



A Quarterly Publication

nema

National Environment Management Authority

October-December 2018

NEMA 'Reads Riot Act' to Environmental Polluters

High-risk facilities directed to have permanent environmental health and safety experts as a requirement for licensing

NEMA Chairman, Mr. John Konchellah

Companies urged to adopt cleaner production

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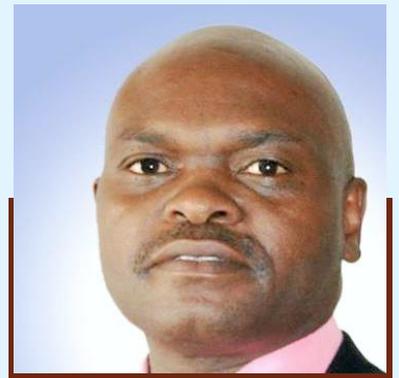
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Editorial



NEMA upbeat on environmental management

Environmental conservation forms the nerve of every society. Philosopher Margaret Mead says that “We won't have a society, if we destroy the environment”. This essentially defines the vision of the Authority as it strives to provide a clean and healthy environment for all.

In the quarter, the Authority was upbeat in implementation of her mandate and the Board of management worked extra hard to oversee the work the Authority was undertaking. The board of management toured Nakuru and Narok Counties to appraise itself with environmental challenges within these Counties.

The tour was necessitated by public outcry on industries that negatively impacted the environment. The board evaluated the effectiveness of enforcement actions taken by NEMA inspectors against KilimaPesa gold mining facility, Itare dam and Mara Sugar Company. The facilities were ordered to put in place permanent environmental health and safety experts at all times as a requirement for their licensing.

Following the success of the ban of plastics in Kenya, the Country has become a case study and a carrier bags mentor for countries not only in East Africa but the world in general aspiring to achieve the same status. A delegation of members of parliament from Uganda visited NEMA to benchmark Kenya's successful implementation of the plastic bag ban.

During the quarter, the Authority also got a shot in the arm as the National Assembly pledged to support NEMA in discharging its mandate. This was agreed during a joint retreat with the National Assembly Committee on delegated legislation at WhiteSands Beach Resort as the board of management sought to appraise the National Assembly on its undertaking and aspirations.

The Country also hosted a successful Blue Economy Conference. The Authority grabbed the opportunity to showcase its successes especially with the implementation of the ban on plastic bags. The Authority co-hosted a side event on "Building the global momentum on marine plastics litter." The conference was aimed at utilizing the potential of our water bodies to improve the lives of people as well as put in use the latest innovations and scientific advances to build prosperity while conserving our waters for future generations.

For years, the Authority has been working with faith based organizations. To continue with this spirit of partnership, the Authority launched a tree planting campaign in Mombasa County with the Kenya Conference of Catholic Bishops (KCCP).

Finally, to galvanize the ban on plastic bags, the Authority embarked on journey to develop Plastic bags control and management regulations in line with the Environmental Management and Coordination Act, Cap 387. Enjoy the reading!

Evans Nyabuto,
Chief Corporate Communications Manager

NEMA inspectors trained



By Ali Mwanzei

NEMA inspectors both from NEMA headquarters and field underwent a Pollution Crimes Investigation and Prosecution course delivered by US department of Justice and US Environment Protection Agency at Utalii hotel.

NEMA DG Prof. Geoffrey Wahungu made his opening remarks where he called upon the Authority to build capacities of state counsels prosecuting NEMA cases as well as magistrates and judges for NEMA to sustain convictions.

He thanked the facilitators for finding time to come to Kenya and share experiences on Investigating and prosecuting environmental crimes. He expressed optimism that the training will go a long way to establish a relationship between the two countries on environmental crimes and exchange of experiences.

Participants during the training at Utalii Hotel
[PHOTO: COURTESY]



NEMA DG Prof Geoffrey Wahungu (R) receives a badge from Deputy Director Field Operations, Mr. Ali Mwanzei at his office.
[PHOTO: S. IRUNGU/NEMA]



NEMA shines at Nairobi Trade Fair

By Brenda Rajwai

Nairobi International Trade Fair is the largest Trade Fair in the East Africa Region. The show offers opportunities for regional, continental and global exhibitions to display and demonstrate their services and products.

