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ENVIRONMENTAL IMPACT ASSESSMENT REPORT (STUDY REPORT)

(2021)

PROPOSED AGROFORESTRY AND ECOTOURISM PROJECT

FOR:

MANISH SHAH

SOUL OF BUSINESS ENTERPRISES LIMITED

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EXECUTIVE SUMMARY

Agroforestry is an important economic activity which strongly influences the rate of land development and which in turn is often the catalyst for sustainable development and regional infrastructure development, and catchment areas for rain. Cultivation of trees may, however, result in the destruction of important habitats, change the hydrological regime of a region, and contribute to waterway pollution in terms of increased suspended solids and elevated levels of agro-chemicals. As the cultivation extends over large land areas, the impacts are regional in nature. In order to manage and reduce the environmental impacts related to plantation development implementation activities need to be subject to holistic planning; hence an environmental impact assessment is conducted.

Ecotourism is increasing world-wide and the protection of natural resources for their economic potential may be a good way, and often the only way, to actually conserve biological values. Ecotourism in developing countries may increase economic development locally and be a source of income from surrounding nature without destroying it.

The activities to be undertaken by the proposed project include the, preparation of essential growing beds and terraces and laying down of recommended pipe network and drainage systems to serve all the stations envisaged to be in place, including that of pioneer crop and plant management. Establishment of modes of operation for other activities such as procurement of inputs, pest and diseases control strategies and waste management activities will be reviewed to obviate potential future obstructions and a setup of an ecotourism nature trail together with its related infrastructure. In the decommissioning phase, the activities to be put in place include dismantling of plant and all the equipment *in situ*, and clearance to avoid negative environmental repercussions.

To enable the project to operate and conclude efficiently, all the potential environmental impacts from the initial operations, operation phases and decommissioning phases will be documented through a range of workable and acceptable mitigation measures mentioned in this document. The proposed environmental management plan presented here was instigated by the project proponents in their

quest for operation that will be beneficial to both the human and environmental aspects and is sincerely hoped that all the issues detailed here will be adhered to as much as practically possible to manage, control and avoid negative impressions that impinge on physical, biological, social, economic and environmental outlook of the project. The project aims to implement a comprehensive policy that safeguards the environment, health, safety and welfare of the employees working on the tree plantation in Kimana Tikondo area, Kajiado County.

ACRONYMS AND ABBREVIATIONS

CFCs	Chloroflourocarbons
EIA	Environmental Impact Assessment
EA	Environmental Audit
EMCA	Environmental Management and Coordination Act
GoK	Government of Kenya
HSE	Health Safety and Environment
IPM	Integrated Pest Management
ICM	Integrated Chemical Management
NEMA	National Environment Management Authority
OEL	Operator Exposure Limit
PPE	Personal Protective Equipment
WHO	World Health Organisation

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1.0.0 INTRODUCTION

1.1.0 Overview

Agroforetry plantation development is the opening up of land areas for the purpose of cultivating tree products and carrying out other related activities such as land clearing, biomass management and disposal, earthworks, planting and re-planting activities. The aim of this Environmental Impact Assessment (EIA) is to provide guidelines on easy to follow and practical means for assessing environmental impacts, recommending mitigation measures and proposing monitoring for:• Planning the actual extent and location of area to be planted,• Land clearing activities,• Biomass management and disposal, other management aspects such as liquid and solid waste management and occupational health and safety matters related to the proposed project. Development projects that involve habitat alteration will always have impacts on flora and fauna and their associated habitats. A good example is a farming system which will involve clear cutting of vegetation and use of an irrigation system. Therefore, while it is generally seen originally as a relatively straightforward good venture and a solution to many needs, the benefits often come together with an array of environmental, social and economic costs. Consequently the decision to establish the farm, its design and operation of its management need to be based upon a rigorous cost-benefit analysis. The proponent deals in agricultural

activities including horticulture and tree plantation farming and establishment of an ecotourism project, which will entail a nature trail in the forested plantation and other related eco-friendly infrastructure.

A favorable policy environment has been instrumental in the success of the forestry industry in Kenya since 1966. Bodies such as Kenya Plant Health Inspectorate Service ensure that phytosanitary matters are adhered to. This helps in protecting the growers from diseases as well as low quality products from the industry. The major challenges facing this industry include environmental pollution and resource depletion, spread of diseases and pests and complaints from the public. Currently, the industry is more open to the public as opposed to the closed systems under which they operated before. Regular environmental audits as well as social audits are conducted to ensure that farms not only conform to good agricultural practices (GAPS) but also maintain environmental standards and favorable working conditions for their workforce. Compliance is enforced through codes of practice and certification by industry association.

1.2.0 Location of the project

The proposed project is located in Kimana on 70 HA land at Tikondo, Kajiado County.The specific land references are composed of three parcels of land, whose titles are,

LR: LOITOKTOK/KIMANA TIKONDO/3039

LR: LOITOKTOK/KIMANA TIKONDO/3047

LR: LOITOKTOK/KIMANA TIKONDO/3048,

The GPS coordinates **-2.747556, 37.395139**

To access the project location, the road that leads to the site is C103, of the Emali-Loitoktok highway. The proposed project lies in Kimana town of Kajiado County, Kajiado South Subcounty (Loitoktok Sub County) in Kimana ward. Kajiado County is situated in the Rift Valley. The County occupies an area of

21,902 km2. The County has five sub-counties namely Kajiado Central, Kajiado North, Kajiado East, Kajiado West and Kajiado South which is sometimes commonly referred to as Loitokitok Sub County. The county has three main livelihood zones namely; Pastoral, Agro-Pastoral, and Mixed Farming with population proportions of 52, 12 and 5 percent respectively. Formal employment, casual waged labour and business livelihood zones comprise 31 percent of the population.

