

ENVIRONMENTAL AND SOCIAL IMPACTS STUDY REPORT FOR THE PROPOSED CEMETERY AND FACILITIES ON L.R. NO. 9362/7, NAKURU COUNTY



Report submitted to the National Environment Management section 58 of Environmental Management and Coordination Act, 1999

Location: Latitude 0°23'43"S and longitude 36°12'36"S

SUBMITTED TO:

**THE DIRECTOR GENERAL
NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY
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PROJECT PROPONENT

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**June,
2021**

CERTIFICATION

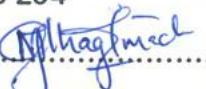
This Environmental Impact Assessment study report was prepared in accordance with the Environmental Management and Coordination Act (EMCA) 1999 and the Environmental Impact Assessment and Audit Regulations 2003 of the National Environmental Management Authority (NEMA). We the undersigned, confirm that the contents of this report are a true representation of the EIA report for the proposed Rift View Memorial Park on L.R. No. 9362/7, Nakuru County.

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EXECUTIVE SUMMARY

The proposed project will be a private cemetery open to the general public. The facility will be situated some 18Km from Nakuru town on L.R. No 9362/7. The developer (Ms Valhalla Limited) has leased a 96acres parcel from Soysambu Conservancy for the establishment of the cemetery. The proposed cemetery has been necessitated by the scarcity of burial grounds in the Nakuru town. The existing public cemeteries in Nakuru are almost full. As a matter of fact, the County Government of Nakuru has looking for land for establishment of alternative cemeteries to meet the present and future demand for the same. The establishment of the proposed cemetery is thus designed to address this critical need. In addition, the local community lacks burial grounds with the increasing segmentation of land in the locality. The community thus depends mainly on the public cemetery in Nakuru town (for those with small portions of land).

This Environmental Impact Assessment examined the potential positive and negative impacts of the proposed project during construction, operation and decommissioning phases. It encompassed all aspects pertaining to the physical, ecological, socio-cultural, health and safety conditions at the site and its environs during and after establishment. The main objective of the EHS on the proposed project is to develop guidelines for protecting, managing and responding, processes, situations/conditions that might compromise health, safety and security of workers, public and ecological wellbeing. To avoid or reduce negative environmental impacts, mitigation measures were proposed and an environmental and social impact management plan (ESMP) formulated.

The proponent is also expected to observe recommendations in the ESMP and carry out annual environmental audits once the project is in operation. Environmental auditing and monitoring will help identify any deviations that could have adverse impacts on the environment so that corrective measures are taken.

The proposed cemetery will comprise of support facilities, which include; an electric fence, a gate, administration block, meeting halls, stores, crematorium and parking areas. The buildings will be built on the stony areas at the site.

The potential negative environmental impacts of the proposed project and possible mitigation measures are summarized below:-

- Exposure to Health and safety risks and hazards

- Soil pollution and degradation
- Visual impacts
- Public health concerns
- Water pollution
- Air quality through dust and gaseous emissions
- Loss of biodiversity and habitats
- Noise pollution
- Waste management
- Community concerns
- Increased pressure on existing infrastructure
- Land use change
- Traffic congestion

Conclusions and Recommendations

In conclusion, results from EIA study shows that the proposed cemetery is likely to address an existing problem in Nakuru town and the nation at large. The results of public consultations indicated that the general public are in support of the project. Implementation of ESMP in this report will help in dealing with environmental issues during the project cycle. If the ESMP is fully implemented, the development is not likely to cause any major impacts on the environment and hence highly recommend its approval.

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1.0 INTRODUCTION

1.1 Background

Valhalla Limited (the developer) has leased a 36.5 hectares parcel of land from Soysambu Conservancy for establishment of a cemetery in Nakuru County. The cemetery will be referred to as: *Rift View Memorial Park* and will have a capacity of up to 50,000 graves. Although operated by a private company, the cemetery will be open to the general public. The price of the graves will be determined by the developer but using the existing prices as a benchmark. The cemetery will be situated on L.R. No. 9362/7 some 18Km from Nakuru town along Mbaruk road. The facility also plans to include a crematorium. The proposed cemetery and crematorium will serve as an alternative burial site for the already full public cemeteries and as such will assist towards alleviating this problem.

Cemeteries, which form an inevitable and important form of land use in cities, should be planned, designed, managed and maintained with ecological approaches in order to protect environment and create livable spaces. Ecological concerns to cemetery areas include the type of inhumation, selection of burial area, the type of soil, cemetery landscape design (selection of plant species etc.) and maintenance of cemetery landscape (such as weed control, fertilization) after planning and design process.

1.2 Project Location and land ownership

The proposed Cemetery will be located in LR. 9362/7, within Soysambu Conservancy, Nakuru County. The site is on Latitude $0^{\circ}23'43''S$ and longitude $36^{\circ}12'36''E$ along Mbaruk road, some 5 Km from Nakuru-Nairobi highway and 18km from the centre of Nakuru. The proposed site is held under a 99 year lease contract from Soysambu Conservancy (the registered owners of the land- Appendix).

1.3 Project Description.

The proposed development will entail the establishment of burial vaults (graves) to be used for interment of dead persons. The project will also entail construction of an assembly hall (700 sq.m), crematorium (175 sq. m), Multi-faith chapel (650 sq. m), accommodation blocks, administration and stores, main gate, parking areas and a borehole. Access roads and paths shall also be opened to facilitate movement into and within the cemetery. It is also envisaged that the developer shall have water distributed into the various facilities and points within the cemetery. In addition, installation of electricity or solar power shall be carried out.

1.4 Broad objectives of the EIA study

- 1) To assess the activities that will take place during the establishment and operation of the proposed Cemetery and its associated facilities on the environment, health and safety
- 2) To assess the impacts of the proposed activities during construction and during operations of the Cemetery.
- 3) To assess the Social Impacts of the proposed Cemetery in the proposed locality.
- 4) To increase the projects proponent's awareness of Environmental Management (Environment Awareness Policy and Regulations)
- 5) To comply with the EMCA 1999
- 6) To prepare an Environmental Management Plan for the proposed Cemetery.

1.5 Terms of Reference

The terms of reference agreed between the expert and the project proponent were as follows: -

1. To provide a description of the proposed project activities with a potential focus on any adverse impacts in the design, construction, operation and abandonment (decommissioning) phases caused by the inputs, waste generated and disposal and social economic aspects.
2. To establish the legal and regulatory aspects, administrative frame of reference, to identify governing standards, legislation and guidelines, and to determine permits and authorizations which will be required for the different sectors agencies and institutions involved.
3. To describe the area of influence, and select methods of measuring the environmental aspects of concern including physical (water, air, soil and noise), biotic environment (vegetation, flora and fauna), chemical, socioeconomic (socio and economic structure, demographic, and socioeconomic background), cultural (aspects of cultural, archaeological, or anthropological interest) and landscape.
4. To establish the methods to be used in identifying and quantifying environmental impacts, methodologies for predicting those impacts and how those impacts will be described in terms of; character (negative or positive), condition (reversible or irreversible), period (short, medium, or long-term), scope (cumulative, synergistic, direct, indirect) and establishing what standards will be used for the EIA.

5. To establish at what stages of the project the mitigating, corrective, compensatory and other measures will be used to eliminate, minimizing or mitigating adverse/significant impacts and how these measures will be selected.
6. To define a schedule of activities, reaction with regard to risk prevention and accident control, objectives, specific tasks and budget through an Environmental Management Plan (EMP) and a Social Impact Management Plan (SIMP).
7. To provide a monitoring program of relevant environmental issues, specific variables to be included in the environmental follow-ups, detection limits and standards to be used and contents of the follow-up program.
8. To establish the stakeholders to be involved in the community/public participation process, methods of reporting the project to the public, procedures to be used for community participation and aspects to be considered in the community participation plan during the development and review of the study.
9. To establish the criteria to be used in defining the composition of the working team of experts and the special requirements and information needed to form the team and characterize the same respectively.
10. To produce a systematic EIA report in accordance to the Environmental Impact Assessment and Audit Regulations of 2003
11. Final EIA Study report to the client which will be submitted to NEMA as required by law.

The terms of reference were submitted to the National Environment Management Authority (NEMA) for approval prior to the EIA (Letter of approval of Terms of reference has been appended to this report).

1.6 EIA Study Methodology

In carrying out of the Impact Assessment, the following methodology aspects were applied:

- **Semi structured interview:** this involved holding individual interviews with the project proponent and other stakeholders using a pre-prepared questionnaire and Impact Assessment checklists and recording the feedback. The importance of this methodology was to create confidentiality of the source of the information.

- **Literature review:** this involved the review of all literature and data relevant to the project. The literature included legislation, data kept by the proponent, lead agencies, and government agencies.
- **Site observation:** this involved visits to the proposed site and the area to get acquainted with the natural environment.

Other methodologies incorporated in the Impact Assessment include:

- Site reconnaissance
- Use of an observation schedule
- Recordings by use of camera
- Key informants
- Recording GPS coordinates

2.0 PROJECT DESCRIPTION

2.1 Site and location

The proposed Rift View Memorial Park will be situated on L.R. No 9362/7 within Soysambu Conservancy. The site is some 5 Km from Nakuru-Nairobi highway along Mbaruk road, neighbouring the Nairobi Nakuru railway line on Latitude 0°23'43"S and longitude 36°12'36"E. The site is approximately 2Km from Mbaruk Shopping centre.



2.2 Design

The proposed cemetery will be located on a fenced 36.5Ha parcel of land on L.R. No. 9362/7 within Soysambu Conservancy. The cemetery will cater for both cremation and burial as options of interment of human bodies. The details of the facilities and designs are as shown in the development plans appended to this report (Appendix).

2.3 Environmental context

2.3.1 Human settlements

The site for the proposed Rift View Memorial Park is within a conservancy and hence far from human settlements. The neighbouring communities are predominantly farmers.

2.3.2 Flora and fauna

The proposed project site is a shrubland with open glades. The area is dominated by *Acacia-Tarconanthus* shrubs with leleshwa undergrowth bushes in some areas. The vegetation species include *Acacia sp*, *Euphorbia ingens*, *Tarconanthus comphoratus*, *Lantana camara*, *Lantana trifolia*, *Cynodon dactylon*. Other plant species observed were; *Balanites aegyptiaca*, *Aloe vera*, *Rhus natalensis*, *Indogoferra indica*, *Lantana camara*, *Hypoestes verticularis*, *Archyranthes aspera*, *Senecio petitiunus*, *Commicarpus pedunculosus*, *Ipomea carica*, *Pennisetum Nizianum*, *Solanum incanum* and *Pennisetum Catabais*, *Vernonia spp*, *Themeda triandra* among others. All of the vegetation species at the site are common in the area and face no threat of extinction.

Being within a conservancy there are a number of wildlife species roaming in the 48000 acres under the conservancy. Some of the animal species in Soysambu Conservancy are; zebra, buffalo, eland, impala, Thompson's and Grant's gazelle, waterbuck, reedbuck, warthog, steenbok, klipspringer, baboon and colobus monkey, porcupine, flamingo, stork, pelican and various bird species among others. We also find smaller wildlife such as dik diks, hares etc roaming the vast conservancy. The proposed cemetery will maintain a biodiverse set of species as a part of its CSR and aims to keep a natural setting as far as possible, protecting the local species against poaching and illegal tree cutting and charcoal making, which thus should enhance the environment and only affect a small portion of the conservancy in terms of animal movement and natural diversity (36.5 Hectares < 1/100th of 1% of the total) and hence no significant impacts are anticipated.

2.3.3 Soil and geology

The geology and soil types within Soysambu conservancy vary greatly. The area around the site is covered by Mbaruk basalts. These basaltic volcanic rocks are basic and contain relatively low amounts of silica (less than 45%). The soils at the site are deep clay loams. The test pits dug at the site indicated that the soils were more than 15 feet deep in all the pits. The eastern part of the property is

raised and rocky. The soils on this part are shallow. The developer intends to use this area for the construction of the proposed buildings and parking areas.

2.3.4 Drainage

The general drainage of the site is from east to west. The land falls gently towards Mbaruk road and drains into a seasonal river (natural drainage) to the west.

2.4 Infrastructure

2.4.1 Water

The site has an existing water supply from Gethere dam upstream. The water flows by gravity. The NARUWASSCO mains from Gilgil passes through the area and future connection can be explored to ensure uninterrupted water supply. The other alternative is to sink a borehole at the site, which is viable due to the presence of deep aquifers.

2.4.2 Roads and railway

The site is accessible through Mbaruk road. It is about 18Km from Nakuru town. The road is fairly well maintained (murrum). The Mombasa - Uganda metre railway line runs along the property boundary. The nearest railway station is at Mbaruk. With the revival of this line, the station may be functional in future and useful for this facility.

2.4.3 Waste management

The site is not covered by the County garbage collection system. The developer will have to contract a licensed waste transporter for off-site disposal of wastes. The nearest dumping site is in Nakuru town. The site has no sewerage connection and hence an appropriate waste disposal system (such as septic tanks, conservancy tanks, biodigester) will be used.

2.4.4 Telecommunications

The area has good mobile telephony network. The area is covered by all major telephone networks (Safaricom, Airtel, Equitel and Telkom).

2.4.5 Electricity

The site has not been connected to electricity mains. There is a supply line that transverses through the area. The developer may explore the possibility of connecting to the mains electricity although the plans are to use solar energy as far as possible at the proposed facility.

2.5 Archaeological and cultural sites

There are no sites of archaeological or cultural value that will be affected by the proposed project.

2.6 Prevailing land use and local economy

The prevailing land use in the area is farming- both crop and livestock, although the land would not lend itself to agriculture due to poor soil quality. There are small informal retail units in the nearby villages (Mbaruk, Echariria, Kasambara).

3.0 PROJECT ALTERNATIVES

3.1 Interment method

The available options for disposal of human bodies at the cemetery are either burial or cremation.

3.1.1 Burial

This option involves excavation of graves (up to 9 feet deep and min 3 feet deep). The human body is then interred in the excavated pit. The body could be in a coffin or wrapped in fabric depending on culture, religion or the wish of the deceased. The cemetery will accommodate up to 50,000 graves. The graves could either be single (one body per grave) or stacked (buried at 9ft, 6ft and 3ft) depending on the family wishes. The installation of graves reflects permanent change of land use and is expected to become part of the landscape. The use of graves results in utilization of land for what could be viewed by some as non-productive use. The proponents of burial as an alternative, view burial as a way of honouring the deceased even in death. It also serves as a memorial for the family members. The practice of burying the dead as opposed to cremation and other options is deeply entrenched in most African societies and religions. The inclusion of trees as a key aspect of the park's environment will be maintained and enhanced even during the operation phase. The trees provide a sustainable environment for local wildlife and a green healthy space for the surroundings reflecting a park like setting. The disadvantages of burying the dead include;

- Take large portion of land
- The burial ground may not be put into any economically viable use due to prevailing beliefs and cultures
- Possible contamination of the environment (from decomposition of human bodies, body preservatives, materials used in coffins e.t.c)

3.1.2 Cremation

Cremation of human remains also evokes strong cultural and religious believes in different communities. Most of the African cultures and religions do not view this method of interment in positive light. It must be noted, however, that there has been a slight change towards acceptance of this method. Such change must be encouraged by the proponent through awareness and publicizing facilities for cremation. The potential for cremation and its advantages in saving burial space cannot be overemphasized. This method is less costly, environmentally friendly and saves spaces as compared to traditional burial methods. This

option has also been considered for implementation by the proponent. The merits and demerits of this method of disposal of human bodies include;

Advantages of Cremation

- It is a cheaper option. The cost is far less than that of burial. This makes it a viable option for families without the financial means to bury their loved ones.
- Cremation memorials will be available at Rift View Memorial Park set into the cliff faces as a part of a memorial walk.
- Ashes are stored in an urn, and they can be taken home, stored, or scattered where the deceased has requested.
- Funeral services or memorials can be held later, allowing friends and family to arrive from far away. Loved ones can gather at a time that works for everyone.
- No plot or land fees.

Disadvantages of Cremation

- A cremation does not allow for a permanent installation for memorial and mourning. It also does not allow for a fixed location so others can pay their respects whenever they please.
- Cremations are not accepted in some religions and cultures
- Crematoriums release a considerable amount of CO₂ and other pollutants into the atmosphere.

Whereas it is not possible for us to determine the mode of internment that should be practiced, it would appear that cremation may have less adverse impacts on the environment as compared to burial. This can only be possible if the furnaces are operated at temperatures that breakdown the pollutants to non-harmful end products. Poor maintenance and operation of crematorium may pose significant environmental and human health impacts to the neighbouring communities.

3.1.3 Reuse of Graves

This refers to the use and re-use of graves. Graves may only be re-used if the next-of-kin of the deceased person, whose remains were the most recent interred in that grave indicates in writing that he or she has no objections to the reuse of the grave for burial of a relative or otherwise. The terms and conditions of the use of graves will be formulated by the developer to guide any interested person in making the decision to purchase a grave in the cemetery. Burial of

more than one body in a grave may help to ensure better use of the available land. The usage of the reuse of grave must be done with great care considering cultural and religious believes associated with reuse of burial sites.

3.2 Technology alternatives

A. Gas burners vs Electricity

The proponent proposes to utilize gas instead of electricity for the furnaces used for cremation of human remains. The bulk gas storage tank will be located in a secure walled yard within the property.

Table 1: Gas versus electricity burners

| Gas fired furnaces | Electric fired |
|---|---|
| Rapid start up time due to instant heating emanating from gas burners. | Slower start up – electricity consumption during start up. |
| Limited atmospheric emissions will be released from the burning of gas. The emissions released will not cause deterioration of the ambient air quality, but may contribute to greenhouse gas emissions. | No direct emissions will result from electricity consumption to power the furnaces. |
| Lower cost per unit energy output. | Higher cost per unit energy output. |
| The implementation of gas fired furnaces will significantly reduce the facility's dependency on the national electricity grid which is already under tremendous pressure. The grid is not a reliable source of energy due to regular power shortages. | The facility will be dependent on the national electricity grid for power supply. The grid is not a reliable source of energy due to regular power shortages. |

From the above assessment, it is clear that a gas-powered furnace is preferred compared to an electrical powered furnace. The utilization of a gas-powered furnace is the most cost-effective option and will reduce the facility's dependency on the national power grid. The emissions from the gas-powered kiln will not deteriorate the ambient air quality and will not entail the utilization of electricity which originates from the burning of coal. Other options available include of diesel and wood to burn the remains. This option generates a lot of smoke and takes a long time (6-7 hours) to complete the process.

3.3 Site Alternatives

The site for the proposed facility is the preferred alternative from an environmental sustainability, financial feasibility and strategic perspective due to the ideal locality of the site. The proposed facility will be situated in a vacant parcel of land. The proposed land is large enough to accommodate close to 50,000 graves and will thus take time to fill. In addition, it is far from human settlements. The soils and geology of the area are suitable for a cemetery (especially the lower parts) and not good farming land.

3.4 No Action alternative

This alternative is the ‘no-development alternative’. The no-development option will result in the status quo being maintained. At present the Nakuru County is currently facing a crisis as land availability for graveyards is limited and the existing crematorium infrastructure within the county cannot cope with the increasing demand. Therefore, the proposed cemetery will provide additional burial ground as well as a modern crematorium that can be used by residents as well as the county government of Nakuru to dispose dead bodies. This will help in addressing the on-going problem of lack of burial ground in the town.

The main environmental impacts of this would be:

- There would be a loss of opportunity to provide additional urban burial spaces within a cemetery. There would still be a need in the near future to find environmentally sound sub-urban burial grounds for the County of Nakuru.
- There would be lost opportunities in terms of potential increases in land values of surrounding lands, and earning opportunities arising from a sub-urban cemetery be located there (jobs, demands for local goods and services).
- There would be costs associated with fully restoring the site (removal of current infrastructure).

Therefore, in order to accommodate the community needs of cremations the no-go alternative is not preferred.

4.0 BACKGROUND INFORMATION

4.1 Geographic location

The proposed cemetery will be located within Soysambu Conservancy on L.R. No. 9362/7 in Mbaruk sub-location in Gilgil sub-county. The site is approximately 5 Km from Nakuru-Nairobi Highway. The area is accessible via Mbaruk road, borders the railway and lies on Latitude 0°23'43"S and longitude 36°12'36"E at an elevation of 1992m above the sea level. The nearby informal retail centres are Mbaruk, Echariria and Kasambara. The developer (Valhalla Limited) has holds a 99-year lease contract for 36.5 Hectares from Soysambu Conservancy Limited (Appendix-Lease Agreement).

4.2 Climate

Mbaruk receives an average annual rainfall of about 1075 mm with the least precipitation experienced in February and the highest precipitation received in November averaging 174mm. The average temperature received in this region is 16.5 °C. March is the warmest month of the year with an average temperature of 18.2 °C while July is the coldest month with an average of 15.1°C.

4.3 Geology

The geology of Mbaruk is greatly influenced by volcanic and series of faulting in the Rift valley floor. The predominant rock in this region is the Mbaruk basalt also known as lava, which formed due to fissures eruptions during a subsequent renewal of tension. Other common rocks include the welded trachytic tuffs, yellow pumice, porphyritic phonolites and plagioclase phenocrysts. The soils found in this region are the latosols which are imperfectly drained loams with dark brown subsoil covers, their fertility ranges from moderate to high. The alluvial deposits resulting from volcanic ash are also common, they are shallow and their fertility ranges from low to moderate.

4.4 Economic activities

Mbaruk is an agricultural centre which is greatly influenced by the soils and climatic conditions. Crops grown include maize, peas, beans, pigeon peas and vegetables which are mainly for subsistence purposes. Small and medium sized business enterprises are also carried out in the shopping centre. Over the years there region has experienced gradual development of land resource for agribusiness and residential purposes.

4.5 Administration

The proposed cemetery is within Mbaruk area. Mbaruk sub-location of Gilgil sub-county; the location covers an area of 39.1 km² and is bordered by Kasambara location which covers an area of 117.1 km².

4.6 Infrastructure

Mbaruk has a railway station and series of murram and dry weather roads which have eased transport in the area and also connected the region to other places. The centre also has basic utilities such as schools and health facilities.

4.7 Population

According to the 2019 population census, the population of Mbaruk ward is distributed as tabulated below;

| Unit | Total | Male | Female | Total | Conventional Households | Area Sq. Km | Persons per Sq. Km |
|------------------------|---------|--------|--------|--------|-------------------------|-------------|--------------------|
| GILGIL Sub-county | 107,262 | 54,113 | 53,145 | 38,761 | 29,353 | 543.3 | 197 |
| MBARUK-Location | 26,861 | 13,118 | 13,742 | 7,922 | 7,719 | 156.1 | 172 |
| KASAMBARA Sub-location | 4,695 | 2,403 | 2,292 | 1,323 | 1,323 | 117.1 | 40 |
| MBARUK Sub-location | 22,166 | 10,715 | 11,450 | 6,599 | 6,396 | 39.1 | 567 |

5.0 RELEVANT LEGISLATIVE, REGULATORY AND POLICY FRAMEWORK

5.1 Constitution of Kenya, 2010

The Kenyan constitution provides the rights of Kenyan and their duties regarding environmental matters. Section 42 of the Constitution of Kenya, 2010 states that every person has the right to a clean and healthy environment and has the right to have the environment protected for the benefit of present and future generations through legislative and other measures.

According to section 69 (2), every person has a duty to cooperate with state organs and other persons to protect and conserve the environment and ensure ecologically sustainable development and use of natural resources.

Relevance

The developer shall ensure maximum conservation and management of the environment for the benefit of present and future generations. All the activities carried out from design of the project to decommissioning must strictly adhere to the prevailing environmental laws and regulations and the constitution of Kenya.

5.2 National Environment Policy, 2013

The national environmental policy aims at providing a broad framework for the coordination of environmental activities by private sector and government to guide the course of development activities. The policy seeks to provide framework for an integrated approach to planning and sustainable management of the environment. The guiding principles of the policy are:

- (a) Environmental Right: Every person in Kenya has a right to a clean and healthy environment and a duty to safeguard and enhance the environment.
- (b) Right to Development: The right to development will be exercised taking into consideration sustainability, resource efficiency and economic, social and environmental needs.
- (c) Ecosystem Approach: An integrated ecosystem approach to conserving environmental resources will be adopted and enhanced to ensure that all ecosystems are managed in an integrated manner while also providing a range of benefits to the citizenry.
- (d) Total Economic Value: The benefits that ecosystems generate will be integrated into the national accounting system, programmes and projects.
- (e) Sustainable Resource Use: Environmental resources will be utilized in a manner that does not compromise the quality and value of the

resource or decrease the carrying capacity of supporting ecosystems.

- (f) **Equity:** The management of the environment and natural resources will ensure equitable access to resources for present and future generations.
- (g) **Public Participation:** A coordinated and participatory approach to environmental protection and management will be enhanced to ensure that the relevant government agencies, county governments, private sector, civil society and communities are involved in planning, implementation and decision making processes.
- (h) **Subsidiarity:** The management of the environment and natural resources will be through de-centralization and devolution of authority and responsibilities to the lowest level possible
- (i) **Precautionary Principle:** Where there are credible threats of serious or irreversible damage to key environmental resources, lack of full scientific certainty will not be used as a reason for postponing cost-effective measures to prevent environmental degradation.
- (j) **Polluter Pays Principle:** The polluter and users of environmental and natural resources shall bear the full environmental and social costs of their activities.
- (k) **International Cooperation:** MEAs and regional instruments will be domesticated and implemented cooperatively for better environmental management of shared resources.
- (l) **Good Governance:** Rule of law, effective institutions, transparency and accountability, respect for human rights and the meaningful participation of citizens will be integrated in environmental management.
- (m) **Benefit sharing:** Where benefits will accrue from utilization of biodiversity, these will be shared in order to promote conservation and sustainable use of biodiversity.
- (n) **Community Empowerment:** Communities will be involved in decision making and empowered in the implementation of such decisions

Relevance

The development must ensure that the views and concerns of the communities are addressed throughout the project cycle. In addition, the developer shall ensure full compliance with the principles outlined in the policy.

5.3 County Government Act, 2012

This is an act of parliament that gives effect to chapter eleven of the constitution to provide for county government powers, functions and responsibilities to deliver services and for connected purposes. Section 102 of the Act outlines the principles and development facilitation of the county, which includes protecting and developing natural resources in a manner that aligns national and county government policies. Section 103 and 104 of this act provides that the county government shall develop urban and rural areas while integrating economic, physical, social, environmental and spatial planning. According to section 111 the county shall provide plans for city or municipal land use and location of recreation areas and public facilities.

Relevance

The developer shall not contravene provisions stated under this Act. The development shall not proceed until necessary approvals are obtained from the County Government of Nakuru. By the time of this assessment, the change of land user had been approved. The development plans had also been submitted to the County Government of Nakuru for approval.

5.4 Environmental Management and Co-ordination Act, 1999

This is an Act of parliament that provides for the establishment of legal and institution framework for the management of the environment. Section 3 of this Act provides that every person has right to a clean and healthy environment and has a duty to safeguard and enhance the environment. Section 58 requires every new project that is likely to have impacts on the environment to be subjected to an environmental impact assessment before implementation. Section 68, states that the owner premises or project operator, for which an environment impact assessment study has been made, shall keep accurate records and make annual reports to the authority describing how far the project conforms in operation with the statements made in the environmental impact assessment study report. The project operator is also required take all reasonable measures to mitigate any undesirable effects not contemplated in the environmental impacts assessment study report.

Section 72(1) states that person who discharge or applies any poison, toxic, noxious, obstructing matter or other pollutant into the aquatic environment in contravention of water pollution control standards established under this part shall be guilty of an offence liable to imprisonment and fine.

Relevance

The developer shall comply with all the relevant provisions stated under Environment Management and Co-Ordination Act and subsidiary legislations under the Act.

5.5 Environmental (Impact Assessment & Audit) Regulations, 2003

These regulations apply to all policies, plans, programmes, projects and activities specified in part IV, part V and second schedule of the Act. The 4th regulation states that no proponent shall implement a project likely to have negative environmental impact or for which an environmental impact assessment is required under the Act or these regulations unless an environmental assessment has been concluded and approved in accordance with these regulations.

The project report shall contain information on the nature of the project, the location of the project area including the physical area that may be affected by the project activities, the potential environmental impacts of the project and the mitigation measures to be taken during and after project implementation, a plan to ensure the health and safety of the workers and neighboring communities the economic and socio-cultural impacts to the community and nation in general.