The show also offers visitors to meet people from different countries and backgrounds, hence creating a platform for interaction and exchanging of ideas and experiences.

This year, the show took place from 1st to 7th October 2018 at Nairobi Jamhuri Park. The theme for this year's show was "promoting innovation and technology in agriculture and trade."

The weeklong fun fare and exhibitions galore attracted exhibitors from far and wide who took positions at the Trade Fair to showcase their products, technologies and best practices across all sectors.

NEMA was among the renowned exhibitors

including giant corporates. The Authority took its rightful position on the areas of Environmental Management.

The Authority was prominent, visible and had firm grip on the minds of all that came in contact with either of her two facilities namely, the NEMA Gate and NEMA Stand within the show ground.

The NEMA Stand was a favourite must-visit and hence was steadily streaming with diverse clients including, schools and colleges, entrepreneurs, government officials, private sectors and the general public all seeking to get that clarification on environmental issues. The show was officially opened by H.E President Uhuru Kenyatta on 4th October 2018.

NEMA also participated in the Mombasa ASK show from 29th August to 2nd September 2018 at Mkomani grounds.

{The writer is an intern at NEMA}



NEMA stand during the Nairobi International Trade Fair

Church launches a tree-planting drive



The launch of tree planting at Shanzu Teachers College [PHOTO_ S_ IRUNGU_NEMA]

By Samwel Irungu

The Kenya Conference of Catholic Bishops (KCCP) launched a tree planting campaign on 25th October 2018 at Shanzu Teachers Training College, in Mombasa County.

The initiative was in response to POP's Encyclical letter to all people in 2015 to take care of our Common Home-Environment. The drive will run for next one year whose slogan is "Plant Trees, Plant Hope".

The guest of honour was NEMA Director

General, Prof. Geoffrey Wahungu. Prof. Wahungu urged people not only to plant trees during this short rains season but also ensure they grow.

Senior Bishop Martin Kivuva of Mombasa Diocese urged Christians to be on the front line in taking care of the environment. During the exercise, approximately 1000 trees were planted.

Prior to the tree planting exercise, Prof. Wahungu addressed a congregation of



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Church launches a tree-planting drive



NEMA Director General Geoffrey Wahungu (5th R) with members of staff during a field exercise in Kwale, Mombasa [PHOTO: S. IRUNGU]

Catholic Bishops comprising the Caritas Kenya at Plaza Beach Hotel in Mombasa.

He highlighted some of the areas that the Authority has partnered with Caritas Kenya including being a sub entity in the National Implementing Entity (NIE) being implemented by NEMA under Adaptation Fund.

“Through the church and institutions like Caritas, NEMA as a national institution is able to interact with people and reach the masses,” Prof. Wahungu stated.

{Writer is NEMA's Corporate Communications Officer}



Cake cutting during the launch of tree planting at Shanzu Teachers College [PHOTO_S_IRUNGU_NEMA]

Church launches a tree-planting drive

Participants in a group photo during the workshop at Plaza Beach Hotel, Mombasa [PHOTO: S. IRUNGU]



Senior Catholic Bishop, Mombasa Diocese, Martin Kivuva watering a tree during the tree planting exercise at Shanzu Teaching College, Mombasa [PHOTO: S. IRUNGU]

Senior Catholic ArcBishop, Mombasa, Martin Kivuva interacts with NEMA staff during the meeting at Plaza Beach Hotel, Mombasa [PHOTO: S_IRUNGU_NEMA]





H.E President Uhuru Kenyatta waters a tree during a ceremonial tree planting at KICC grounds during the Blue Economy Conference [PHOTO: COURTESY]

Kenya hosts Blue Economy Conference

By Samwel Irungu

Kenya hosted the Sustainable Blue Economy Conference from 26th to 28th November 2018 at KICC. Canada and Japan co-hosted the three-day conference.

The conference sought to harness potential of our oceans, seas, lakes and rivers to improve the lives of all people as well as harness latest innovations and scientific advances to build prosperity while conserving our waters for future generations.