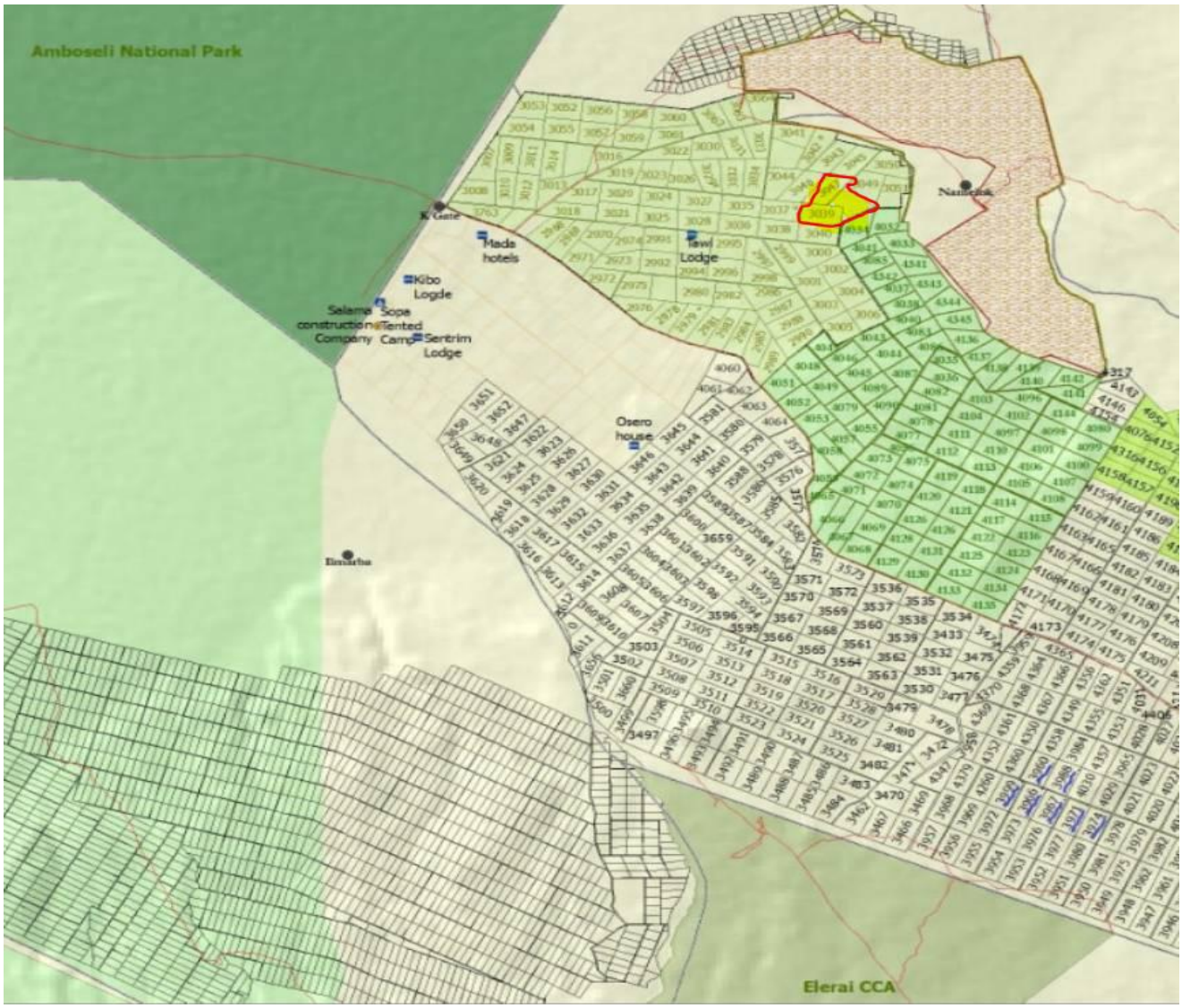

Plate one: the proposed site marked red.

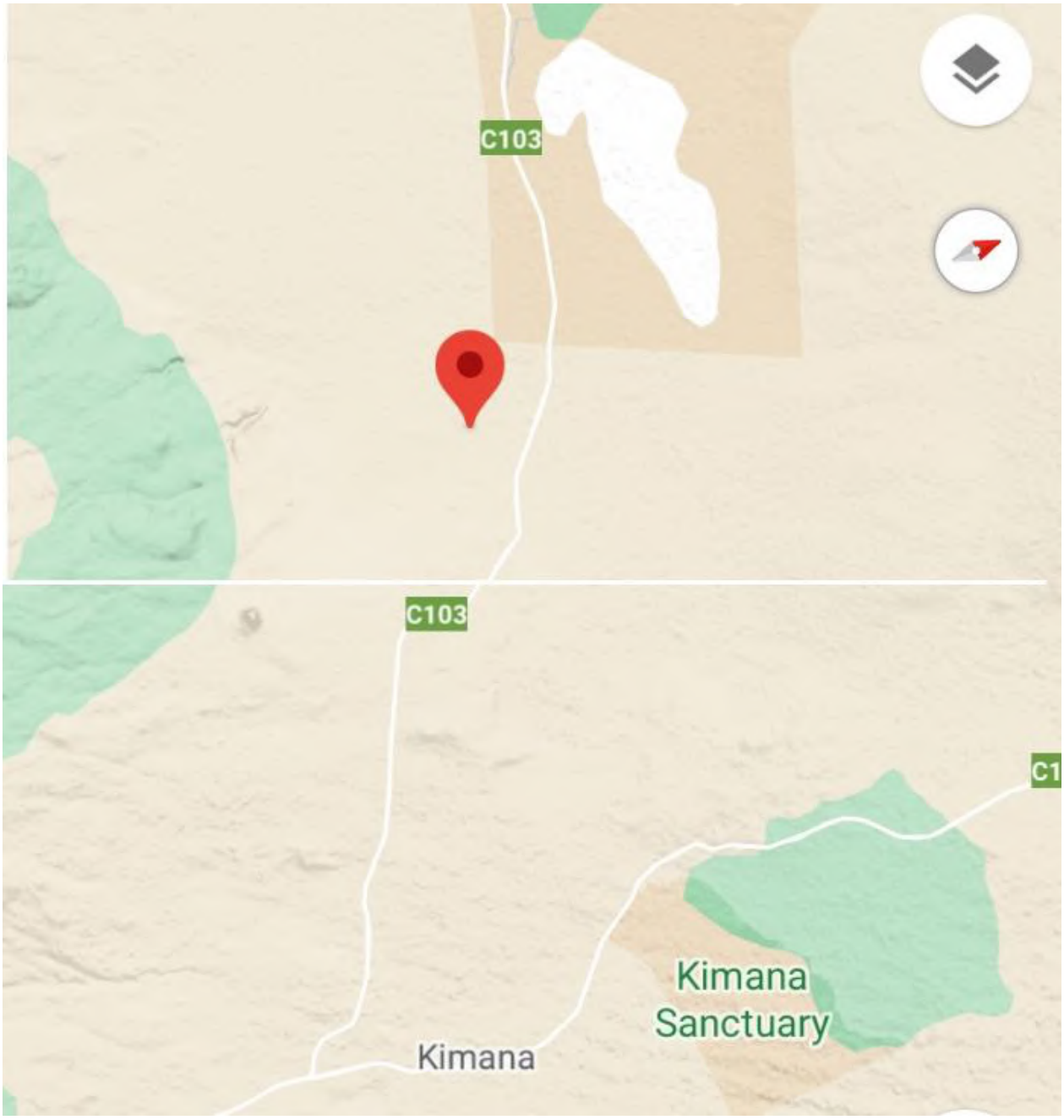

Plate 2: specific site and road C103.

1.3.0 The proposed project objectives

The infrastructure at the farm will be including the following:

	NUMBER/CAPACITY
Agroforestry plantation	Trees on 68Ha
Irrigation piping and drainage	Variable
Ecotourism aspects	Variable
Borehole 1	0ne (already has EIA licence, see attached)
Electrical fence	(already has EIA licence, see attached)

- To be in business of agroforestry and ecotourism
- To support the Government in its policy of creating employment, particularly for the local community
- To contribute to foreign exchange earnings for Kenya
- To contribute to the revenue base of the exchequer

1.4.0 Methodology

The assessment was conducted by use of the following methods:-

- Literature review, public and government sources
- Site reconnaissance
- Interviews with site personnel and the involved stakeholders
- Use of an observation schedule
- Use of a checklist

1.5.0 Project cost

The estimated cost of the project will be Kenya Shillings 10,000,000 /-

1.6.0 Scope of Activities

The scope of activities for this assessment entailed;

i. Description of the proposed project

ii. Description of the physical, biological and social environment

iii. Description of pertinent Legislative and Regulatory Considerations:

iv. Determination of the Potential Environmental and Social Impacts of the Proposed Project:

v. Analysis of the occupational health and safety concerns

vi. Development of environmental and social management plan to mitigate negative impacts

vii. Development of the ESIA monitoring plan

1.6 Study Approach and Methodology

1.6.1 Approach

The Assessment process adopted a participatory and collaborative approach in the course of the assignment. These approaches encouraged active involvement of the stakeholders, who were well conversant with the areas' environmental and social status and provided reliable data within a short timescale.

The assignment was conducted in line with the NEMA guidelines for an ESIA outlined in Environmental Management and Coordination Act (EMCA) 1999 revised 2015.

2.0.0 POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

2.1.0 Policy Framework

2.1.1 Introduction

Concern has been growing in Kenya and at global level that many forms of development activities cause damage to the environment. The main challenge today is how to maintain sustainable development without damaging the environment. Environmental impact assessment is a useful tool for the protection of the environment from negative effects of development activities. Development projects must be viable, socially acceptable and environmentally sound.

It is now a statutory requirement that developers involved in the scheduled activities (*Second Schedule of EMCA*) conduct environmental impact assessment (EIA), especially for those activities that are likely to have significant impacts on human health and the environment.

2.2.0 Legal Framework

2.2.1 Introduction

The Environmental Management and Coordination Act (1999) provides for the legal and institutional framework for the management of the Kenyan environment. Under the framework law, the *Second Schedule* provides guidance of activities which should undergo Environmental Impact Assessment (EIA) while projects already in place should undertake annual Environmental Audits (EA). However, there are other national legislative provisions which project proponents will be required to comply with in regard to air emissions, effluents, solid waste, hazardous materials and work environment management. There are also international conventions which Kenya is signatory to. These are outlined below.

