoma County is committed to avoiding, minimizing, or mitigating adverse environmental and social impacts associated with its projects. All proposed projects and programmes within the County will be subject to screening during preparation, and they will be fully assessed, designed, implemented, monitored and reviewed accordingly to ensure that all environmental and social issues are adequately addressed. This requirement will be applied to all county and Donor funded projects for which the county has overall responsibility for management and results. The county government is also committed to ensuring the same to all other projects within the County in collaboration with the relevant stakeholders.

6.0 ENVIRONMENTAL AND SOCIAL SAFEGUARD STANDARDS

The Bungoma County Environmental and Social Safeguard Policy shall be implemented by adhering to Environmental and Social Safeguard Standards. These standards shall apply to all projects across all Departments or sectors within the County. The standards are;

Standard 1: Environmental Assessments

Standard 2: Conservation of Biodiversity

Standard 3: Climate Change

Standard 4: Community Health and Safety

Standard 5: Labour Relations

Standard 6: Cultural Heritage

Standard 7: Displacement and Resettlement

Standard 8: Indigenous Peoples

Standard 9: Pollution Prevention and Resource Efficiency

Standard 10: Stakeholder Engagement

Standard 11: Financial Intermediaries

The application of the Standards shall be determined during the social and environmental screening and categorization process. Where it is determined that a Project may present certain risks or impacts, Standard Strategies of the relevant Standard shall be applied.

6.1 ENVIRONMENTAL ASSESMENT

Environmental assessment is the process by which the effects of natural processes and human activities on the environment are identified, evaluated and managed. Assessments can include within their scope, ways to minimise, mitigate or eliminate those effects and compensation. The objective of this standard is to ensure projects are environmentally sound and sustainable. This assists project proponents in decision-making. The applicability of this Standard is established at the conception of all projects.

The County shall develop project screening guidelines that are in line with the National legislation and global requirements that will guide the initial process of Environmental Assessment. Environmental Assessment shall be done in line with the guidelines of the National Environmental Management Authority (NEMA).

6.2 CONSERVATION OF BIODIVERSITY

The standard on conservation of biodiversity will guide the county government in conservation, maintaining and management of its natural resources. Using the standard, the County shall ensure maintenance and enhancement of the ecosystem goods and services. Based on environmental and social assessment reports, identified impacts of all projects on biodiversity shall be adequately mitigated.

All projects shall undergo assessment to ensure that direct and indirect impacts on natural resources, biodiversity and ecosystem services are identified and addressed. Thereafter, a precautionary approach shall be applied and where adverse impacts are foreseen for projects that may threaten natural resources and biodiversity qualified professionals shall be required to conduct assessments and in the design and implementation of mitigation and monitoring plans. It should be emphasized that projects with adverse impacts on natural or critical habitats shall be avoided however where avoidance is not possible, the County shall allow only if; viable alternatives are not available; the overall benefits from the Project substantially outweigh the environmental costs; and if appropriate conservation and mitigation measures are in place, including those required to maintain ecological services. For projects in protected areas such as Mt. Elgon Forest Reserve, the County shall ensure project proponents act in a manner

consistent with any existing protected area management plans and relevant laws, ensure consultation with key stakeholders and promote and enhance the conservation. The County shall ensure that under no circumstances shall invasive species be introduced into the County environment and that no new alien species will be intentionally introduced unless it is subjected to a risk assessment to determine the potential for invasive behaviour and carried out in accordance with the existing regulatory framework. The County shall ensure that Projects involving GMOs/LMOs include measures to manage any risks identified in the risk assessment. The standard will ensure incentivizing of natural forest conservation activities. For Projects that affect water resources, the County shall promote an integrated water resources management approach that seeks the coordinated development and management of water, land and related resources.

6.3: CLIMATE CHANGE

The policy standard on climate change shall guide the County on mitigating likely threats to ambient climatic conditions. Lack of such climatic conditions has the potential to stall and reverse human development through its impacts on key development sectors and activities, including agriculture, water, ecosystems and natural resources. The objectives of this standard include ensuring that all projects are implemented in ways that minimize adverse climatic changes. This among others will include curbing the emission of greenhouse gases to internationally accepted levels. A key strategy of this standard will involve assessment of potential unintended or unforeseen increases in vulnerability to climate change. In addition, the County shall ensure that alternatives are considered that shall be technically and financially feasible and cost-effective options.