The conference was officially opened by H.E President Uhuru Kenyatta who pledged to foster a water resource-based economy that

does not exclude environmental conservation.

NEMA was among organizers of a side event on “Building the global momentum on marine/aquatic plastics litter”. The side event was opened by Environment and Forestry Cabinet Secretary, Mr. Keriako Tobiko who noted the progress made in the fight against pollution. He alluded to the successful implementation of the plastic bags ban since August 2017. However, he expressed hope that PETCO who have been charged with the duty of recycling PET bottles will live up to its promise and reduce the amount of plastic bottles littering the environment.

Blue Economy Conference



Dignitaries during the Side Event on Marine Plastic pollution at KICC. [PHOTO: S. IRUNGU/NEMA]

NEMA Director General, Prof. Geoffrey Wahungu was among the panelists during the side event. Prof Wahungu presented a paper on “Plastics Bags Ban implementation and experiences.” “The ban has been by and large success. The Authority has recorded over 85 percent success rate. This is evident from various cleanups at the oceans,” Prof. Wahungu said.

According to the Director General, the critical lessons learnt from the ban includes the following: favorable constitutionalism - revision of EMCA 2015 that gave the

Environment CS powers to make recommendations on situations to avert degradation of the environment; partnering with relevant private and public sector such as UNEP, KAM particularly in awareness creation; awareness creation among Kenyans was critical for success of the ban; keeping critical data-the Authority was able to trace its records since 2007 when the journey to ban plastic bags began and enhancing regional cooperation. He noted one of major hurdles to success of the ban is because plastic bags are getting their way from neighboring countries that have not effected the ban.

NEMA Director General Prof. Geoffrey Wahungu (R) at the NEMA booth. He is received by Evans Nyabuto, Eunice Kibunga and Anne Theuri [PHOTO: A. MWANGI/NEMA]



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Blue Economy Conference



Environment and Forestry CS,
Mr. Keriako Tobiko speaking during
the Side Event on Plastic ban in Kenya
[PHOTO: S. IRUNGU/NEMA]

The Director General also attended a bilateral meeting with Sweden and Djibouti chaired by Environment and Forestry CS, Mr. Keriako Tobiko. NEMA also exhibited during the conference.

The conference is expected to capture commitments and practical actions that will help the world transit to the blue economy. The conference brought together 16,320 delegates

from around the world saw countries commit to put money aside to protect oceans, seas, lakes, rivers and the general ecosystems.

On plastics, President Uhuru Kenyatta promised to confront the challenge of waste management and plastic pollution.

(The Writer is NEMA's Corporate
Communications Officer)



NEMA Chairman, Mr. John Konchellah
among participants at the Conference
Side Event at KICC
[PHOTO: S. IRUNGU/NEMA]



NEMA Chairman, Mr. John Konchellah speaks to Hon. Gladys Shollei during the NEMA, parliament retreat at WhiteSands Hotel, Mombasa [PHOTO_S. IRUNGU_NEMA]

By Samwel Irungu

NEMA held a joint retreat with the National Assembly Committee on delegated legislation at WhiteSands Beach Resort from 1st to 4th November 2018.

Led by its Chairperson, Hon. Gladys Shollei, the committee deliberated on various draft environmental regulations that the Authority has developed to be in line with the amended EMCA 2015.

The regulations discussed includes; Strategic Assessment, Integrated Impact Assessment and Environmental Audit; Conservation and Management of Wetlands Regulations, 2018 and Deposit Bonds Regulations, 2018.

While making the opening remarks during the retreat, NEMA Chairman, John Konchellah expressed his gratitude to the Committee on delegated legislation for partnership and the support given during the EMCA Review, 2015.

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Parliament pledges to support NEMA



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Parliament pledges to support NEMA

L-R: Hon. Jannifer Shamalla, Hon. Gladys Shollei, NEMA Chairman, Mr. John Konchellah, Board Member, Hon. Agostinho Neto and DG, Prof. Geoffrey Wahungu recite the NEMA prayer during the retreat at White Sands Hotel [PHOTO: S. IRUNGU/NEMA]



"The Authority will continue providing the necessary leadership and policy direction. NEMA has made tremendous efforts in implementation of its mandate which is to provide overall supervision and coordination over all matters related to environment and to be the principal agency in advising the Government on environmental matters," Mr. Konchellah said.

