



## **NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY**

### **ENVIRONMENTAL SUSTAINABILITY GUIDELINES FOR MINISTRIES, DEPARTMENTS AND AGENCIES (MDAs)**

#### **Introduction**

We wish to bring your attention to the circular Ref. No. OP/CAB13/1/1A dated 16<sup>th</sup> November, 2017 issued by the Chief of Staff and Head of Public Service, Executive Office of the President, regarding the 14<sup>th</sup> Cycle Performance Contracting guidelines. A recommendation was made to reduce the number of cross cutting performance indicators that can be effectively implemented through existing enabling administrative and legal frameworks. Environmental sustainability Performance indicator falls in this category.

**Environmental Sustainability** – The purpose of this indicator is to ensure that MDAs in undertaking their mandates, integrate environmental considerations in their operations to fulfil the requirement of a clean, healthy and sustainable environment for all as per article 42 of the Constitution and EMCA Cap 387. This requires the adoption and maintenance of good practices that contribute to the quality of environment on a long term basis.

MDAs may undertake the following:

- Establish/operationalize environmental sustainability committee and hold committee meetings on a quarterly basis
- Undertake Environment Sustainability Audit and continue implementing their recommendations
- Submit quarterly reports on the implementation of Annual work plan activities. This is not mandatory but for agencies wishing to get feedback/assistance your continued engagement will be highly appreciated.

For further enquires and clarification contact the Director General on [dgnema@nema.go.ke](mailto:dgnema@nema.go.ke), Tel 0724 253398 P.O. Box 67839-00200 NAIROBI, POPO Rd, South C.

## MDAs Environmental Sustainability Audit Guidelines

The guidelines provide a framework/checklist for MDAs to carry out a self-environmental sustainability audit. For those MDAs that will prepare the Environmental Sustainability Audit report during the period, this guidelines suggests six focal environmental sustainability areas for intervention. Work plans must be guided by recommendations from environmental sustainability Audit.

Table. 1: Guidance to environmental sustainability activities and Audit reports

Focal Area	Justification	Areas of Audit	Output/indicators
1.Environmental Sustainability planning	<p>Environmental sustainability involves making decisions and taking action that are in the interests of protecting the natural resources, with particular emphasis on preserving the capability of the environment to support human life</p> <p>Sustainability means “meeting the needs of the present without compromising the ability of future generations to meet their own needs.”</p> <p>Sustainability is not an end goal, but a journey that MDAs should take to improve the social equity, environmental, and economic conditions in their jurisdiction.</p> <p>MDAs should explore the environmental issues within their operations, develop appropriate interventions and document the same in form of environmental sustainability policy</p>	- Development of an institutional workplace environment policy (outline on NEMA Website)	-Institutional environmental sustainability policy
		-Establishment of structures to address environmental issues	-Environmental sustainability committee in place
		- Adopting respect for the environment as a core value in the Service Charter	- Core value in the Service Charter
		-Contribution to preparation of State of Environment (SOE) reports and Environment Actions Plan (EAPs)	-Inputs to SOE and EAPs process
		<b>Compliance with the Environmental Impact Assessment (EIA) and Environmental Audit (EA) regulations, 2006)</b>	- EIA/EA reports submission acknowledgement/licenses
		-Submission to NEMA comments during EIA review (where applicable)	-Feedback on EIAs review
2. Waste management and Pollution control	<p><b>Solid waste</b></p> <p>Waste Management Regulations, 2006 provide for modalities for waste management including collection, segregation,</p>	<p><b>Compliance with Waste management regulations, 2006</b></p> <p>-Interventions on reducing, reusing, and recycling of waste in the respective</p>	<p>- Evidence of Waste Reduction, reuse and recycling initiatives</p>