Relevance

The proponent has contracted a registered environmental expert to carry out the environmental impact assessment study and compile a comprehensive report.

5.6 Environmental Management and Co-ordination (Waste Management) Regulations, 2006

Regulation 4-no person shall dispose of any waste on a public highway, street, road, recreational area or in any public place except in a designated waste receptacle. A waste generator shall collect, segregate and dispose such waste in the manner provided for under these regulations.

Regulation 6- a waste generator shall segregate waste by separating hazardous waste from non-hazardous waste and shall dispose of such wastes in such facility as shall be provided by the relevant local authority. Regulation 14-Every trade or industrial undertaking shall install at its premises anti-pollution equipment for the treatment of waste emanating from such trade or industrial undertaking. Sub regulation 2- the anti-pollution equipment installed shall be determined by the best practicable means, environmentally sound practice or other guidelines as the authority may determine. Regulation 17-no person shall

engage in any activity likely to generate any hazardous waste without a valid Environmental Impact Assessment license issued by Authority under the provisions of the Act.

Relevance

Relevant and practical measures shall be put in place to manage waste emanating from the project activities.

5.7 Public Health Act, Cap 242

This is an Act for providing for the wellbeing and good health of the public, Part IX in section 115 prohibits anyone from causing nuisances. It states that no person shall cause a nuisance to exist on any land or premises owned or occupied by him or any other condition liable to be injurious or dangerous to health.

Section 118(R) defines nuisance as any noxious matter, waste water flowing from any premises whether situated, into any public street or watercourse. It is also defined as accumulation of refuse or any other matter which is injurious or dangerous to health or any cemetery, burial place or a place of sepulture so situated or so crowded or otherwise so conducted as to be offensive or injurious or dangerous to health.

Section 121 states that any person who fails to obey an order to comply with the requirements of the medical officer of health or otherwise to remove the nuisances shall, unless he satisfies the court that he has used all diligence to carry out such order, be guilty of an offence and liable to a fine.

Part XIII section 144, States that it shall be lawful for the minister to select and appoint and to notify in the gazette sufficient and proper places to be the sites of and to be used as cemeteries, and it shall be obligatory where such cemeteries exist to bury the dead in conformity with the rules made by any local authority.

Section 146 states that, it shall not be lawful to exhume any body or the remains of any body which may have been interfered in any authorized cemetery or in any other cemetery, burial ground or other place without a permit granted in a manner hereinafter provided.

Section 147 provides that, it shall be lawful for the minister to notify in the Gazette that any cemetery or burial ground shall, from a time in such notification to be specified, be closed and the same shall be closed accordingly, and whatsoever, after the said specified time, buries any body or the remains in the said cemetery or burial ground shall be guilty of an offence and liable to a fine.

Relevance

The developer shall comply with the provisions made under this Act to ensure that the public health and well-being is safeguarded.

5.8 The Occupational Safety and Health Act, 2007

According to part II section 6 every occupier is required to ensure the safety, health and welfare at work of all persons working in his workplace. Section 52 of this Act, states that sufficient and suitable sanitary conveniences for the persons employed in the workplace shall be provided, maintained and kept clean. Section 54 states that where an occupational safety and health officers find any act or default in relation to any drain, sanitary convenience, water supply, nuisance or any matter in a workplace which is liable to be dwelt with by the local authority under the law relating to public health, he shall give notice therefore in writing to the local authority.

Relevance

The developer shall ensure that the construction workers are provided necessary PPEs and welfare facilities. The same should also be provided during to all workers during the operation phase of the project.

5.9 Water Act, 2016

The Act repeals the Water Act, 2002. The Water Act provides for the regulation, management and development of water resources and water and sewerage services. The Act gives effect to the devolution of the water sector. The roles of the National government are to regulate the management and use of water resources and the development of National Water Works, that is, the cross-county water fixtures financed out of the national budget (Sections 6 & 8). County governments are responsible for water supply, the provision of sanitation services and the development of County water works (Section 77 & 69). The Act gives priority to the use of water for domestic use and allows access without a permit in this case (Section 8, 3 & 37, 1, a).

Under the Act, citizens have a right to clean and safe water in adequate quantities (Section 63) as stipulated in Article 43 (d) of the Constitution of Kenya, 2010.

Section 23 of the Act requires that necessary measures are taken to conserve and protect the groundwater from over-abstraction and pollution.

143(1) of the Act states that, a person who, (a) willfully obstruct, interfere with, divert or obstruct water from any watercourse or any water resource, or negligently allow any such obstruction, interference, diversion or abstraction; or(b) throw, convey, cause or permit to be thrown or conveyed, any rubbish, dirt, refuse, effluent, trade waste or other offensive matter or thing into or near to any water resource in such manner as to cause, or be likely to cause, pollution of the water resource, commits an offence under the Act.

Relevance

Appropriate measures must be taken to safeguard the water resources from pollution from the cemetery. These measures have been discussed later in Chapter 8 of this report.

5.10 The Physical Planning Act, 1996

Section 30 of this act provides that no person shall carry out development within the area of a local authority without a development permission granted by the local authority under section 33. It also states further that any person who contravenes subsection (1) shall be guilty of an offence and shall be liable to a fine.

Section 36 states that if in connection with a development application a local authority is of the opinion that proposals for any development activity will have injurious impact on the environment the applicant shall be required to submit together with the application an environmental impact assessment report.

Relevance

The developer shall acquire development permits from relevant authorities before commencing on activities. The developer shall obtain change of land user approval (Certificate of Compliance) for the development.

5.11 Environmental Management and Co-Ordination (Air Quality) Regulations, 2014

These regulations seek to regulate the quality of emissions released into the atmosphere. Section 5(1) prohibits any person from emitting any liquid, solid or gaseous substance in levels exceeding those set out in the first Schedule to these regulations. In addition, section 8(1) states that no person shall cause or allow particulate emissions into the atmosphere from any facility listed under the Fourth Schedule in excess of those limits stipulated under the Third schedule. Section 16(1) of these regulations requires use of air control systems to prevent pollution of the atmosphere. The regulation 30(1) states that occupier or

operator of premises shall ensure that exposure of indoor air pollutants does not exceed the exposure limits stipulated under the *Factories and Other Places of Work (Hazardous Substances) Rules, 2007* or under any other relevant law. Under regulation 40, an owner or operator of any controlled facility is required to apply for an emission license from the National Environment Management Authority (NEMA).

Relevance

The operator of the project shall ensure that the operations (especially of the crematorium) does not contravene the requirements of these regulations.

5.12 The Environmental Management and Co-ordination (Noise and Excessive Vibration Pollution) (Control) Regulations, 2009

These regulations issue general prohibitions on noise and excessive vibration control, the 3rd regulation states that except as otherwise provided in these regulations, no person shall make or cause to be made any loud, unreasonable, unnecessary or unusual noise which annoys, disturbs, injures or endangers the comfort, repose, health or safety of other and the environment.

The 4th regulation states that except as otherwise provided in these regulations, no person shall make or cause to be made excessive vibrations which annoy, disturb, injure or endanger the comfort, health or safety of others and the environment.

Relevance

The developer shall take all relevant and applicable mitigation measures to control noise pollution during all project phases.

5.13 The Births and Deaths Registration Act, Cap 149

Section 21 states that no person shall bury, cremate, or otherwise dispose of the body of any deceased person the registration of whose death is compulsory, without a permit issued in accordance with the Act.

Relevance

The developer shall ensure, the provisions of this Act are observed. The operator shall ensure that necessary permits and documents are available for all bodies interred at the cemetery.

5.14 Land Act, 2012

This is an Act of parliament to give effect to article 68 of the constitution, to consolidate and rationalize land laws, to provide for the sustainable administration and management of land and land based resources and for connected purposes. Public land in this Act is described as any land for public purposes which include land for public utilities e.g. cemeteries among others. Part II in section 8 of the Act states that the commission, managing public land may require the land to be used for specified purposes and subject to such conditions, covenants, encumbrances or reservations as are specified in relevant order. Section 9 states that any land may be converted from one category to another in accordance with the provisions of this Act or any other written law. This section also states that subject to public needs or in the interest of defence, public safety, public order, public morality, public health, or land use planning, public land may be converted to community land.

Relevance

The proposed cemetery is in a private land but will be open to the members of the public (for burial or cremation).

5.15 National Construction Authority Act, 2014

This is an Act of Parliament to provide for the establishment powers and functions of the National Construction Authority and for connected purposes.

Section 15- a person shall not carry on the business of a contractor unless the person is registered by the board under this act. Section 17- an application for registration shall be in the prescribed form and shall be accompanied by the prescribed fee and shall demonstrate to the satisfaction of the Board that the person or in the case of a firm, at least one director or partner;

- the holder of the minimum technical qualifications and skills.
- Prescribed by the board for the class of contract works in respect of which registration is sought.
- Has the necessary experience prescribed by the board in works involving construction, erection, installation, alteration or any other activity connected therewith.
- Has professional and general conduct which in the opinion of the board, makes the person suitable to be registered under this act.
- Has the necessary plant and equipment for the category of works for which the registration is sought.

5.16 The National Construction Authority Regulations, 2014

Regulation 3- an application for registration as a contractor shall be made in the prescribed form and shall be accompanied by;

- Certified copies of certificates and other relevant documents as are necessary to prove qualification for registration.
- Certified copies of the shareholders' certificates of the company.
- In the case of a trust, a copy of trust deed.
- Financial statements of the person or firm for the period immediately preceding the application, or proof of existence of a bank account in the name of the construction company.

Regulation 5- a person who qualifies for registration shall be issued with a Certificate of registration by the authority. Regulation 10- a contractor may make an application for upgrading to the authority in a form to be prescribed by the authority accompanied by the prescribed fee and the authority shall process the application in accordance with the provisions of regulation 3.

Regulation 13- an application for renewal of the license shall be submitted to the authority in writing at least thirty days before the expiry of such license.

Regulation 17- all construction works contracts or projects either in the public or private sector shall be registered with the authority in accordance with the act. Sub regulation 2- An owner shall make an application for registration of a project to the authority in writing within thirty days from the date on which a tender for construction works, contract or project is awarded to a contractor registered under this act.

Relevance

The developer shall ensure that the project is duly registered by the NCA before commencement. In addition, all measures shall be taken to ensure full compliance with the provisions of this Act.

6.0 LITERATURE REVIEW

6.1 *Introduction*

The environmental impacts of cemeteries have not been well documented. According to WHO (1998), there exists little information on the impacts of cemeteries on the environment and public health. In Kenya, there have been little research on the subject. The objective of this chapter is therefore to review some existing literature on the subjects to guide the decision-makers in arriving at a considered and objective decision on the establishment of the proposed cemetery within Soysambu conservancy on L.R. No. 9362/7, Nakuru county.

According to Collins (2008), a cemetery is defined as a place where dead bodies and cremated remains are buried. In Kenya, the establishment of a cemetery is governed by the Public Health Act Cap 242 of the laws of Kenya. The Act mandates the Minister of Health to exercise power in the manner of establishing, maintaining and closing of cemeteries if deemed necessary. Cemeteries according to Douglas (2013) and Woodthorpe (2011) public cemeteries do not promote material gain or profit but aim at promoting public health, safety, leisure and other services to the residents. They are a public service or for the public good.

The proposed cemetery will facilitate both cremation and burying as methods of interment of the dead.

6.2 *Microbiology of Human corpse*

Human bodies have a large number of microbes comprising of bacteria and viruses. Upon death, some of these organisms can be transmitted to the environment after burial. Ninety percent (90%) of the organisms found in human body are strict aerobes (WHO, 1998). Some of these organisms are *Lactobacillus*, *Streptococcus sp* (mostly *Enterococcia*) and *Enterobacteriaceae* (about 10% in all). In addition to these, small numbers of *Clostridia sp*, *Bacillus spp*, yeasts, *Staphylococcus spp* and *Pseudomonas aeruginosa* can be found. Upon death, it has been shown that some micro-organisms may continue to multiply. The aerobic micro-organisms begin to be replaced by anaerobic microbes within few hours of death and provided the prevailing temperature exceeds 5°C, they will start to multiply. During putrefaction of human corpse, only relatively few groups of micro-organisms are known to be major colonizers of human corpse; these are *Clostridium spp*, *Streptococci* and *Enterobacteria*.

Theoretically, the bacteria and viruses found in human corpse can find their way into water courses, soil, and plants e.t.c thus exposing human populations. However, in practice, the retention and movement of these micro-organisms is highly dependent on factors such as type of soil, soil moisture, site hydrology, proximity to water courses etc. Due to the soil type and climatic conditions, the risk such movement of micro-organisms is considered low to non-existent.

6.3 Movement of Micro-Organisms Through Soil

The micro-organisms contained in decomposing human corpses in cemeteries have the potential of being transmitted to water courses and soil. According to Keenan et al. (2018) the impacts of sub surface human decomposition, where oxygen becomes limited and microbial biomass is generally lower. The researchers demonstrated that human decomposition influences soil biogeochemistry, microbes and micro fauna up to four years after burial. They concurred with WHO (1998) that there is little research conducted to assess the impacts of burial sites on environment and human health.

Soils play a significant role in movement of bacteria and viruses. From laboratory experiments most polioviruses are filtered out on or near the soil surfaces and are held within the first 5cm depth below the surface of loamy sandy soil (WHO,1998). Micro-organisms are adsorbed onto soil particles and can then be transmitted from one point to another. Adsorption decreases with increasing water velocity. This implies that the type of soil and moisture influences to a great extent the movement of microbes from cemeteries. According to O'Brien (1977) infective viruses have been isolated directly from vegetable crops. This implies that plants could possibly be used to remove viruses and bacteria from the soil. In addition WHO (1998) notes that movement of viruses and bacteria is restricted physically by the plant root system. Planting trees as is part of the planned Rift Valley View Memorial park environment can thus decrease the movement off-site of bacteria and viruses in seepage water and rain water.

Since water seeping through soil profile can help in movement of microbes, cemeteries should never be situated in areas prone to flooding or high water table.

6.4 Survival and Retention of Bacteria and Viruses

Since microbes present one of the greatest risks to public health, it is important to assess the potential for survival and retention of microbes in cemeteries.

Although there is limited research conducted on the subject, WHO (1998) notes that both survival and retention of bacteria and viruses are dependent on the type of soil, type of microbe present, prevailing ground temperature and rainfall. Increase in temperature increases microbe die-off rates. In addition, most of microbes survive best in a pH range of 6-7; and die off more quickly under more acidic soil conditions.

Above pH of 7, the fraction of bacteria and viruses retained in the soil decreases markedly. Viruses are adsorbed onto soil particles and can be moved to ground water. Increased water seepage can thus increase movement of viruses into groundwater. Soil particles such as particle size, clay content cation exchange capacity and moisture thus influence virus and bacteria retention. Sandy soils which are more porous will have higher potential for movement of viruses and bacteria than the soils with finer particles such as clay.

The following factors affect the survival of viruses in soil.

| Factor | Comment |
|--------------------|---|
| Temperature | One of the most detrimental factors. |
| Desiccation | Increased virus reduction in drying soils. |
| Soil pH | Indirectly affect the survival by controlling their adsorption onto soils. |
| Cations | Controls adsorption onto soils. |
| Soil texture | Clay minerals and humid substances increase water retention by soils and thus have an impact on viruses subjected to desiccation. |
| Biological factors | No clear trend with regard to effect of soil micro flora on survival of viruses. |

6.5 Human Body

Seepage of water from cemeteries can cause water pollution from products of human corpse putrefaction. The substances found in human body are as follows:
A human body of a 70kg adult male contains approximately:

- Carbon-16,000g
- Nitrogen-1,800g
- Calcium- 1,100g
- Phosphorous- 500g
- Sulphur- 140g
- Potassium- 140g

- Sodium- 100g
- Chlorine- 95g
- Magnesium- 19g
- Iron- 4.2g
- Water- 70-74% by weight.

The elemental composition of females is between two thirds (2/3) and three quarters (3/4) of that for males (Dent, 1998). There are also a host of micro-organisms. On burial, these elements are released to the environment. It should also be noted that burial of human corpses also introduces formaldehyde which is used for body preservation into the environment.

6.6 Cremation

An alternative interment of dead human bodies is cremation. According to Williams (2015) defined cremation as the process of reducing human remains to basic elements in the form of bone fragments through flame, heat and vaporization. Cremation occurs in a crematory consisting of one or more cremator furnaces. A crematorium may be a traditional furnace that uses firewood or a machine furnace that uses propane or natural gas. Crematorium may also use electricity (Chesler, 2019).

The remains after cremation are pulverized and can be disposed. In Kenya, cremation is common among the Hindu and Sikh communities although other religious communities have adopted cremation as an alternative for disposal (Gathara, 2019). In most cases, the method of interment is dictated by the will of the deceased (the manner he/she indicated before demise).

There is a growing body of research that indicates cremation-based on the method used has a significant impact on the environment. The major emissions are nitrogen oxides, carbon monoxide, sulphur dioxide, particulate matter, mercury, hydrofluoric acid (HF), hydrochloric acid (HCl) and other heavy metals. However, these emissions from crematoria contribute 0.2% of the global emission of dioxins and furans (UNEP & WHO Report, 2014).

Some of the cited advantages of cremation are:

- It simplifies the funeral process
- It is a cheaper alternative
- It is more environmental friendly

- It takes shorter time

The demerits include;

- Cremation may cause environmental pollution
- It is still not acceptable to certain religions / cultures

6.7 Cultural and religious aspects

Different cultures and religions have varying practices once a loved one dies. In African culture, the dead are accorded respect and are treated with dignity. In most of the African societies, the dead are buried. There are well stipulated rules and rituals that are followed in interment of the dead. The beliefs in living dead and afterlife greatly influences handling of the dead. Collins (2008) notes that due to the cultural and religious beliefs, some people suffer from coimetrophobia. This is the persistent and abnormal fear of cemeteries. As a result few people would be willing to live close to cemeteries if they had a choice not to. Due to the stigma associated with cemeteries, the value of land may be negatively affected by establishment of a cemetery.

Some of the alternatives for interment of the dead include;

1. Burial- the body is buried in the ground
2. Cremation- reducing human body to its elements in the form of bone fragments through flame, heat, and vaporization.
3. Resomation- This is dissolving the body back to the basic organic components and its rapid and beneficial return to the ecosystem. It is also referred to as water cremation, aquamation or biocremation.
4. Promession- The method involves the use of submerging the body in liquid nitrogen, leaving a powder after the drying process (Promessa, 2020).

6.8 Formaldehyde retention and movement

There are two potential sources of formaldehyde in the grave, that is from the embalming fluid and the coffin. Formaldehyde is highly soluble, reactive and readily biodegradable; the plants, animals, fungi and bacteria in the environment exhibit formaldehyde degradation mechanisms (Hart & Casper, 2004). The different soil types, rainfall intensities, temperature and soil pH influence the decomposition and leaching rates of formaldehyde (Alleman et al., 2018). The formaldehyde leachates from the embalming process and coffins may seep into the soil and can contaminate the ground water or surface water depending on the size of the cemetery and how often coffins are used. Water

being the main transport mechanism, brings the contaminants to deeper soil layers or to the surface (Miller & Wiens, 2017). Soils with fine dense particles such as clay can prevent decomposition and seepage whereas coarse particles such as sand can allow decomposition and seepage of leachates.

Formaldehyde is known not to adsorb to soil particles to a great degree however it is considered to be mobile in the soil, based on its estimated K_{oc} (WHO, 2002). According to Kenaga (1980), compounds with a K_{oc} of <100 are considered to be moderately mobile. Formaldehyde persists in soil and slowly percolates through the soil for periods of at least 14 weeks (Alleman et.al 2018) thus posing the possibility of ground water contamination.

6.9 Geological and hydrogeological properties of cemeteries

Geological properties highly influence the mobility and retention of pollutants from cemeteries. Planners must ensure that proposed cemetery sites have soil and geological properties that would help retain and ameliorate the degradation products in seepage from cemeteries. According to WHO (1998), unsaturated soil layer acts as an important line of defense against the transportation of degradation products into aquifers. The soils acts as filter and adsorbent thus reducing the microbes and compounds from human corpses that gets into underground aquifers. Clay-sand mix of low porosity and a small to fine grain texture have high retention of degradation products.

Some of the properties that should be considered in selecting a cemetery site are;

- Soil type- should have strong absorbance characteristics
- Soil texture- size of pores of the soil affects the efficiency of filtration
- Soil-water content- The ability to remove organisms decreases with increasing soil-water content
- The soil should also be deep enough to allow time for degradation of the products. High water table may lead to contamination.

All of the above are satisfied at the Rift View Memorial Park location.

6.10 Impact on groundwater

During the process of decomposition within human corpses, the products of decomposition are released into the environment. Decomposition products such as ammonia and carbon dioxide are formed during decomposition of human bodies. These products may migrate into the ground water causing pollution.

The pollutants may include chemical compounds and microbes. Studies by Schraps reported high concentrations of bacteria, ammonium and nitrate ions in a contamination plume which rapidly diminished with distance from graves in Germany. These findings were corroborated by Dent (1995). The migration of products from cemeteries was influenced by geological and geophysical characteristics. Soil types influences behavior of decomposition products in the environment.

7.0 PUBLIC PARTICIPATION

7.1 *Introduction*

Public participation is a process that directly engages the public in decision-making and gives full consideration to public input in making that decision. This provides the opportunity for communication between agencies making decisions and the public. The Constitution of Kenya, 2010 requires the involvement of the public in formulation of policies. Article 69 (1) (d) states that the state shall encourage public participation in the management, protection and conservation of the environment.

Part II 5 (a) of the Environmental Management Co-ordination Act, 1999 identifies public participation as one of the principles of sustainable development. It states that the principle of public participation shall be used in the development of policies, plans and processes for the management of the environment.

Section 17 of the Environmental (Impact Assessment and Audit) Regulations spells out the process of conducting public participation. It states that during the process of conducting an environmental impact study under these Regulations, the Proponent shall in consultation with the Authority seek the views of persons who may be affected by the project.

The Public Participation Bill seeks to provide a national framework for effective public participation. This Bill therefore proposes to provide a mechanism to facilitate effective and coordinated public participation giving effect to the Constitutional principles of public participation and participatory democracy as well enunciated in Article 69 of the Constitution. Section 4 of the Bill provides the following guiding principles in public participation:

- i. the public, communities and organizations to be affected by a decision shall have a right to be consulted and involved in the decision making process;
- ii. provision of effective mechanisms for the involvement of the public, communities and organizations that would be affected by or be interested in a decision;
- iii. participants' equitable access to the information they need to participate in a meaningful manner
- iv. that public views shall be taken into consideration in decision making
- v. development of appropriate feedback mechanisms;

Section 13 of the Bill provides for conduct in the public participation process stating that:

- i. All participants, including the representatives of the responsible authority and all respondents, shall be courteous, respectful and civil in public participation processes.
- ii. Individuals who are disruptive shall be given a warning and, may, if necessary, be removed from a meeting.
- iii. A person's freedom of expression under Article 33 of the Constitution shall be limited to the nature and extent specified under this section.

Public participation is an important process in formulation and implementation of projects, plans, programmes and policies for the following reasons:

- i. Informs; public participation provides the public with objective information to assist them in understanding the project at hand;
- ii. Consultation; public participation enables the obtaining of public feedback on alternatives and decisions;
- iii. Involvement; public participation ensures involvement in that it makes it possible to work directly with the public throughout the process to ensure that public concerns are understood and concerned;
- iv. Collaboration; public participation enables partnership with the public in each aspect of the decisions including the development of alternatives and the identification of the preferred solution;
- v. Empowerment; public participation empowers the public by placing the final decision-making in the hands of the public.

During the preparation of this ESIA study report, views of the community were collected through various methods and techniques.

7.2 Methodology

For this project, public participation was done by the use of questionnaires, interviews and a public forum.

i. Questionnaires

15 questionnaires were administered to residents. The responses are as tabulated below.

| Respondent no. | Name | ID/Phone No. | Resident | Views | Project Implementation |
|----------------|---------------|--------------|----------|---|------------------------|
| 1. | Felix Kamau | 0726534813 | Yes | <p>Positive views:</p> <ul style="list-style-type: none"> • Job opportunities to the residents • Availability of a recreational facility around the area, the park • Accessibility of the service • Infrastructure and availability of social amenities <p>Negative views:</p> <ul style="list-style-type: none"> • Fear of mass grave within the community • Fear of spirits of the dead • Environmental impacts of destruction of natural vegetation, trees <p>Mitigation measures:</p> <ul style="list-style-type: none"> • Community education on the fear of the spirits • Avoiding total destruction of the natural vegetation • Involving the community in projects | Yes |
| 2. | Thomas Gitamo | 072065883 | Yes | <p>Positive views:</p> <ul style="list-style-type: none"> • Infrastructural development • It will provide a final resting place for the people without land • It will be a memorial place for the dead <p>Negative views:</p> <ul style="list-style-type: none"> • Grave digging will cause noise pollution <p>Mitigation measures:</p> <ul style="list-style-type: none"> • Use of machinery that emits less noise | Yes |

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|----|--------------------------|------------|-----|---|-----|
| | | | | <ul style="list-style-type: none"> • Use of dust control strategies • Burial ceremonies to be conducted during daytime to avoid disturbance | |
| 3. | Sammy G. Mbugua | 0717593541 | Yes | <p>Positive views:</p> <ul style="list-style-type: none"> • The area will develop and the value of land will increase • The project will provide employment opportunities for some members of the community <p>Negative views:</p> <ul style="list-style-type: none"> • It will bring noise within the area <p>Mitigation measures:</p> <ul style="list-style-type: none"> • The services to be conducted during the day | Yes |
| 4. | Francis K. Gathingira | 0726862857 | Yes | <p>Positive views:</p> <ul style="list-style-type: none"> • Growth of trade activities in the area • Creation of employment for the people in the community • The project will provide room to bury the dead for those without land <p>Negative views:</p> <ul style="list-style-type: none"> • None | Yes |
| 5. | Maccan Esther | 0711209687 | Yes | <p>Positive views:</p> <ul style="list-style-type: none"> • The project provides a cost effective burial place alternative <p>Negative views:</p> <ul style="list-style-type: none"> • Not all residents will accept the project as the burial place will create fear. | Yes |

| | | | | Mitigation measures: <ul style="list-style-type: none">• Community awareness about the benefits | |
|----|--------------------|--------------|-----|---|-----|
| 6. | Mary Wangare | 0720090801 | Yes | Positive views: <ul style="list-style-type: none">• Provides a burial place for the dead• Provides a convenient location for a burial place Negative views: <ul style="list-style-type: none">• None | Yes |
| 7. | Beatrice Kinyanjui | 5644647 | Yes | Positive views: <ul style="list-style-type: none">• Growth of trade activities in the area• Infrastructural development in the area in form of roads, electricity Negative views: <ul style="list-style-type: none">• None | Yes |
| 8. | Grace Waithira | 0791977625 | Yes | Positive views: <ul style="list-style-type: none">• None Negative views: <ul style="list-style-type: none">• Brings fear among the people especially when walking around the place at night Mitigation measures: <ul style="list-style-type: none">• To not construct the cemetery• Community education to help them get over the fear of burial places | No |
| 9. | Milika Mululi | Not provided | Yes | Positive views: <ul style="list-style-type: none">• The value of the land will increase• The area will develop Negative views: <ul style="list-style-type: none">• None | Yes |

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|-----|----------------|------------|-----|---|-----|
| 10. | Ann Mbugua | 0725377270 | Yes | <p>Positive views:</p> <ul style="list-style-type: none"> • None <p>Negative views:</p> <ul style="list-style-type: none"> • It will create fear among people walking around the area especially at night <p>Mitigation measures:</p> <ul style="list-style-type: none"> • Do not construct the cemetery around people's establishments | No |
| 11. | Benson Muiruri | 10276252 | Yes | <p>Positive views:</p> <ul style="list-style-type: none"> • The area will develop • Infrastructural development • Creation of job opportunities <p>Negative views:</p> <ul style="list-style-type: none"> • Soil pollution • Water pollution <p>Mitigation measures:</p> <ul style="list-style-type: none"> • Planting trees around the cemetery • Analysis of the soil profile before construction | Yes |
| 12. | John Chege | 2313505 | Yes | <p>Positive views:</p> <ul style="list-style-type: none"> • It will promote SME's around the area • It will bring about interaction among different communities <p>Negative views:</p> <ul style="list-style-type: none"> • Improper sanitation <p>Mitigation measures:</p> <ul style="list-style-type: none"> • Provision of wash closets at the cemetery to avoid the spread of diseases • Ensure enough water supply | Yes |

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|-----|-----------------|------------|-----|--|-----|
| 13. | Christine Maina | 0714797906 | Yes | Positive views: <ul style="list-style-type: none"> It will provide a burial space for those without land Negative views: <ul style="list-style-type: none"> None | Yes |
| 14. | Henry Karanja | 0714360490 | Yes | Positive views: <ul style="list-style-type: none"> Expansion of trade activities The area will develop Creation of employment for the people Negative views: <ul style="list-style-type: none"> None | Yes |
| 15. | Samuel Maina | 0745879595 | Yes | Positive views: <ul style="list-style-type: none"> Creation of job opportunities Negative views: <ul style="list-style-type: none"> None | Yes |

From the above responses, most of the residents were in support of the proposed cemetery. Some of the negative impacts cited include; pollution, public health concerns, psychological effects, noise pollution among others. The residents were of the view that the establishment of the project will provide burial ground for the landless, create employment and foster economic and infrastructural development of the area.