NEMA Director General Prof. Geoffrey Wahungu expressed his optimism that the National Assembly and the government in general will continue to support the Authority in discharging its mandate.

Speaking on behalf of the Committee, Hon. Gladys Shollei, and Chairperson of the committee pledged to support the Authority whenever any law is brought before the committee.

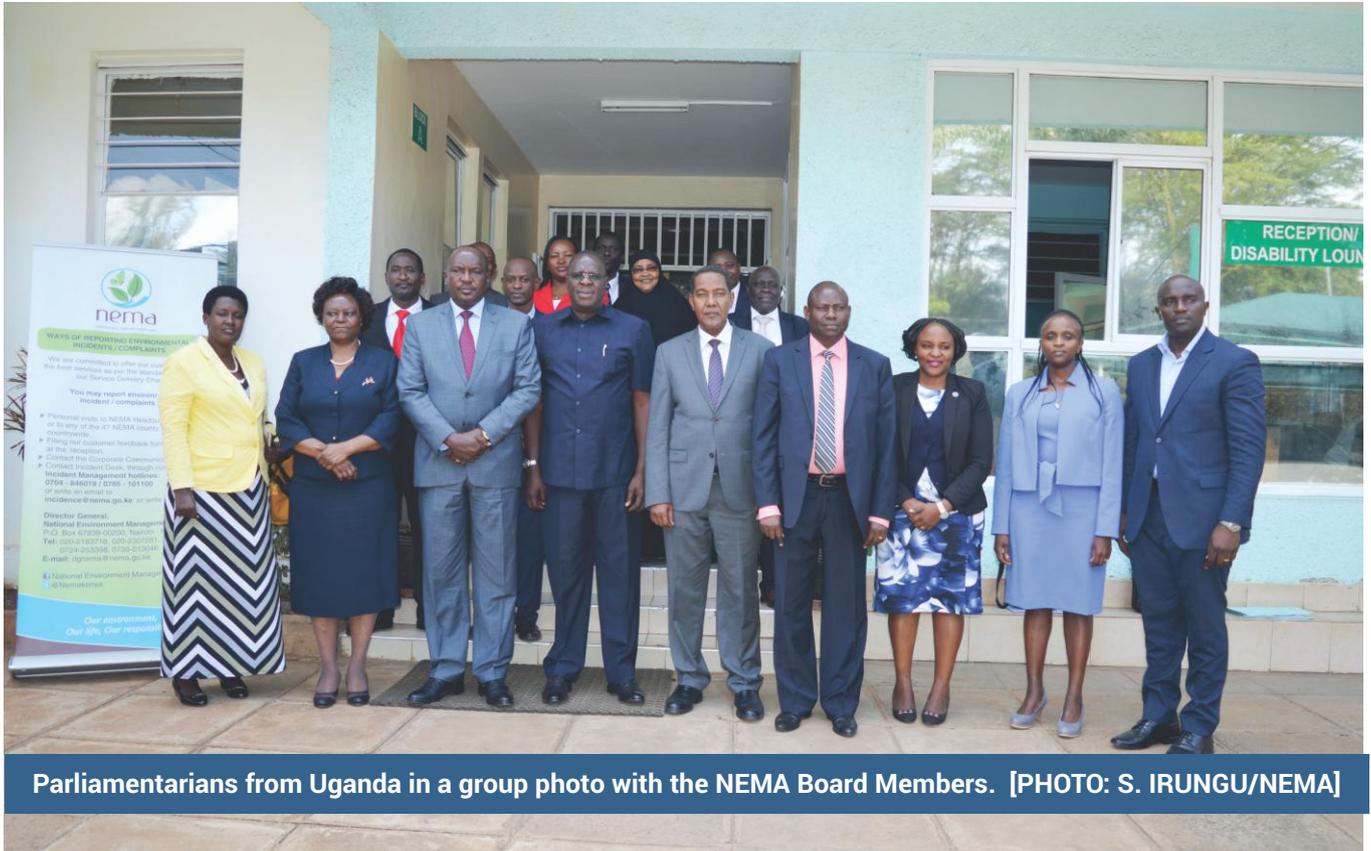
Presentations on various regulations were done by Director Legal Services, Ms. Irene Kamunge in collaboration with NEMA Board member, Agostinho Neto. The activity was also attended by the NEMA board members and members of the staff.