2.2.1 The principal National Legislation "triggered" by this proposal includes the following:

(a) *Environmental Management & Coordination Act (1999)*:

Part V provides for the protection of:

- rivers, lakes and wetlands (section 42)
- hill tops, hill sides, mountain areas and forests (section 44 & 45 – identification of such areas)
- environmentally significant areas (section 54)
- ozone layer (section 56)

The following agricultural activities are regulated under the *Second Schedule* in the Act: use of pesticides (including herbicides and fungicides), use of fertilizers and irrigation. Pesticides are hazardous materials and subject to hazardous materials management regulations.

(b) *The Agriculture Act Cap* 318

(c) The *Pesticide Control Products Act Cap* 346

(d) The *Employment Act Cap 226/229*

(e) The Factories and other Places of Work Act Cap 514

(f) The Food, Drugs and Chemical Substances Act Cap 254

(g) The Irrigation Act Cap 347

(h) The Lakes and Rivers Act Cap 409

(i) The Minimum Standards of Housing (1965)

(j) The National Hospital Insurance Act Cap 255

(k) *The National Social Security Fund Act Cap 258*

(l) *The Physical Planning Act (1996)*

(m) *The Regulation of Wages and Conditions of Employment Act Cap 229*

(n) *The Standards Act Cap 496*

(o) *The Trade Disputes Act Cap 234*

(p) *The Water Act, 2002*

(q) *The Workmen's Compensation Act Cap*

(r) *The Factories and Other Places of Work Act (CAP 514)*

(s) *The Agricultural Produce Export Act Cap 319*

2.2.2 The International agreements/conventions "triggered" by this proposal include:

(a) *Montreal and Kyoto protocols – green house gases & ozone depleting substances*

The Montreal Protocol of 1996 deals with the elimination of the production and consumption of ozone-depleting chemicals (namely CFCs and Halons). The substances which are controlled by the Montreal Protocol include the following:

- CFCs (CFC-11,12,13, 112, 113,114,115, 211, 212, 213, 214, 215, 216, 217)
- Solvents (carbon tetrachloride, methyl chloroform) and

- Methyl bromide, HBFCs, HCFCs and Bromochloromethane (BCM)

The UNFCCC (adopted in 1992) is a global legal instrument for the control and management of greenhouse gases (GHG) which are not controlled by the Montreal Protocol. The Kyoto Protocol is an affiliated instrument which commits industrialized countries to achieve quantified targets for decreasing their greenhouse gas emissions.
Greenhouse gases are radiative gases of the atmosphere, both natural and anthropogenic, which absorb and re-emit infrared radiation. They include carbon dioxide (CO2), methane (CH4), nitrous oxide (NO2), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulphur hexafluoride (SF6). The importance of each gas is based on its Global Warming Potential (GWP).

(b) The Stockholm convention (2001) - pesticides

This is a global treaty aiming to protect human health and the environment from persistent organic pollutants (POPs). The convention focuses initially on twelve chemicals that can be grouped into three categories:

- *Pesticides:* Aldrin, Chlordane, DDT, Dieldrin, Endrin, Heptachlor, Hexachlorobenzene (industrial chemical and by-product), Mirex and Toxaphene

- *Industrial chemicals*: PCBs (also by-product)
- *Unintended by-products*: Dioxins and Furans

2.2.1 Codes of practice relevant to the proposed project

There are several codes / standards which the proposed enterprise could join and subscribe to. These include:

(i) Other certification bodies / standards include: EUREPGAP Control Points & Compliance Criteria, Max-Havelaar Fairtrade Standards, BV Non-Food Factory Inspection Technical Standard/Checklist

2.3: Relevant Legislation and policies:

There is need to make a review of all legislation and policies that have been agreed upon locally and/or internationally regarding the proposed project activities. This encompasses analysis of project activities, products and services. Environmental Impact Assessment (EIA) is a methodology used to identify the actual and probable impacts of projects and programmes on the environment and to recommend alternatives and mitigating measures. The assessment is required at all stages of project's development to ensure environmentally sustainable development for both existing and proposed public and private sector development ventures. The National EIA regulations were issued in accordance with the provisions of the Environmental Management and Coordination Act

(EMCA) of 1999. The EIA Regulations must be administered, taking into consideration the provisions of the EMCA 1999 and other relevant state laws. The intention of the Act is to approve and license only those projects that take into consideration all aspects of concern to the public as they impact on Human health and the quality of the environment. This EIA report takes into consideration the following policies and legal instruments:

2.3.1: National Environment Action Plan. (NEAP)

The NEAP for Kenya was prepared in mid 1990s. It was a deliberate policy effort to integrate environmental considerations into the country's economic and social development. The integration process was to be achieved through a multi-sectoral approach to develop a comprehensive framework to ensure that environmental management and the conservation of natural resources are an integral part of societal decision making. The NEAP also established the process of identifying environmental problems and issues, raising environmental awareness, building national consensus, defining policies, legislation and institutional needs, and planning environmental projects.

2.3.2: Environment and Development Policy (Sessional paper No.6 of 1999).

The goal of this policy paper is to harmonize environmental and developmental goal so as to ensure sustainability. The paper

provides comprehensive guidelines and strategies for government action regarding the environment and development. The World Commission on Environment (The Brundland Commission of 1987) recommends development that produces no lasting damage to the biosphere and of particular ecosystem. Economic sustainable development is development for which progress towards environmental and social sustainability occurs within available financial resources. Similarly, socio-sustainable development is development that maintains the cohesion of a society and its ability to help its members work together to achieve common goals, while at the same time meeting individual needs for health and well-being, adequate nutrition, and shelter, cultural expression and political involvement.

2.3.3: The National Poverty Eradication Plan (NPEP) and the Poverty Reduction Strategy Paper (PSRP)

The NPEP has the objective of reducing the incidence of poverty in both rural and urban areas by 50 percent by the year 2015; as well as strengthening the capabilities of the poor and vulnerable groups to earn an income. It also aims at narrowing the gender and geographical disparities and at creating a healthy, educated and more productive population. This plan has been prepared in line with the goals and commitments of the World Summit for Socio Development (WSSD) of 1995. The plan focuses on the four WSSD

themes of poverty eradication, reduction of unemployment, socio-integration of the disadvantaged people and creation of an enabling economic, political and cultural environment. This plan is to be implemented by the Poverty Eradication Commission (PEC) formed in collaboration with Government Ministries, community-based organizations, private sector, non- governmental organizations, bilateral and multilateral donors. This strategy is important in raising human capabilities and thus human development. The PRSP has the twin objective of poverty reduction and economic growth. The paper articulates Kenya's commitment and approach to fighting poverty; with basic rationale that the war against poverty cannot be won without the participation of the poor themselves.

2.3.4: Legal Framework:

Most existing environmental legislation in Kenya was originally formulated in response to specific problems. The thrust of the legislation is almost entirely negative; stressing what should not be done. It bears little relationship to environmental management, a concept emphasizing planning and incentives for environmental sound choices.

There are 57 separate statutes in Kenya, which relate to the protection of the environment and the management of natural resources, e.g. the 1989 Wildlife Conservation and Management

(AMENDMENT) Act, and further 20 statutes, which relate indirectly to the environment. It is because of this lack of a comprehensive Act on the environment that the Environmental Management and Co-ordination Act No. 8 of 1999 was enacted. This Act was a review of the 77 statutes related to environment. The EMCA 1999 guarantees every Kenyan a clean and healthy environment.

A further deficiency of the legislation was that they did not provide any specific remedies or confer any rights on private citizens, either individuals or in groups, in the event of their interests being infringed upon by Acts of environmental mismanagement. Although the law of torts provides a framework within which many environmental problems can be resolved, its use in combating environmental problems is extremely limited.

2.3.5: Water Act of 2002;

This prohibits the pollution of water. Part II, Section (3) states “every water resource is hereby vested in the State, subject to any rights of user granted by or under the Act or any other law. In addition, the right to use of water from any water resources is vested in the Minister of Water Resources Development and Management, except to the extent that is alienated by or under the Act or any other written Law (Section 5). Consequently, a water permit must be obtained before using any water resource. Section 29 (1), (2) and (3) stipulates

the procedure for obtaining a water permit, while Section (4) states “except as provided in Section 33, an application for a permit shall be subject to the public consultation and, where applicable, of Environmental Impact Assessment in accordance with the requirements of the Environmental Management and Coordination Act, 1999”

2.3.6: The Public Health Act Cap 242

The Public Health Act regulates activities detrimental to human Health. The owner(s) of premises responsible for environmental nuisance such as noise and emissions at levels that can affect human health are liable to prosecution under this Act. An environmental nuisance is one that causes danger, discomfort or annoyance to the local inhabitants or which is hazardous to human health. It also outlines the standards of construction of sanitary facilities of any premises.