6.4: COMMUNITY HEALTH AND SAFETY

The Community Health and Safety Standard will be a reference to guide project activities in a way that minimises community exposure to risks and impacts. The objective of the standard will be to anticipate and avoid adverse impacts on the health and safety of affected communities during project life cycles. The standard will outline the process of evaluation of project risks and potential impacts on the safety of affected communities. The standard will also form a basis of establishing preventive measures and plans to address such risks and impacts during such projects that may include construction of dams. Response to accidental and emergency situations shall be guided by this standard. The standard will guide preparation of documents which shall

guide on identification of areas where accidents and emergency situations may occur, communities and individuals that may be impacted, response procedures, provision of equipment and resources and designation of responsibilities.

The standard shall ensure that projects avoid or minimize the potential for community exposure to water-borne, vector-borne and communicable diseases e.g. Cholera, HIV, Malaria and TB and minimize their transmission.

6.5: LABOUR RELATIONS

This standard is anchored on the Occupational Safety and Health Act (OSHA), 2007. It shall ensure respect of workers' rights and the provision of safe working conditions. The objective of the standard is to promote compliance to provisions of the Act and other ILO policies. In addition the standard will give guidelines on ensuring safe and healthy working conditions that minimizes accidents, injuries and diseases in the work environment. The standard will also guide implementation of projects with structural elements whose failure or malfunction may threaten the safety of communities and workers. The standard shall also outline procedure or steps for engagement of security in course of project implementation.

6.6: CULTURAL HERITAGE

This standard shall be the focal point for identification of key cultural heritage sites, their preservation and protection. Specifically, the standard shall prescribe measures to be adopted in managing and conserving cultural heritage resources and promote equitable sharing of benefits accruing from the cultural resources. Operationalization of this standard shall ensure alternative siting and design of projects that have significant adverse impacts to Cultural Heritage. The standard will also ensure that mitigation measures to conserve cultural heritage will not contravene national and international regulations. The standard will also guide the preparation of Cultural Heritage Management Plans as part of the Environmental and Social Management Plan (ESMP).

6.7: DISPLACEMENT AND RESETTLEMENT

The standard shall guide project proponents to avoid physical and economic displacements during project implementation. The objective of the standard is to ensure that where avoidance is not possible, displacement shall occur only with full justification, legal protection, and

compensation. The standard shall also ensure prohibitions of forced displacements. Furthermore, the standard shall seek to anticipate and avoid or when avoidance is not possible, minimize adverse social and economic impacts from land or resource acquisition or restrictions on land or resource use.

6.8: INDIGENOUS PEOPLES

The standard shall apply to indigenous communities who are entitled to enjoy and exercise their human rights without discrimination. Indigenous communities have human rights key to their existence. They have special relationship with their land and resources. The standard shall form a basis of integration of the rights of indigenous people in its County Integrated Development Plan (CIDP). The objective of the standard shall be to guide recognition of indigenous people's rights, ensure their full and effective participation, with the objective of securing their free, prior and informed consent (FPIC) and minimization of adverse impacts to their livelihoods. The key strategies to the standard shall include the County ensuring that implementation of all projects adheres to the rights of indigenous people as per the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). For certain projects, the standard shall ensure equitable sharing of benefits derived from the project implementation in a manner that is culturally appropriate and inclusive. The standard shall also have provisions for special considerations of women, children, people with disabilities and uncontacted or voluntarily isolated indigenous people in the course of project implementation.

6.9: POLLUTION PREVENTION AND RESOURCE EFFICIENCY

The standard on pollution prevention and resource efficiency outlines the need to maximize resource utilization efficiency while minimizing environmental pollution. It spells out the pollution prevention and resource efficiency elements of sustainable development in all projects within Bungoma County. The two specific objectives of the standard include; minimization of adverse impacts of environmental pollution on human health and sustainable use of resources including land, energy and water. The standard shall be applicable during the screening phase of all projects. The key strategies of the standard shall focus on pollution prevention and ambient considerations. Further, the standard shall offer guidelines on classification and management of various classes of wastes including bio-medical, municipal, e-waste, bio-degradable, hazardous wastes and other forms of wastes. Pesticide use and management that is a key contributor to environmental degradation shall also be addressed by this standard.

The standard shall further ensure all project implementations shall be geared towards improving efficiency in land, soils, energy, water, other resources utilization. To achieve this, the standard shall ensure the principles of green production in its processes.