{The writer is NEMA's Corporate Communications Officer}

Members of parliament of the National Assembly Committee on delegated legislation at WhiteSands Beach Resort during the workshop. [PHOTO: S. IRUNGU]



Uganda bench-marking from Kenya's plastic ban



Parliamentarians from Uganda in a group photo with the NEMA Board Members. [PHOTO: S. IRUNGU/NEMA]

By Samwel Irungu

In 2011, the East African Legislative Assembly passed EAC Polythene Materials Control Bill. The bill aimed at member states to assenting to the same. The bill advocated for total ban of the plastic bags through prohibition of the manufacturing, sale, importation and use of polythene materials.

Seven years down the line, Kenya banned the use, manufacture and importation of plastic bags becoming the second East African Country to ban plastic bags after Rwanda. Consecutively, Kenya become a case study for countries aspiring to effect the ban. As a result of the ban, a delegation of members of parliament from Uganda paid a courtesy call to NEMA on 31st October, 2018 to benchmarks Kenya's successful implementation of the plastic bags ban.

They were received by Environment and Forestry Principal Secretary, Ali Noor Ismail, NEMA Chairman, John Konchellah, Board of management and Director General, Prof. Geoffrey Wahungu.

Welcoming the delegation, NEMA Chairman, John Konchellah stated that the Authority was delighted with the visit as it was a good sign that NEMA was on the right track of achieving her vision of becoming a world class environmental management Authority.

Mr. Konchellah stated, "Looking at the ban one year on, we are proud as a country to note an 80% compliance. This was as a result of the education and sensitization done on the citizenry in addition to the enforcement action which is ongoing. So far NEMA has been able to

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Pictorial



NEMA Board members, Ms. Teresiah Malokwe and Hon. Halima Ware consulting each other during a parliamentary workshop on environment at White Sands Hotel.



NEMA Chairman, John Konchellah, DG Prof. Geoffrey Wahungu plants a tree seedling during a past event.



Chief Administrative Secretary, Mohammed Elmi receives an eco-bag from NEMA Director General, Prof. Geoffrey Wahungu when he paid a courtesy call.



Participants during South to South cooperation tools development workshop at Naivasha

Pictorial



NEMA Director General, Prof. Geoffrey Wahungu holding a certificate awarded during the World Clean-up day at Jomo Kenyatta Public Beach, Mombasa.



Environment and Forestry CS, Mr. Keriako Tobiko takes a jig during the COP 9 conference at English Point, Mombasa



NEMA DG Prof. Geoffrey Wahungu tries a virtual reality gadget at the Conservation International Africa booth during the Blue Economy Conference at KICC.



NEMA's NIE Coordinator, Wangare Kirumba (R) with CDE Kajiado County, Godfrey Wafula during an NIE workshop in Naivasha.

Uganda bench-marking from Kenya's plastic ban



NEMA board members and Ugandan parliamentarians in meeting at NEMA boardroom [PHOTO: S. IRUNGU/NEMA]

make more than 500 arrests of both manufacturers, distributors as well as small traders and prosecute 258 cases in addition to seizing mounds of the banned plastics."

The delegation also sought to benchmark Kenya's environmental matters including the Kenya's journey towards plastic bags ban as they look forward towards implementing the ban in Uganda.

Previously, NEMA Director General had alluded that the fight against plastic bags one year on was being hindered by neighboring countries that had not yet banned plastic bags. Hence, the bags were being smuggled into country through the porous borders. However, there is light at the end of the tunnel of members Countries are also in the process of banning plastic bags in the spirit of the East African Cooperation.