2.3.7: Environmental Management and Coordination Act (1999) and the Environmental (Impact Assessment and Audit) regulations, 2003.

This is an Act of Parliament that provides for the establishment of the appropriate legal and institutional framework for the management of the environment and for matters connected there with and incidental thereto. The Act recognizes the fact that the environment constitutes the foundation of national economic, socio-cultural and spiritual advancement.

1.1 Section 51 of the Act provides for the conservation of biological resources in-situ and mandates NEMA to issue guidelines that can be used to ensure that biological resources are protected. This include the development of land use guidelines that are compatible with the conservation of biological resources, selection and management of buffer zones including special arrangements for the protection of species, ecosystems and habitats threatened with extinction. Section 112, 113, 114 and

115 provide for the application, granting enforcement and compensation for environmental easement, which may be done if, found necessary for purposes of conserving and enhancing the environment.

This Act requires every development likely to have an impact on the environment to undertake an environmental impact assessment. The second schedule of the Act states that any activity out of character with its surrounding; or any structure of a scale not in keeping with its surrounding; or any activity leading to major changes in land use must undergo an EIA.

2.3.7 Forest Act

(1) Forests may be classified as public, community or private forests.

(2) Public forests include—

(a) public forests classified under Article 62 (1)(g) of the Constitution; and

(b) forests on land between the high and low water marks classified under Article 62 (1)(1) of the Constitution.

(3) Community forests include—

(a) forests on land lawfully registered in the name of group representatives;

(b) forests on land lawfully transferred to a specific community;

(c) forests on any other land declared to be community land by an Act of Parliament;

(d) forests on land that is lawfully held, managed or used by specific communities as community forests;

(e) forests on ancestral lands and lands traditionally occupied by hunter-gatherer communities; and

(f) Forests lawfully held as trustland by the county governments, but not including any public land held in trust by the county governments under Article 62 (2) of the Constitution.

(4) Private forests include—

(a) forests on registered land held by any person under any freehold tenure;

(b) forests on land held by any person under leasehold tenure;

(c) any forest owned privately by an individual, institution or body corporate for commercial or non-commercial

purposes; and

(d) forests on any other land declared private land under an Act of Parliament.

31 Creation and management of public forests

(1) All public forests in Kenya are vested in the Service, subject to any rights of user in respect thereof, which by or under this Act or other written law, have been or are granted to any other person.

(2) The Cabinet Secretary may, on the recommendation of the Board and after consultation with the National Land Commission declare through a Gazette notice any un-alienated public land or any land purchased or otherwise acquired by the Service to be a public forest.

32. Management of community forests

(1) All community forests shall be vested in the community, subject to any rights of user in respect thereof, which by or under this Act or other written law, have been or are granted to any other person.

(2) The Service shall register each community forest in accordance with Regulations prescribed in accordance with this Act.

(3) The Service shall notify the relevant county government of the registration of a community forest as soon as is

practicable of the registration.

(4) Upon registration under subsection (2), the community may apply—

(a) to the county government for technical advice regarding appropriate forestry practices and conservation; or

(b) to the Fund, subject to availability of funds, loans from the Fund for the development of the forest.

(5) A community that establishes or owns a community forest may apply to the relevant authorities for exemption from payment of all or part of the land rates and such other charges as may be levied in respect of the land on which the forest is established.

33. Management of private forests

(1) A person who owns a private forest, including a forest in the course of establishment, on land owned by the person, may apply to the Service for registration of the forest under this section.

(2) The Service shall register a forest under subsection (1) where the forest meets the criteria prescribed in rules made under this Act.

(3) Upon registration under subsection (2), the owner of a private forest may apply—

(a) to the Service for technical advice regarding appropriate forestry practices and conservation; or

(b) to the Fund, subject to availability of funds, loans from the Fund for the development of the forest,

provided that the funds are obtained and utilised in accordance with the procedures set out by the Service.

(4) A person who establishes or owns a private forest may apply to the relevant authorities for exemption from payment of all or part of the land rates and such other charges as may be levied in respect of the land on which the forest is established.

34. Variation of boundaries or revocation of public forests

(1) Any person may petition the National Assembly or the Senate, for the variation of boundaries of a public forest or the revocation of the registration of a public forest or a portion of a public forest.

(2) A petition under subsection (1) shall demonstrate that the variation of boundaries or revocation of the registration of a public forest or a portion of a public forest does not—

(a) endanger any rare, threatened or endangered species; or

(b) adversely affect its value as a water catchment area; and prejudice biodiversity conservation, cultural site protection of the forest or its use for educational, recreational, health or research purposes.

(3) A petition made under subsection (1) shall be considered in accordance with the provisions of the Petitions to Parliament (Procedure) Act and the Standing Orders of the relevant House.

(4) The Cabinet Secretary shall, within thirty days of the petition being committed to the relevant Committee, submit a recommendation on whether the petition should be approved subject to—

(a) the petition being subjected to an independent Environmental Impact Assessment; and

(b) public consultation being undertaken in accordance with the Second Schedule.

(5) If the relevant Committee, reports that it finds that the petition—

** other relevant laws

- ✓ Article 69 of the Constitution of Kenya on environment protection of environment and biodiversity.
- ✓ Forest conservation and management Act 2016 under section 22 which mandates KEFRI to be lead agency in forestry research and development.
- ✓ The provisions of Forest conservation and Management Act 2016, provisions of sections 40, 60 and 61.
- ✓ The mandate of KEPHIS as provided under KEHPIS 2012 , the seeds and plant varieties Act (Ca 326) and the plant protection Act (Cap 324)

2.3.8: Institutional Framework:

For long time, several ministries and parastatals as lead agencies have been responsible for the environmental protection and natural

resources management in Kenya. This fragmented responsibility led to conflicting ministerial objectives and created gaps in coverage and become one of the main constrains to effective environmental management. The government recognizing this problem and in 1999 enacted the Environmental Management and Coordination Act (EMCA). Under the Act, the National Environment Management Authority (NEMA) was established as the supreme regulatory and advisory body on issues of environmental management in Kenya. NEMA is mandated to co-ordinate and supervise the various environmental management activities being undertaken by the statutory organs with a view to promoting their integration into development policies, programmes, plans and projects that provide sustainable development and a safe and healthy environment to all Kenyans. The Key function of NEMA include: responsibility for policy formulation and direction for the purpose of the Act; setting national goals and objectives and determining policies and priorities for the protection of the environment; promotion of cooperation among public departments, local authorities, private sector and non-governmental and such other organization engaged in environmental protection programmes; and perform such other function as assigned by the Act.

The other agencies which will be involved in this process are the

- KEPHIS

- KWS
- KEFRI
- KFS

All the above mentioned will play a vital role in the implementation of the proposed project, and their feedback will make NEMA have an informed decision on the project.

2.3.9: Methodology:

This report was then prepared in accordance with the EMCA 1999 and the Environmental (Impact Assessment and Audit) Regulations, 2003 for submission to the National Environmental Management Authority (NEMA).

Preparatory meetings were held with key stakeholders at the beginning of the assignment. The initial meeting involved the production of the mutually agreed terms of reference for the study. The EIA experts reviewed existing related legislation and regulation in Kenya and documents related. A review of literature and desk study complemented the field primary data. Field surveys were based on predetermined parameters and acceptable methodologies in environmental assessment.

The socio-economic thematic area of the study assessed the impacts of the proposed project on the socio-economic and human environments of the beneficiaries. It involved assessment of existing living conditions of the stakeholders. The views of the local community on the positive and negative impacts of the project were recorded, discussed and documented. In addition, the mitigation measures for any observed negative impacts as suggested by the stakeholders were analyzed and incorporated in the EMP in this report.

