



NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY

ENVIRONMENTAL SUSTAINABILITY PERFORMANCE CONTRACT GUIDELINES FOR MINISTRIES, DEPARTMENTS AND AGENCIES (MDAs) FOR 2014-2015 FINANCIAL YEAR

Introduction

Environmental sustainability refers to concerted efforts put in place to mitigate against environmental degradation. It is the maintenance of factors and practices that contribute to the quality of environment on a long term basis (refer to 11th cycle PC guidelines pages 41 and 42).

The 11th cycle Performance Contract Guidelines for 2014-2015 for all Ministries, Departments and Agencies (MDAs) provide that institutions undertake an Audit to establish extent of compliance with and enforcement of the constitution and other statutory obligations. On environmental sustainability, agencies are required to undertake Audit on compliance with the Environmental Management and Coordination Act (EMCA) of 1999.

Guidelines for environmental sustainability audit

These guidelines provide a framework for environmental sustainability audit for MDAs consistent with the provisions of EMCA.

During the self audit, agencies should undertake a thorough audit to ensure compliance and enforcement with among others the following requirements of EMCA as tabulated in table 1.

Table 1: MDAs Environmental Sustainability Audit Checklist

Focal Area	Justification	Areas of Audit	Output/indicators
Environmental Sustainability planning	<p>Environmental sustainability involves making decisions and taking action that are in the interests of protecting the natural world, with particular emphasis on preserving the capability of the environment to support human life</p> <p>Sustainability means “meeting the needs of the present</p>	<p>- Development of an institutional workplace environment policy</p> <p>-Establishment of structures to address environmental issues</p> <p>- Adopting respect for the environment as a core value in the Service Charter</p>	<p>-Institutional environmental sustainability policy</p> <p>-Environmental sustainability committee in place</p> <p>- Core value in the Service Charter</p>

Focal Area	Justification	Areas of Audit	Output/indicators
	<p>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>Many MDAs have already prepared institutional environment policy including implemented a number of environmental programs targeted in the performance contract.</p>	<p>-Contribution to preparation of State of Environment (SOE) reports and Environment Actions Plan (EAPs)</p> <p>-Compliance with the Environmental Impact Assessment and Environmental Audit regulations, 2006)</p> <p>-Submission of comments during EIA review (where applicable)</p>	<p>-Inputs to SOE and EAP process on request</p> <p>-Annual environmental audit reports</p> <p>- EIA reports for new projects</p> <p>-Feedback on EIAs review (where applicable)</p>
Pollution control	<p>Solid waste</p> <p>Waste Management Regulations are meant to streamline the 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>MDA generates 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>Compliance with Waste management regulations, 2006</p> <p>-Interventions on reducing, reusing, and recycling of waste in the respective 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</p>	<p>-Waste Reducing, reusing and recycling initiatives in place</p> <p>- Evidence of contracted NEMA licensed waste handler or facility</p> <p>- Segregation bins</p> <p>-Environmental Audit Reports</p>
	<p>Noise and Air pollution</p> <p>This is addressed through activities or interventions towards prevention, control and abatement of air pollution</p>	<p>-Proof of measures to promote compliance to Noise and Excessive vibrations regulations, 2008</p>	<p>Measures to promote compliance to Noise and Excessive vibrations regulations</p>