6.10 STAKEHOLDER ENGAGEMENT

The standard shall guide the County Government on ensuring meaningful, effective and informed participation of stakeholders and the public in the implementation of programmes and projects as required by the Constitution of Kenya 2010. The main objective of this standard shall be to enhance stakeholder participation in project implementation geared towards creating ownership. This shall also minimise disputes arising between project proponents and the public. Key strategies for implementing the standard shall be stakeholder analysis and planning, disclosure and dissemination of information, consultation and meaningful participation, dispute resolution and grievance redress, on-going reporting to affected communities and stakeholders and inclusion of stakeholders in monitoring and evaluation.

The aspects of the standard that shall be presented to the stakeholders for input will include but are not limited to: programme or project goals and strategies, social and environmental risks and impacts, proposed mitigation measures, sharing of development benefits and opportunities.

6.11 FINANCIAL INTERMEDIARIES

This standard shall lay down guidelines on mobilizing, channelling and expenditure of funds and other resources from National government and development partners by the County. The standard commits that Bungoma County Government shall be the sole financial intermediary of all funds sourced from National government and development partners.

7.0 POLICY IMPLEMENTATION FRAMEWORK

The ESSP shall be implemented at three levels namely; Screening, Assessment and management of social and environmental risks.

7.1 SCREENING

This level of implementation will be aimed at categorizing development projects based on their effects on the environment and social well-being. Summarily all projects shall be categorized as:

High Risk (A): Projects classified under this class, shall be those with potentially significant or irreversible adverse social and environmental risks and impacts. In such projects, proponents shall be mandated to undertake a Strategic Environmental and Social Assessment (SESA), or a full Environmental and Social Impact Assessment (ESIA), including development of applicable social and environmental management plans. Projects shall adhere to recommendations of the ESSP or ESIA upon approval and licensing by NEMA.

Moderate Risk (Class B): Projects classified under this class, shall include those with potential adverse social and environmental risks and impacts but are limited in scale and can be identified with a reasonable degree of certainty. The environmental and social risks of projects under this class, shall be addressed through application of standard best practice, mitigation measures and stakeholder engagement during Project implementation. Moderate Risk Projects shall require limited social and environmental assessment and review to determine how the potential impacts identified in the screening can be avoided. Where avoidance is not possible, minimization, mitigation and management shall be invoked. Projects under this class shall require a full Environmental Impact Assessment. Further assessment may determine that a full social and environmental assessment is required in order to ensure that the Environmental and Social Safeguards Standard Strategies which may result to re-categorization to appropriate class.

Low Risk (Class A): Projects under this class will include activities with minimal or no risks of adverse social or environmental impacts. Environmental and Social Impact Assessment may not be required. Further assessment of potential adverse social and environmental risks and impacts may be required.

7.2 ASSESMENT

After the screening phase, projects recommended for assessment shall be subjected to a standard assessment protocol outlined in the policy guidelines and relevant legislation such as the EMCA Act (Environmental Impact Assessment and Audit) regulations of 2003.

7.3 MANAGEMENT

For all environmental and social risks identified in the screening and assessment phases reduction measures shall follow a mitigation hierarchy that favours avoidance of potential adverse impacts over minimization. Where adverse residual impacts remain, mitigation and as a last resort, the application of offset and compensation will be applied. SESA or ESIA reports shall address impacts of project activities on physical, biological, socioeconomic and cultural resources, including direct, indirect, cumulative and induced. The management phase shall enhance positive impacts and avoid, minimize or mitigate adverse impacts through social and environmental planning and management. Environmental and Social Management Plan (ESMP) which is a component of SESA or ESIA shall propose measures for mitigation, monitoring, institutional capacity development and training.

8.0 MONITORING AND EVALUATION FRAMEWOK

Monitoring and evaluation of the policy shall be carried at three levels namely:-

- a. Project level
- b. Government Level

8.1 PROJECT LEVEL

At the project level, an Environmental Management Plan shall ensure adherence to the environmental and social safeguard standards.

8.2 GOVERNMENT LEVEL

The monitoring of Environmental Management Plans for all projects shall be cascaded down to sub county, ward and village levels. This will ensure a co-ordinated approach to enforcement of the provisions of the County Environmental and Social Safeguard Policy and other relevant legislations.

ANNEX

LIST OF THE MEMBERS OF THE TECHNICAL COMMITTEE

S/N	NAME	DESIGNATION
1.	Renson Makheti	Ex-officio
2.	Moses Sichei Soet	Ex-officio
3.	Violet Wafula	Chairperson
4.	Vincent Ong'ondi	Member
5.	Ronald Jumbe	Member
6.	Siboe Kibaba	Member
7.	Benjamin Juma	Member
8.	Sonny Wekesa	Secretary
9.	Brian Wamalwa	Secretariat
10.	Phyllis Songoi	Secretariat