2.3 10: Scope of the Assessment.

The following steps are included, to the extent and at the level of detail appropriate to the size of the project:

- ✓ An environmental profile of the site.
- ✓ Project activities (including discharges, waste and emissions).
- ✓ Environmental impacts of project activities.

Physical environmental impacts considered in EIA typically include:

- Climate and air quality
- Water, including groundwater
- Geology and soils
- Ecologically sensitive areas and habitats
- Land use and surrounding activities

- Noise, vibration and radiation
- Visual quality

The socioeconomic factors may include:

- Population and demographic impacts
- Land-use and settlement
- Cultural and historical features
- Local economic structure
- Transport aspects

2.3.11: Benefits of an EIA.

Experience shows that environmental Impact Assessments can also have a number of other benefits, including:

- Increasing employees' awareness of environmental policies and responsibilities,
- Identifying potential cost savings, including those resulting from waste minimization,
- Evaluating environmental training programmes,
- Providing an information base for use in emergencies and evaluating the effectiveness of emergency response arrangements,

- Enabling management to give credit for good environmental performance,
- Assisting relations with authorities by making them aware that complete and effective audits are being undertaken, and by informing them on the types of procedures adopted,

3.0.0 DESCRIPTION OF ENVIRONMENT

3.1.0 Climate and Agro-Ecological Conditions

Rainfall

The zone experiences a double rain-shadow effect from the escarpments and as a result, the basin receives less rainfall than the surrounding highlands. Rainfall received range from 650-700mm per year. There are two rain seasons with the long rains between April and June and the short rains in the period between October and December. The mean annual rainfall for the area is 693 mm, the pattern is however irregular and rainfall quite erratic. Wind speed range from 11-15kms/hr blowing normally towards the Southwest. Temperatures vary throughout the year between a maximum daytime temperature of 20-30^{0}C and a minimum night temperature of 10-14^{0}C. Monthly means vary from 15.9-18.5^{0}C. July has the coolest

means and the least range while January and February have the warmest but the greatest mean range of temperatures.

Biological Environments

3.2.0 Flora

The grounds are scantly covered by tuft grass and some countable numbers of Acacia tree species, generally savanna type of grassland. The areas generally did not have the common striking species None of the recorded species was found to be threatened according to the IUCN (2019-3) Red List of plant. Similarly, no species were deemed to be rare or endemic to the region and/or country. According to BioNET-EAFRINET (2020), *Nicandra physaloides* was the only invasive species recorded on the study site and only a few individuals observed. Nevertheless, other species such as *Calotropis procera* (Apocynaceae) and *Parthenium hysterophorus* (Compositae) were

observed growing nearby and could find their way to the project site and thus need for monitoring.

3.2.2 Fauna

No significant large mammals were found at the time of assessment; however, there are safari ants and some rodents. After the three-day sampling, three reptile species represented by lizards were recorded. No frogs were recorded as the work was done only during the day and in addition it was dry with no wetlands within the proposed farm project site. The three lizard species found include Tree Skink (*Trachylepis planifrons*), Long-tailed Sand Lizard (*Latastia longicaudata*) a ground dwelling species and Red-headed Rock Agama (*Agama lionotus*) a rock and/or tree dweller. The Tree Skink (*Trachylepis planifrons*) was the most abundant species found resting on tree stems. None of these species are Species of Conservation Concern especially in the IUCN Red list of Threatened Species categories

3.3.0 Land use

The main land use in the area includes group ranches, livestock keeping, pastoralism and small-scale agricultural activities. Wildlife is a predominant feature in the County with Amboseli National park being one of the major tourist attraction sites. The major economic activity in the county is pastoralism with key livestock being cattle, sheep and goats. The livestock products include milk, beef and chevron, hides and skins. Like many other counties in Kenya, Kajiado county is mainly water stressed where Kimana Ward, Kajiado South Sub-County, Kajiado County. Community members sometimes find themselves covering an average of 10km in search of water. The main economic activities practiced in the proposed project area include; Livestock Farming; Livestock production, dairy, beef production, hides and skins, poultry farming and bee keeping.

Tourism; Amboseli National park and the unique Maasai culture form the basis of tourist attraction. Crop Farming; is mainly done under irrigation to produce horticulture crops including onions and tomatoes among others

3.3.4 Soils and Geology

The county consists of three geological regions: quaternary volcanic, Pleistocene and basement rock soils. Alluvia soils are also found in some areas. Quaternary Volcanic soil is found in the Rift Valley. Basement System Rocks which comprise various gneisses, cists, quartzite and crystalline limestone, are found mainly along the river valleys and some parts of the plains. Pleistocene soils are found in the inland drainage lake system around Lake Amboseli.

I4.0.0: IDENTIFICATION AND PREDICTION OF IMPACTS

Actions	Environmental impact areas / receptors							
	Human Health	Soil	Plants/Animals (above & belowground biodiversity)	Hydrology (water quality & quantity)	Air pollution / ozone depletion	Socio-economic / Cultural aspects	Aesthetics	Accidents
Land clearance & leveling		·	·	·	·		·	
Plantation trials				·				·
Plantation initial development				·				
Construction of drainage ways		·		·				
Soil conservation		·						

measures								
Application of fertilizers				•				
Control of diseases & pests (pesticide use)	•	•	•	•	•			•
Transport of products and farm inputs					•	•		•
Employment of workers						•		
Waste management at site: • Management of input stores –	•	•		•		•	•	•

fertilizers & agro-chemicals • Management of site facilities. • Procurement of supplies								

5.0.0 PROPOSED HEALTH, SAFETY AND ENVIRONMENTAL POLICY

The Proponent is in the process of developing a comprehensive HSE policy as detailed herewith.

5.1.0 Goal of the HSE Policy

The Proponent understands that its activities will interact with the environment in a very complex manner and economic prosperity is dependent on how well the environment is taken care of.

The goal of the proposed HSE policy will therefore be to assist the Proponent to maintain position with full commitment to minimize the negative impacts of the activities on the environment, to conserve existing habitats, reduce use of agrochemicals, improve its efficiency in the use of natural resources and ensure good health, safety and welfare of employees and the neighborhood. The Proponent will be fully committed to complying with all Kenyan regulations and the highest standards of Good Agricultural Practice.

5.2.0 Elements of the HSE Policy

This policy will have the following essential elements:

(i) **Impact assessment guidelines:** These guidelines will provide for the assessment of the impacts of operations on the natural environment and in particular the effects of the pesticides and fertilizers used, their effect on workers, spray operators, consumers, wildlife, and aquatic life and water resources.

(ii) **Pollution prevention and control:** The policy will provide for adoption of processes, practices, materials or products that avoid, reduce or control pollution.

(iii) **Efficient natural resource utilization:** To better utilize natural resources including water, the Proponent wherever possible will incorporate recycling, treatment, process changes, control mechanisms, resource conservation and material substitution.

(iv) **Risk Reduction:** The HSE will lay down a strategy for minimizing health and safety risks to workers. The Proponent will regularly conduct Health, Safety and Environmental audits whose outcomes will enable the Proponent to fully understand the impacts of its operations and corrective actions to be put in place. Based on the outcomes, the Proponent's Health, Safety and Environment Committee, will set objectives and targets for continuous improvement, prevention of pollution and reducing risks to workers and the environment.

(v) **In-house training:** All personnel in positions of responsibility will be trained to ensure full understanding of the reasons, targets and requirements of the HSE policy.

(vi) **Effective communication:** The policy will provide guidelines to ensure effective communication channels, both internal and external, and at all levels.

(vii) **Enforcement:** To ensure that operations are conducted in a safe and healthy environment and that the welfare of employees is monitored and maintained, managers, heads of departments and supervisors will be required to ensure that the HSE policy is enforced and observed by employees and those who may be affected by activities.

(viii) **Right to know:** The Proponent will emphasize that employees and other persons affected by the rules contained in the HSE Manual must know, understand and adhere to the rules. Awareness-raising enhances the understanding of the roles and responsibilities of each worker.