Questionnaires were also issued to the nearby secondary school (Lady Ann Delamere Secondary school) and the area Member of County Assembly (MCA).

- a. **Lady Ann Delamere Secondary School** – The principal supported the implementation of the project saying the project provides a decent and well organized site for the disposal of bodies. He also brought up the need for the project saying with the common cases of land fragmentation, land is divided into tiny plots that cannot be used for burial. He however expressed an issue that will arise from the implementation of the project. He said that the school is intending to have a girls' boarding and the implementation of the project may have some psychological impacts on the children due to its close proximity to the girls' dormitory. He therefore proposed that the cemetery be located some distance away from their land.

Although a genuine concern, we observe that the dormitory is more than 400m from the nearest edge of the cemetery land. In addition, there exists vegetation (comprising of trees and shrubs) along the road thus reducing visual intrusion.

- b. **The Area MCA** supported the implementation of the project for it will provide employment opportunities for the people, provide a space for the burial of loved ones, a source of revenue value addition and aid in the eradication of insecurity along the stretch. He however raised the issue of cultural beliefs as a negative impact to the implementation of the project. To mitigate this, the MCA suggested that awareness creation should be done on the modern facility for social positivity. He was also concerned that the proposed cemetery may charge fees beyond the reach of the local community.

Comment: During the public participation forum and meeting between MCA and the developer, it was agreed that the developer and the community will have a forum to deliberate on the actual fees to be charged to the local residents in the three villages. The fee charged by the county government of Nakuru will be used as the benchmark.

- c. **Mereroni Water Resource Users Association** – The chairman supported the implementation of the project saying it will create employment opportunities and provide a burial ground for the locals

without land for the same. He however raised the issue of the possible encroachment of riparian land and dumping of waste on riparian land. He suggested that the developer should commit to taking care of the river passing through the land by planting trees along the river and by being a member of Mereroni Water Resource Users association.

- d. **Soysambu Conservancy** – The conservancy's CEO stated in a letter that there was no objection to the establishment of the proposed cemetery on the said land. The letter is appended to this report.

ii. **Public forum on 2/6/2021**

A public form was held on the 2nd of June, 2021 in form of a chief's baraza to garner more views about the project from the locals. 54 people attended the baraza as follows:

- a. General public
- b. Local leaders; The chief, 2 assistant chiefs, Kasambara Welfare Association Chairperson, MCA representative, Community Development Assistant
- c. The developers
- d. Environmental impact assessment consultants

The following points were given as the need for the project:

- The increasing population in the area will create additional demand for burial grounds.
- Lack of land ownership
- Land fragmentation which leaves small plots of land wherein the dead cannot be buried due to the size

Positive impacts likely to arise from the implementation of the project as suggested by the attendees included:

- a. The site will be nicely landscaped hence aesthetically pleasing
- b. Creation of job opportunities for the locals
- c. The implementation of the project will bring along with it development of infrastructure such as roads, electricity, water and security
- d. Availability of land to bury the dead
- e. Affordable rates on burial grounds for the local community
- f. The project will provide opportunities for economic development in the area

- g. The burial grounds will be open to people of all religions and denominations

Negative impacts likely to arise from the implementation of the projected as suggested by the attendees included:

- a) Pollution of the environment as a result of project activities
- b) Lack of initial community involvement and information on the project
- c) Pollution of the river that passes through the project area
- d) Lack of privacy in conducting burial activities due to the open fence
- e) Lack of an access road from the area to the main road

Mitigation measures suggested for the negative impacts included:

- a. The developers will ensure that the negative impacts on the environment as a result of project activities are addressed
- b. Community members will be involved in all project phases to ensure ownership of the project
- c. Project activities will not use up the water from the river and will instead get a water connection from the Nakuru Rural Water and Sanitation Company or drill a borehole if necessary. The developers will join Mereroni Water Resource Users Association and participate in activities that protect and conserve the river
- d. A buffer zone consisting of a vegetation strip will be planted to provide privacy to activities in the site
- e. The developer will bring up the issue of an access road to the land owners to see if they can allow that.

Other issues brought forward in the forum were as follows:

- The developer to ensure corporate social responsibility programs are in place to ensure social accountability

All the attendees supported the implementation of the project, wrote down their names in the attendance sheets and signed against them. Photographs of all the attendees were then taken. The attendance sheets have been appended to this report. Full certified minutes of the meeting have been appended to this report.

PHOTOS FROM PUBLIC CONSULTATION FORUM HELD ON 2ND JUNE, 2021



Area chief (Mbaruk location addressing the meeting



Developer responding to questions



A local resident giving views



Locals raising hands in agreement to project implementation



Group photo of attendees

8.0 ANTICIPATED ENVIRONMENTAL AND SOCIO-ECONOMIC IMPACTS AND MITIGATION

8.1 *Introduction*

The establishment of the proposed cemetery is likely to have several impacts (both positive and negative) on the environment. Most of the impacts may be minimized by implementing appropriate mitigation measures as detailed in the table below. The scarcity of public cemeteries in Nakuru County has necessitated the establishment of the project. With the existing cemeteries in Nakuru town filled up, the need for additional disposal sites is inevitable. It is hoped that since the proposed cemetery will be open to the general public, the pressure for burial grounds will at least be reduced. The table below documents the anticipated impacts of the proposed project based on the project activities during the various phases of the project. Where necessary, mitigation measures have been proposed.

8.2 *Anticipated positive impacts*

| Project Phase | Positive impacts |
|---------------------|---|
| Design and planning | <ul style="list-style-type: none">Revenue generation to the County government from the various approval fees and levies paidTaxes will be paid to the national government for various professional services (surveyors, architects, engineers e.t.c) |
| Construction | <ul style="list-style-type: none">Taxes, fees and levies will be paid to both county and national governments for construction materials and servicesCreation of employmentPromotion of secondary businessesBoost to the local economy as most of the materials will be sourced locally |
| Operation phase | <ul style="list-style-type: none">The project will provide the much needed burial groundsMay lead to improvement of infrastructure e.g roads, water and electricityPromotion of local businesses. Funerals will attract large number of persons into the area. These visitors will require goods and services from the local shops and business personsImprovement of site's aesthetic value |
| Decommissioning | Cemeteries do not necessarily require decommissioning, but rather closure when they reach full |

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| | capacity. Therefore, when the proposed cemetery reaches capacity in future, the developer will have to close it and look for a new site. With proper infrastructure and landscaping, the cemetery may be used as a leisure park or any other suitable use. |
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8.3 Environmental impacts matrix

| Construction phase | | |
|---------------------------|---|---|
| Activity | Description | Impacts |
| Fencing | The developer intends to erect an electric fence around the perimeter of the leased property. This will involve erection of posts and installation of electric wires and associated accessories. In addition, this stage will also involve construction of a gate and guards house. | <ul style="list-style-type: none"> • Protection of flora and fauna from over grazing, poaching and cutting for charcoal production. • Removal of plastic waste and other tipping that has built up on the site due to lack of fencing. • Enhancement of trees and shrubs through additional planting and prevention of damage by timber collectors. • Destruction of vegetation along the property boundary • Soil disturbance (limited to excavated holes). The holes will be shallow (less than one metre) and hence the impact will not be significant • Erection of the fence may interfere with movement of wild animals (large). However, the population of large wild animals in the area is low due to proximity to human settlements. Small animals such |

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| | | <p>as hares, dik diks etc will still be able to move beyond the site boundaries</p> <ul style="list-style-type: none"> Workers will be exposed to occupational hazards and risks |
| Mitigation measures | <ul style="list-style-type: none"> Clearance of vegetation should be limited to necessary areas only The fence should be designed in a manner that will allow free movement of wild animals <p>Provide the workers with appropriate PPEs.</p> | |
| Vegetation clearance | <p>During the establishment of the cemetery, a number of buildings will be constructed as shown in the building plans appended to the report. The proposed facility will comprise of parking areas, access roads, pavements, accommodation facilities, borehole, administration and stores, Assembly hall with public toilets (700 sq. m), multi faith chapel (650 sq. m), crematorium (175 sq.m), gate, five (5) pagodas and grave slots. The construction of the buildings and other infrastructure will lead to destruction of the natural habitat. The buildings will be situated on the upper part of the property which is rocky and vegetated. The vegetation is predominantly <i>Acacia-Tarconanthus camphorates</i> (<i>leleshwa</i>) shrubland with grass under growth. The bushes are a habitat for small wild animals. The areas that will be occupied by the proposed facilities will be cleared.</p> | <ul style="list-style-type: none"> All large trees will be retained. Buildings are planned on rocky areas where minimal vegetation exists. Destruction of only minimal existing natural vegetation and wildlife habitat Removal of vegetation on rocky areas will not increase surface run-off from the site as these areas are already soil free. Clearance of vegetation will not increase risk to wind erosion as the developable areas are rocky. |
| Mitigation measures | <ul style="list-style-type: none"> Minimize vegetation destruction by limiting clearance to the affected areas only Carry out proper landscaping to minimize soil erosion from the site. The developer must put in place measures to conserve both water and soil. | |

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| | <ul style="list-style-type: none"> • Retain as much vegetation as possible. | |
| Excavation | The laying of foundations for the buildings and excavation of access roads and parking areas will lead to soil disturbance. The loosening of the soil particles will expose the land to soil erosion and degradation. | <ul style="list-style-type: none"> • Alteration of landscape and site hydrology • Exposure of rocky areas to agents of erosion, especially wind and water, mitigated by paving or addition of murram. • No displacement of the fertile topsoil due to building on rocky areas. • Exposure of the workers to dust and other occupational risks during excavation |
| Mitigation measures | <ul style="list-style-type: none"> • Provision of appropriate PPEs to workers • Planning the access roads and other infrastructure as to cause minimum modification of the landscape • The topsoil should be re-used for landscaping and re-vegetation of the excavated and disturbed areas. | |
| Foundations | The excavation for the foundations are not likely to be more than 1.5m deep since no multi - storied buildings are anticipated. | <ul style="list-style-type: none"> • Exposure of workers to dust (including cement dust) • Exposure to risks such as corrosion from cement, injuries from sharps and hand tools, noise from machines e.g concrete mixers |
| Mitigation measures | <ul style="list-style-type: none"> • Provision of appropriate PPEs including dust masks, ear plugs, hand gloves e.t.c. • Wetting dusty surfaces to minimize dust <p>Provision of ear plugs to operators of noise machines</p> | |
| Concrete mixing and use (foundations, slabs and walls). | Concrete is made by mixing cement, sand, ballast (aggregates) and water in appropriate ratios. Correct mixing of concrete is important to produce a strong and durable concrete mix. The ratio of aggregate to | <ul style="list-style-type: none"> • Possible exposure to dust (both soil and cement dust). • Air pollution (emissions) from concrete mixer. |

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| | <p>sand to cement is an important factor in determining the compressive strength of the concrete mixture. Failure to use correct ratios may compromise the integrity of the structure. Mixing can either be done manually by hand or by use of a concrete mixer. Installation of slabs on elevated levels will require construction of suitable formwork before pouring the concrete mixture.</p> <p>Strip foundation will be used for the proposed structures. Strip footing are commonly used for load-bearing in masonry construction. They act as a long strip that supports the weight of an entire building. These are used where the building loads are carried by entire walls rather than isolated columns. Where columns are incorporated in the strip, these will have individual footings of appropriate sizes to bear the intended load. The width and size of strip and column footings are determined by the structural engineer. Steel will be used to reinforce the foundations. No high rise buildings are anticipated at the moment.</p> | <ul style="list-style-type: none"> • Noise pollution from concrete mixer and other • Solid waste Generation. These will comprise of cement bags, off-cuts, scrap metal e.t.c. • Increase water demand • Corrosion from exposure to wet cement • Potential accidents and injuries to workers during construction of formwork • Collapse of formwork or slab due to structural failure or other causes. |
| Mitigation measures | <ul style="list-style-type: none"> • Provision of personal protective equipments for instance gloves and gas masks • Segregation of waste material before disposing them. • To encourage water re-use at the site. • Construction works should be carried out during the day • Adherence to the building code with respect to mixing and use of concrete. • Allow adequate time for curing to safeguard the integrity of the proposed structure | |

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| | <ul style="list-style-type: none"> • Designate specific areas for waste collection for easier handling and transport. • Use of nets to minimize escape of particles into the air where necessary • Servicing of machines regularly in order to minimize noise. • Formulation of site safety rules • Formwork must be appropriately supported to support concrete slab |
| Beams and columns | <p>Reinforced concrete beams and columns will be used where necessary to bear and transmit the weight of the proposed buildings. Steel bars and rings will be used. Formwork will be made to accommodate the steel before concrete is poured. Vibration will also be done to ensure that required strength is achieved.</p> <ul style="list-style-type: none"> • Potential accidents and injuries to workers (hands corrosion, injuries during steel fixing) • Solid waste generation |
| Mitigation measures | <ul style="list-style-type: none"> • To provide clear work plan and organization of work • To employ skilled and train workers to minimize accident occurrence • Metal waste shall be sold to recyclers • The construction must be supervised by competent professionals • Provision of appropriate PPEs to all workers. |
| Walls | <p>Dressed natural stones will be used to erect the walls. The stones must meet the required dimensions in order to support the structures. In addition, good workmanship will be necessary. Construction of walls will require that scaffolds be installed. The scaffolds must be fully planked and be made from approved materials.</p> <ul style="list-style-type: none"> • Increase water demand • Air pollution • Solid waste • Potential accidents and injuries to workers(falling objects) • Accumulation of waste mainly comprising of stone chippings. |
| Mitigation measures | <ul style="list-style-type: none"> • Sensitizing staff on wise use of water. • Exploring the possibilities of water re-use and use them • Use of construction nets to trap falling objects, dust and particulate matters. |

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| | <ul style="list-style-type: none"> • Segregating waste material to be use in other area of construction • Providing clear work schedules to avoid accidents • Scaffolds must be made of approved materials and be fully planked. • Provision of appropriate PPEs to workers • Coordination of construction works to ensure that workers on lower floors are not exposed to risk of falling objects from upper floors. • Stone chippings can be re-used for construction. • Contract a license waste handler • Pieces of wood, metals e.t.c should be sorted and put in a safe area to prevent injuries. |
| Roofing and gutters | <p>Roofing sheets will be used to roof the building. They will be supported by trusses as per the building plans. Roofing will involve working at height and handling sharp objects (nails e.t.c) and sheets.</p> <ul style="list-style-type: none"> • Workers working above ground level may pose a safety hazard and be at risk of falling from heights. The result of such fall can potentially cause fractures, sprains, strains, contusions, severe damage to internal organs and even death. • Injuries may also result from exposure to sharp edges (roofing sheets) and objects (nails). In addition, workers may be injured by hand tools and falling objects. |
| Mitigation measures | <ul style="list-style-type: none"> • Workers should have protective gear to prevent cuts and bruises from roofing materials. • Use of harnesses and lanyards where necessary to guard against fall from heights • Erect stable working platforms during roofing and installation of gutters. <p>Proper use of ladders to guard against falls.</p> |

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| Plastering | <p>Plastering is the process of covering rough walls and uneven surfaces in the construction of houses and other structures with a plastic material, called plaster, which is a mixture of cement concrete and sand along with the required quantity of water. The walls will be cement screed to form a smooth finish which will be painted or finished with any other suitable surface. Plastering process will involve hacking, preparation and application of mortar.</p> | <ul style="list-style-type: none"> • Strain and fatigue due to poor ergonomics • Slip and falls • Dermatitis from contact with cement. • Risk of being hit by falling or flying objects • Exposure to excessive dust • Exposure to excessive noise • Falling from height |
| Mitigation measures | Strain and fatigue due to poor ergonomics | <ul style="list-style-type: none"> • Job rotation • Workers should be trained on proper lifting techniques • Implement regular rest intervals |
| | Slip and fall | <ul style="list-style-type: none"> • Practice good housekeeping • Provide and use of safety footwear • Proper use of ladders |
| | Dermatitis from contact with cement. | <ul style="list-style-type: none"> • Practice good personal hygiene • Use of impervious hand gloves • Use of overalls (water proof) |
| | Risk of being hit by falling or flying objects during hacking | <ul style="list-style-type: none"> • Provide and use appropriate PPEs • Limit access to construction areas |
| | Exposure to excessive dust | <ul style="list-style-type: none"> • Provide, maintain and use appropriate respirator. • Wet dusty working areas. |
| | Exposure to excessive noise | <ul style="list-style-type: none"> • Provision of ear protection where necessary. |

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| | Falling from height | <ul style="list-style-type: none"> Construct safeguards against falling from height Provide appropriate and adequate access to working areas |
| Metal works | This will consist of construction of metal grills, guardrails, windows and door. The main activities will be grinding, metal cutting, welding and fixing of the grills, guardrails, window and doors. Fixing involves hacking and concrete mixing. Arc welding is the most common type of welding for the proposed works. | <ul style="list-style-type: none"> Exposure to welding fumes. Prolonged exposure to welding fume may cause lung damage and various types of cancer, including lung, larynx and urinary tract. Risk of injuries from sharps Exposure to bright and harmful radiations during welding Exposure to high decibel noise during grinding. |
| Mitigation measures | <ul style="list-style-type: none"> Ensure workers have protective equipment examples gloves, welding shield/goggles, safety boots, respirator, Should use trained and experienced welders to ensure safety and integrity of the works Welding surfaces should be cleaned of any coating that could potentially create toxic exposure, such as solvent residue and paint. Workers should position themselves to avoid breathing welding fume and gases. For example, workers should stay upwind when welding in open or outdoor environments. Welding should be done in well-ventilated area. | |
| Electrical installation and plumbing | This will involve installation of clean and waste water pipes, electricity and ICT conduits within the buildings. Some of the pipes and conduits will be laid during construction of concrete slabs, beams and columns while the rest will be laid later. Fixing of the pipes and conduits will involve hacking, digging into concrete, | <ul style="list-style-type: none"> Risk of fall from heights Exposure to dust during hacking Solid wastes from cut pipes and wires Use of substandard materials may predispose the building to electrical failures and risk of fire. |

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| | working at heights e.g ceilings. | <ul style="list-style-type: none"> Failure to observe plumbing conventions may result in frequent blockages, air-locks e.t.c. |
| Mitigation measures | <ul style="list-style-type: none"> Installation of electricity MUST be done by a licensed electrician Standard wires must be used Provide appropriate PPEs to workers Regular training of workers on personal safety Sale of recyclable materials to recyclers Contract a license waste transporter for off-site disposal of wastes | |
| Flooring | The floor will have ceramic tiles finish. Installation of the tiles involves preparation of cement paste which is used to fix the tiles. | <ul style="list-style-type: none"> Risk of injuries from corrosion of workers hands by cement Slippery floors may result in slips and falls. |
| Mitigation measures | <ul style="list-style-type: none"> Provide personal protective equipment to the workers such as gloves | |
| Glass fixing | Fixing of glass window panes will involve use of putty and silicone adhesive. The workers will also be working at height especially on the upper floors. | <ul style="list-style-type: none"> Risk of fall from height Possible cuts from glass Exposure to VOCs. |
| Mitigation measures | <ul style="list-style-type: none"> Regular sensitization on personal safety measures Installation of scaffolds Use protective gear to minimize injuries. | |
| Installation of tanks | The project will require the use of elevated water storage tanks to ensure uninterrupted supply of water in the facility. Individual towers may be erected depending on the volume of the storage tanks. Elevated tanks will minimize energy consumption as the water will flow by gravity to all consumption points without the need of a pump. | <ul style="list-style-type: none"> Risk of injuries and accidents |

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| Mitigation measures | <ul style="list-style-type: none"> • Provision of personal protective equipment and ensure hoisting materials such as ropes are in good condition before use. | |
| Construction of parking area | The compound will be lined with cabro blocks. This will make it easier to clean and provide drainage for storm water. | <ul style="list-style-type: none"> • Air pollution • Injuries resulting from corrosion by cement |
| Mitigation measures | <ul style="list-style-type: none"> • Provision of PPEs to workers | |
| Painting | Application of paint is used for aesthetic reasons and also for preservation of surfaces. Apart from the environmental impacts of paints, painters are exposed to VOCs and other compounds that could have impacts on health. Some paints are also highly flammable. | <ul style="list-style-type: none"> • Risk of injuries from falls • Health risk as a result of inhalation of paint • Air pollution • Waste generation (containers, washings, thinners etc). |
| Mitigation measures | <ul style="list-style-type: none"> • Installation of scaffolds • Use of respirators and other appropriate PPEs • Avoid paints with high levels of organic solvents • Use water based paints. | |
| Construction of septic tanks | Since the site has no sewerage connection, an on-site septic tank will be used. The details of the tank are as indicated in the drawings appended to this report. The construction will involve excavation, steel fixing, concrete mixing, masonry works, plastering and finishes. In addition a soak-away pit will also be excavated. | <ul style="list-style-type: none"> • Fall hazards • Distortion of the soil profile • Clearing vegetation • Exposure to cement and soil dust • Exposure to corrosive cement. • Injuries from steel and other sharps |
| Mitigation measures | <ul style="list-style-type: none"> • Workers should be sensitized on measures to prevent and minimize fall hazards • Avoid unnecessary excavation • Provision of PPEs | |
| Cleaning the construction site | Upon completion of the project, the site will be cleared of all wastes and debris to pave way for occupation. | <ul style="list-style-type: none"> • Solid waste • Liquid waste |

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| | | <ul style="list-style-type: none"> • Air pollution |
| Mitigation measures | <ul style="list-style-type: none"> • Transport waste by licensed waste handlers. • Water reuse. • Sprinkle water • Workers should be provided with PPEs. | |
| Landscaping | <p>Landscaping refers to any activity that modifies the visible features of an area of land, including:</p> <ul style="list-style-type: none"> • Living elements, such as flora or fauna; or what is commonly called gardening, the art and craft of growing plants with a goal of creating a beauty within the landscape. • Natural elements such as landforms, terrain shape and elevation, or bodies of water. <p>The developer intends to landscape the facility to provide serene environment for the public. Landscaping may include excavation, movement of soils and rocks, planting of flowers, shrubs and scrubs.</p> | <ul style="list-style-type: none"> • Generation of dust during excavation and soil movement • Noise from machines and equipment. |
| Mitigation measures | <ul style="list-style-type: none"> • Provision of PPEs to the workers • Ensure that landscaping designs minimizes soil erosions by minimizing the surface run-off from the facility. | |

| Operation and Maintenance phase | Description | Impacts |
|---------------------------------|--|---|
| Excavation of grave yards | <p>This entails digging up soils to create a burial pit. The area to be excavated is first identified and demarcated, then the site is cleared and topsoil is removed to expose the area to be excavated. The soil is excavated using hand held tools such as mattocks, spades and trowels. This process is usually done a day before the burial although this may vary based on family wishes, culture, religion e.t.c.</p> | <ul style="list-style-type: none"> • Loss of vegetation which results to loss of habitat for micro-organisms residing in the area • Increased run -off due to loss of vegetation and decreased infiltration of rain water • Soil erosion due to soil loosening during excavation • Interference with soil microbial activities • Destruction of soil structure and the landscape • Dust emission from excavated soils |
| | <ul style="list-style-type: none"> • Re-introducing vegetation in disturbed sites to restore habitats for flora and fauna • Provide dust masks and other protective gear to grave diggers | |
| Cremation | <p>This is an alternative method of disposing human bodies; it is the practice of reducing a corpse to its essential elements by burning at very high temperatures in a closed chamber. The body is prepared and placed into a cremation chamber, after cremation the remains are ground and ashes are transferred into a temporary container or in an urn provided by the family. The ashes are kept at home, sprinkled or buried in a cemetery or in a private property</p> <p>Cremation though regarded as environmental friendly</p> | <ul style="list-style-type: none"> • Low start up temperatures can cause incomplete combustion resulting to release of particulates into the atmosphere. • Release of gaseous pollutants such as carbon dioxide, carbon monoxide and volatile compounds. • High demand of wood fuel |

| | | |
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| | <p>alternative is also a concern due to its accompanying release of vaporized mercury, dioxins and furans, and greenhouse gases into the environment.</p> <p>Cremation may utilize woodfuel, natural gas or electricity. Cremation releases greenhouse gases, mercury, dioxins and furans among other potential environmental pollutants. To fully incinerate human body to bone and ash fragments, the retort must be heated to between 760-982 degrees Celcius and maintained at this level for 45 -90 minutes.</p> | |
| Mitigation measures | <ul style="list-style-type: none"> • Ensure starts up temperatures are high enough to facilitate complete combustion. • Carry out flue gas treatment • Use activated carbon filters, scrubbers and technologies that bind particulates. • Carry out regular maintenance and monitoring practices to detect operator error or equipment failure which cause unintentional release of pollutants. • Use alternative source of fuel such as natural gas <p>Engage in tree planting and forest conservation activities.</p> | |
| Holding gatherings large | <p>In most cases, funerals attract large number of people. The presence of large number of persons at the site during burials will have some impacts on the environment, health and safety. Large gatherings may facilitate spread of both communicable and non-communicable diseases. In addition, the presence of large number of persons at the cemetery will require adequate amenities to ensure that the health and safety of the public is not compromised. The proposed site is far away from town or shopping centres. Presence of large gathering will thus attract vendors of</p> | <ul style="list-style-type: none"> • Large gathering of people may lead to transmission of communicable and non-communicable diseases. In view of the ongoing coronavirus pandemic the facility operator must ensure that appropriate measures are put in place to ensure that hygiene, safety and health standards are maintained during the funerals • Use of public address systems may |

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| | <p>various goods and services e.g snacks, water e.t.c. Furthermore, lack of reliable public transport along Mbaruk road may encourage the use of private vehicles thus leading to congestion at the site.</p> | <p>be a nuisance to the local community. The impact may not be significant given that the area around the site has very small human population.</p> <ul style="list-style-type: none"> • Gatherings will result in littering of the site. Some of the litter (papers) may be blown to the neighbouring areas • Increased traffic along Mbaruk road. |
| Mitigation measures | <ul style="list-style-type: none"> • Must provide adequate toilet facilities at the site • Provide waste bins in strategic locations within the cemetery • Display necessary information to safeguard the environment, health and safety • Adherence to Noise regulations during funerals (when public address systems are used) • Provide adequate parking areas within the cemetery. These areas should be paved to minimize dust and soil erosion. • Provision of adequate hand washing facilities • Display signs to ensure smooth flow of traffic within the cemetery • Separate entry and exit points for traffic • Provision of first aid area and adequate facilities to handle emergencies during funerals. | |
| Environmental pollution associated with burial and cremation of human bodies | <p>Decomposition of human bodies are likely to contaminate the environment. From the review of available literature, cemeteries can be a source of environmental pollution. The pollutants arrive from human bodies, body preservatives, ornaments, materials used in coffins e.t.c. These have been discussed in the previous chapter. The pollutants are as tabulated.</p> | <ul style="list-style-type: none"> • Possible contamination of underground water • Contamination of soil • Air pollution from cremation of human bodies. |

| | Cemetery source | End products and potential contaminants | |
|----------------------------|--|---|--|
| | Body decomposition | Bacteria (total and faecal coliform, faecal streptococci, proteolytic, lipolytic), viruses, water, carbon dioxide (carbonic acid), methane, ammonia & ammonia compounds, nitrogen (in various forms), sulphate, hydrogen sulphide, phosphate, calcium, chloride, potassium and other salts, putrescine, cadaverine, oil & greases, others | |
| | Embalming compounds | Formaldehyde, methanol, phenol, arsenic, aluminium, mercury, lead and other metals. | |
| | Man-made artefacts | Iron, Zinc, Lead, Copper and other metals; phenols, tannins and lignins, water, carbon dioxide, methane, hydrogen sulphide, organic acids, protein-water, carbon dioxide, methane, ammonia, hydrogen sulphide, cellulose-acids, carbon dioxide and water, lignin-phenols and alcohols. | |
| Mitigation measures | <ul style="list-style-type: none"> • Burial excavations should be backfilled as soon as the remains are interred, providing a minimum of one metre soil cover at the surface. | | |

| | |
|------------------------------|--|
| | <ul style="list-style-type: none"> The place of interment should be at least 30 metres away from any watercourse. This may minimize possible contamination of water courses. All burial pits on the site must maintain a minimum of one metre of subsoil below the bottom of the burial pit (i.e. the base of the burial must be at least one metre above solid rock). The test pits excavated at the proposed site indicated that the proposed site for the burial pits have deep soils (atleast 15ft depth). The deepest pits are not likely to go beyond 9 feet deep. The base of all burial pits on the site must maintain a minimum of one metre clearance above the highest natural water table. Landscaping of the cemetery to minimize surface runoff and erosion of soil from the site as this may transmit pollutants Planting of trees and flowers to improve aesthetic value of the cemetery. |
| Vehicular traffic congestion | <p>The project is likely to increase traffic flow along the Mbaruk road. This will be worse during the funerals. Necessary measures must thus be put in place to ensure smooth flow of traffic both along the road and within the cemetery.</p> <ul style="list-style-type: none"> Traffic management plan to ensure smooth traffic flow. Lobbying local municipality to allocate some budget to upkeep of the Mbaruk road. |
| Mitigation measures | Erect road signs and signs to direct motorists in order to ensure smooth flow of traffic. |
| Decommissioning phase | |
| | <p>Decommissioning of the cemetery is not anticipated in the foreseeable future. In practice, cemeteries do not necessarily require decommissioning, but rather closure when they reach full capacity. The cemetery ground may be landscaped and be put into alternative use. Any alternative use must respect the dignity of the dead and their families. Cemeteries help to preserve memories from one generation</p> |

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| | <p>to another and are valued by most communities. In this case the cemetery will be reconnected to the overall conservatory and continue as a wildlife and nature sanctuary once it is decommissioned.</p> | |
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9.0 IMPACTS OF DRILLING AND DEVELOPMENT OF A BOREHOLE

9.1 Introduction

This chapter presents the general environmental and social impacts which may result from the proposed drilling and development of a borehole at the proposed Rift View Memorial Park situated on L.R No. 9362/7, Nakuru county. The emphasis will be on the specific impacts that are likely to result from the nature of works (e.g. drilling of the well, placement of casings, water tests, etc.). In general, successful implementation of the project will help to ensure a steady and reliable supply of potable water at the proposed facility. As noted earlier in the report, establishment of the proposed cemetery will increase water demand at the site. Adverse impacts from the borehole project will be related to borehole drilling and associated works such as the installation of casings, water tests and pumping. These impacts will be localized and not considered significant and long-lasting and could be mitigated through appropriate mitigation measures. The severity and duration of these impacts could also be minimized by ensuring that the drilling and construction works are limited to short working sections and that works are carried out rapidly and efficiently.