Ugandan members of parliament at a meeting chaired by NEMA Chairman, John Konchellah and PS Environment and Forestry, Ali Noor at the Director General's office [PHOTO: S. IRUNGU/NEMA]

{The writer is NEMA's Corporate Communications Officer}

NEMA Awarded during World Food Day



The trophy that NEMA won [PHOTO: S. IRUNGU/NEMA]



NEMA Director General, Prof. Geoffrey Wahungu Wahungu (C) receives the trophy From (R-L) DD EEIPP, Mamo Boru, Joseph Masinde, Shieni Koyiet and Ruth Nderitu. [PHOTO: S. IRUNGU]

By Shieni Koyiet

NEMA has been awarded as the best stand on natural resource category during the World Food Day 2018 celebrations held on 16th October 2018 at Kenya Agricultural and Research Organization (KALRO) Nakuru County. The theme this year was "Zero Hunger by the year 2030".

NEMA had an exhibition in line with the theme of the day that focused on four key areas; planning which touched on Strategic Environmental Impact Assessment (SEA) and Environmental Impact Assessment (EIA); waste management; sustainable utilization of natural resources for food production and climate change adaptation where the focus was on issues of water harvesting for domestic and agricultural use.

The Authority was recognized for showcasing the best environmental practices that will contribute to achieving zero hunger by the year 2030. The trophy was awarded by the Nakuru County Governor, H.E Lee Kinyanjui.

The team presented the trophy to the NEMA Director General Prof. Geoffrey Wahungu who congratulated them for their passion in pushing the environmental agenda to the public.

{The writer is NEMA's Environment Officer}



Managing waste in Embu County

By Elizabeth Ngotho

Waste, just like, poverty, is a vicious cycle in Embu County that has become a nuisance to the lives of urban and rural residents in Embu town.

Waste management is a complex matter in most Counties. This is not exceptional in Embu County. Waste management has been undertaken by various agencies including the County government. However, poor coordination has resulted into increased environmental pollution resulting into loss of anesthetic value.

In Embu County, just like in other Counties the challenge of waste management is eminent. As a result, NEMA Embu County in conjunction with the National Environment Complaints Committee partnered to act on the worsening problem of waste management. The partnership also brought other institutions such as public health, County Government, Urban Planning among others. This has led to provision of financial, technical and infrastructural support to manage waste in the County. This has borne fruits since the partnership began in 2017.

The department of public health is mandated to inspect and regulate on matters of health including waste transportation from designated sites to central dumpsite which has been challenging. Mainly because the institutions do not have adequate resources and at times lack of commitment to ensure a clean and healthy environment.

To enhance compliance with waste management, there were plans to manage waste in 10 designated dumpsite with a theme: "Uzalendo ni jukumu." Embu County has 12 designated dumpsites; Miraa, Dallas, Embu Market, Majengo, Kangaru, Runyenjes, Kiritiri, Siakago, Manyatta, Ishiara, Kianjokom and Liberty dumpsites.

Embu County and department of Environment and Natural Resources have shown compliance through licensing their waste trucks, applying EIA for decommissioning Gatondo and EIA for Meka dumpsite.

However, there is more that need to be done on designated dumpsites. There is potential to eliminate the vicious cycle and improve other 11 designated dumpsites to get value from waste through a take back model and to create awareness through waste management campaign in schools.

With collaboration among various institutions, waste management has become easier. It has become possible to clean the environment leading to noticeable transformation in the County.

{The writer is NEMA's Environment Officer in Embu}



Sand Harvesting hurting environment

By Cliff Barkatch

In West Pokot County and in particular Kishaunet and Mtembur, sand harvesting is unsustainable. Sand harvesters pay owners of land some “goodwill fee” to collect sand from the luggas.

The loaders receive some wages too. They also pay some fee to the “community” who claim the money is used on community projects.

When visiting West Pokot County, you are likely to count innumerable trucks transporting sand from the county to be sold in Makutano, Kitale, Eldoret and even as far as Bungoma. This has become sustainable as it has led to increased soil erosion, damaging of roads and general destruction of the environment.

NEMA urges all sand harvesting operators to comply with recommendations of the National Sand Harvesting Guidelines and the requirements of Environment Impact Assessment and Audit Regulations.