(ix) **HSE Committee:** Factories and Other Places of Work Act (Cap 514) (GoK, 1992) Subsidiary Legislation, Legal Notice No. 31 of 2004, the Proponent will establish a HSE Committee that will meet regularly to review current policy programmes and related matters that arise from weekly and monthly reports from within each department. The

Committee will be responsible for the identification and design of action plans for continuous improvement.

(x) **Participatory processes:** Employees will fully participate and make suggestions in the development of the HSE guidelines.

(xi) **Personal Protective Equipment (PPE):** The HSE policy will require provision of PPE to ensure that the workers are adequately and appropriately protected from injury.

5.3.0 Pesticides Management

The overall aim with respect to pesticides is to reduce the pesticide load on the environment year after year whilst ensuring that pesticides application is safe. This takes place within set guidelines laid down by Codes of Practice and Statutory Regulations subscribed to. The Proponent will maintain a continuous improvement strategy based upon audit and risk analysis using the following guidelines: -

- A system of ordering, transporting, receiving, storing and applying pesticides
- Methyl Bromide and other banned/restricted pesticides will not be used, the farm is currently not fumigating soil.
- Efficient and economical use of pesticides and fertilizers. These will be monitored daily, monthly, yearly, crop by crop and on a square meter basis.

- Prophylactic use of all pesticides is discouraged. Scouting will be done to ensure that prophylactic use and blanket spraying are avoided whenever possible.
- Pesticides with least impact on mammalian, avian and aquatic life are of first choice.
- The spray programme will be a supervised exercise that links the levels of pest and disease monitoring and control through scouting and spot spraying. Once spraying has been done, adequate warning signs on entry will be displayed.
- Efforts to develop and implement an alternative pest and disease control strategy through the use of biological, physical and cultural control will be continually pursued. Integrated Pest Management (IPM) and Integrated Chemical Management (ICM) will also be encouraged.
- Over- or under-application of pesticides will be avoided and confirmation of this will be done through analytical examination of tissue samples.
- Knowledge of the various pesticides and their toxicity by the Technical Manager which ensures that the right pesticide is applied.
- Ensuring that individual operators do not exceed the Operator Exposure Limit (OEL) through an efficient logging system. All operators will be screened once every three months to monitor cholinesterase to ensure safe levels are adhered to and they are rotated once a month and assigned other duties.

- Monitor all pesticide usage in respect to relative toxicity and provide justification for the use of Class 1 pesticides.
- Ensuring that the technical personnel with overall responsibility for spray programmes and decisions on their application are suitably qualified and trained.
- Policy on professional development of senior and supervisory staff relating to pest and disease control and the minimizing of pesticide usage.
- Investigate ways of reducing waste and how to dispose off waste properly.
- To continually improve production practices so as to be more socially responsive and environmentally friendly.
- On-going research and development
- Worker training on pesticide toxicity/classification and first aid measures.
- Empty pesticide containers will be pressure-rinsed, punctured and flattened and then sent to the incinerator. The Proponent will investigate the possibility of suppliers taking back the containers for disposal. Dilute pesticide residue (rinsate) from the containers will be used/mixed inside the spray mixture.

5.4.0 Fertilizers Management

The proponent will promote the rational use of fertilizers so as to minimize negative environmental impacts while consistently attaining production. The following guidelines will be used: -

- Utilization of fertilizers and compost in line with Good Agricultural Practices
- Applying fertilizers based on sound principles, leaf tissue analysis and soil analysis to provide a guide to the soil nutrient levels and in particular nitrates, phosphates, potash and magnesium levels. Leaf samples and soils are tested on a 2 monthly rotational schedule to check on any compound build-ups or depletions in the soil. Fertilizers will then be applied based strictly upon these results.
- All fertilizer usage are recorded
- Only qualified personnel will have responsibility for fertilizer programmes and decisions on their application
- Training of all personnel involved in and the rational use of these fertilizers.
- Fertilizers will not be applied to conservation areas, wildlife corridors or within 30 meters of watercourses.
- All of the organic waste will be composted to maximize nutrient recycling and maintain soil fertility
- Fertilization will be tied to soil, tissue and water analysis from the laboratory results

- The Proponent will recycle waste water
- Any increases in fertilizer usage for the same period over the previous year must be justified.
- The composition of each fertilizer materials used will be determined. All fertilizer applications will be monitored and audited. Storage facilities will be constructed to contain any possible spills that could contaminate soil or water.

5.5.0 Water Resources Management

The Proponent will foster efficient use of water through a range of conservation techniques. To ensure continual improvement, the following guidelines will be observed:

- Implementation of any action recommended during the Environmental Assessment Audits.
- Record and report the total water consumption, per production unit, in m^3/ha/day.

There will efforts to develop and implement effluent degradation strategies in order to avoid environmental pollution. The Proponent will use chemical deactivation pits to clean spray wastewater. A constructed wetland will be put in place to polish the effluent before release to a natural water course.

Application of water to the soil will be based on sound agronomic principles of soil-water relations (using tensiometer readings) to provide a guide to the soil water status.
All water utilized will be/is metered and recorded

5.6.0 Soil Resource Management

The objective here is to ensure that all land use practices are carried out in an environmentally responsible manner in line with the Code of Good Agricultural Practice. As indicated above, fertilizers will be applied based on sound principles, leaf tissue and soil analysis to provide a guide to the soil nutrient levels and in particular nitrates, phosphates, potash and magnesium levels.

The following “best practice” methods for soil conservation will be applied:

- *Grassing*: all earth areas not specifically required to be tilled will be grassed and terraced to minimize erosion.
- *Drainage*: all drainage will be in concrete or precast culverts to avoid soil erosion.
- *Maintenance* of indigenous vegetation.
- *Planting* of appropriate species on the farm
- *No cultivation* will be carried out on land with a slope of more than 35% in accordance with the Agriculture Act. Also, no

cultivation will be carried out on land less than 25 m from the river.

5.7.0 Waste Management

5.7.1 Polythene

- To minimise environmental pollution caused by polythene, The Proponent will ensure:
- that all used polythene is collected, baled and transported to a recycling facility
- That all used polythene is returned to the storage facility.
- That no polythene is incinerated and will be bought from only the licenced dealers.

5.7.2 Paints and thinners

- To minimize soil pollution by paint disposal, the following will be done:
- Training of painters on safe disposal of thinners and paints.
- Implementing a system for collecting waste material and incineration.
- Implementing a system for safe disposal of paint containers

5.7.3 Non-organic waste

- Fertilizer sweepings will be re-used.

- Chemical spillage will be soaked in sawdust and disposed in approved disposal sites.
- Plastic bags and rubber bands will be separated from plant debris and recycled.

5.7.4 Organic waste

- Plant refuse, the result of pruned, discarded in the field and grading halls will be composted to produce organic manure.
- Biodegradable materials like cartons and other packing materials will be re-used or shredded and composted.

5.7.6 Waste timber

Waste timber will be re-used on the farm.

5.7.7 Toilet & Septic Tanks

The Proponent will construct toilets with septic tanks for the workforce. The toilets will be occasionally exhausted by an approved wastes disposer.

5.8.0 Biological Resources Management

- To protect and conserve wildlife, natural habitats, respecting and enhancing the landscape character, the Proponent will emphasize efficient use of resources including energy, water, land use practices, use of pesticides, fertilizers, compost, prevention of pollution and conservation of natural flora and fauna and the landscape. To ensure no damage is done to these resources, the Proponent will strictly follow guidelines regarding avoidance of use of pesticides and has a full understanding of:-
- Mammalian Toxicity - WHO Classification
- Aquatic Toxicity - Red List
- Avian Toxicity - Green List

5.9.0 Air Pollution Management

To reduce negative impacts on the air, the following measures will be observed:

- Non-use of methyl bromide for fumigation due to its ozone depleting effects.
- Incineration of materials will be minimised and all organic waste will be composted and polythene wastes recycled.
- Use of unleaded petrol and regular servicing of the Proponent vehicles to reduce emissions.
- Use of products with chlorofluorocarbons (CFCs) will be avoided as much as possible.

To minimize air pollution when spraying, the following measures are observed:-

- Minimizing and monitoring use of all pesticide products.
- Effective scouting will be done to minimize blanket spraying
- Use of Integrated Pest Management methods.