9.2 Construction Phase Impacts

Most of the potential environmental and social impacts associated with the construction phase will be negative and temporary and can be mitigated with the use of standard environmental management procedures. The potential social impacts or nuisance will be those typically associated with construction activities involving vehicles, equipment, and workers. The predicted impacts include the following:

9.2.1 Soil-Related Impacts

All construction activities have some minor impacts on the soil. However, these are localized and restricted locally to the borehole drilling site and trenches for the collector pipes. It is expected that these impacts are also short-lived during construction and mitigation measures are recommended. The key impacts will revolve around soil erosion, contamination and disturbance of the natural soil structure, piling of soil near the borehole sites and trenches, improper replacement of soil to its original position, mixing of layers and compaction thus reducing the ecological function of the soil.

The development may also result in compaction of the soil at the site and along the access roads. Soil compaction will be minimal as the drilling will be carried within a short time (3-7 days). Compaction of the soil at the drilling site and

along the access roads may reduce infiltration of rain water thus increasing the surface run-off.

Soil pollution may arise due to spillages of oil/grease and construction materials during construction, operation or decommissioning stage.

Mitigation Measures

- The valuable top soil containing organic material, nutrients as well as seeds and the soil fauna would be excavated separately and piled in an adequate manner for reuse.
- In cases where it is identified that during drilling there is a danger of increased runoff or erosion, temporary drainage channels or holding ponds can be employed
- After completion of the boreholes, immediate restoration by spreading piled top soil and sowing adequate grass cover and planting of trees will be followed where vegetation has been removed, therefore the impact is temporary and reversible.
- Plan emergency response measures in case of accidental oil spills.
- In case of accidental spillages, the leaking fluid should be tapped into a container and later dumped in a safe manner
- The contractor and the management will ensure effective wastewater management
- Foreign material will be removed from the site as soon drilling is complete
- Proper storage, handling and disposal of oil and oil wastes
- Maintain machinery and equipment to avoid leaks
- Maintenance of drilling vehicles will be carried out in designated facility (garages)
- Establish specific access routes

9.2.2 Impact on Water Resources

Potential environmental impacts associated with water resources include sedimentation, foreign material spills, pollution slumping, disturbance to drainage and removal of vegetation. Vegetation and solid waste, if allowed to accumulate in waterways, may cause localized pooling and flooding. Improper handling of construction wastes and increased waste water generation may cause pollution of the existing water courses. The impact is not likely to be significant given that the proposed site is far from water course.

The drilling and development of a borehole at the proposed cemetery will also facilitate the utilization of ground water resources. Unsustainable abstraction of

groundwater may lead to depletion. Depletion of groundwater may lead to increased pumping costs, deterioration of water quality, reduction of water in streams and lakes, or land subsidence. The developer must thus ensure that the abstraction levels are in compliance with the level allowed in the water permit. The rate of abstraction must give time of the aquifer to re-charge naturally. The rate of recharge will depend on geological characteristics of the site, slope, vegetation cover, land use among other characteristics.

Another likely impact of the borehole is reduced surface water flows. In most areas, the surface-and ground-water systems are intimately linked. Ground-water pumping can alter how water moves between an aquifer and a stream, lake, or wetland by either intercepting ground-water flow that discharges into the surface-water body under natural conditions, or by increasing the rate of water movement from the surface-water body into an aquifer. In either case, the net result is a reduction of flow to surface water, though the full effect may take many years to develop. The effect may not be significant based on the proposed abstraction levels.

Mitigation measures:

- The licensing authority (Water Resources Management Authority) must regulate the number and spatial distribution of boreholes in the area to avoid over-abstraction of water resources
- The project proponent should not exceed the water usage limit per day.
- Practice rain water harvesting to supplement the borehole supply,
- Installation of water meter to monitor the amount of water abstracted
- Participation in water conservation programmes in the catchment area
- Proper management and conservation of the catchment zones through tree planting and sustainable agricultural practices.
- Construction materials and other debris (mud from the drill, grout, etc.) shall be prevented from entering natural drainage channels and water courses
- Proper handling of waste from the site through placement of bins and proper sanitation facilities.

9.2.3 Social - Economic Impacts

During construction, the project will have clear benefits with regard to local employment opportunities. The project will additionally require various skills and services, e.g. plumbers, pipe fitters, etc. for which appropriate personnel

will be contracted. The increase in employment will temporarily lead to an overall increase of income directly and indirectly (through increased demand of other local services). Consequently, farmers will also benefit from higher income levels as they sell their products. New businesses will grow such as food vending to construction workers. Immigration of people from different regions may lead to behavioral influences and this may increase the spread of diseases such as HIV/AIDS.

Mitigation Measures

- Unskilled construction and skilled (if available) labour to be hired from the local population as far as possible to minimize on influx of outsiders into the community.
- Use of manual labour during site clearance and trenching to ensure more employment of locals and hence ensure project support throughout the construction process.
- Sensitize workers and the surrounding community on awareness, prevention and
- management of HIV / AIDS

9.2.4 Air Quality

Construction activities such as bush clearing, materials delivery, borehole drilling and construction traffic will generate a lot of noise and dust especially during the dry seasons. Vehicular traffic to the proposed site is expected to increase slightly especially during delivery of raw materials. Vehicular traffic emissions will bring about air pollution by increasing the fossil fuel emissions into the atmosphere.

Vehicular/equipment engine exhaust emissions will be minor and temporary during construction. Air quality impacts will be temporary during construction. The project will not generate significant vehicle trips to the area. Vehicular and equipment exhaust emissions during project operations will, thus, have a minor incremental/cumulative impact locally and regionally.

Particulate matter (dust) would be generated by excavation and the movement of construction vehicles. It is not possible to accurately estimate the particulate concentration that might occur at the site because it is dependent on meteorological conditions and soil moisture.

Mitigation Measures

- Use of protective clothing like helmets and dust masks by construction crew.
- All the vehicles and construction machinery should be operated in compliance with relevant vehicle emission standards and with proper maintenance to minimize air pollution.
- Discourage idling of vehicles i.e. vehicle and equipment engines will be turned off when not in direct use to reduce exhaust emissions.
- Regular maintenance drilling plant and equipment
- Provide Personal protective Equipment such as nose masks to the workers on site
- Implement dust control measures

9.2.5 Construction Noise and vibration

Noise and vibration generated during construction by heavy construction machinery, such as drilling rigs and transportation vehicles. Generally, construction noise is unlikely to be significant due to the fact that there are no sensitive noise receptors close to the proposed borehole site. However, machine operators and workers may be exposed to noise levels above 90dB(A) during drilling.

Mitigation Measures

- Provision of ear protection to machine operators and all workers who may be exposed to noise levels above 90dB(A)
- Good maintenance and proper operation of construction machinery to minimize noise generation.
- Drilling and general construction should be limited to day time only

9.2.6 Biodiversity and Conservation Impacts

Removal of vegetation will lead to loss of plants and animal habitats. The biodiversity affected includes insects such as butterflies and worms, small mammals, reptiles and birds. The area to be affected is small and so the impact will not be significant. In addition, the affected plant species are common in the area and could be easily re-established after the disturbance.

Mitigation Measures

- Re-plant the indigenous vegetation as much as practically possible once work is completed.
- Spare the vegetation that must not necessarily be removed.

- Sensitize workers and enable them to properly handle hazardous spillages or wastes.

9.2.7 Public Health and Safety Impacts

Construction staff and the general public will be exposed to safety hazards arising from construction activities. The project works will expose workers to occupational risks due to handling of heavy machinery, construction noise, electromechanical works etc. Construction activities i.e bush clearing, materials delivery, borehole drilling and construction traffic will generate a lot of dust and this may have an impact on the health of those exposed.

Improper handling of solid wastes produced during and civil works such as spoil from excavations, scrap metal, mortar, paper, masonry chips and left over food stuff present a public nuisance due to littering or smells from rotting.

Mitigation measures

- Ensure that all construction machines and equipment are in good working conditions to prevent occupational hazards and accidents.
- Establish a Health and Safety Plan (HASP) for both civil and electromechanical work.
- Provide workers with appropriate personal protective equipment (PPE).
- Provide first aid facilities in case of accidents
- Provide workers with adequate drinking water and breaks.
- Provide workers' training on safety procedures and emergency response such as fire, oil and chemical spills, pipe bursts and other serious water loss risks.
- Provide appropriate human and solid waste disposal facilities
- Ensure full compliance with the provisions of the Occupational Health and Safety Act of 2007

9.2.8 Contamination

Typically, groundwater is naturally clean and safe for consumption. Because the overlying soil acts as a filter, groundwater is usually free of disease-causing microorganisms. However, contamination may occur following improper installation of well casings or caps, after a break in the casing or as a result of contaminated surface water entering the well. Contamination can also occur if boreholes are drilled in fractured bedrock without an adequate layer of protective soil and with less than the recommended minimum casing length.

Mitigation measures:

- Construction of well head slab to avoid surface run-off in to the borehole
- Ensure proper installation of borehole casing avoiding breakages.
- Testing Well Water for Microbiological Contamination
- Use bentonite seal and recommended size of surface casing to control groundwater contamination
- Regular monitoring of water quality in the borehole for early detection of any contamination from the cemetery and other sources

9.2.9 Borehole collapse

Poor design and development of a borehole may lead to collapse. Such an incidence could lead to financial loses and other inconveniences.

Mitigation measures

- Ensure use of appropriate steel casings and screens as per hydro geologists report

10.0 ENVIRONMENTAL AND SOCIAL IMPACTS MANAGEMENT PLAN

10.1 Management action plan for the Planning and Design Phase

| Environmental Feature | Impact | Management Actions | Responsible person(s) / Implementation responsibility | Timeframe (When?) |
|-----------------------|--|---|---|-------------------|
| EMP training | Lack of EMP awareness and the implications thereof may increase the risk of adverse impacts on environment, health and safety. | <ul style="list-style-type: none"> • All personal should be educated about the necessary health, safety and environmental considerations applicable to their respective works. • Must ensure that the designs and implementation plans have incorporated EHS safeguards. | Proponent | Ongoing |
| Cemetery site designs | Approval of the development plans | <ul style="list-style-type: none"> • The development plans must be submitted to the County Government for approval before implementation of the project. • The developer must seek approval for change of land use to a cemetery • Obtain approval from NEMA • Registration of the project with the National Construction Authority (NCA) | Proponent | Pre-construction |
| Employment | Labour recruitment | <ul style="list-style-type: none"> • Preference for both casual works during construction and operational & maintenance work should be given to residents/locals. | Proponent & contractor | Pre-construction |
| Construction | Appointment of | <ul style="list-style-type: none"> • For all the cemetery construction works, | Proponent | Pre- |

| | | | | |
|-------------------|----------------------|--|------------------------|---|
| contractors | contractors | preference should be given to companies with clear policy on environment, safety and health. | | construction |
| Health and Safety | Construction workers | <ul style="list-style-type: none"> A comprehensive health and safety policy and provision of PPEs and other health and safety safeguards for construction workers should be made mandatory requirement in the tender documents compiled for the cemetery construction. This is to ensure that the appointed contractor to carry out the construction works will have safety and health measures for all construction workers. | Proponent Contractor & | Pre-construction and throughout the project phase |
| Vehicular Traffic | Traffic Safety | <ul style="list-style-type: none"> Sufficient and visible construction notices should be erected close to the site access. Provide clear access roads within the site. | Proponent contractor & | Construction |

10.2 Management action plan for the Construction Phase

| Environmental Feature | Impact | Management Actions | Responsible person(s) / Implementation responsibility | Timeframe (When?) |
|-----------------------|--|---|---|---------------------|
| EMP training | Lack of EMP awareness and the implications thereof | <ul style="list-style-type: none"> Employees appointed for construction works on respective areas of the site must ensure that all personnel are aware of necessary health, safety and environmental considerations applicable | Contractor | During construction |

| | | | | |
|---------------------|--|---|-----------------------------------|---------------------|
| | | to their respective works. | | |
| Monitoring | EMP non-compliance | <ul style="list-style-type: none"> The developer and the contractor should put in place adequate measures for monitoring the implementation of the project EMP. | Proponent & Contractor | Construction |
| Biodiversity | Loss of biodiversity | <ul style="list-style-type: none"> Minimize vegetation destruction by limiting clearance to the affected areas only Carry out proper landscaping to minimize soil erosion from the site. The developer must put in place measures to conserve both water and soil. Retain as much vegetation as possible. | Proponent & Contractor | Construction |
| Soil | Land degradation and exposure of workers to health and safety risks and hazards | <ul style="list-style-type: none"> Provision of appropriate PPEs to workers Planning the access roads and other infrastructure as to cause minimum modification of the landscape The topsoil should be re-used for landscaping and re-vegetation of the excavated and disturbed areas. Provision of appropriate PPEs including dust masks, ear plugs, hand gloves e.t.c. Wetting dusty surfaces to minimize dust Provision of ear plugs to operators of noise machines Spill control preventative measures should be put in place to manage soil | Proponent & Contractor | Construction |

| | | | | |
|-------------------|--|---|------------------------|---------------------------|
| | | <p>contamination, no matter how small the amount of pollution (spill) is.</p> <ul style="list-style-type: none"> • Servicing of vehicles and construction machines should be done at designated facilities e.g. garages to minimize contamination of the site • Since the project site is in an area where soils are exposed, it is highly probable that more dust will be generated from construction works (excavating). It is therefore advised that in extremely windy days, a reasonable amount of water should be used to suppress the dust that may be emanating from certain site areas (limited to the site only). | | |
| Air quality | Exposure to dust (including cement dust) | <ul style="list-style-type: none"> • Provision of dust masks and overalls to construction workers • Sprinkle water on dusty surfaces to suppress dust where necessary • Use of hand gloves when handling cement (to prevent damage to workers' skin) | Proponent & Contractor | During construction phase |
| Health and safety | Exposure of workers to health and safety risks and hazards during construction | <ul style="list-style-type: none"> • To provide clear work plan and organization of work • To employ skilled and train workers to minimize accident occurrence • Metal wastes shall be sold to recyclers • The construction must be supervised by | Proponent & Contractor | During construction phase |

| | | |
|--|---|--|
| | <p>competent professionals</p> <ul style="list-style-type: none"> • When working on site, employees should be properly equipped with personal protective equipment (PPE) such as coveralls, gloves, safety boots, earplugs, safety glasses, etc depending on the type of work being done. • Use of construction nets to trap falling objects, dust and particulate materials where necessary • Providing clear work schedules to avoid accidents • Scaffolds must be made of approved materials and be fully planked. • Contract a licensed waste handler • As part of their induction, the workers should be provided with an awareness training of the risks of mishandling equipment and materials on site. • The construction site should be equipped with "danger" or "cautionary" signs for any potential danger or risk area identified on site during construction works. • No employee should be allowed to drink alcohol prior to and during working hours as this may lead to mishandling of | |
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|-----------------|-----------------|--|------------------------|--------------------|
| | | equipment which results into injuries and other health and safety risks. | | |
| Noise | Nuisance | <ul style="list-style-type: none"> The construction times should be set such that, no work is carried out during the night or very early in the mornings. | Proponent & contractor | Construction phase |
| Water resources | Pollution | <ul style="list-style-type: none"> Potential contaminants such as hydrocarbons (diesel) should be contained on site and disposed of in licensed sites Local drainage system should be well managed to minimize the contaminants and soils getting into water courses and natural drainage channels Formulate a water management and conservation plan for the project | Proponent & contractor | Construction phase |
| Visual | Visual nuisance | <ul style="list-style-type: none"> The vegetation planting should be considered along (within) the cemetery wall to give the site a unique and beautiful look (aesthetics). All the necessary options to improve the aesthetic of the site should be considered so that it blends in with the surrounding area or at least enhance it for a better appeal to the surrounding community and visitors. | Proponent & contractor | Construction phase |

10.3 Management action plan for the Operation Phase

| Environmental | Impact | Management Actions | Responsible | Timeframe |
|---------------|--------|--------------------|-------------|-----------|
|---------------|--------|--------------------|-------------|-----------|

| Feature | | | person(s) Implementation responsibility | / (When?) |
|---------------------------|---|---|---|-----------------|
| Excavation of grave yards | Destruction of vegetation and exposure of workers to dust | <ul style="list-style-type: none"> • Re-introducing vegetation in disturbed sites to restore habitats for flora and fauna • Provide dust masks and other protective gear to grave diggers | Project Manager | Operation phase |
| Holding large gatherings | Health and safety effects | <ul style="list-style-type: none"> • Must provide adequate toilet facilities at the site • Provide waste bins in strategic locations within the cemetery • Display necessary information to safeguard the environment, health and safety • Adherence to Noise regulations during funerals (when public address systems are used) • Provide adequate parking areas within the cemetery. These areas should be paved to minimize dust and soil erosion. • Provision of adequate hand washing facilities • Display signs to ensure smooth flow of traffic within the cemetery • Separate entry and exit points for traffic • Provision of first aid area and adequate facilities to handle emergencies during | Project Manager | Operation phase |

| | | | | |
|--|---|--|-----------------|-----------------|
| | | funerals. | | |
| Cremation | Pollution of the environment (emissions) | <ul style="list-style-type: none"> • The operator must ensure that the cremation is operated at such high temperatures as to minimize amount of toxins getting into the environment • The crematorium should be equipped with necessary mechanism for cleaning the emissions before release into the environment. | Project Manager | Operation phase |
| Environmental pollution associated with burial and cremation of human bodies | Potential degradation of the environment (soil, water and plants) | <ul style="list-style-type: none"> • Burial excavations should be backfilled as soon as the remains are interred, providing a minimum of one metre soil cover at the surface. • The place of interment should be at least 30 metres away from any watercourse. This may minimize possible contamination of water courses. • All burial pits on the site must maintain a minimum of one metre of subsoil below the bottom of the burial pit (i.e. the base of the burial must be at least one metre above solid rock). The test pits excavated at the proposed site indicated that the proposed site for the burial pits have deep soils (atleast 15ft depth). The deepest pits are not likely to go beyond 9 feet deep. • The base of all burial pits on the site must | Project Manager | Operation phase |

| | | | | |
|------------------------------|-------------------------------------|---|-----------------|-----------------|
| | | <p>maintain a minimum of one metre clearance above the highest natural water table.</p> <ul style="list-style-type: none"> • Landscaping of the cemetery to minimize surface runoff and erosion of soil from the site as this may transmit pollutants • Planting of trees and flowers to improve aesthetic value of the cemetery. | | |
| Vehicular traffic congestion | Erect road signs to guide motorists | <ul style="list-style-type: none"> • Erect road signs and signs to direct motorists in order to ensure smooth flow of traffic. | Project Manager | Operation phase |
| Waste generation | Environmental degradation | <ul style="list-style-type: none"> • Provide waste bins in strategic locations within the cemetery • Contract licensed waste transporter for off-site disposal of wastes • Segregation of wastes | Project Manager | Operation phase |
| Biodiversity | Loss of biodiversity | <ul style="list-style-type: none"> • Formulation of an environmental conservation programme for the cemetery • Revegetation of the site | Project Manager | Operation phase |

10.4 Management action plan for the Closure (Decommissioning) Phase

| Environmental Feature | Impact | Management Actions | Responsible person(s) / Implementation responsibility | Timeframe (When?) |
|-----------------------|---------------------------------------|---|---|---------------------|
| Cemetery closure | loss of burial site for the community | <ul style="list-style-type: none"> • The Proponent should, consider making arrangements well in time for a new cemetery before this cemetery reaches | Proponent & contractors | Pre-decommissioning |

| | | | | |
|--|--|--|--|--|
| | | <p>full capacity.</p> <ul style="list-style-type: none"> Any interference with the graves must not be carried out unless after mutual agreement with the relatives of those buried. | | |
|--|--|--|--|--|

10.5 Management action plan for the drilling and development of a borehole

| Area of impact | Proposed mitigation measures | Responsibility |
|-----------------------------|--|----------------------|
| Soil-Related Impacts | <ul style="list-style-type: none"> The valuable top soil containing organic material, nutrients as well as seeds and the soil fauna would be excavated separately and piled in an adequate manner for reuse. | Proponent/contractor |
| | <ul style="list-style-type: none"> In cases where it is identified that during drilling there is a danger of increased runoff or erosion, temporary drainage channels or holding ponds can be employed | Proponent/contractor |
| | <ul style="list-style-type: none"> After completion of the boreholes, immediate restoration by spreading piled top soil and sowing adequate grass cover and planting of trees will be followed where vegetation has been removed, therefore the impact is temporary and reversible. | Proponent/contractor |
| | <ul style="list-style-type: none"> Plan emergency response measures in case of accidental oil spills. | Proponent/contractor |
| | <ul style="list-style-type: none"> In case of accidental spillages, the leaking fluid should be tapped into a container and later dumped in a safe manner | Proponent/contractor |
| | <ul style="list-style-type: none"> The contractor and the management will ensure effective wastewater management | Proponent/contractor |
| | <ul style="list-style-type: none"> Foreign material will be removed from the site as soon drilling is complete | Proponent/contractor |
| | <ul style="list-style-type: none"> Proper storage, handling and disposal of oil and oil wastes | Proponent/contractor |
| | <ul style="list-style-type: none"> Maintain machinery and equipment to avoid leaks | Proponent/contractor |
| | <ul style="list-style-type: none"> Maintenance of drilling vehicles will be carried out in designated facility (garages) | Proponent/contractor |

| | | |
|---------------------------|---|----------------------|
| | <ul style="list-style-type: none"> Establish specific access routes | Proponent/contractor |
| Impact on Water Resources | <ul style="list-style-type: none"> The licensing authority (Water Resources Management Authority) must regulate the number and spatial distribution of boreholes in the area to avoid over-abstraction of water resources The project proponent should not exceed the water usage limit per day. Practice rain water harvesting to supplement the borehole supply, Installation of water meter to monitor the amount of water abstracted Participation in water conservation programmes in the catchment area Proper management and conservation of the catchment zones through tree planting and sustainable agricultural practices. Construction materials and other debris (mud from the drill, grout, etc.) shall be prevented from entering natural drainage channels and water courses Proper handling of waste from the site through placement of bins and proper sanitation facilities. | Proponent/contractor |
| Social - Economic Impacts | <ul style="list-style-type: none"> Unskilled construction and skilled (if available) labour to be hired from the local population as far as possible to minimize on influx of outsiders into the community. Use of manual labour during site clearance and trenching to ensure more employment of locals and hence ensure project support throughout the construction process. Sensitize workers and the surrounding community on awareness, prevention and management of HIV / AIDS | Proponent/contractor |
| Air Quality | <ul style="list-style-type: none"> Use of protective clothing like helmets and dust masks by construction crew. All the vehicles and construction machinery should be operated in compliance with relevant vehicle emission standards and with proper | Proponent/contractor |

| | | |
|--|--|----------------------|
| | <p>maintenance to minimize air pollution.</p> <ul style="list-style-type: none"> • Discourage idling of vehicles i.e. vehicle and equipment engines will be turned off when not in direct use to reduce exhaust emissions. • Regular maintenance drilling plant and equipment • Provide Personal protective Equipment such as nose masks to the workers on site • Implement dust control measures | Proponent/contractor |
| | <ul style="list-style-type: none"> • Regular maintenance drilling plant and equipment • Provide Personal protective Equipment such as nose masks to the workers on site • Implement dust control measures | Proponent/contractor |
| | <ul style="list-style-type: none"> • Implement dust control measures | Proponent/contractor |
| Construction Noise and vibration | <ul style="list-style-type: none"> • Provision of ear protection to machine operators and all workers who may be exposed to noise levels above 90dB(A) • Good maintenance and proper operation of construction machinery to minimize noise generation. • Drilling and general construction should be limited to day time only | Proponent/contractor |
| Biodiversity and Conservation | <ul style="list-style-type: none"> • Re-plant the indigenous vegetation as much as practically possible once work is completed. • Spare the vegetation that must not necessarily be removed. • Sensitize workers and enable them to properly handle hazardous spillages or wastes. | Proponent/contractor |
| Occupational and Public Health and Safety | <ul style="list-style-type: none"> • Ensure that all construction machines and equipment are in good working conditions to prevent occupational hazards and accidents. • Establish a Health and Safety Plan (HASP) for both civil and electromechanical work. • Provide workers with appropriate personal protective equipment (PPE). • Provide first aid facilities in case of accidents • Provide workers with adequate drinking water and breaks. • Provide workers' training on safety procedures and emergency response | Proponent/contractor |

| | | |
|-------------------|---|----------------------|
| | <p>such as fire, oil and chemical spills, pipe bursts and other serious water loss risks.</p> <ul style="list-style-type: none"> • Provide appropriate human and solid waste disposal facilities • Ensure full compliance with the provisions of the Occupational Health and Safety Act of 2007 | |
| | <ul style="list-style-type: none"> • Provide appropriate human and solid waste disposal facilities • Ensure full compliance with the provisions of the Occupational Health and Safety Act of 2007 | Proponent/contractor |
| Contamination | <ul style="list-style-type: none"> • Construction of well head slab to avoid surface run-off in to the borehole • Ensure proper installation of borehole casing avoiding breakages. • Testing Well Water for Microbiological Contamination • Use bentonite seal and recommended size of surface casing to control groundwater contamination • Regular monitoring of water quality in the borehole for early detection of any contamination from the cemetery and other sources | Proponent/contractor |
| Borehole collapse | <ul style="list-style-type: none"> • Ensure use of appropriate steel casings and screens as per hydro geologists report | Proponent/contractor |

CONCLUSION AND RECOMMENDATIONS

The proposed Rift View Memorial Park is one of its kind in the county. Most of the cemeteries in the county are operated by the County Government. These cemeteries are on public land. In the recent past, the cemeteries in Nakuru town (north and south cemeteries) have been filled. As a matter of fact, the North cemetery in Nakuru town has been closed while the one in use currently is rapidly running out of burial space. This has necessitated the need of alternative burial ground in town. The developer intends to help address this problem by establishing a cemetery on L.R No. 9362/7 within Soysambu Conservancy in Nakuru County. The assessment of the environmental and social impacts of the proposed cemetery indicated that the development will not have significant adverse residual impacts. The site is suitable on the basis of;

- Location in area of low population density
- Availability of large parcel of land for use as a cemetery (36.5Ha)
- Not near permanent water courses
- Suitable soil and geological conditions
- Low water table
- Access to basic infrastructure

The anticipated impacts of the development have been discussed in the report. Where necessary, mitigation measures have been proposed. The county Government of Nakuru have already approved the extension of land user to include a public purpose cemetery. From the responses received from public consultations, it was evident that majority of the residents were in support of the project. The developer must however ensure that the concerns raised are addressed throughout the project cycle. We highly recommend that the project be approved to help avert a crisis of lack of burial space in Nakuru.