Focal Area	Justification	Areas of Audit	Output/indicators
	<p>handling, transportation and disposal of various types of waste. The aim of the Waste Management Regulations is to protect human health and the environment. The regulations place emphasis on waste minimization, cleaner production and segregation of waste at source</p> <p>MDAs generate a lot of waste that if not properly handled lead to pollution and increase in waste dumps. Each MDA should demonstrate measures that control, prevents and reduce pollution to the environment</p>	<p>institutions</p> <p>-Proof of proper disposal of solid waste, air conditioners, asbestos and E-waste among others</p> <p>-Installation of waste segregation bins</p> <p>- Submission of annual environmental audit reports where applicable</p>	<p>- Evidence of contracted NEMA licensed waste handler or facility</p> <p>-Green procurement</p> <p>- Segregation bins</p> <p>-Environmental Audit Reports/Acknowledgment letter/licenses</p>
	<p><b>Effluent Discharge</b> This entails sustainable use of water, minimizing wastage and appropriate disposal of effluent</p> <p>The objective of the water quality regulations is to protect human health and the environment from negative impact of pollution from effluent discharge into the environment. The effective enforcement of the water quality regulations will lead to a marked reduction of water-borne diseases and hence a reduction in the health budget.</p>	<p><b>Compliance to Water quality regulations, 2006</b> Licensing of effluent discharges where applicable</p> <p>Water recycling, reuse and conservation</p> <p>-Construction, connection or operating a Sewerage treatment facility</p> <p>- Installation of Septic, soak pit and other sanitary methods of effluent control</p>	<p>-Effluent discharge license</p> <p>-Quarterly effluent analysis reports</p> <p>Evidence of water recycling, reuse and conservation measures</p> <p>-Evidence of payment for sewer connections</p> <p>-Septic, soak pit and other sanitary installations</p> <p>-Effluent discharge License issued by NEMA</p>
	<p><b>Noise pollution</b> This is addressed through activities or interventions towards prevention, control and abatement of Noise pollution</p>	<p>Measures to promote compliance to Noise and Excessive vibrations regulations, 2008</p>	<p>-Evidence of Measures to promote compliance to Noise and Excessive vibrations regulations</p> <p>-Noise Monitoring report</p> <p>-Compliance to Occupation Health and</p>

Focal Area	Justification	Areas of Audit	Output/indicators
	<p><b>. Air pollution:</b> Air pollution sources may be mobile sources (e.g. motor vehicles) and stationary sources (e.g. industries) as outlined in the Environmental Management and Coordination Act, Cap 387 to ensure clean and healthy ambient air.</p>	<p><b>Compliance to Air quality regulations, 2014</b></p> <ul style="list-style-type: none"> <li>- Number of fleet</li> <li>- Vehicle maintenance and servicing schedule</li> <li>-Training of drivers on professionalism</li> <li>-Indoor air quality</li> <li>-Equipment maintenance schedule</li> <li>-Measures to reduce air pollution</li> <li>-Property boundary ambient air quality</li> </ul>	<p>Safety regulations (OHS)</p> <ul style="list-style-type: none"> <li>-Maintenance and servicing schedules</li> <li>-Emission testing for mobile sources</li> <li>-Training report</li> <li>-Indoor air quality survey report</li> <li>-Stack emission report</li> <li>-Emission License</li> <li>-Report on Emission interventions</li> <li>-Assessment report on boundary ambient air quality</li> </ul>
<p>3. Climate change mitigation and adaptation (Refer to the climate change response strategy and action plan)</p>	<p>Climate change is the worst challenge of our time and is characterized by unpredictable weather patterns such as increased rainfall, temperatures, drought and hunger.</p> <p>Climate mitigation is any action taken to permanently eliminate or reduce the long-term risk and hazards of climate change to human life, property.</p> <p>Climate change adaptations entail how individuals, groups and natural systems can prepare for and respond to changes in climate or their environment. MDAs should take action to promote mitigation and adaptation to climate change.</p>	<p><b>Compliance to Climate Change Act, 2016)</b> Climate change adaptation and mitigation initiatives such as:-</p> <ul style="list-style-type: none"> <li>-Installation of energy saving devices, renewable energy, water harvesting,</li> </ul>	<ul style="list-style-type: none"> <li>-Energy Audit Report</li> <li>-Energy saving devices installed</li> <li>-Rain water harvesting structures in place</li> <li>-Water consumption trends</li> </ul>
		<p>Measures to control greenhouse gases</p>	<ul style="list-style-type: none"> <li>-Evidence of measures to control greenhouse gases emissions</li> <li>-Adoption of cleaner production technologies</li> <li>-Adoption of green technologies</li> <li>-Application of Clean energy</li> <li>-Use of solar devices, biogas and wind energy</li> </ul>
		<p>Mitigation and adaptation initiatives</p>	<ul style="list-style-type: none"> <li>-Evidence of mitigation and adaptation initiatives such as Rain water harvesting structures in place; water conservation initiatives</li> <li>- Vulnerability mapping</li> </ul>
		<p><b>Compliance to Controlled substances regulations, 2007;-</b> Importation, use and disposal of Ozone Depleting Substances (ODS)</p>	<ul style="list-style-type: none"> <li>-Measures in place on importation, use and disposal of ODS</li> <li>-NEMA ODS licensing</li> <li>-Green procurement</li> </ul>

