



NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY

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REF: NEMA/NKR-C/5/2/PR/1693

5th DECEMBER 2013

GREENPARK WATER SERVICES LIMITED
P.O BOX 435 - 20117
NAIVASHA

**RE: CONDITIONS FOR LICENSING OF ENVIRONMENTAL IMPACT ASSESSMENT PROJECT
REPORT FOR THE PROPOSED ELECTRIC FENCE FOR GREEN PARK ESTATE , NAIVASHA
DISTRICT, NAKURU COUNTY**

The National Environmental Management Authority (NEMA) has reviewed the Environmental Impact Assessment (EIA) Study Report of the above mentioned 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 subject to the following terms and conditions:

1.0 General Conditions

- 1.1. The development is for erection of an 11,230 metres 14 strand electric fence in Green Park Estate along North Lake Road in Naivasha District, Nakuru County costing KShs. 13,065,880.
- 1.2. The license shall be valid for 24 months from the date of issue.
- 1.3. 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.
- 1.4. 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 Co-ordination Act, 1999 and regulations thereunder.
- 1.5. This licence shall not be taken as statutory defense against charges 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 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/operation/commissioning to confirm the efficacy and adequacy of the Environmental Management Plan.
- 1.8. 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.
- 1.9. The proponent shall comply with NEMA's improvement orders throughout the project cycle.
- 1.10. The proponent shall ensure that cooling systems employed are suitable alternatives with zero ozone depleting potential as per EMCA (Controlled Substances) Regulations, 2007.

2.0 Construction Conditions

- 1.10. Before commencement of the project, the proponent shall develop a **wildlife management plan** for protection of wildlife that inhabit the area in close consultation with the Kenya Wildlife Service.
- 1.11. The fence should be acceptable to the relevant entities including the Kenya Wildlife Service so that untargeted wild animals are not affected.
- 1.12. The proponent shall maintain **game corridors** and put **signage** and conduit pipes to warn residents of the live fence.
- 2.1. The proponent shall put in place fire management policy and **escape routes** in the event of fire outbreaks.
- 2.2. The proponent shall put up a project signboard as per the Ministry of Works Standards indicating the NEMA license number among other information.
- 2.3. 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.
- 2.4. The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Noise and Excessive Vibrations Pollution Control) Regulations 2009.
- 2.5. The proponent shall ensure strict adherence to the Occupational Safety and Health Act (OSHA), 2007.
- 2.6. The proponent shall ensure that construction workers are provided with adequate personal protection equipment (PPE), sanitary facilities as well as adequate training.
- 2.7. 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 are undertaken during off peak hours.
- 2.8. The proponent shall ensure strict adherence to the Environmental Management Plan developed throughout the project cycle.
- 2.9. The proponent shall ensure that the development adheres to zoning specifications issued for development of such a project within the jurisdiction of County Council of Nakuru with emphasis on approved land use for the area.
- 2.10. The proponent shall strictly adhere to the provisions of the Building Code 1968.

3.0 Operational Conditions

- 3.1. The proponent shall ensure that monitoring of the effectiveness of the electric fence and all equipment used are well maintained in accordance with the Environmental Management and Coordination (Noise and Excessive Vibration Pollution Control) Regulations 2009.
- 3.2. The proponent shall ensure that all solid waste is handled in accordance with the Environmental Management and Coordination (Waste Management) Regulations 2006.
- 3.3. The proponent shall ensure that all workers are well protected trained as per the OSHA, 2007.
- 3.4. The proponent shall comply with the relevant principal laws, by-laws and guidelines issued for development of such a project within the jurisdiction of Kenya wildlife service, Ministry of Lands, Ministry of Public Health and Sanitation, County Occupational Health and Safety Services, County Council of Nakuru and other relevant Authorities.
- 3.5. The proponent shall ensure that environmental protection facilities or measures to prevent pollution and ecological deterioration such as Solid Waste Management Plan, Traffic Management Plan, Emergency Response Plan/Fixtures, Installation of Water and Energy Saving Fixtures, Landscaping and Tree-Planting Scheme are designed, constructed and employed simultaneously with the proposed project.
- 3.6. The Proponent shall limit destruction of vegetative cover in the Project Area and plant more trees under the Agro-forestry component of the project

4.0 Notification Conditions

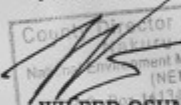
- 4.1. The proponent shall seek written approval from the Authority for any operational changes under this licence.
- 4.2. The proponent shall ensure that the Authority is notified of any malfunction of any system within 12 hrs on the NEMA hotline 020 606041 and mitigation measures put in place.
- 4.3. The proponent shall keep records of all pollution incidences and notify the Authority within 24 hrs.
- 4.4. The proponent shall notify the Authority of intent to decommission three (3) months in advance in writing.

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.

Kindly confirm in writing, **(within a period of 30 days from date of receipt of this letter)** that the conditions shall be complied with prior to commencement of the project to enable the Authority process the Environmental Impact Assessment License.


County Director of Environment
Nakuru County
National Environment Management Authority
(NEMA)
P.O. Box 14134-20100, NAKURU
WILFED OSUMO, MSc.
COUNTY DIRECTOR OF ENVIRONMENT, NAKURU

Copy to:

The County Occupational & Safety Officer
NAKURU

The County Public Health Officer
NAKURU

The County Physical Planning Officer
NAKURU

Ministry of Lands
NAKURU

The Warden, KWS, Naivasha