5.10.0 Health and Safety Management

The Proponent will be responsible for the care, health and safety of all employees and any other person within its premises. The Proponent is subject to the Factories and Other Places of Work Act (Cap 514) under the laws of Kenya. This law lays down the rules for Safety, Health and Welfare within factories and other places of work with a view to ensuring suitable conditions of work and good health of workers. Under these regulations, Health and Safety Audits are required to identify any risks to employees and other persons. These risks will be then analyzed and corrective action plans drawn up.

The Proponent has a responsibility, so far as is reasonably practicable, to prevent injuries or harm to its employees and every reasonable effort will be made to provide safe and healthy working conditions. These general guidelines shall apply:

- Ensuring management at all levels is aware of their responsibilities for health and safety.
- Ensuring supervisors and workers are aware of their roles to care for their health and safety and that of others.
- Training workers on health and safety techniques and that these are combined with production techniques in the following areas:-
    - The use and handling of chemicals.
    - Machinery and equipment use and & upkeep.
    - Electrical equipment use & upkeep.
    - Land preparation.
    - Post harvest procedures.
    - Transportation.
    - Personnel and home hygiene.

- To minimize risk of personnel injury in violence during possible industrial disputes, will:

    - The Proponent will support the formation of a Health, Safety & Environmental Committee as required by the law. It will be responsible for HSE programs.
    - Ensures that workers' committee and management are in place and working together to prevent any potential problems.
    - Ensuring freedom of association of all workers.

6.0.0 PROJECT ACTIVITIES

6.1.0 Description of the project cycle

A project cycle involves several stages, which include project concept, feasibility study, operation, implementation and decommissioning phases. Each phase is associated with certain activities. The activities associated with each of these phases in the project are described below.

6.2.0 Project activities

6.2.1 Initial Phase

The following activities will be undertaken at onset of the project

Nursery establishment

_ Access road

_ Base camp

_ Site clearing - under brushing & clear felling

_ Biomass management & disposal

_ Earthworks, drainage & irrigation

_ Planting and maintenance of seedlings

Site preparation

_ Access road

_ Base camp

_ Utilities provision

_ Site clearing - under brushing & clear felling

_ Biomass management & disposal

_ Earthworks, drainage, infrastructure

_ Cover crop establishment

Field establishment

_ Field lining & holing

_ Final culling

Transplanting

6.2.2 Operation phase

This phase shall involve the following activities;

- Procurement of inputs
- Application of fertilizers
- Planting the seedlings
- Irrigation
- Control of diseases and pests

- Harvesting, storage and packaging
- Waste management activities

6.2.3 Decommissioning phase

Although the project is expected to remain in operation for a long time to come, whether it remains operational depends on market conditions as determined by changes in consumer preferences and competition. However, it is important to consider the types of activities which would arise as a result of closure of the enterprise and their potential environmental impacts. Decommissioning, for whatever reasons, would lead to stoppage of all production operations. The activities associated with this phase include; dismantling of plant and equipment, clearance of the site, closure of septic tanks and re-establishment of grass/vegetation on the land and possibly growing of other viable crops.

_ Nursery establishment
_ Removal of old trees
_ Evacuation of plantation staff & workers
_ Biomass management & disposal
_ Removal of equipment, machinery & structures
_ Field lining and holing
_ Site restoration/ rehabilitation

7.0.0 PROJECT DESIGN

7.1.0 Project phases and area

The property on which the project will be laid out is 70 Ha.

KAJIADO - 58 ACRES LOITOKITOK / KIMANA TIKONDO / 3048
KAJIADO - 58 ACRES LOITOKITOK / KIMANA TIKONDO / 3047
KAJIADO - 58 ACRES LOITOKITOK / KIMANA TIKONDO / 3039
(see attached title deeds)

7.2.0 Farm plan

7.3.0 Utilities

Fertigation - Precise fertilizer and water application can be centrally controlled. Production and quality both depend on how good and versatile this system is and how well it is run.

Fencing – Adequate provision for proper boundary fencing all around the farm will be made, including, but not restricted to electric fencing.

Land Development - Land development also includes ploughing, harrowing and application of organic manure.

Electricity from KPLC & Standby Genset for standby power because of critical systems that must run at all times. The Genset has

automatic turnover to take care of power failure/ fluctuations at any given time.

8.0.0 MATERIALS TO BE USED, PRODUCTS AND BY-PRODUCTS

8.1.0 Land Ownership

The land for this Project belongs to Mr Manish Shah, who is a Director of Soul of Business Enterprises Limited

8.2.0 Materials and machinery

Farm machinery such as tractors shall be used during the Operational Phase. Materials for construction shall include, wood, shade net, polythene, water pipes, and pumps among others.

8.3.0 Planting materials

Tree seedlings

8.4.0 Agrochemicals

The chemicals to be used include fertilizers, pesticides, and compost.

8.4.1 Fertilizers

The total range of pesticides fertilizers to be used is ones approved by PCPB.

8.5.0 Water

Rain-fed and borehole water abstraction.

8.6.0 Planting materials

Tree seedlings from varies approved propagators. (Local and indigenous tree species, where possible sandalwood tree species will be cultivated)

8.7.0 Energy

The main source of energy will be the Kenya Power and Lighting Co. Ltd. This is automatically backed up by a generator. In the near future proponent intends to install solar power, which is eco-friendlier.

8.8.0 Products and by-products

The product from this project will solely be tree plantations (basically agroforestry). The by-product is mainly green manure comprising cuttings, broken vegetation.

8.9.0 Wastes and methods of disposal

Waste	Source	Disposal method
Polythene/plastics	packing materials	Recycling and /or sold to recyclers
Waste water	spray and fertigation stations	Chemical deactivation pits, constructed wetland
Organic waste	From plant materials.	Composting in lined pits.
Packing boxes etc	Variable	To be sold as waste paper
Used engine oil	Farm machinery maintenance	Application on posts (as a preservative), return to supplier
Agrochemical containers	Agrochemical usage	Collected by authorized handler for high temperature

		incineration

9.0.0 POTENTIAL ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

The proposed project entails a number of activities which will be carried out during the different phases of project implementation. These activities have the potential to generate environmental and social impacts within the project area, its environs and nationally. This section analyzes the potential impacts of the proposed activities in the context of the project cycle and proposes feasible mitigation measures.

The impacts have been defined on the basis of the issues raised by the affected persons and the scoping assessment done by members of the EIA professional team. The areas of the impacts include the following:

- Soil (erosion, reduced biodiversity)
- Biodiversity (erosion, reduced plant biodiversity)
- Surface & ground water (mainly fertilizer, pesticide and human waste pollution of the river-, ground-water)
- Socio-economic (incomes, cultural values, health, (in)security)
- Settlements (unplanned settlements)

- Air (pollution by vehicular emissions, ozone depleting substances)

The impacts associated with the various activities and proposed mitigation measures are given below;

Activities	Potential Impacts	Proposed Mitigation Measures
Construction Phase		
1. Land clearance and leveling 2. General cultivation harrowing 3. Tree seedling trials 4. Infrastructure 5. Establishment more green lawns 6. Establishment of soil and water conservation measures 7. Other activities due to these primary activities – in-	1. Soil erosion (-ve) 2. Loss of biodiversity (-ve) 3. Improvement of local and national economy 4. Creation of employment opportunities 5. Elevated incidence of HIV/Aids (-ve) 6. Pollution in the water, land and air (-ve)	1. Avoid cultivation on slopes of > 35% 2. Introduce soil conservation measures e.g. grass strips, vegetation buffer strips along river banks 3. Create biodiversity banks 4. Introduce HIV/Aids awareness and education programmes

migration into the area, growth of illegal settlements	7. Occupational health risks (-ve) 8. Emergence of unplanned human settlements and associated problems (-ve) 9. Water conflicts (-ve) 10. Erosion of cultural values (-ve) 11. Social conflicts (-ve) 12. Generation of revenue to local and central government 13. Increased tree cover 14. Vehicular emissions and waste oils (-ve) 15. Generation of waste water (-ve)	5. Introduce pollution prevention measures (avoiding spillage, over application of inputs, re-use and re-cycle byproducts) 6. Training and monthly rotation of pesticide sprayers, and determination of cholinesterase 7. Composting organic waste (see Plate 8) 8. Rain water harvesting, water recirculation 9. Hiring employees from the local area 10. Only the already recommended housing plans and designs shall be

		allowed 11. Provide awareness, education and personal protective gear for occupational health and safety of workers 12. Provide boreholes to reduce dependence on stream water 13. Introduce water saving technologies e.g. drip irrigation 14. Train personnel on water conservation. 15. Construction of wetlands to treat waste water