Focal Area	Justification	Areas of Audit	Output/indicators	
4. Environmental ecological enhancement	<p>Many ecosystems have been degraded in Kenya over several decades of misuse and overuse.</p> <p>Ecological restoration is a valuable endeavor to ensure that degraded and destroyed natural ecosystems will be reestablished to levels where they once existed. The Constitution of Kenya (2010) demands that forest cover in Kenya be increased to at least 10%.</p>	<p><b>Compliance to the Conservation of biological diversity and benefit sharing regulations, 2006</b></p> <p>-Proof of Authority to access genetic resources</p>	-Permits to access genetic resources	
		Benefit sharing arrangements on utilization of biological and genetic resources	-Evidence of benefit sharing on utilization of biological and genetic resources -Biodiversity conservation initiatives CSR Initiatives	
		Activities toward increase of forest cover	-No. of trees planted and survived -Area covered	
	<p>Ecosystems such as wetlands are under threat from human activities. This leads to degradation and have to be restored to increase biodiversity, clean water, improve microclimate, improved economy etc.</p> <p>Some institutions near wetland are likely to be benefitting from the goods and services derived from the wetlands and hence the need to undertake activities toward enhancement of the same</p>	<p><b>Compliance to Wetlands, River banks, lakeshores, and seashore management regulations, 2009</b></p> <p>-Submission of Environmental Impact Assessment(EIA) / Strategic IA/SEA reports for new projects/programmes where applicable</p>	EIA/SEA Reports	
		Submission of EA reports	EA Reports	
		Environment management plans for forests, wetlands, coastal zone, Environment significant areas among others	-Draft/Approved Environment management plans -Wise use initiatives	
		Restoration of degraded sites	Size of degraded lands restored	
		Conservation of riparian reserve	Area of riparian reserves secured and conserved	
	5. Environmental education and awareness	<p>Environmental awareness entails understanding the fragility of our environment and the importance of its protection. The MDAs need to make all their staff aware of their relationship with the</p>	Sensitization of staff on Environmental sustainability	-No. of staff sensitized - Evidence of behavior change among staff -Programmes/activities for sensitization
			Sensitization of public/stakeholders on	No. of people/stakeholders