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APPENDICES



No. PVT/2016/007974

CERTIFICATE OF INCORPORATION

I hereby CERTIFY, that -

VALHALLA LIMITED

is this 29th day of April, 2016 Incorporated under the Companies Act, 2015 and that the Company
is PRIVATE LIMITED BY SHARES.

Registrar of Companies



PIN Certificate

For General Tax Questions
Contact KRA Call Centre
Tel: +254 (020) 4999 999
Cell: +254(0711)099 999
Email: callcentre@kra.go.ke

Certificate Date : 18/12/2020
Personal Identification Number
P051977125R

This is to certify that taxpayer shown herein has been registered with Revenue Authority

Taxpayer Information

| | |
|----------------------|----------------------|
| Taxpayer Name | VALHALLA LIMITED |
| Email Address | VALHALLAKE@GMAIL.COM |

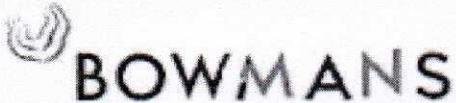
Registered Address

| | |
|-------------------------------|---|
| L.R. Number : | Building : NAIROBI BUSINESS PARK |
| Street/Road : NGONG RD | City/Town : NAIROBI |
| County : Nairobi | District : Dagoreti District |
| Tax Area : Dagoretti | Station : West of Nairobi |
| P. O. Box : 256 | Postal Code : 00502 |

Tax Obligation(s) Registration Details

| Sr. No. | Tax Obligation(s) | Effective From Date | Effective Till Date | Status |
|----------------|--------------------------|----------------------------|----------------------------|---------------|
| 1 | Income Tax - Company | 01/12/2020 | N.A. | Active |

The above PIN must appear on all your tax invoices and correspondences with Revenue Authority. Your accounting end month is December unless a change has been approved by the Commissioner-Domestic Taxes Department. The status of Tax Obligation(s) with 'Dormant' status will automatically change to 'Active' on date mentioned in "Effective Till Date" or any transaction done during the period. This certificate shall remain in force till further updated.



Dated: September 1st 2020

LEASE AGREEMENT

Over a portion of Land Reference Number 9362 situated west of Gilgil Town in Nakuru County

between

SOYSAMBU CONSERVANCY LIMITED

(Lessor)

and

VALHALLA LIMITED

(Lessee)

COULSON HARNEY LLP

ADVOCATES

6th Floor, West Wing, ICEA Business Centre
Riverside Park, Chroma Road
PO Box 10642-00100, Nairobi, Kenya
+254 20 289 9000 | +254 729 968 000
+254 20 444 8614 | +254 734 993 739
PIN No. P031229962P | VAT No. 0191638X

www.coulsonharney.com

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LEASE

THIS LEASE is made on September 1st 2020 between:

- (1) **SOYSAMBU CONSERVANCY LIMITED (C.138872)** a company incorporated in the Republic of Kenya having its registered office on L.R. No. 3692/4, Soysambu Offices, Private Bag, Nakuru (hereinafter referred to as the "Lessor"); and
- (2) **VALHALLA LIMITED (C. 007974)** a private limited liability company established under the Companies Act (Chapter 486) laws of Kenya and of Post Office Box 25230 - 00606, Nairobi, in the Republic of Kenya (hereinafter referred to as the "Lessee").

WHEREAS:

- A. The Lessor holds a sub-lease over Land Reference Number 9362 Nakuru County as more particularly defined in Schedule 1 First Part (the "Land").
- B. The Lessor wishes to establish a private cemetery over the Property (defined in Schedule 1 Second Part).
- C. The Lessee's business is to invest in real estate including private cemeteries.
- D. The Lessee seeks to enter into this Agreement with the Lessor to design, finance, develop, manage and operate a private cemetery on the Property (the "Project").
- E. The Lessor has agreed to grant a lease to the Lessee over that portion of the Land, comprising the area detailed in the second part of schedule 1 (the "Property") subject to the terms and conditions contained below.

IT IS AGREED AS FOLLOWS:

1. DEFINITIONS AND INTERPRETATION

- 1.1 "**Affiliate**" means in relation to the Lessee, its holding company or its subsidiary or any other subsidiary of such holding company or any other body corporate which is controlled by the same person(s) who controls the Lessee; control in this context referring to the ability to secure that the affairs of the company in question are exercised in accordance with the wishes of that person(s);
- 1.2 "**Agreement**" or "**Lease**" means this Lease Agreement;
- 1.3 "**Approvals**" all approvals required for establishment of a private cemetery including extension of user approval to include cemetery use, land control board consent for extension of user to include cemetery use, NEMA lease and other approvals including the gazettlement of the cemetery by the Ministry of Health in line with the Public Health Act Cap 242 Laws of Kenya;
- 1.4 "**Ancillary Services**" means provision of crematorium services, erection of mausoleum, columbarium, operating a funeral home, mortuary or morgue, running of a flower shop, memorial shop, restaurant, convenience store, provision of celebration halls and other services connected to a cemetery business;
- 1.5 "**Commencement Date**" means the date of this Lease;

- 1.6 **"Encumbrance"** means any interest or equity of any person or any mortgage, charge, pledge, lien, assignment, hypothecation, security interest, title retention or any other security agreement or arrangement over the Property;
- 1.7 **"Interest"** means the rate of five per cent (5%) above the base rate of interest that Barclays Bank of Kenya Limited is from time to time lawfully permitted to charge and as altered from time to time by such bank during an interest period of the Bank.
- 1.8 **"Land"** means all that piece or parcel of land more particularly described in the first part of schedule 1 hereto;
- 1.9 **"Lease Fee"** means the amount payable monthly by the Lessee to the Lessor as consideration for the Lease and use of the Project as more particularly set out in Clause 7;
- 1.10 **"Lease Period"** means the period of ninety nine years prior to renewal of the Lease, that shall be under the same terms;
- 1.11 **"Memorial Sites"** includes children's graves, standard and double depth graves, mausoleum, family gardens and columbarium sites;
- 1.12 **"Party"** or **"Parties"** means either the Lessor or Lessee or both as the context allows;
- 1.13 **"Permitted User"** means design, finance, development, management and operation of a private cemetery and ancillary services;
- 1.14 **"Project"** has the meaning assigned in Clause 4 and Schedule 2;
- 1.15 **"Property"** means all that piece or parcel of land more particularly described in the second part of schedule 1 hereto;
- 1.16 **"Tax** means all forms of taxation and statutory, governmental, state, provincial, local governmental or municipal impositions, duties, contributions and levies of any kind whatsoever, including, without limitation, corporation tax, Value Added Tax (VAT), withholding tax, Pay As You Earn (PAYE) or similar taxes collected or imposed under any written law in Kenya and all interest, penalties, fines, charges, costs and expenses (civil or criminal) related thereto or in respect thereof or resulting from any failure to comply with the provisions of any statute relating to taxation and any loss or tax liability incurred in connection with the determination, settlement or litigation of any liability arising therefrom, and "Taxation" shall be construed accordingly;
- 1.17 **"Term"** means ninety nine (99) years from the Commencement Date less the last seven (7) days thereof;
- 1.18 **"Utility Fees"** means charges incurred for water, electricity, power, telephone service, sewer, garbage disposal and all other services and utilities used in, upon or about the Project from time to time during the Lease Period.

2. CONDITIONS PRECEDENT

- 2.1 Implementation of the Project and clause 3.1 coming into effect is conditional upon the following:

- 2.1.1 the Lessor obtaining change of user approval from agricultural to cemetery use, or an extension of user approval to include cemetery use (whichever is applicable), NEMA lease and other approvals including approval for gazettlement of the cemetery by the Ministry of Health Approvals in respect of the Property by the Long Stop Date or such later date as the parties may agree;
- 2.1.2 there being no material adverse change or disruption in the financial or capital markets prior to commencement of the Project;
- 2.1.3 the absence of any change, which the parties deem to be materially adverse, in respect of the development value of the Property (including following the carrying out of detailed site analysis or hydrological, geotechnical or site surveys, changes in taxation or environmental requirements), or prospects of the cemetery.
- 2.1.4 the Lessor is able to obtain the Approvals in accordance with clause 2.1.
- 2.1.5 detailed technical surveys reveal that over fifty per cent (50%) of the Property is suitable for in-ground burials.
- 2.1.6 No law, order, or judgement shall have been enacted, entered, issued or promulgated by any government authority, arbitrator or mediator, which challenges or seeks to prohibit, restrict or enjoin the performance of this Agreement, nor shall there be pending or threatened any suit, action or proceeding by or before any government authority, arbitrator or mediator seeking monetary relief from the Lessee by reason of performance of this Agreement.

Note.1 if the conditions precedent set out in clauses 2.1.2 or 2.1.3 will not have been satisfied by the Long Stop Date and the Lessor shall not have waived the same, then the Lessor shall at its sole and absolute discretion be at liberty to terminate this Agreement at any time thereafter in which case neither party shall have any liability, rights or obligations to the other.

Note 2. In case 2.1.5 reveals that the site is unsuitable for burials, the Lessee shall at its own and absolute discretion be at liberty to terminate this Agreement at any time thereafter, in which case neither party shall have any future liability, rights or obligations to the other.

3. GRANT OF LEASE

- 3.1 Pursuant to clause 3.2, the Lessor HEREBY LEASES to the Lessee and the Lessee hereby accepts this Lease of ALL THAT Property together with the rights specified herein TO HOLD subject to and including all rights, easements, privileges, restrictions, covenants and stipulations of whatever nature affecting the Land for the Lease Period at the Lease Fee more particularly set out in this Lease.
- 3.2 This Lease shall come into force within fifteen (15) days of the Lessor obtaining the Approvals pursuant to clause 2.1.1 and provided that 2.1.2 and 2.1.3 shall not have occurred when the Lessee shall be at liberty to implement the Project (the "**Lease Commencement Date**").
- 3.3 It is hereby acknowledged and agreed that prior to fulfilment of the conditions precedent; the Lessee shall not be entitled to take possession in respect of the Property but may have access to the same for purposes of conducting feasibility studies in respect of the Project. It is further acknowledged and

agreed that the Lessee shall at no time have exclusive possession to the Property whether before or after fulfilment and or waiver of the conditions precedent under this clause.

- 3.4 The Lessee and all permitted persons expressly or by implication authorised by it to have the right under this Agreement shall use the Property for the purpose of carrying out activities in connection with the operation of the Project.
- 3.5 Other than through changes to its shareholders, the Lessee shall not share the benefit of this Lease with any person, by way of parting with or transferring its possession.
- 3.6 The Lessee shall at all times occupy the Property as a lessee only and nothing contained in this Agreement will be construed to give rise to the Lessee any right of tenancy or rights as a lessee;
- 3.7 The Lessee shall not enjoy exclusive possession of the Property and accordingly the Lessor shall be entitled upon reasonable notice at any time and from time to time to enter into the Property and/or the Land for whatsoever purpose the Lessor shall deem necessary or desirable.
- 3.8 Nothing in this Agreement shall be deemed to constitute a partnership, joint venture or the like between the Parties and neither party shall have authority to bind the other in any way.

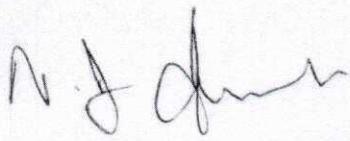
4. THE PROJECT

4.1 Project Implementation

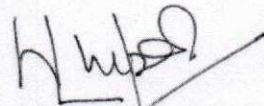
- 4.1.1 The Lessee shall at their cost; design, finance, develop, manage and operate a private cemetery on the Property (the **Project**). The concept, description, implementation of the Project is more particularly set out in Schedule 2 to this Agreement.
- 4.1.2 The Lessee shall be required to complete the design and construction of the Project within eighteen (18) months from the Lease Commencement Date. In the event that the Lessee shall not be able to complete the design and construction of the Project as prescribed, then the parties may jointly elect to extend the time within which the Lessee can complete the design and construction or if they do not make such a joint election either party may give three (3) months notice in writing to the other for the Agreement to be terminated in the event that design and construction will not have been completed prior to the expiry of such notice period.
- 4.1.3 The Lessor may designate one or more persons ("Lessor Agent") to represent the Lessor in oversight of the Project implementation. The Lessee will apprise the Lessor's Agent of the Lessee's progress regarding the design, development, construction and operations of the cemetery.
- 4.1.4 The Lessor's Agent shall:
 - 4.1.4.1 be entitled to attend design or construction meetings with the Lessee's Project advisors;
 - 4.1.4.2 have the right to inspect the progress and quality of the work performed in connection with the cemetery;
 - 4.1.4.3 have the right to inspect plans and specifications, contract agreements, project reports and cemetery sales records.

Sealed with the Common Seal of
SOYSAMBU CONSERVANCY LIMITED
in the presence of:

Director

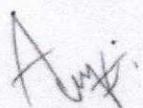


Director/Secretary



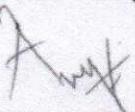
Alex G. Njage
Advocate
P.O. Box 10643 - 00100
Nairobi

Advocate



I CERTIFY that the above-named and..... appeared before me on the
..... day of 2020 and being known to me/identified by ID/Passport No.
..... and acknowledged the above signatures or marks to be
theirs and that they had freely and voluntarily executed this Agreement and understood its contents.

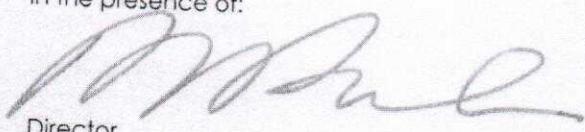
Alex G. Njage
Advocate
P.O. Box 10643 - 00100
Nairobi


Signature and designation of the
person certifying

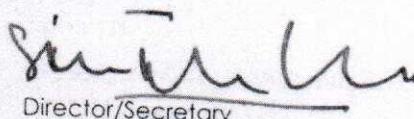
Sealed with the Common Seal of

Valhalla Limited

in the presence of:



Director



Director/Secretary

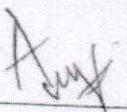
Advocate

 Alex G. Njage
Advocate
P.O. Box 10643 - 00100
Nairobi



I CERTIFY that the above-named and appeared before me on the day of 2020 and being known to me/identified by ID/Passport No. and acknowledged the above signatures or marks to be theirs and that they had freely and voluntarily executed this Agreement and understood its contents.

Alex G. Njage
Advocate
P.O. Box 10643 - 00100
Nairobi

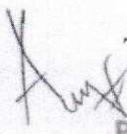

Signature and designation of the
person certifying

Signed by)

JONATHAN STEWART PHILIP)

COULSON)

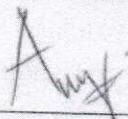
In the presence of)

 Alex G. Njage)
Advocate)
P.O. Box 10643 - 00100)
Nairobi)



I CERTIFY that the above-named JONATHAN STEWART PHILIP COULSON appeared before me on theday of 2020 and being known to me acknowledged the above signature or marks to be this and that he had freely and voluntarily executed this instrument and understood its contents.

Alex G. Njage
Advocate
P.O. Box 10643 - 00100
Nairobi



Signature and designation of the
person certifying

CONSENT

We, The Right Honourable Hugh George Cholmondeley Fifth Baron Delamere and Jonathan Stewart Philip Coulson as trustees of the registered owner of the Property do hereby consent to the granting of this LEASE over the Property.

Signed by

THE RIGHT HONOURABLE HUGH
GEORGE CHOLMONDELEY FIFTH
BARON DELAMERE

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)

D
elamere

In the presence of

Alex G. Njage
Advocate
P.O. Box 10643 - 00100
Nairobi

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)
)
)

I CERTIFY that the above-named THE RIGHT HONOURABLE HUGH GEORGE CHOLMONDELEY FIFTH BARON DELAMERE appeared before me on theday of 2020 and being known to me acknowledged the above signature or marks to be this and that he had freely and voluntarily executed this instrument and understood its contents.

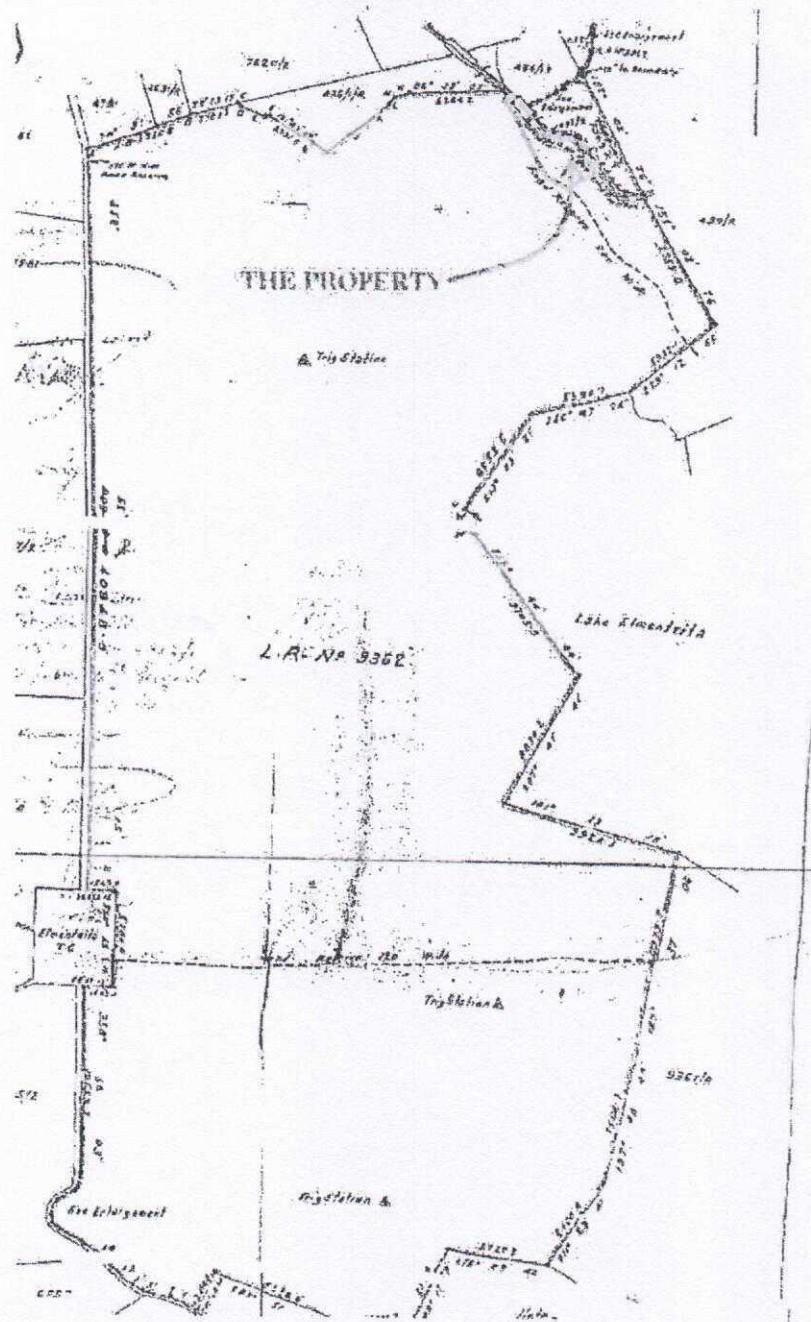
Alex G. Njage
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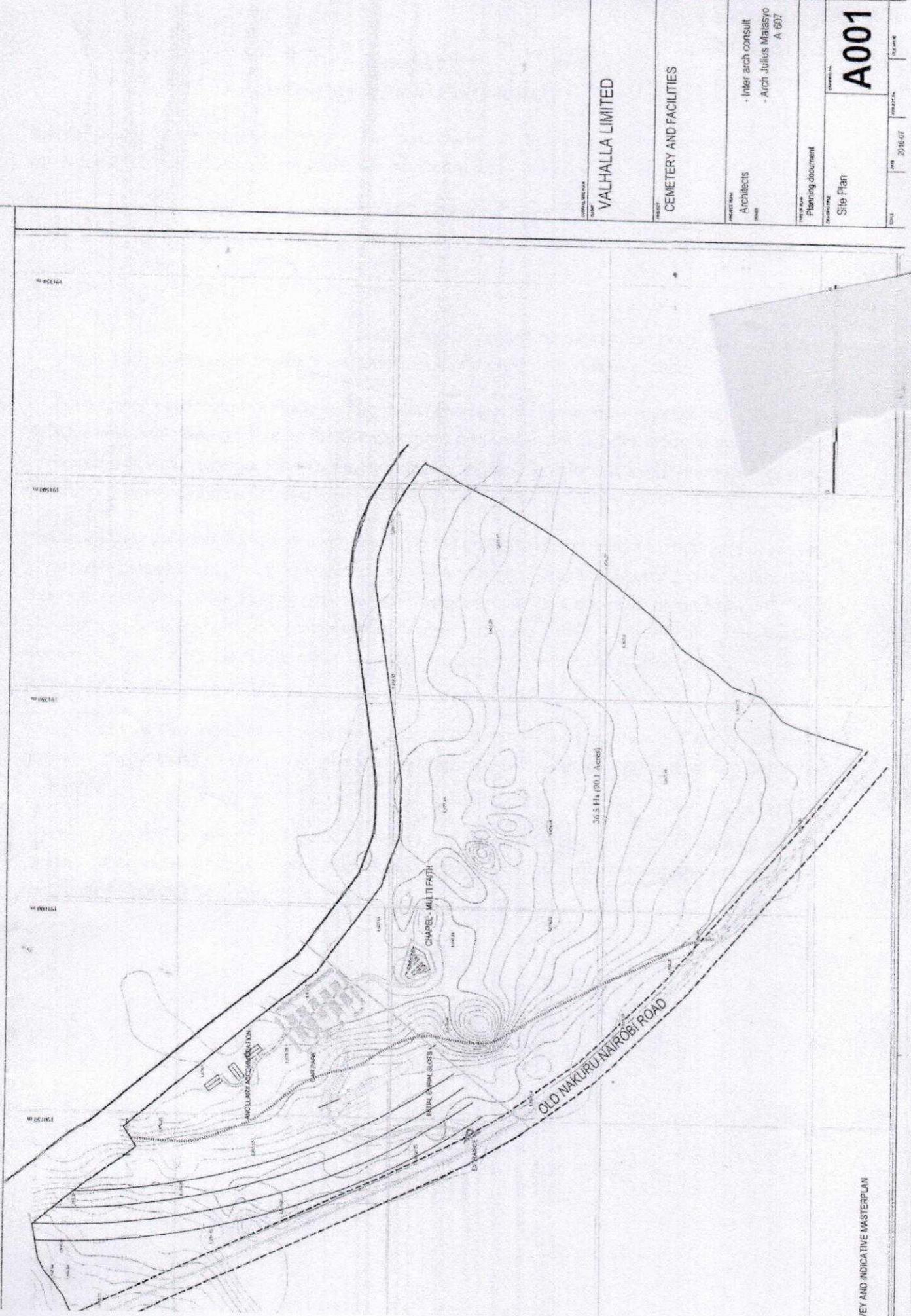
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Signature and designation of the
person certifying

Third part:

The Plan





SURVEY AND INDICATIVE MASTERPLAN

SCHEDULE 2
GENERAL DESCRIPTION OF THE PROJECT

The concept is for the development of a private cemetery in a park-like setting accommodating an estimated 25,000 - 40,000 burial sites (depending on topography, soil conditions etc).

The Project shall be carried out in a series of phases as shall be determined by a detailed feasibility study to be carried out by the Lessee pursuant to the budgetary provision set out in schedule 3 hereto.

The Project shall comprise of the following amenities:-

- .1 Approximately 1,000 square metres of built up space comprising celebration hall(s), administration offices, toilet blocks, refreshment areas, plant rooms and other utility buildings; and
- .2 External works including internal roads, boundary wall, electric fence, gate and gatehouse, internal driveways and parking for upto 400 vehicles (hard and semi-hard surface), storm water drainage, paved pathways, external lighting, irrigation system, signage and landscaping which shall include grassing, planting and associated water features.

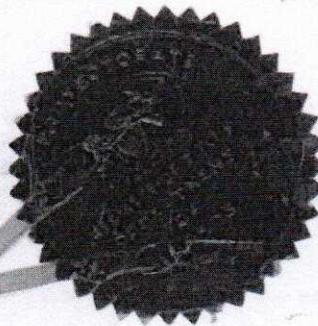
The Lessee may sell rights of interment with respect to the burial sites in the Project to third party buyers for a period in perpetuity at prices starting at an estimated Kenya shilling fifty thousand (Kes. 50,000/-) for standard burial sites ("Base Starting Price") which is approximately 25% above what the Nakuru County Government currently charges for interment at its (now full) Nakuru North Cemetery. The Base Starting Price may vary or increase at intervals to be determined by the Lessee and may be subject to sales or other turnover tax, if chargeable.

The Project shall be funded from the Lessee's sources and may include equity, quasi equity and debt provided always that the Lessee shall not encumber the Property in order to fund the development of the cemetery.

The cemetery shall be known as Mbaruk Cemetery and shall not be changed without consent of both parties. All signage, advertising and marketing collateral shall be consistent with the internationally recognized Highgate Cemetery standards.

19295

433



COLONY AND PROTECTORATE OF KENYA
THE REGISTRATION OF TITLES ORDINANCE
(CHAPTER 160)

L 4-10-0

L 4-10-0

Dad 27

GRANT: Number I.R. 17493
 ANNUAL RENT: Shs.8,469/- (Revisable)
 TERM: 945 years from 1.3.1960



KNOW ALL MEN BY THESE PRESENTS that in pursuance of a Surrender registered in the Crown Lands Registry at Nairobi in Volume H.3 Folio 307/14 Volume H.2 Folio 43/14 Volume H.4 Folio 144/14 Volume H.3 Folio 299/17 Volume H.7 Folio 155/13 Volume H.6 Folio 119/11 Volume H.9 Folio 335/20 and Volume H.25 Folio 170/2 the GOVERNOR AND COMMANDER-IN-CHIEF OF THE COLONY AND PROTECTORATE OF KENYA on behalf of HER MOST GRACIOUS MAJESTY QUEEN ELIZABETH THE SECOND under and by virtue of the powers vested in him hereby GRANTS unto THE RIGHT HONOURABLE THOMAS PITT HAMILTON BARON DELAMERE of Elmenteita (Post Office Elmenteita) in the said Colony and CLIFFORD WILLOUGHBY HORDERN of 5 Cadogan Street London S.W.3 England ALL that piece of land situate West of Gilgil Township in the Nakuru District of the said Colony containing by measurement forty-two thousand five hundred and sixteen acres (less road reserve of one hundred and seventy-one acres) or thereabouts that is to say Land Reference Number 9362 (Original Numbers 430 431 434 435 436/14 1155 433 and 5226) which said piece of land with the dimensions abutments and boundaries thereof is delineated on the plan annexed hereto and more particularly on Land Survey Plan Number 66865 deposited in the Survey Records Office at Nairobi TOGETHER with the benefit (so far as the Crown can lawfully grant the same) of the covenants contained in an Indenture registered as aforesaid in Volume H.9 Folio 334/2 so far as the same are still subsisting and capable of taking effect and relate to the land hereby granted TO HOLD for the term of nine hundred and forty-five years from the first day of March One thousand nine hundred and sixty SUBJECT to (a) the payment in advance on the first day of January in each year of the rents hereinafter prescribed (namely) :-

2559
[Signature]
CTT

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Caveat by The Municipal Council of Nakuru
claiming the right to lay and maintain a
water pipeline

2

Presentation No. 6018 Date of Registration 10.6.60 Registrar of Titles *Mackay*

3

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Charge to Delamere Estates Limited
Subject to No. 2 above
(with other lands)

4

Presentation No. 8239 Date of Registration 23.8.60 Registrar of Titles *Mackay*
THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Lease to Delamere Estates Limited
Term 10 years from 7th September, 1959
Annual Rent Shs. 300,000/-
Subject to No. 2 above (with other lands)

Presentation No. 8240 Date of Registration 23.8.60 Registrar of Titles *Mackay*

5

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Caveat by The East African Power And Lighting
Company Limited

6

Presentation No. 9296 Date of Registration 28.9.60 Registrar of Titles *Mackay*
THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Caveat by The East African Power And
Lighting Company Limited

7

Presentation No. 380 Date of Registration 28/1/61 Registrar of Titles *Mackay*
THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Declaration by the Creditor dated Twenty-first July
deciding the annual sum payable for the land comprised in the within title
Owner/Creditor to be Shs. One Thousand one hundred and
Thirty-nine Seven with effect from 1st January, 1961.