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	to ensure clean and healthy ambient air. 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, 1999.	-Proof of measures to reduce air pollution	Measures to reduce air pollution
Climate change mitigation and adaptation (Refer to the climate change response strategy and action plan)	<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>Climate change adaptation and mitigation initiatives such as:-</p> <ul style="list-style-type: none"> -Installation of energy saving devices, renewable energy, water harvesting, -Proof of measures to control green house gases (Methane, CO2) -Proof of mitigation and adaptation initiatives -Compliance to Controlled substances regulations, 2007;- Importation, use and disposal of Ozone Depleting Substances (ODS) 	<ul style="list-style-type: none"> -Energy saving devices -Rain water harvesting structures in place - Measures to control green house gases - Mitigation and adaptation initiatives -Measures in place on importation, use and disposal of ODS
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</p>	<ul style="list-style-type: none"> -Compliance to the Conservation of biological diversity, biodiversity and resources, access to resources and benefit sharing regulations, 2006 -Proof of Authority to access genetic resources -Proof of benefit sharing arrangements on utilization of biological and genetic resources 	<ul style="list-style-type: none"> -Permits to access genetic resources -Evidence of benefit sharing on utilization of biological and genetic resources

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	<p>10%. Other ecosystems such as wetlands have to be restored to increase biodiversity, clean water, improve microclimate, improved economy etc.</p>	<ul style="list-style-type: none"> -Compliance to Wetlands, River banks, lakeshores, and seashore management regulations, 2009 -Submission of EIA reports for new projects where applicable - Submission of EA reports -Environment management plans for forests, wetlands, coastal zone, Environment significant areas among others -Plant or support tree planting initiatives -Restoration of degraded sites -Conservation of riparian reserve 	<p>Measures in place</p> <ul style="list-style-type: none"> -EIA Reports -EA Reports -Environment management plans -No. of surviving trees -Degraded lands restored -Riparian reserves secured and conserved
<p>Environmental education and awareness</p>	<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 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</p>	<ul style="list-style-type: none"> -Proof of behavior change among staff -Sensitization of staff and public on Environmental sustainability relevant to the institutional mandate - Participation in environmental events with communities and schools -Recognition of environmental champions 	<ul style="list-style-type: none"> -Behavior change assessment -Reduced cost of electricity, water -Reduced waste -Evidence of appreciation of environmental sustainability champions -Evidence of Participation in environmental events

Focal Area	Justification	Areas of Audit	Output/indicators
	world from its anthropogenic (caused by humans) afflictions.		
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 -Memorandum of understanding -Joint management plans -Corporate social responsibility (CSR) on environment -Proof of Partnerships with NEMA on Monitoring and inspections to ensure compliance with environment legislation	-Projects and activities undertaken jointly -MoUs -Joint management plans -CSR initiatives in place -Areas of partnerships with NEMA on Monitoring and inspections to ensure compliance with environment legislation

NB: Reference may be made to EMCA, 1999 and regulations developed available on the NEMA website www.nema.go.ke

Responsibility of NEMA

The Authority will:-

- Upload guidelines and reporting formats for MDAs on the website www.nema.go.ke.
- Analyze and provide feedback to reporting institutions

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 organisation'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 organizations 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).

Reporting template for the Quarterly reports on Environmental Sustainability

Table 2: Sample Reporting Format

Reporting format for Environmental Sustainability for Public Institutions Quarterly report for the Period –1 st July-30 th Sept, 2014						
Name of Organization	Type of Organizations (tick where Applicable)					
	Ministry or Department	County		Public University		
	State Corporation	Tertiary Institution		Others Specify		
Targets	Annual Targets- Activities	Indicator	achievement in %	Target for the Quarter	Variance	Challenges
Domesticating the Environmental Policy at the workplace	Development/Implementation of an institutional workplace environment policy	-Workplace environmental policy	100%	100%	Nil	
Developing and implementing environmental awareness creation programmes	-Sensitization of 40 staff on Environmental issues	-No. of staff sensitized	50%	100%	(50%)	Committee members need sensitization
Achievements during the reporting period and reasons for under achievement 1. Domesticating the Environmental Policy at the workplace: During the period a draft workplace environment policy was prepared as planned Developing and implementing environmental awareness creation programmes: sensitized 20 staff during the quarter out of the targeted 40. To be finalized in the 2 nd quarter						
Reporting officer Name: Address: Telephone Contacts: E-Mail: Signature.....						

Our environment, Our Life, our responsibility