The County Government should also develop new policies on how the industry can be managed in an environmentally friendly manner instead of looking at the revenue generation.

Sand harvesters should organize themselves into associations and strengthen these organizations to regulate the activities of sand harvesting in line with the laws. Environment fee should be levied to start tree nurseries and support other environmental conservation activities such as awareness creation and training.

Rehabilitation of degraded lands and river banks, control of off-road driving and integration of safety and health concerns in the whole value chain should be put in place.

{The writer is the County Environment Director, West Pokot}



Planners' International Convention Held

By Isaiah Kyengo

The Annual Planners Convention proceeded alongside the International Conference on “The role of Urban and Regional Planning in Implementation of the Big Four Agenda”.

The conference was hosted by the Kenya Institute of Planners (KIP) in collaboration with various stakeholders, including National Government Ministries, Parastatals and Counties. Both events were held in Mombasa County at The Travelers Beach Hotel, Mombasa from 8th to 12th October, 2018.

In the conference, it was observed that one of the key enablers of the Big Four Agenda is urban and regional planning. Housing, for instance is a function of urban land use that requires planning input in form of preparation of comprehensive plans that detail relevant supporting facilities including schools, open spaces and commercial outlets.

Similarly, the food security pillar is a function of land use planning that will ensure adequate land across the country is availed for agricultural production. With regard to manufacturing, requisite planning input is equally critical so as to ensure that the resultant economic zones and manufacturing centres remain attractive and competitive.

Affordable healthcare envisages an efficient public health system supported by provision of adequate health facilities as well as subsidizing healthcare

provision co-pay or coinsurance with the state. Again, effective distribution of health facilities, from the basic community health care centre to the regional and national referral facilities can be achieved through comprehensive planning of human settlements, which establishes a functional hierarchy of the facilities as well as reserving adequate land for their development.

Urban and regional planning therefore leads to creation of healthy cities, a model of urban planning that has evolved out of the increasing awareness of its close linkages with public health.

Coincidentally, the big four agenda resonates with the global New Urban Agenda adopted in 2016, that seeks to transform existing and emerging urbanization challenges into opportunities through promoting proactive and responsive planning, innovation, industrialization and sustained economic growth through high productivity, value added activities, resource efficiency and harnessing local economies and resources.

NEMA officers from the department of Environmental planning and Research Coordination participated in the conference.

{The writer is NEMA's Environment Officer}

NEMA warns Environmental Polluters



NEMA Board members during the tour of Itare Dam in Kuresoi, Nakuru (PHOTO_ S. IRUNGU_NEMA)

By Samuel Irungu

NEMA Board of Management undertook a tour of Nakuru and Narok Counties to appraise itself with environmental challenges within these Counties from 2nd to 4th October 2018. The tour came in the wake of recent public outcry and media reports on the industrial activities that were impacting negatively on the environment.

The Board visited the Itare dam to check on progress on the ground with keen interest on Resettlement Action Plan and EIA license conditions where they directed the project managers to adhere to environmental conditions. Early this year there was a pollution incident at KilimaPesa gold mining facility where 20 cows died as a result of drinking contaminated waste water from the

facility. The Board had an opportunity to evaluate the effectiveness of enforcement action taken by NEMA to prevent further pollution. The Board is not satisfied that the facility has put in place adequate pollution prevention measures to protect the environment.

As a result, the Authority is working on stringent measures to ensure the company fully complies with the environmental requirements. This will apply to all gold mining facilities in the country because they use very toxic chemicals. The board has also directed that such high-risk facilities should have permanent environmental health and safety experts at all times as a requirement for licensing.

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NEMA warns Environmental Polluters

The board also visited Trans Mara Sugar Company. The factory had received negative environmental publicity as a result of a pollution incident that occurred on 2nd October 2018. The Authority quickly responded to the incident and the Company was directed to put in place pollution prevention measures.

The board saw the measures the company had put in place to prevent effluent discharge into the river and was satisfied with the progress.

Speaking to the media during the tour, NEMA Chairman, Mr. John Konchellah stated, "The companies affected should adopt cleaner production principles that aim at improvement of production process and monitoring of the products."