Presentation No. 783 Date of Registration 22.7.61 Registrar of Titles *Mackay*

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Surrender of Lease No. 4 above in
respect of 60.5 acres L.R. No. 9362/1 only

8

Presentation No. 331 Date of Registration 16.1.62 Registrar of Titles *Mackay*

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE

Lease to The Right Honourable Thomas Pitt Hamilton
Baron Delamere and The Right Honourable
Diana Baroness Delamere 60.5 acres L.R. No. 9362/1
yearly Rent Shs. 1000/- Term. 99 years from 15th August, 1961.
If the Lessees or the survivor of them so long live.
Title I.R. 18722/1 subject to Nos. 2, 5, 6 above.

Presentation No. 421 Date of Registration 21.2.62 Registrar of Titles *Mackay*

9

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THIS TITLE
Instrument of Variation of Lease No. 9 above
(with other lands)

(I.R. 18722)

Presentation No. 1543 Date of Registration 28.3.1966 Registrar of Titles *Thomson*

Registrar of Titles *Thomson*

19 Discharge of Charge No. 15 above
in respect of L.R. No. 9362/3/1 only.

169 10.1.1974 Alan Miller

20 Discharge of Charge No. 3 above
in respect of L.R. No. 9362/3/1 only.

170 10.1.1974 Alan Miller

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Surrender to the Government of
the Republic of Kenya (in exchange
of a new grant LR 21006 in the said land)
166 bha (L.R. No. 9362/3/1 Subdiv Nos. 2, 5, 6 & 16) to be
Presentation No. 461 Date of Registration 11-4-75 Registrar

21

22

23

24

25

26

FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Death certificate of Thomas Pitt Hamilton

Presentation No. 520 Date of Registration 17-8-1979

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Withdrawal of Restriction no. 17 above

521 Date of Registration 17-8-1979

Grant of easement over the land written
of L.R. No. 9362/4 16/9493/1 for the benefit
of L.R. No. 13014 (big 429/8/1 and 9362/3/1)
D.R. 26006 subject to easements nos. 2, 5 and 16 above
and nos. 3 and 15 above roadway shown by dotted lines
on plan nos. 101631 and 101632 (through coloured red and annexed to
the Grant of easement). (With other lands)

Presentation No. 522 Date of Registration 17-8-1979

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Grant of easement over L.R. No. 9362/4
(comprising 18.946.5 ha less road reserve of 69.2 ha)
(the remaining portion of the above land)
and LR 499/9 (LR 368) for the benefit of L.R. No. 13014 (LR 26006)
and over L.R. No. 93014 (LR 26006) and for the benefit of L.R. No. 9362/4 the above land and L.R. No. 499/9 (LR 368)

Presentation No. 520 Date of Registration 17-8-1979

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Withdrawal of Restriction no. 17 above

Presentation No. 521 Date of Registration 17-8-1979 Registrar

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Deed of Appointment of New Trustees appointing
Jonathon Stewart Philip Coulson to place
of Michael Lewis Somer
(with other lands)

(31)

Presentation No. 14

Date of Registration 2-3-2009

Stated

Regd. No. C.S. Maina 238

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Discharge of Charge of No. 15 above.

(32)

Presentation No. 16

Date of Registration

2-3-2009

Stated

Regd. No. C.S. Maina 235

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Lease to Mewa Mills Limited. All that Campsite Comprising
262 Hect. bordered in red on the Plan regd. in Vol. D/F
Folio 219 File MMVIII. Term 35 Years from
27-5-2008

(33)

Presentation No. 18

Date of Registration

2-3-2009

Stated

Regd. No. C.S. Maina 235

-0
27
4

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Deed of Variation varying lease registered
as no. 30 above

(34)

Presentation No. 194

Date of Registration

4-08-2009

Regd. No.

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Lease to Soysambu Conservancy Limited. All that
Conservancy Area as shown on Plan regd. in Vol.
D, FOLIO 116 File MMVIII. Term 50 yrs from 1-5-2008
(less one day) Above (with lands).

(35)

Presentation No. 195

Date of Registration

4-08-2009

Regd. No.

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Lease to African Diatomite Industries Limited
Term 5 years one month from 1-8-2007. Annual
Rent 209,000/-

(36)

Gen. No. 196

Date of Registration

4-08-2009

Regd. No.

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Deed of Variation of Lease
No. 30 above.
(with other lands)

(37)
38

1681

Date of Registration

14-9-2009

B. P. ATIENO

208

THE FOLLOWING INSTRUMENT HAS BEEN REGISTERED AGAINST THE TITLE
Lease to Soysambu Conservancy Limited. All that the Conserva-
tancy Area. as shown on the Plan regd. in VOL. D, FOLIO 116 File
MMVIII. Term 50 years from 1-5-2008 (less the last one(1) day).
(with other lands). VIDE 18/11/9983

(38)
39

1682

Date of Registration

14-9-2009

B. P. ATIENO

208

1038
11

NAKURU COUNTY GOVERNMENT

LAND, HOUSING AND PHYSICAL PLANNING

FORM PPA 2

THE PHYSICAL PLANNING ACT, 1996



REGISTRATION NUMBER OF APPLICATION NO: NCG/LHPP/DP/115

NOTIFICATION OF APPROVAL OF DEVELOPMENT PERMISSION.

1. Sub.-division -
2. Change of user-
3. Extension of user - PROPOSED EXTENSION OF USER ON L.R. NO. 9362 – WEST OF GILGIL TOWNSHIP FROM AGRICULTURAL TO INCLUDE PUBLIC PRPOSE CEMETARY.
4. Extension of Lease -
5. Development Plan -
6. Amalgamation -

SOYSAMBU CONSERVANCY LIMITED

P.O. BOX

NAKURU.

Your application, numbered as NCC/LHPP/DP/115 above submitted on 27TH JULY, 2016 seeking permission to EXTEND USER ON PARCEL NO. L.R. NO. 9362 – WEST OF GILGIL TOWNSHIP FROM AGRICULTURAL TO INCLUDE PPUBLIC PURPOSE (CEMETARY) situated at WEST OF GILGIL TOWN within GILGIL - SUB COUNTY was approved by the Technical Committee Meeting held on 3RD NOVEMBER, 2016 vide Minute No 3/11/2016 (Applications for Development) Appendix (i) item No. (1) subject to the following conditions:-

- a) To obtain a certificate of compliance from the County Physical Planning Officer.
- b) Provided the plot is not part of the disputed public utility/private land that is earmarked for Repossession or private plot acquired illegally.
- c) To Ensure roads are left free of encroachment
- d) This approval is not proof of ownership.
- e) To ensure that the development shall be limited to Public Purpose (Cemetary) use only, while you are expected provide sufficient parking within the plot and to ensure you adhere to Public Health Regulations.
- f) Adherence to NEMA regulations.
- g) Any other condition the National Lands Commission may deem necessary.
- i) To adhere to all legal requirements related to this application.

Date: 18/11/2016

Signed:.....

FOR: COUNTY SECRETARY

Copy to: The Director of Physical Planning, NAIROBI
The National Lands Commission, NAIROBI
The Director of Surveys, NAIROBI
The Land Registrar, NAKURU



NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY

Mobile Lines: 0724-253 398, 0723-363 010, 0735-013 046
Telkom Wireless: 020-2101370, 020-2183718
Incident Lines: 0786-101100, 0741-101100

P.O. Box 67839, 00200
Popo Road, Nairobi, Kenya
E-mail: dgnema@nema.go.ke
Website: www.nema.go.ke

NEMA/TOR/5/2/265

18TH MAY, 2021

Valhalla Limited
P.O. Box 25230-00606,
NAIROBI

**RE: ACKNOWLEDGEMENT AND APPROVAL OF TERMS OF REFERENCE
(TOR) FOR ENVIRONMENTAL IMPACT ASSESSMENT**

We acknowledge the receipt of TOR for the above subject.

Pursuant to the Environmental Management and Coordination Act, 1999 the second schedule and the Environmental (Impact Assessment and Audit) Regulations 31 and 35, your terms of reference for the Environmental Impact Assessment (EIA) for the proposed **RIFT VIEW MEMORIAL PARK
(CEMENTRY) WITHIN SOYSAMBU ALONG MBARUK ROAD IN NAKURU
COUNTY** has been approved

You shall submit ten (10) copies printed on both sides, a soft copy summarised version of the ESMP in **WORD** form and one electronic copy of your report prepared by a registered expert to the Authority.

MARRIAN KIOOKO
HEAD EIA SECTION

**MINUTES OF THE PUBLIC PARTICIPATION MEETING HELD ON 2ND JUNE 2021
AT THE PROPOSED RIFT VIEW MEMORIAL PARK (L.R NO. 9362/7) FROM 10 AM.**

PRESENT

The meeting was attended by 54 persons (list of attendees attached herein).

AGENDA

1. Preliminaries
2. Introduction
3. Project description
4. Issues and Responses
5. Adjournment

Min 1/21: Preliminaries

The meeting was called to order by Mr. Peter Macharia Ithagu (Consultant) at 10:31 A.M. Mr. Macharia thanked everyone for attending the baraza and welcomed them all.

The meeting was opened with a word of prayer from Mr. Harun Njogu Maina.

Min 2/21: Introduction

Mr. Macharia introduced himself and gave a brief description of the proposed project. He then went on to give the statement of purpose. He informed the attendees on the need for them to candidly and honestly give their views as this was the most critical stage for them to raise any issues for consideration before implementation of the project. Mr. Macharia then invited the area chief to give his opening remarks and introduce other officials accompanying him. The area chief, Mr. Joseph Mwangi introduced;

1. Mr Zacharia Ngigi (Assistant chief Mbaruk sub-location),
2. Mrs Felicia W. Mugambi (assistant chief Kasambara sub-location)
3. Grace Kamau (Community Development Agent)
4. Joseph Nderitu (Representative Kingdom Seekers Fellowship)
5. Amos Mara Mwanjala (Chairman Mereroni/Mbaruk WRUA)

The chief thanked the attendees for turning up for the forum. He stated that due to the sub-division of land in the area, there have been increased need for burial ground. He then proceeded to say that he had on several occasions raised the issue of the need for a cemetery and even proposed it to Delamere Estates to consider donating land to the community for use as a cemetery. He further stated that he was aware of several other requests for cemetery land made to Delamere Estates by various parties in the past.

The area chief cited land fragmentation and increased population being major reasons why people lack land to bury their dead. He then mentioned the importance of the baraza as an arena for the people to air their views on the proposed project. He then stated the importance of the different representation among the attendees. Different groups will air out different issues which will be dealt with before the implementation of the project. The chief then welcomed the sub-chiefs to introduce themselves.

Mrs. Feliciah, the sub-chief Kasambara sub-location introduced herself and urged the people to really air out their opinions regarding the development of the proposed project.

Mr. Zachariah Ngigi, the sub-chief Mbaruk introduced himself and stated land fragmentation as the major reason for lack of land to bury the dead hence the need for the implementation of the proposed development project thereby agreeing to its implementation. He then brought up the need for the investors to ensure corporate social responsibility upon the implementation of the project.

The Chief then took over and introduced the members in attendance. The Kasambara sub-location representatives were more than the Mbaruk representatives as much of the area for the proposed project lies within Kasambara sub-location. The chief then introduced the Chairman of the development committee, Kingdom Seekers Fellowship (who also have interest of developing a major mixed development in the location), Mr. Joseph Nderitu.

Mr. Nderitu stood up, introduced himself and thanked those in attendance for taking their time to attend this important meeting that would have bearing on the development of the area. He then cited unavailability of land to bury the dead as the major need for the project and then went on to support its implementation. Being a developer too, across the road from the proposed project site, Mr. Nderitu stated that the partnership between themselves and the developers will always be intact. The chief then called on the next speaker.

The Community Development Assistant (Mrs Grace Kamau) introduced herself then went on to thank the developers for coming up with the idea of the project as it will stand to benefit many who have no land to bury their loved ones in the area.

The chief then called on the next speaker the Chairman to Kasambara Development introduced himself and stated the problem of unavailability of land to bury the dead as a major issue in the County and hence the need for the proposed development project. He then thanked the developers for coming up with the project and bringing it to the area.

Ms Sarah, the MCA representative was the next speaker. Mrs. Keroke, on behalf of the MCA requested that the developer furnish him with necessary documents showing how the community will benefit from the proposed development.

The Chairman of Mereroni/Mbaruk Water Resources Users Association, Mr. Mwanjala was the next speaker. He urged the developer to ensure the protection of the environment throughout the phases of the project. He specifically requested the developer to join hands with the Association in the protection and conservation of the Kasambara river that traverses through the project land.

Min 3/21: Investors

Mr. Macharia, the Consultant, took over the meeting once again. He welcomed the developer to give more details on the proposed project. Mr. Simon Mwendwa (Director Valhalla Limited) welcomed and thanked all those present for their attendance. He thanked the community for the support that had been accorded them so far. He then brought up the need for the project. Land fragmentation reduces land to very small-sized plots in which dead people cannot be buried in as per the existing public health laws and guidelines. He told the community that proposed project will be open to the public and not any particular group. He stated that their aim is to develop a well managed resting place for deceased loved ones.

He then asked for cooperation of the people saying the project is going to be a joint effort where both the developer and the community stand to benefit. He recognized the baraza as a forum for collection of public views and opinion. He further emphasized the importance of the project. Mr. Simon then invited Mr. Paul Phillips (developer representative) to address the gathering.

Mr. Phillips thanked the attendees for attending and urged the people to air their views in order for them to be addressed.

Mr. Macharia took over the meeting once again, thanked people for being welcoming to development projects in their locality citing the establishment of a

LPG refill facility in the location as an example. He further emphasized the need for the community to air their views and concerns at this point and urged the people to speak out on any issues that may affect them as a result of the implementation of the proposed project. He reiterated that the meeting was not meant to endorse the project but rather to give the community an opportunity to have their issues and concerns addressed while at the same time giving their input into the project. He then opened the floor for the people to air their views.

Min 4/21: Issues and Responses

The chairman Kasambara Development (Mr. Elijah Irungu Mwangi) was the first to speak. He thanked the people for attending and thanked the developers for bringing the development idea to the area. The chairman brought forth the following:

- Environmental impacts that will arise from the implementation of the project should be addressed
- Community members to be involved in project and be given jobs
- Project plans and designs to be made clearer to the people
- An access road to be provided through the Delamere Estates land connecting the area to the main road
- Infrastructure to be developed as the project goes on.

The developer responded saying:

- The project will ensure very minimal environmental degradation. The proposed building will be situated on the rocky areas to minimize clearance of vegetation. The community was then shown the proposed development plans and the siting of various facilities and structures. Project plans were passed around to the people and the people were assured that the graveyards will only be located on the lower grounds away from peoples' homes. There will be a buffer between the graves and people's homes. structures will be set up on rocky grounds while the graves will be on the lower sandy grounds
- The project will ensure to bring about development in the area and it will employ local people. The developer further informed the meeting that the security guards and artisans involved in the project so far were all drawn from the local community.
- Mr. Simon informed that meeting that It will not be possible to have a road through the cemetery as that is private property. He however urged local leaders to team up with Valhalla Limited to make a formal request to Delamere estates for an access road.

- The cemetery will be open for everybody and the community members will be charged a lower rate to bury the dead as compared to people who are not from around the area

On his part, the former chairperson Kasambara Welfare, Mr. John Mwaura Kinyanjui give his views as follows:

- The developers did not initially involve the public about the coming up of the project and they had to rely on rumors. He however thanked them for finally involving the community
- The project to involve the local people and the jobs to be given to the locals
- The project to ensure economic growth of the area
- The chair brought up the issue of the access road again
- The developer was asked to provide space where locals can carry out some business activities during funerals
-

The developer responded saying:

- The project will ensure to involve the local community
- The issue about the access road will be raised to the land owners
- More than 25 m riparian land has been set aside to allow for the community to access the river crossing through the project area.

Mr. Njuguna was the next speaker. His views were as follows:

- He thanked the developers for bringing the project to the area as it will provide land to bury the dead.
- He reiterated the need for the project
- He emphasized the need for the access road connecting the area to the Nakuru-Nairobi highway
- He asked the community not to engage in politics with respect to the proposed development as this may discourage potential investors

A member (Mr. Alexander Kuria Kabari) asked about cremation activities and wanted the developers to offer employment opportunities. The developer assured the people that the project will involve the locals. On the issue of cremation, the developer said that it will take some time before cremation activities begin as this will depend on the demand. He further stated that the developer will use the best available cremation technology to minimize environmental impacts.

Mrs. Elizabeth Mukundi thanked the developer for the project and requested for some land for people to set up shops. The developer said that there will be some establishments within the site to provide some auxiliary services such as snacks and water. The developer assured the attendees that these facilities will be rented out to locals. However, he stated that they are opposed to establishment of kiosks on the road reserve as this may cause other problems such as insecurity and littering. He further commented on the fee for the cemetery and said that this will be raised later on. He promised preferential rates for the local community. More details will be discussed with the community through the area chief and other local leaders.

Mr. Francis Wanyoike spoke next and his views were as follows:

- He thanked the chief and the sub-chiefs for the baraza
- He reiterated the need for the project
- He was appreciative of the promise for local involvement in the project
- He asked whether different denominations will be allowed to bury the dead in the cemetery
- He asked about the social amenities that will be available at the site

The developer responded to Mr Wanyoike by saying the cemetery will be open to people of all religions and denominations. Worship centres will also be available at the site for people to worship as they put their loved ones to rest.

Mr. Isaac Kamau inquired whether the developer could consider establishment of a hospital or mortuary within the site.

According to the developer it is not in their design to have a hospital or mortuary at the site as these will be incompatible. However, he said that this was a good idea and implored upon Mr. Nderitu (Kingdom Seekers Fellowship) to consider the proposal in their proposed mixed development.

The consultant opened the floor for further questions.

Mr. Francis Wanyoike inquired on the commencement of the project upon which the developer responded saying the project is projected to start as soon as all the approvals have been made and licenses acquired.

Mr. Richard Kariuki thanked the leaders for hosting the baraza and raised the issue of lack of water in the area. The developer said they are still debating on

whether they will be getting their water from a borehole which will be sunk upon approval or from NARUWASCO water mains running along Mbaruk road.

The Chairman Kingdom Seekers development committee (Mr. Francis Nderitu) was the last speaker of the day. He promised to involve the locals in their upcoming development project and offer them job opportunities. He suggested that a buffer (vegetation strip) be planted along the electrical fence to ensure privacy in the cemetery and minimize visual impacts. The developer said the buffer is already in the design of the project.

Min 5/21: Closing remarks

To end the meeting, Mr. Macharia, the Consultant asked the attendees their opinion about the implementation of the project. All the attendees raised their hands to show their approval for the project and pictures were taken.

The developer thanked all in attendance.

The Chief gave the closing remarks and thanked the participants for attending. The Chairman, Kingdom Seekers said the closing prayers after which the meeting came to an end at 1303 hours.

Min 6/21: Adjournment

The participants took group photos after which they were free to leave the site.

Minutes taken and prepared by:

Brenda Bikoro Gisemba

.....

Minutes confirmed by

Joseph K. Mwangi

Chief Mbaruk Location

Signature:.....

Date:.....

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Minutes taken and prepared by:

Brenda Bikoro Gisemba



Minutes confirmed by

Joseph K. Mwangi

Chief Mbaruk Location

Signature:

Date: 10/06/2021

SNR. CHIEF
J. K. MWANGI
MBARUK LOCATION

Date

10/6/21

Signature

Date: 10/06/2021



Wednesday, May 26, 2021

A/O Ecolink Services,
P.O Box 308-20100
Nakuru

Dear Sir/Madam,

**REF: PROPOSED CEMETERY 'Rift View Memorial Gardens' ON L.R. NO.
9362/7-Mbaruk**

In response to your request on the above subject, we would like to state that we have No Objection to the establishment of the proposed cemetery on the said land.



Robin Boyd-Moss
CEO
Soysambu Conservancy

EIA PUBLIC VIEWS QUESTIONNAIRE FOR PROPOSED CEMETERY

Introduction

We (Ecolink Services of P.O Box 308, Nakuru) have been contracted to conduct and compile an Environmental Impact Assessment (EIA) project report on behalf of the proponent. The developer intends to establish a cemetery on L.R No 9362/7, in Mbaruk Sub-location, Nakuru County. Part of the EIA process involves seeking views and opinions from persons and institutions close to the proposed project site. You are humbly requested to fill-in this questionnaire to enable us compile the report. Kindly note that the information you give shall be used only for the purpose of the environmental report to be submitted to the National Environment Management Authority (NEMA). Your cooperation is highly appreciated.

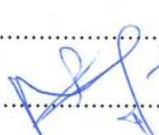
1. Are you aware of the proposed cemetery? Yes.....
2. What benefits do you think will arise from the proposed development?
 - a) Employment opportunities.
 - b) Community space for the burial of loved ones.
 - c) Revenue value addition.
 - d) Eradication of insecurity along the stretch.
3. What problems/negative impacts (if any) do you think will result from the proposed development?
 - a) Negative cultural beliefs.
 - b)
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a) Creation of awareness on the modern facility.
 - b) and social positivity.
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No
If no, why?
.....
.....

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: Samuel KARIKARI Muri

Designation: MCA ID/Telephone No 11187031

Name of Institution:

Address: 2000 907-20100 Signature/Stamp: 

Thank you!

Return your filled-in form to Ecolink Services, P.O Box 308 Nakuru in sealed envelope or give it back to the agent who brought it to you

EIA PUBLIC VIEWS QUESTIONNAIRE FOR PROPOSED CEMETERY

Introduction

We (Ecolink Services of P.O Box 308, Nakuru) have been contracted to conduct and compile an Environmental Impact Assessment (EIA) project report on behalf of the proponent. The developer intends to establish a cemetery on L.R No 9362/7, in Mbaruk Sub-location, Nakuru County. Part of the EIA process involves seeking views and opinions from persons and institutions close to the proposed project site. You are humbly requested to fill-in this questionnaire to enable us compile the report. Kindly note that the information you give shall be used only for the purpose of the environmental report to be submitted to the National Environment Management Authority (NEMA). Your cooperation is highly appreciated.

1. Are you aware of the proposed cemetery? YES
2. What benefits do you think will arise from the proposed development?
 - a) *Ruuzini Grounds For The Local Community*
 - b) *Creation of Employment*
 - c)
 - d)
3. What problems/negative impacts (if any) do you think will result from the proposed development?
 - a) *Possible Encroachment to Riparian land*
 - b) *Dumping wastes on Riparian Land*
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a) *No plant trees along the river*
 - b) *To fence or members of reservoir/water*
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No

If no, why?

*for the benefit of the community surrounding
the cemetery*

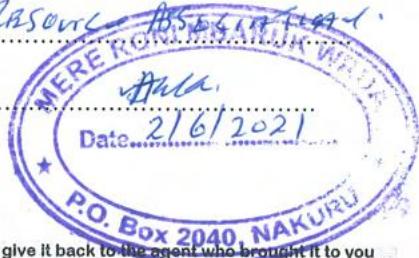
Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: *Amos MARA Mwangala*

Designation: *Chairman* ID/Telephone No *0713576033/0735591233*

Name of Institution: *MERERONI/MBARUK CLAYBURN RESOURCES LTD*

Address: Signature/Stamp: *A. Mwangala*



Thank you!

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EIA PUBLIC VIEWS QUESTIONNAIRE FOR PROPOSED CEMETERY

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1. Are you aware of the proposed cemetery? **YES**
2. What benefits do you think will arise from the proposed development?
 - a) *Assist people to Give last Respect to their loved ones.*
 - b) *Land Disinfecting - No burial sites.*
 - c) *The County will benefit - Bodies disposal in.*
 - d) *more decent & well organized sites.*
3. What problems/negative impacts (if any) do you think will result from the proposed development?
 - a) *As a school. Intending to have Girls Boarding, it may*
 - b) *have some psychological impacts in girls, due to its*
 - c) *proximity to Girls dorm.*
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a) *push it, after the Natural stream -*
 - b)
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No

If no, why?

.....

.....

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: *Mrs. Rotich H. David*

Designation: *Principal* ID/Telephone No *0726774000*

Name of Institution: *The Lady Ann Delamere sec*

Address: *738-20100 Nakuru* Signature/Stamp: **THE PRINCIPAL**

**THE LADY ANN DELAMERE SEC. SCHOOL
P. O. Box 738-20100, NAKURU**

Date: *27/5/21* Sign: *[Signature]*

Thank you!

4 EIA PUBLIC VIEWS QUESTIONNAIRE

Introduction

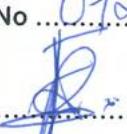
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1. Are you a resident of this area? YES.....
2. What benefits do you think will arise from the proposed cemetery?
 - a) JOB OPPORTUNITIES TO THE RESIDENCE.
 - b) RECREATION FACILITIES.
 - c) AFFORDABILITIES AND ACCESSIBILITIES OF THE SERVICES.
 - d) INTERACTION AND AVAILABILITIES OF SOCIAL AMENITIES.
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a) FEAR OF MACS GRAVES WITHIN COMMUNITY.
 - b) FEAR OF SPIRITS OF THE DEAD.
 - c) ENVIRONMENTAL IMPACT ON DESTRUCTION OF NATURAL.
 - d) VEGETATION IN TREES.
4. Suggest measures to mitigate problems in question 3 above.
 - a) COMMUNITY EDUCATION.
 - b) AVOIDING TOTAL DESTRUCTION OF THE NATURAL.
 - c) VEGETATION.
 - d) INVOLVING THE COMMUNITY IN THE PROJECT.
5. In your opinion, should the project be implemented? Yes No

If no, why?

YES.....

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: FELIX KENYAU..... ID/Telephone No: 0726534813.
Address: 184 RONGAI..... Signature/Stamp: 

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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

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1. Are you a resident of this area? *yes*
2. What benefits do you think will arise from the proposed cemetery?
 - a) *The land will develop and increase of price*
 - b) *It is the benefit the community*
 - c) *It will employ some in the community*
 - d)
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a) *It will be noise pollution with the area*
 - b)
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a) *maybe the services will be conduct at day time*
 - b)
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No
If no, why?
yes

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: Sammy A. mafuta ID/Telephone No 0717593541

Address: Signature/Stamp: *[Signature]*

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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

6

Introduction

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1. Are you a resident of this area? YES
2. What benefits do you think will arise from the proposed cemetery?
 - a) Growth of trade activities.....
 - b) Creation of employment for the people.....
 - c) Room to bury the dead for those without land.....
 - d)
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a)
 - b)
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a)
 - b)
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No

If no, why?

.....
.....
.....

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: FRANCIS IL GATHINGIRA ID/Telephone No 0726862857

Address: Signature/Stamp:

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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

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1. Are you a resident of this area? yes
2. What benefits do you think will arise from the proposed cemetery?
 - a) cost effective
 - b)
 - c)
 - d)
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a) not all residents will accept
 - b) will create fear
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a) community awareness about the benefit
 - b) of putting a cemetery there
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No

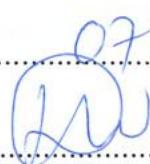
If no, why?

Will save time instead of going to town

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: MACCAN ESTHER ID/Telephone No 0711209687

Address: Signature/Stamp:



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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

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1. Are you a resident of this area? *FES*
2. What benefits do you think will arise from the proposed cemetery?
 - a) *It will offer a better place for the*
 - b) *band of their ~~nearest~~ loved ones*
 - c) *If will ease distance since it is close*
 - d) *to the residents*
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a)
 - b)
 - c)
 - d)

FF/A
4. Suggest measures to mitigate problems in question 3 above.
 - a)
 - b)
 - c)
 - d)

FF/A
5. In your opinion, should the project be implemented? Yes No

If no, why?