		(see Plate 7) 16. Calibration of spray and fertigation equipments to reduce waste
Operational Phase		
1. Procurement and storage of inputs 2. Planting 3. Fertigation 4. Harvesting 5. Storage 6. Control of diseases and pests 7. Packaging 8. Transport 9. Fuel storage	1. Pollution of air, water and land by pesticides & fertilizers (-ve) 2. Occupational health risks from pesticides (-ve) 3. Polythene waste from green houses (-ve) 4. Ground water contamination from latrines (-ve) 5. Solid waste problem from empty pesticide containers and	1. Introduce HIV/Aids awareness and education programmes 2. Introduce pollution prevention measures (avoiding spillage, over application of inputs, re-use and re-cycle byproducts) 3. Prophylactic use of pesticides, spot application, scouting, non-utilization of methyl

	paper cartons (-ve) 6. Pollution from liquid waste due to rinse water (-ve) 7. Organic wastes from plant residues and paper cartons (-ve) 8. Vehicular emissions and waste oils (-ve) 9. Improvement of local and national economy 10. Creation of employment opportunities 11. Elevated incidence of HIV/Aids and other diseases (-ve)	bromide, integrated pest management, fertigation, pesticide audits 4. Training and monthly rotation of pesticide sprayers, and determination of cholinesterase 5. Composting organic wastes (see Plate 8) 6. Rain water harvesting, water recirculation 7. Hiring employees from the local area 8. Only the already recommended housing plans and designs shall be allowed 9. Provide awareness, education and

	12. Emergence of unplanned human settlements and associated problems (-ve) 13. Erosion of cultural values (-ve) 14. Social conflicts due to economic disparities (-ve) 15. Enhanced revenue for local and central government	personal protective gear for occupational health and safety of workers 10. Segregate waste oils and incinerate at above 1200 ^{o}C 11. Provide social amenities for the benefit of the local community (e.g. schools, roads, health facilities)
Decommissioning Phase		
1. Stoppage of operations (redundancies, dismantling of plant and equipment, closure of septic tanks)	1. Disused plant and machinery left on site (-ve) 2. Danger of explosions from methane release from septic tanks	1. Provide safety net for workers who will be declared redundant 2. Provide closure plan incorporating methane recovery,

	(-ve) 3. Increase in poverty due to loss of employment (-ve)	leachate management 3. Salvage disused plant and equipment and sell as scrap materials

9.1.0 Significance of Impacts

The significance of the predicted impacts will depend on a number of factors such as size of impacted area, number of people that are likely to be affected, whether or not the impacted environment is degraded or sensitive, and the probability of occurrence of the impact. Table 8.2 presents an analysis of potentially significant environmental impacts due to implementation of the proposed project. The proponent has accumulated a lot of “good practice” experience in agricultural over the years and has the capacity to effectively implement all the proposed measures to reduce or eliminate the negative environmental and social impacts. Furthermore, the Proponent will be guided by a comprehensive environmental, health and safety policy.

10.0.0 ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN

The Proponent will employ “Best practices” in order to improve the implementation of the farm Project to forestall any predicted significant environmental impacts. To manage the predicted environmental and social impacts, the following environmental and social management framework is proposed:

10.1.0: PROPOSED ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN 2021

Impact	Mitigation measure	Action plan	Responsible	Budget (Ksh)	Time frame
Pollution from agrochemicals	Use methods that minimize pesticide and nutrient load in the environment	Scouting, Spot spraying, integrated management, calibration of spray equipment, block treatment, safe disposal of wastewater through constructed wetlands	Farm Manager	80,000	During project operation
Increased accidents	Prevention and	Hazardous waste containment; carry out	Farm Manager	40,000	During project operation

	management of foreseeable accidents	hazardous studies; meet the standard requirements practice, periodic testing of emergency plans, promote motivational safety, health surveillance, education and awareness, provide personal protective equipment, first aid equipment			
Soil erosion	No cultivation of slopes of more than 35%; construct water	Plant grass strips and construct terraces and safe disposal drainage lines, increase the ground plant cover in areas that are prone to erosion	Farm Manager	50,000	At operation and project cycle

	velocity checks; safe water disposal to discharge points				
Increased incidence of HIV/AIDS	Create awareness; educate workers and surroundin g communitie	Convene barazas; provide counseling services, provide HIV testing services;	Farm Manager	30,00 0	During the operational phase of the project

	s				
Ergonomics	Minimization of hazards due to heavy manual lifting/ handling of tools, materials	Provide fork lifts and/or handling machinery	Farm Manager	10,000	All phases of the project
Unplanned human settlements	Provide appropriate housing designs for workers	Make the housing designs and enforce them	Farm Manager	20,000	During project cycle
Water	Diversify	Harvest rain water, recycle	Farm	Nil	In the project

conflicts	water sources to reduce potential conflicts and economize on water consumption	wastewater, minimize spillages, leakages and use drip irrigation	Manager		phases
Social conflicts	Minimize infiltration of foreign cultures and differences in wage	Recruiting employees from the surrounding communities, promote awareness and education amongst the different communities in the project area	Farm Manager	Nil	At the operational phase of the project

	earnings				
Ground water contamination from latrines	Reduce ground water contamination	Site the pit latrines at a safe distance from water sources determined by soil hydraulic conditions and slope	Farm Manager	20,000/-	Project cycle
Pollution from empty pesticide containers and paper cartons		Triple rinsing and dispose rinsate into a properly constructed hazardous waste landfill, puncturing the containers and disposing as hazardous waste	Farm Manager	70,000	Operational phase of the project
Organic wastes from plant residues and	Recycle the organics into usable	Compost all the organic wastes	Farm Manager	50,000	Operational phase of the project

paper cartons	by-products				
Loss of aesthetics, risk of accidents due to abandoned plant and equipment	Restore the landscape to as close as possible to its original state	Clear the site of the abandoned plant and machinery and dispose as scrap metal	Farm Manager	200,000/-	At decommissioning phase
Danger of explosions from methane release from septic tanks	Provide for a closure plan for the septic tanks	Exhaust the septic tanks and discharge into sewage works	Farm Manager	40,000	Operational phase
Increase in poverty due to loss of	Provide safety nets	Provide counseling to workers for post closure of the business	Farm Manager	50,000	Operational phase

employment					
Gaping holes at decommissio n phase	Dismantlin g of the site	Fill the gaping holes	Farm Manager	200,0 00/-	Decommissio ning phase

11.0.0 CONCLUSIONS

The project has clear social and economic benefits and will contribute to the improvement of the quality of life for the people associated with it and the neighbours and the society in general. The project will not be in any serious conflict with any major national physical or environmental protection policies. The on-site or off-site anticipated impacts identified are of varying significance and these could be adequately mitigated to reduce any threat to the environment. When the environmental and social management plan developed in the assessment is fully implemented and the health and safety and environment policy is set up, then this will result in an overall improvement in the environmental quality of the project area and it's surrounding.

12.0.0 COMMUNITY AND STAKEHOLDER PARTICIPATION

During the EIA process, members of the neighbouring community were approached for their views and valid comments. Comments from the neighbours /stakeholders were collected and are attached in the appendices.

REFERENCES

United Nations Environment Programme (1988) Assessment of Multiple Objective Water Resources Projects; Approaches for Developing Countries. UNEP, New York.

Kenya Gazette, No. 8 of 1999, The environmental Management and Co-ordination Act, 1999, Government Press, Nairobi, Kenya, 175pp

UNEP (Industry and Environment), UNIDO, IFA: Environmental Management Systems, Technical Report No. 26 part 2, Paris France 1998

Sombroek W. et al; Exploratory Soil Map and Agro-Climatic Zone Map of Kenya, 1980. Kenya Soil Survey, Nairobi, 1982.

APPENDICES