Focal Area	Justification	Areas of Audit	Output/indicators
	<p>environment from a social, ecological and economic perspective. The same understanding and awareness should be extended to other stakeholders and the local community.</p> <p>Promoting environmental awareness is an easy way to become an environmental steward and participate in creating a brighter future for our children. Environmental awareness evokes the necessity and responsibility of humans to respect, protect, and preserve the natural world from its anthropogenic (caused by humans) afflictions.</p>	Environmental sustainability	<p>sensitized</p> <ul style="list-style-type: none"> <li>- Proof of behavior change among Public/stakeholders</li> <li>-Proof programmes/activities for sensitization</li> </ul>
		Participation in environmental events with communities and schools	Evidence of Participation in environmental events
		Recognition of environmental champions	Evidence of appreciation of environmental sustainability champions
6. Promoting Environmental protection and conservation through partnerships with stakeholders	Sustainability requires participation of diverse stakeholders. A single institution cannot achieve much and needs to team up with others in joint projects. The MDAs could take advantage of partnerships to profile themselves as a way of giving back to the community through Corporate Social Responsibility (CSR).	-Environmental projects and activities undertaken through partnership with stakeholders	-Projects and activities undertaken jointly - MoUs
		Joint management plans	-MoUs -Joint work plans and budgets
		Corporate social responsibility (CSR) on environment	-CSR initiatives in place
		Partnerships with NEMA on Monitoring and inspections to ensure compliance with environment legislation	Report on areas of Partnerships with NEMA and other MDAs on Monitoring and inspections to ensure compliance with environment legislation -Minutes of meetings

NB: Reference may be made to EMCA, CAP 387 and regulations developed available on the NEMA website [www.nema.go.ke](http://www.nema.go.ke)

### **Outline of an Environmental Sustainability Audit report**

- Introduction:- Mandate of the MDA and how it relates to environment
- Areas/activities/project that must comply with EMCA, policies, relevant laws/regulation/ and focal areas
- The past and present impacts of the MDA on environment
- The responsibility and proficiency/ability/skill/ capacity of the MDA to deals with the impacts
- Existing internal control measures to identify and mitigate activities with negative environmental impacts
- Existing internal control mechanisms to ensure the workers' health and safety
- The existence of environmental awareness and sensitization measures including environmental standards and regulations, laws and policy for the managerial and operational personnel
- Recommendations for areas of improvement

### **Recommendations (sample template)**

<b>Focal Areas</b>	<b>Status</b>	<b>Recommendations for improvement</b>
Pollution control	Poor waste management	-Segregation bins be installed in common areas -Contract waste transporter registered with NEMA

## **GUIDELINES TO DEVELOPING AN INSTITUTIONAL ENVIRONMENT POLICY (For agencies that have not developed an environment policy)**

### **A. What is an institutional environment policy?**

An environmental policy for an institution/MDA is the top management's declaration of its environmental commitment to reducing its environmental impacts.

It is a set of basic principles which guide the institution when defining objectives and targets for improving environmental performance.

It is also a key tool for informing employees, customers, environmental interest groups, etc. what the institution's environmental priorities are.

The institution must act according to its principles. For example, an institution cannot be committed to energy efficiency on paper, while using obsolete energy-intensive production processes in practice. If the institution has decided that energy is a key issue, it must act accordingly and back this up with resources, in so far as this is economically and financially reasonable.

An environmental policy:

- Is written clearly, concisely and in plain language so everyone can understand it.
- Is credible and realistic.
- Does not make promises that the institution cannot keep.
- It motivates employees to action.
- It addresses top priorities for being an efficient environmental performer.
- It gives clear direction of how it can be achieved through objectives and targets.
- Should be developed with input from staff.
- 

### **B. Outline of an institutional Environment policy**

The policy should:

1. State the organization's missions and core values
2. Commit to:
  - protecting the environment
  - complying with relevant legislation and/or regulation
  - complying with relevant government policy commitments
  - continual improvement in environmental performance
3. Set a timeline for periodically reviewing environmental goals
4. Be signed off by the organisations chief executive officer
5. Be easily accessible and publicly available
6. Be included in staff and contractor inductions
7. Incorporated in other relevant documents (e.g. contract and business planning documents).

### **C. Sample**

The Department of Sustainability and Environment is committed to a future in which all people are living sustainably within their natural and built environments.

The Department will focus on sustainability as a key driver in its own activities. We are committed to improving the environmental performance of our office-based activities, and to be leaders in best practice environmental management of these. This forms a key component of our commitment to demonstrate good environmental practice in our own operations.