.....
.....
.....

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: Mary Wangare ID/Telephone No 0720 090 80

Address: Signature/Stamp: MW

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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

9

Introduction

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1. Are you a resident of this area? YES
2. What benefits do you think will arise from the proposed cemetery?
 - a) Growth of trade activities
 - b) Infrastructural devt. in form of roads, electricity
 - c)
 - d)
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a)
 - b)
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a)
 - b)
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No

If no, why?

.....
.....
.....

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: Beatrice Kinyanjui ID/Telephone No 5644647

Address: Signature/Stamp: 

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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

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1. Are you a resident of this area? YES
2. What benefits do you think will arise from the proposed cemetery?
 - a)
 - b)
 - c)
 - d)

NONE
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a) Will bring fear of walking around the place
 - b)
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a) To not construct the cemetery
 - b) Civil education to the people
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No

If no, why?

The project will cause/bring fear when walking around at night

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: Grace Waithira ID/Telephone No 0791977625

Address: Signature/Stamp: 

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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

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1. Are you a resident of this area? *few*
2. What benefits do you think will arise from the proposed cemetery?
 - a) *The value of the land will increase*
 - b) *The area will develop*
 - c)
 - d)
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a)
 - b)
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a)
 - b)
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No

If no, why?

.....
.....
.....

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: *Mirka Muludi* ID/Telephone No

Address: *2040* Signature/Stamp: *Thabitha*

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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

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1. Are you a resident of this area? YES
2. What benefits do you think will arise from the proposed cemetery?
 - a) Expansion of trade activities
 - b) Development of the area
 - c) Creation of employment for the people
 - d) *
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a)
 - b)
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a)
 - b)
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No

If no, why?

.....

.....

.....

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: HENRY KORANJA ID/Telephone No: 0714360490

Address: Signature/Stamp: 

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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

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1. Are you a resident of this area? YES
2. What benefits do you think will arise from the proposed cemetery?
 - a) Creation of job opportunities
 - b)
 - c)
 - d)
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a)
 - b)
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a)
 - b)
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No

If no, whv?

.....

.....

.....

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: Samuel Njoroge ID/Telephone No 0745878575

Address: Signature/Stamp: 

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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

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1. Are you a resident of this area? Yes
2. What benefits do you think will arise from the proposed cemetery?
 - a) It will help those that cannot access a land.
 - b)
 - c)
 - d)
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a)
 - b) Nil
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a)
 - b) Nil
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No

If no, why?

.....
.....
.....

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: Christine Maina ID/Telephone No 0714797906

Address: Signature/Stamp:

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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

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1. Are you a resident of this area? *Yes*
2. What benefits do you think will arise from the proposed cemetery?
 - a) *It will promote healthy living within the area.*
 - b) *It will bring about interaction of different communities.*
 - c) *It will bring about interaction of different communities.*
 - d) *Proper sanitation.*
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a) *Poor sanitation.*
 - b) *.....*
 - c) *.....*
 - d) *.....*
4. Suggest measures to mitigate problems in question 3 above.
 - a) *Provision of wash areas at the cemetery.*
 - b) *To avoid the spread of diseases.*
 - c) *.....*
 - d) *Ensure enough water supply.*
5. In your opinion, should the project be implemented? Yes No

If no, why?

.....

.....

.....

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: *Jahn Chege* ID/Telephone No. *2313505*

Address: Signature/Stamp: *[Signature]*

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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

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1. Are you a resident of this area? *yes*
2. What benefits do you think will arise from the proposed cemetery?
 - a) *Development of the area*
 - b) *Infrastructure since the main road will*
 - c) *be constructed*
 - d) *Creation of job opportunities*
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a) *Soil Pollution*
 - b) *Water pollution*
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a) *Planting trees around the cemetery*
 - b) *Analysis of the soil profile before construction*
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No

If no, why?

.....

.....

.....

Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: *Denson Maina* ID/Telephone No *10216252*

Address: Signature/Stamp:

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Thank you!

EIA PUBLIC VIEWS QUESTIONNAIRE

Introduction

We (Ecolink Services of P.O Box 308, Nakuru) has been contracted to conduct and compile an Environmental Impact Assessment (EIA) study report on behalf of the proponent (Valhalla Limited). The developer intends to establish a cemetery within Soysambu Conservancy on L.R No 9362/7, in Mbaruk Sub-location, Nakuru County. Part of the EIA process involves seeking views and opinions from persons and institutions close to the proposed project site. You are humbly requested to fill-in this questionnaire to enable us compile the report. Kindly note that the information you give shall be used only for the purpose of the environmental report to be submitted to the National Environment Management Authority (NEMA). Your cooperation is highly appreciated.

1. Are you a resident of this area? YES
2. What benefits do you think will arise from the proposed cemetery?
 - a) NONE
 - b)
 - c)
 - d)
3. What problems/negative impacts (if any) do you think will result from the proposed cemetery ?
 - a) It will creates fear as I walk home
 - b) from night
 - c)
 - d)
4. Suggest measures to mitigate problems in question 3 above.
 - a) Do not construct the cemetery around
 - b) Peoples establishment
 - c)
 - d)
5. In your opinion, should the project be implemented? Yes No

If no, why?

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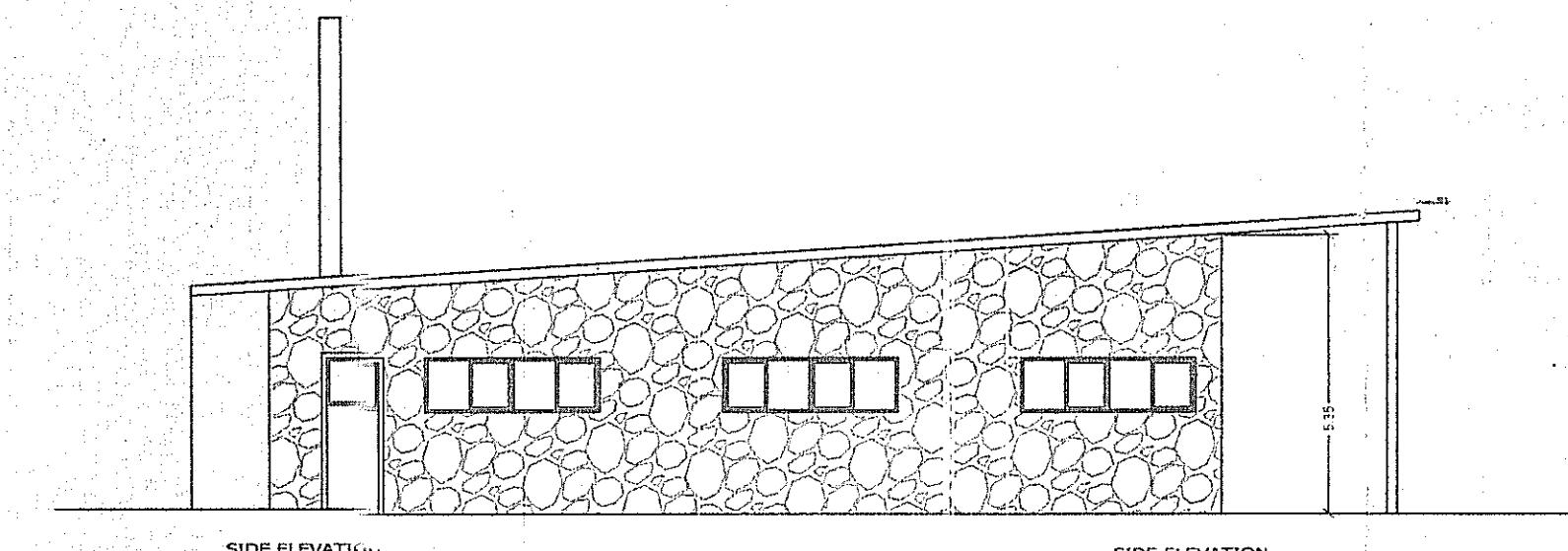
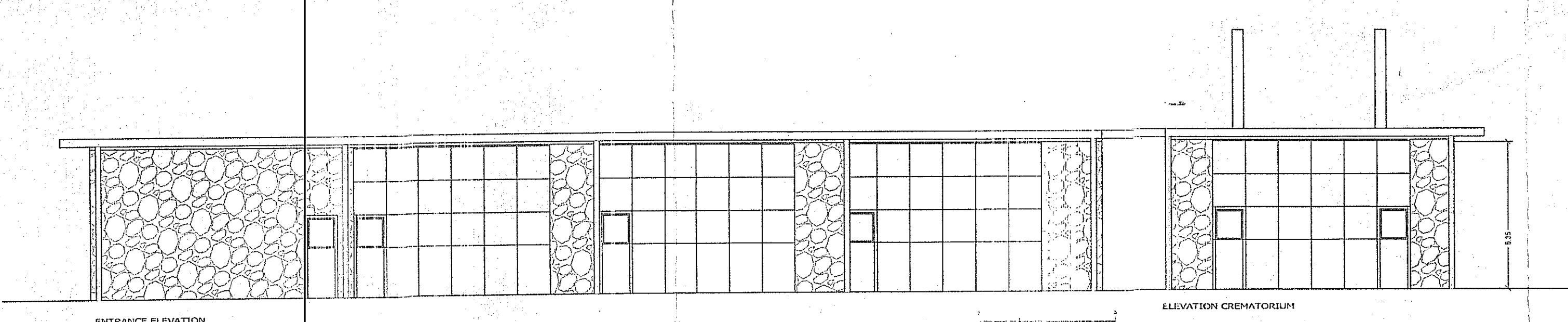
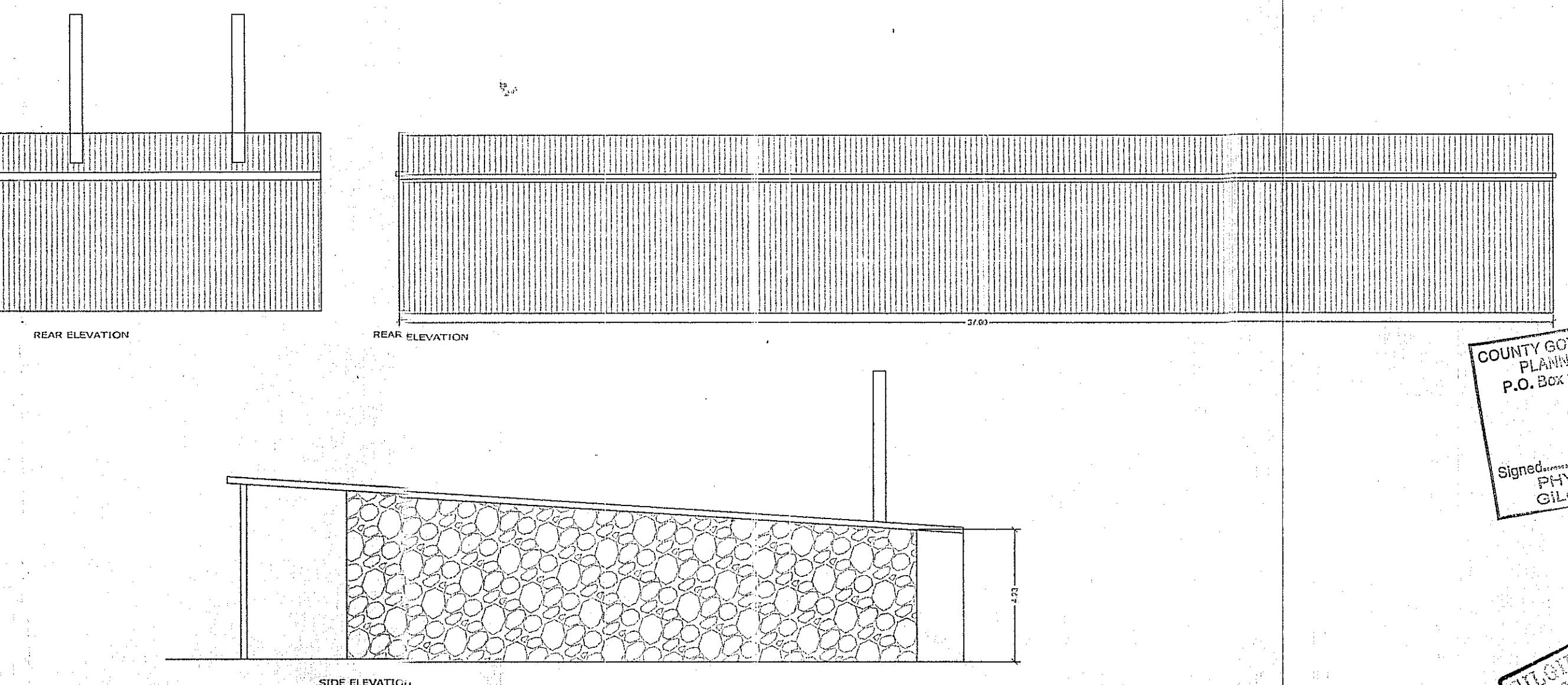
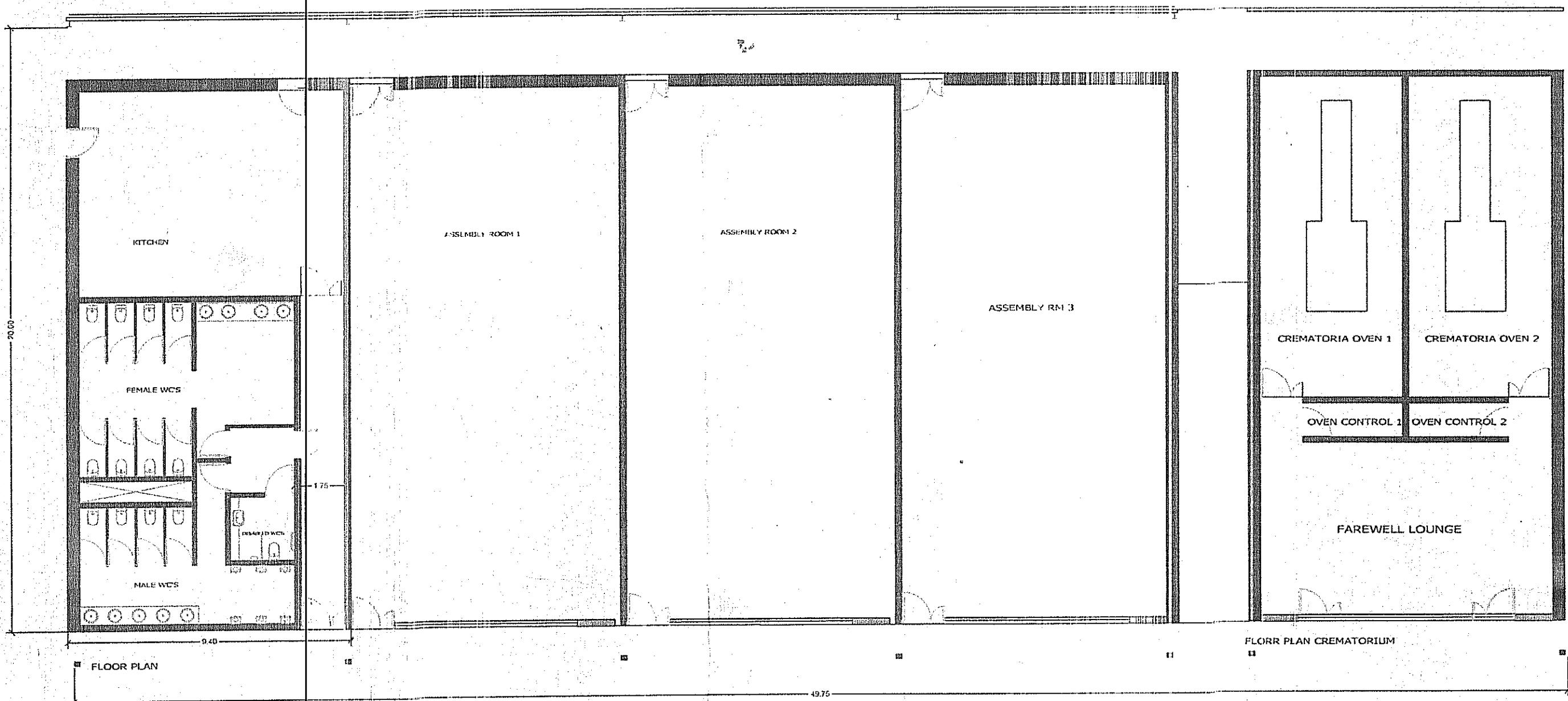
Personal details (The National Environment Management Authority (NEMA) requires us to provide details of the respondents as a proof of their participation. We request that you kindly provide your details in the section below).

Name: Ann Mbugua ID/Telephone No. 0725377270

Address: Signature/Stamp:

Return your filled-in form to Ecolink Services, P.O Box 308 Nakuru in sealed envelope or give it back to the agent who brought it to you

Thank you!



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5. Foundation depth to be determined on site.
6. All structural works to Engineer's details.
7. All foul water drainage and mechanical works to mechanical details.
8. All fire fighting systems to Mechanical Engineer's details.
9. Provide permanent ventilation on all windows and all doors except toilet / bathroom doors.
10. Provide mechanical ventilation to all toilets / bathrooms.
11. All manholes located on driveways to have heavy duty covers and to be double sealed.
12. Provide pearl interceptors to drainage of all parking and road areas.
13. Provide Three ply bitumen damp proof membrane under all slab level.
14. Provide 500 gauge polythene sheeting under all ground floors etc.

COUNTY GOVERNMENT OF NAKURU
PLANNING DEPARTMENT
P.O. BOX 2879 - 20100, NAKURU
07 APR 2021
Signed.....
PHYSICAL PLANNER
GILGIL SUB-COUNTY

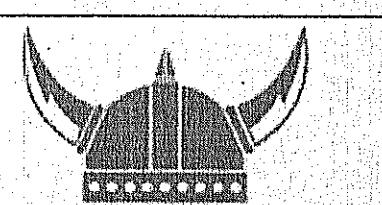
GILGIL SUE - GOLANI
RATES APPROVED NAKURU
Date: 27/04/2021

DEPARTMENT OF HEALTH SERVICES
GILGIL SUB-COUNTY
PUBLIC HEALTH OFFICER

29 MAR 2021

Checked & Approved
Sgn.....

COUNTY GOVERNMENT OF NAKURU
PLANNING DEPARTMENT
GILGIL SUB-COUNTY SURVEYORS
Box 2870-20100
26 MAR 2021



VALHALLA LTD

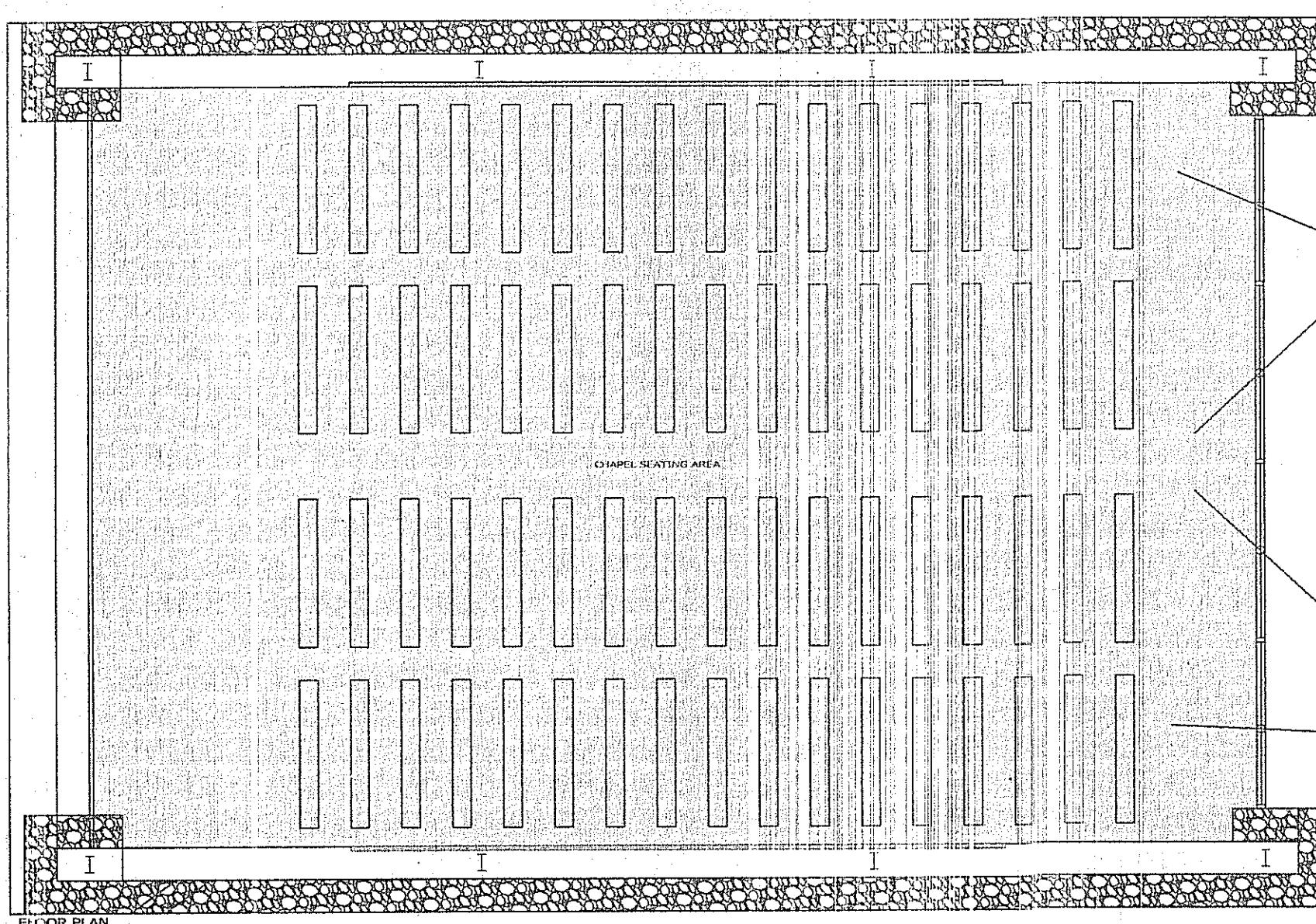


BUFFALO MALL
DEVELOPMENTS

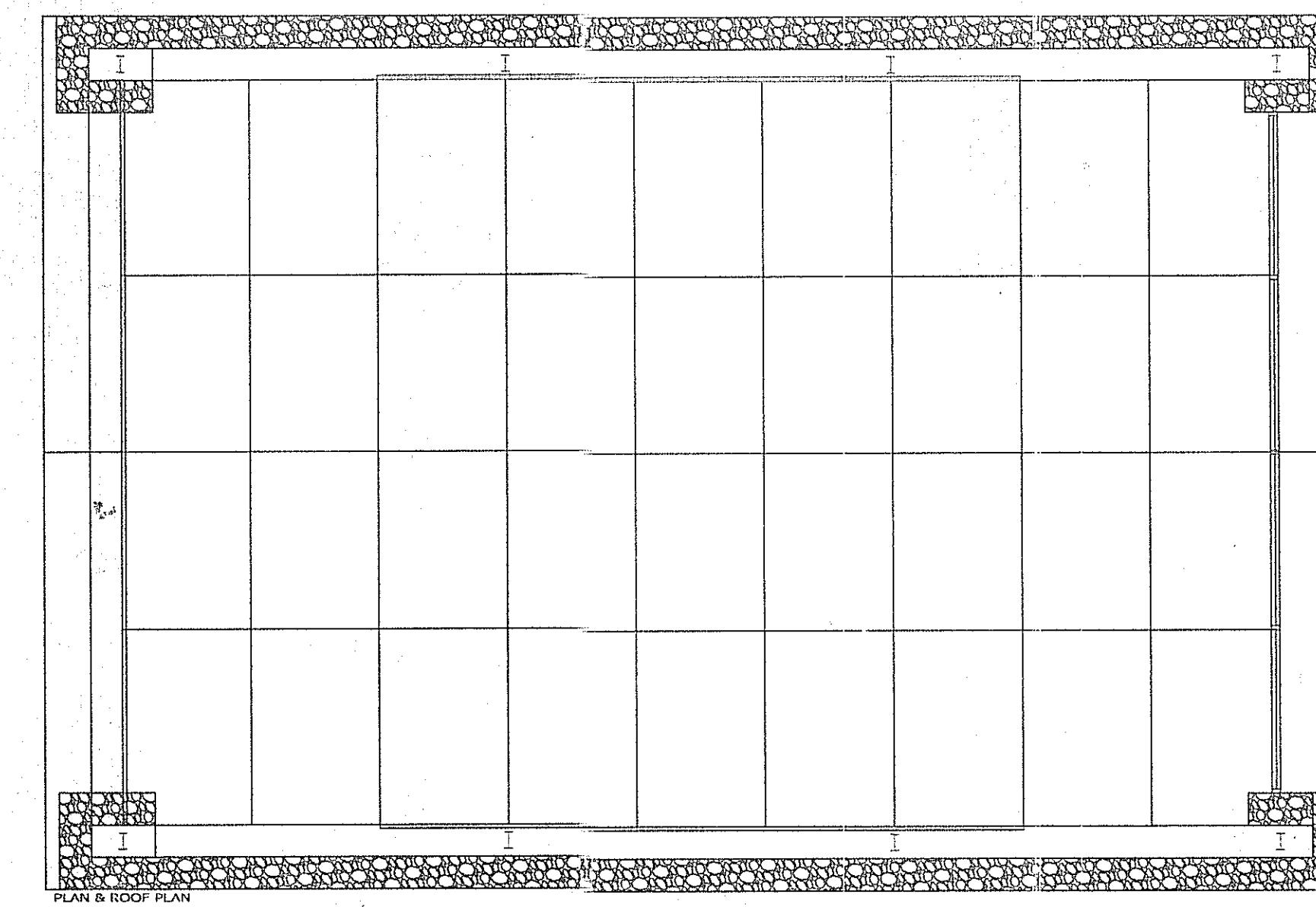
PROJECT TEAM:
Architects - Inter arch consult
SIGNED: Arch Julius Matasyo
A 607
Planning Application Drawing For Approval

PROPOSED CEMETERY AND FACILITIES, NAKURU

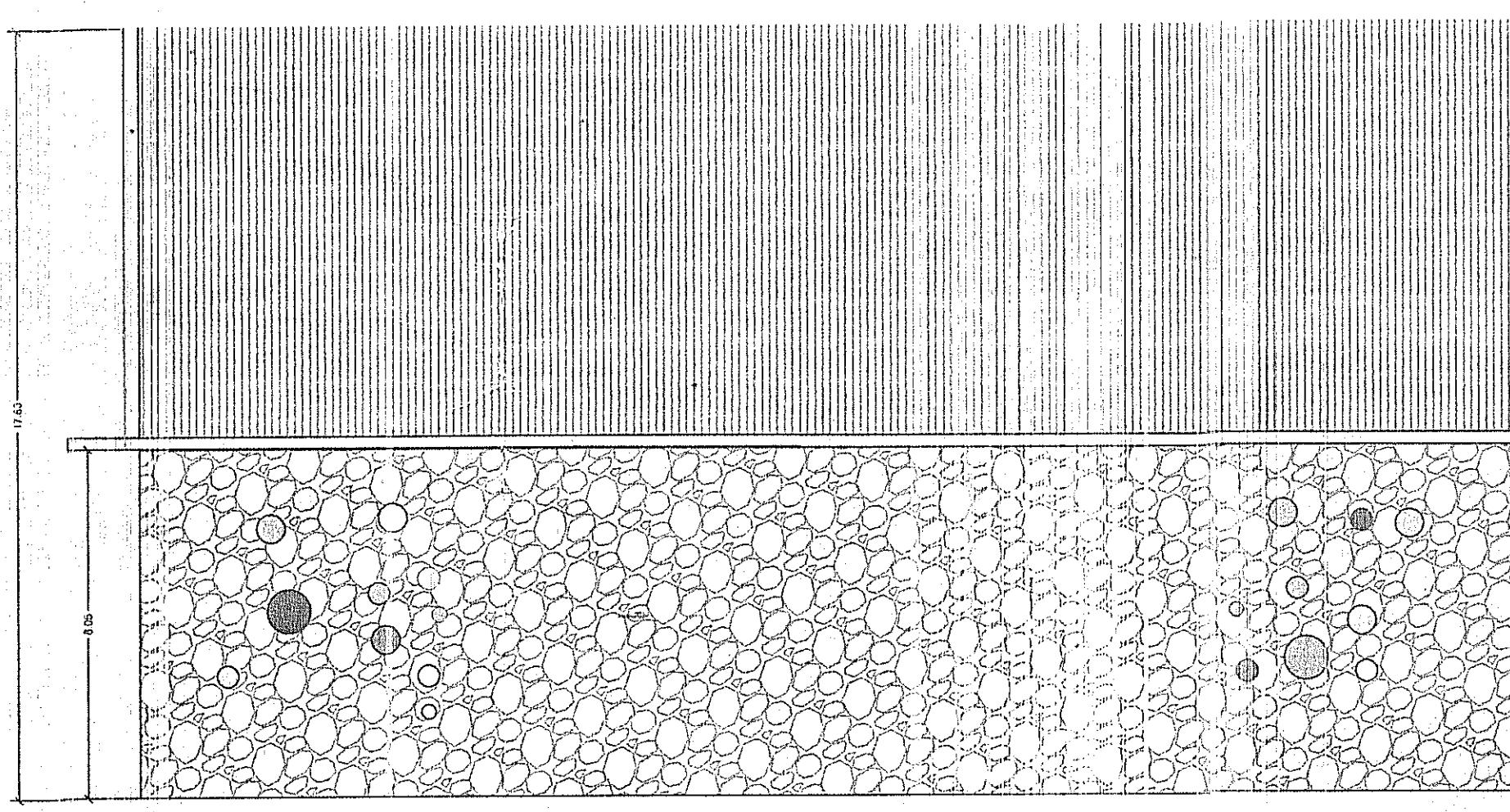
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| DRAWING TITLE ASSEMBLY BUILDING AND CREMATORIUM PLOT L.R. NO. 5362 NAKURU COUNTY | DRAWING No. A04 | | |
| SCALE | DATE 5/12/2020 | PROJECT No. | FILE NAME |