To do this we will establish appropriate procedures and practices to minimise the consumption of energy, water, paper and other material inputs, and minimise the generation of waste, associated with our office-based activities. A brief description of situation should be given for each identified area and policy statement given as exemplified as follows;- The organization is committed to;

- Reducing energy, water and paper intensity of our office-based operations.
- purchasing Green Power (if applicable)
- Reducing the amount of waste we produce, and maximising the amount reused and recycled.
- Separating our office waste into reusable, recyclable, compost and true waste components.
- Reducing greenhouse gas emissions associated with our vehicle fleet.
- Ensuring that all new capital works programs incorporate comprehensive environmental sustainability principles.
- Making environmentally-sound purchasing decisions for capital items and consumables.
- Adopting a pollution prevention approach to our activities.
- Communicating our environmental performance through regular reporting.
- Striving for continual improvement in our environmental performance.
- Recognising that all staff have a responsibility to assist the Department to meet these Commitments, empowering staff to minimize our environmental impacts through generating staff awareness, and encouraging participation and feedback.
- The institution will comply with all relevant Government environmental management policy, practices, regulations and legislation.

**Table 2: Format Annual Work Plan**

Annual Work Plan for Environmental Sustainability 1 <sup>st</sup> July, 2017-30 <sup>th</sup> June 2018							
Name of Organization	Type of Organizations (tick where Applicable)						
NEMA	Ministry or Department:	County	Public University				
	State Corporation	Tertiary Institution	Others Specify				
Focal areas	Annual Targets-Activities	Indicator	Time frame				Budget allocation Kshs.
			1 <sup>st</sup> quarter	2 <sup>nd</sup> quarter	3 <sup>rd</sup> quarter	4 <sup>th</sup> Quarter	
Environmental Sustainability planning	-Submission of Annual work plan	-Annual work plan	X	-	-	-	
	-Submission of Audit report	-Audit report	X	-	-	-	
	-Submission of quarterly reports	-Quarterly reports	X	X	X	X	
	-Development of an institutional workplace environment policy	-Workplace environmental policy -	-	X	X	X	0.5M
Pollution control	-Installation of 6 waste segregations bins	-No of bins procured -	X	X	-	-	0.1M
<b>Prepared by</b> Name: Address: Telephone Contacts: E-Mail: Signature.....Date:.....							

**Table 3: Sample Reporting Format for the Quarterly reports on Environmental Sustainability**

Reporting format for Environmental Sustainability for Public Institutions Quarterly report for the Period –1 <sup>st</sup> July-30 <sup>th</sup> Sept, 2017						
Name of Organization	Type of Organizations (tick where Applicable)					
NEMA	Ministry or Department:		County		Public University	
	State Corporation√		Tertiary Institution		Others Specify	
Focal areas	Annual Targets- Activities	Indicator	achievement (%)	Target for the Quarter	Variance	Challenges
Environmental Sustainability planning	-Submission of Annual work plan -Submission of Audit report -Submission of quarterly reports	-Annual work plan -Audit report -Quarterly reports	100%	100%	Nil	
	-Development of an institutional workplace environment policy	Workplace environmental policy	100%	100%	Nil	Committee members need sensitization
Pollution control	-Installation of 6 waste segregations bins	No. of Bins installed	50%	100%	(50%)	
<b>Achievements during the reporting period and reasons for under achievement</b>						
<p>1. <b>Environmental Sustainability planning:</b></p> <p>a. During the quarter Submitted annual work plan, the Audit report and the 1<sup>st</sup> quarter progress report</p> <p>b. <b>Development of an institutional workplace environment policy:</b> During the period a draft workplace environment policy was prepared as planned</p> <p>2. <b>Pollution control:</b> During the quarter procurement of the 6 waste bins initiated and 3 delivered. To be finalized in the 2<sup>nd</sup> quarter</p>						
<b>Provide list of attached evidences on achievements</b>						
<b>Reporting officer</b>						
Name:						
Address:						
Telephone Contacts:						
E-Mail:						
Signature.....Date:.....						

# **Our environment, Our Life, our responsibility**