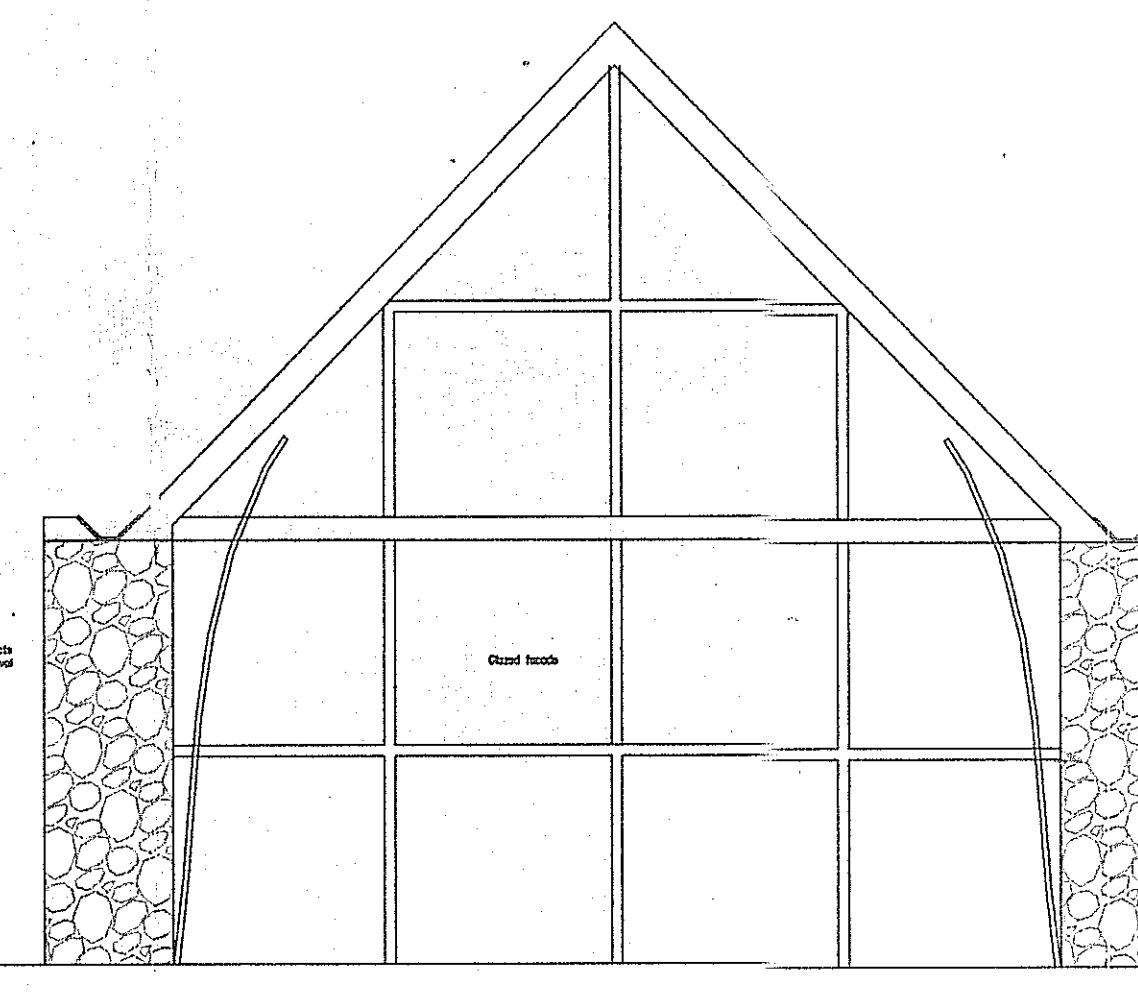
FLOOR PLAN



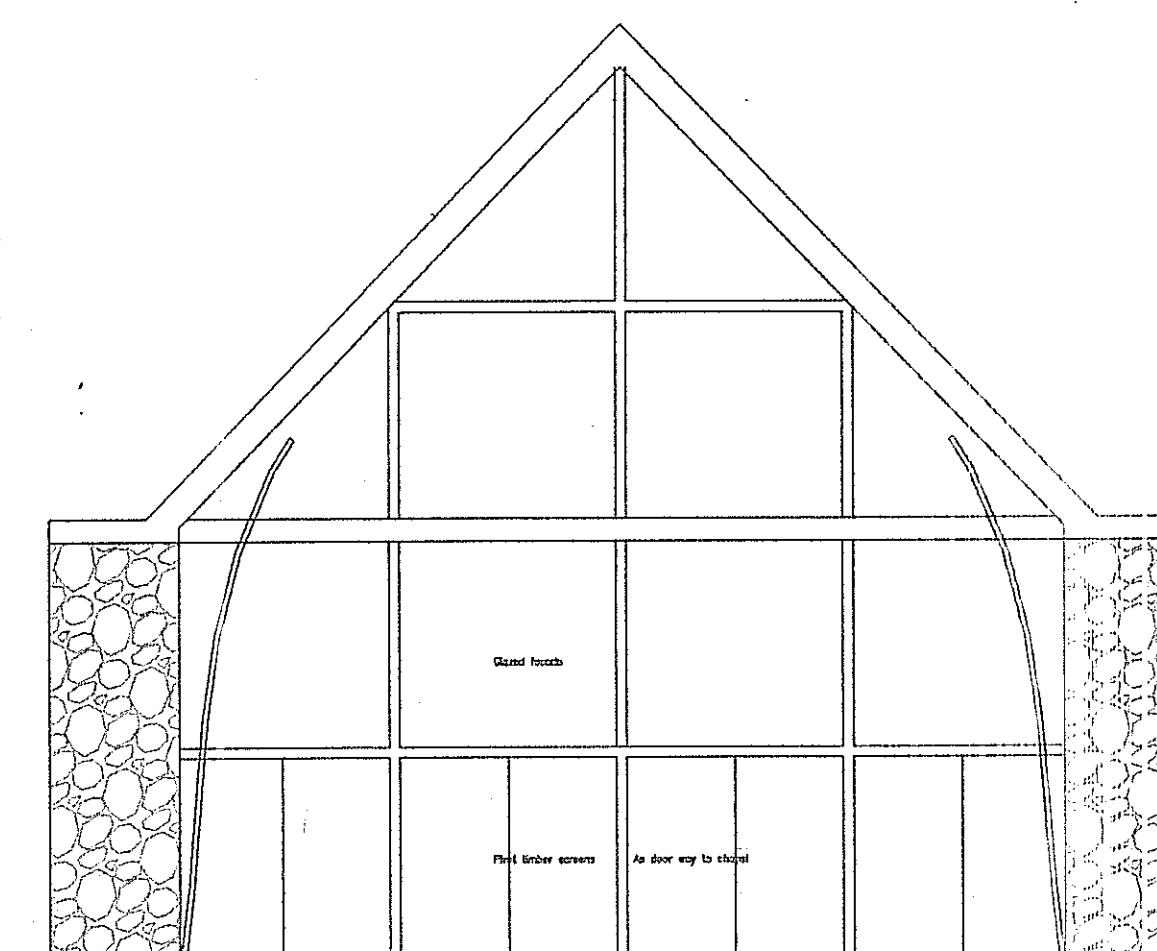
PLAN & ROOF PLAN



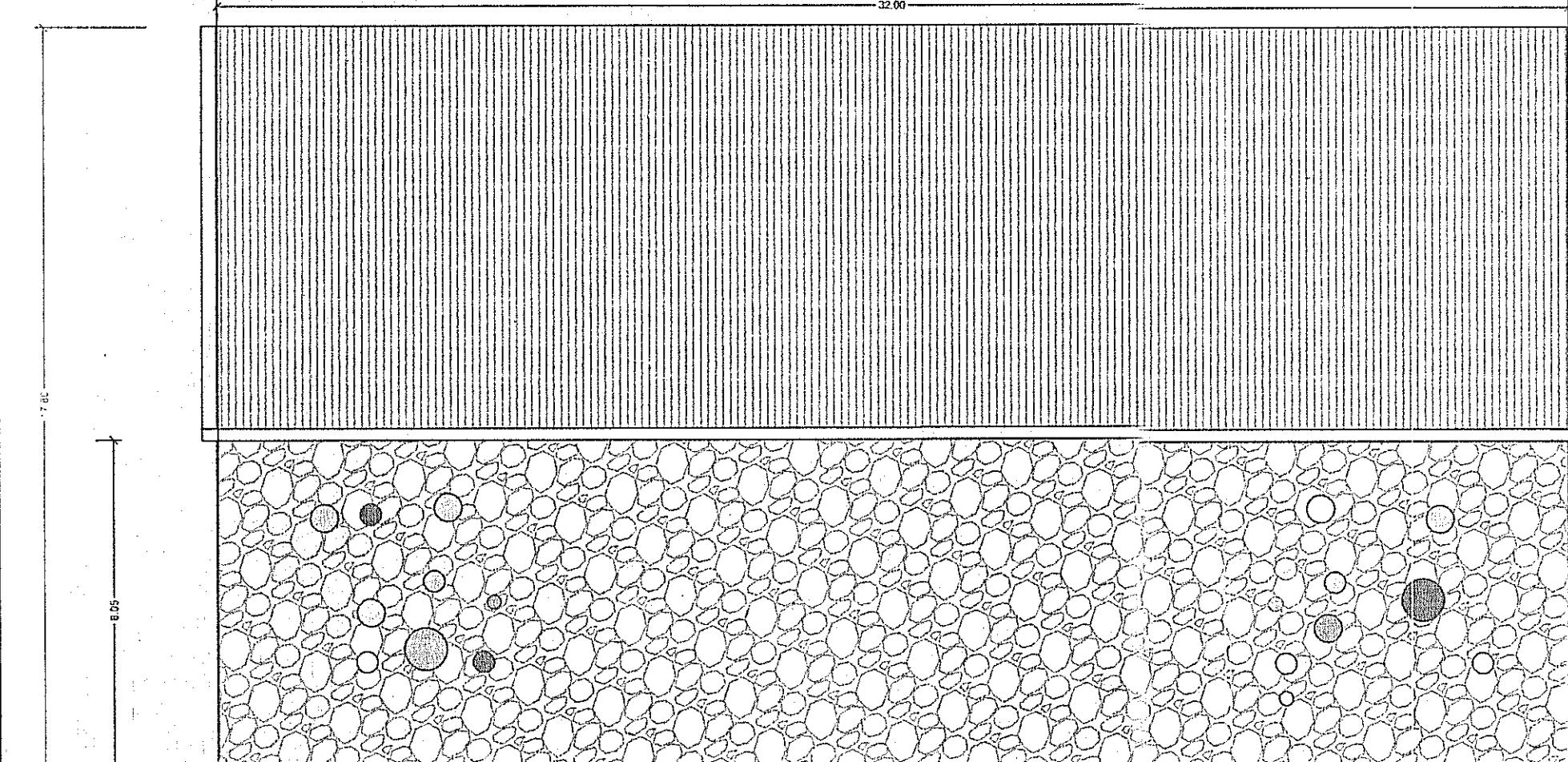
SIDE ELEVATION



PRIMARY ELEVATION



INTRANCE ELEVATION
MULTI FAITH CHAPEL DRAWING



SIDE ELEVATION

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- Provide pest interceptors to drainage of all packing and void areas.
- Provide Three ply bitumen damp proof membrane under all slab level.
- Provide 500 gauge polythene sheeting under all ground floor slab.

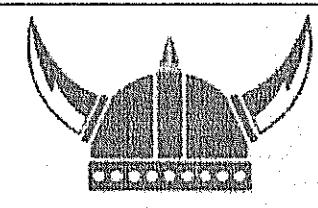
COUNTY GOVERNMENT OF NAKURU
PLANNING DEPARTMENT
P.O. BOX 2870-2942 NAKURU
07 APR 2021

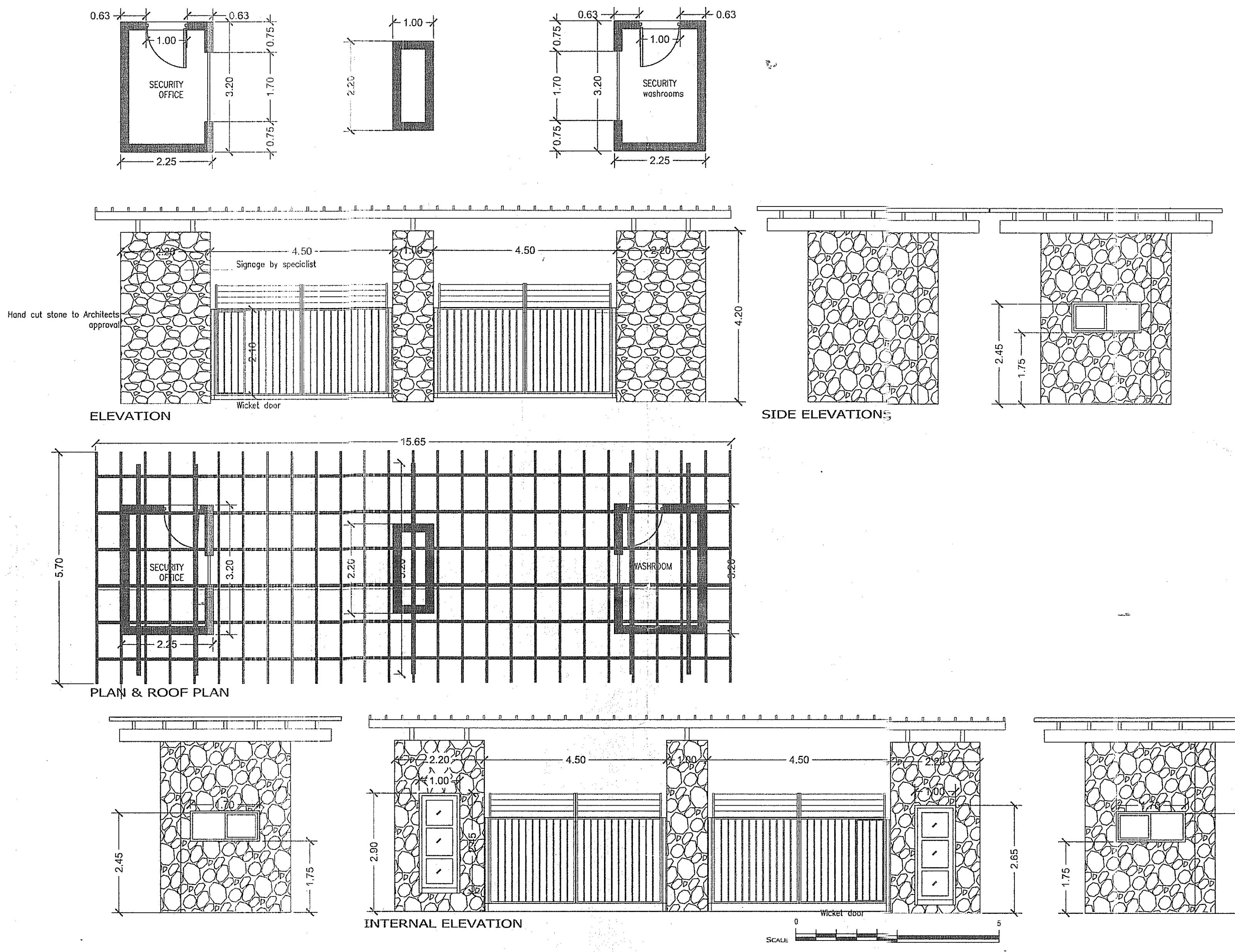
Signed:
PHYSICAL PLANNER
GILGIL SUB-COUNTY

CHIEF SITE ENGINEER
MASSA DRAFTER
Dated: 27/04/21

DEPARTMENT OF HEALTH SERVICES
GILGIL SUB-COUNTY
PUBLIC HEALTH OFFICER
29 MAR 2021
Checked & Approved
AM

COUNTY GOVERNMENT OF NAKURU
PLANNING DEPARTMENT
GILGIL SUB-COUNTY
NAKURU
26 MAR 2021

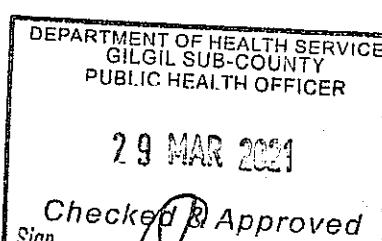
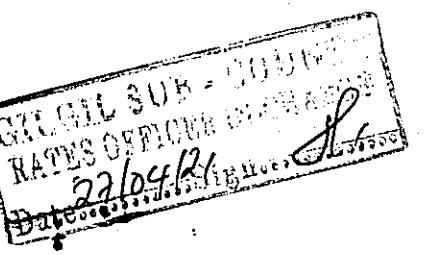
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| CLIENT |  VALHALLA LTD | | |
| DEVELOPER |  BUFFALO MALL DEVELOPMENTS | | |
| PROJECT TEAM: | Architects | - Inter arch consult - Arch Julius Matasyo A 607 | |
| SIGNED |  | | |
| PROJECT | PROPOSED CEMETERY AND FACILITIES, NAKURU | | |
| DRAWING TITLE | MULTI FAITH CHAPEL | | DRAWING NO. A03 |
| DET # L.R. NO. 9862 | | | |
| NAKURU COUNTY | | | |
| SCALE | DATE | PROJECT No. | FILE NAME |
| | 5/12/2020 | | |



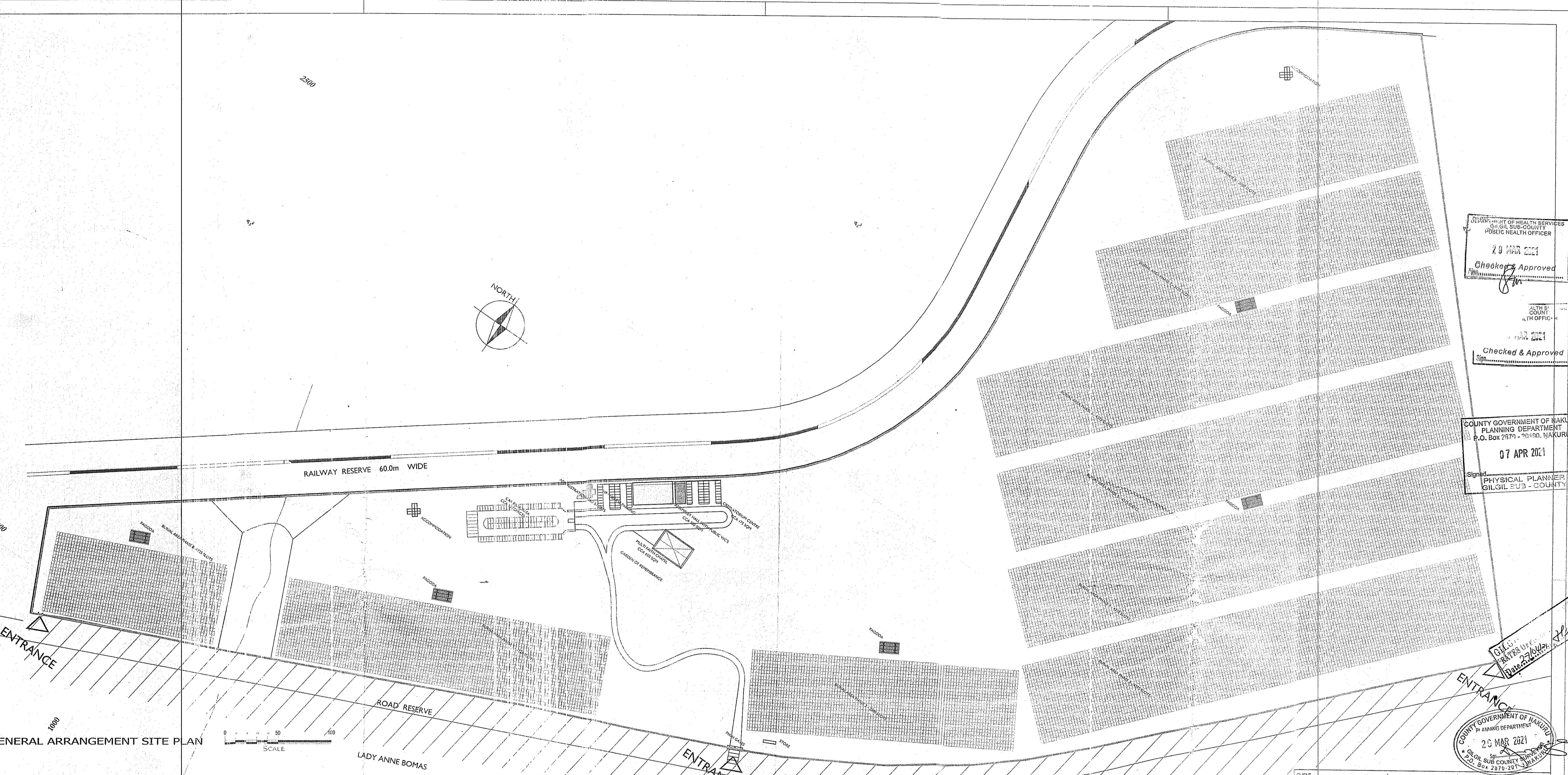
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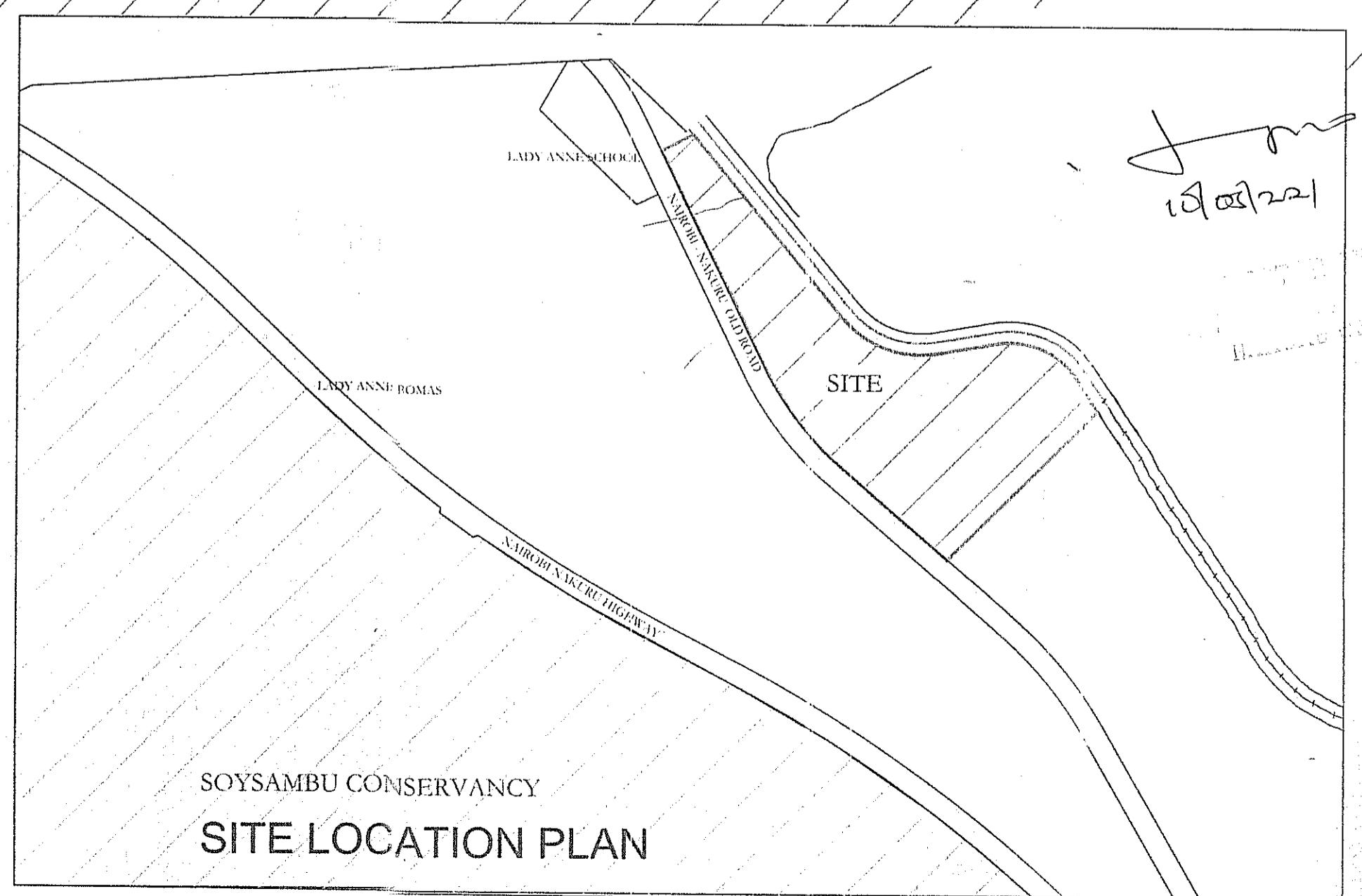
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| DEVELOPER | BUFFALO MALL DEVELOPMENTS | | |
| PROJECT TEAM | Architects | - Inter arch consult | |
| SIGNED | | - Arch Julius Matasyo A 607 | |
| Planning Application Drawing For Approval | | | |
| PROJECT | PROPOSED CEMETERY AND FACILITIES, NAKURU | | |
| DRAWING TITLE | MAIN ENTRANCE GATES | | DRAWING No. |
| PLAT L.R. NO. 5362 | | A02 | |
| NAKURU COUNTY | | | |
| SCALE | DATE | PROJECT No. | FILE NAME |
| | 5/12/2020 | | |

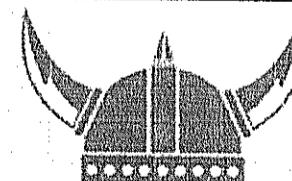
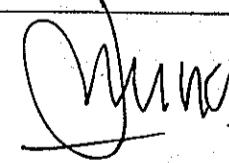


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| CLIENT |  VALHALLA LTD | | | |
| DEVELOPER |  BUFFALO MALL DEVELOPMENTS <div style="text-align: right; margin-top: -10px;">  </div> | | | |
| PROJECT TEAM: | Architects - Inter arch consult SIGNED - Arch Julius Matasyo A 607 | | | |
| Planning Application Drawing For Approval | | | | |
| PROJECT | PROPOSED CEMETERY AND FACILITIES, NAKURU | | | |
| DRAWING TITLE | SITE PLAN Plot L.R. No. 9262 NAKURU COUNTY | | DRAWING No. | A01 |
| SCALE | | DATE | PROJECT No. | FILE NAME |
| | | 5/12/2020 | | |