{The writer is NEMA's Corporate Communications Officer}



NEMA Chairman, Mr. John Konchellah speaks to some of workers at Kilimapesa gold mine [PHOTO: S. IRUNGU/NEMA]



Board members, staff with Trans Mara West, Deputy County Commissioner, Mohammed Hassan (4th L) during the visit [PHOTO: S. IRUNGU/NEMA]



NEMA board members with the Rift Valley County Commissioner during the tour [PHOTO_S. IRUNGU_NEMA]



NEMA Board and Staff at Kericho NEMA office [PHOTO: S. IRUNGU/NEMA]

NEMA Nandi County moves to restore wetlands



NEMA CDE, Nandi County, Mr. Vincent Mahiva inspects a section of riparian land where Eucalyptus trees have been cut down in Nandi East Sub County

By Vincent Mahiva & Michael Njiru

Nandi County is endowed with various wetlands among them Kingwal, Birei, Chepkongoi, Chekunyuk, Ainapng'etuny, Mutwot and Mosoriot.

On 9th July the County Environment Committee (CEC) of Nandi indicated that there is dwindling water resources in the County. It has also become increasingly difficult to get water into boreholes and wells for domestic use.

This has prompted the need to enforce section 42 of EMCA and regulations 6 (c) and 14 (1) of water quality regulations 2005 and wetlands regulations 2009 respectively.

To achieve this, CEC mandated NEMA inspectors to place environmental restoration order on riparian areas in Nandi County. As a result, the County government mobilized a team to sensitize the riparian land owners on the restoration order. An induction to all chiefs and assistant chiefs was conducted by NEMA inspectors to ensure they are acquainted with the relevant laws and approaches to this important activity.

The training went on through successfully in the six (6) sub-counties namely; Emgwen, Chesumei, Tinderet, Nandi hills, Aldai and Mosop. In Nandi hills the training was held at Siret Guest House where several issues were

addressed regarding the order.

Nandi East sub county most of the land is occupied by tea estates where Eucalyptus trees have been planted for fuel wood. All tea estates have definitely complied with the order.

Kapsabet town and its environs is situated in Emgwen and Chesumei sub-counties. Majority land owners are elites and seek for extension of the order. However considering that the environment is greater than any personal interest, they are taken through the law and environmental impacts thereof so to consider the order as fit for the action.

During the training, the inspector issued stern warning to those who will not comply with the restoration order. He cautioned that EMCA Cap 387 penalties runs in millions and the public should beware of this. The office of the county Commissioner and the whole County Government support this move to restore the declining riparian resources.

{The writer are NEMA's Director of Environment & Environmental Officer Nandi County}



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Plastic Mop Up Groups Awarded

By Shieni Koiyiet

The groups who participated in the plastic mop up and innovation competition during this year's World Environment Day celebration held in Kwale County received their cash award on 15th November 2018 at the Coastal Regional Office.

The brief ceremony was a culmination of the awards scheme that was piloted in the counties of Mombasa, Kilifi and Kwale. Having received their trophies on the 5th June 2018 from H.E. Deputy President, William Ruto the groups were promised to receive the cash award later. The cash award ceremony was presided over by a team from NEMA headquarters with the guest of honour being the Regional Director of Environment – Coast Region Mr. Titus Simiyu.

The winner in the mop up category from each County was awarded with Ksh. 50,000, 1st runners up 25,000 and 2nd runners up 12,500. In the innovation category the winner received 100,000, 1st runners up 50,000 and 2nd runners up 25,000.

During the event the Deputy Director EEIPP Mr. Mamo B.Mamo was ably represented by Mr. Eric Deche who hailed the groups for being patient when the award was being processed. He promised that NEMA will be collaborating with them in the coming future.

{The writer is NEMA's Environment Officer}

NEMA-Uzima institute plants trees



NEMA Deputy Director Enforcement, Salome Machua (R) joins AOSK sisters during a tree planting exercise at Karen [PHOTO: S. GITAU/NEMA]

By Sylvia Gitau

Chemchemi ya Uzima Institute for Formation, is a nonprofit making activity of the Association of Sisterhoods of Kenya (AOSK) based in Karen, held a short tree planting exercise on Friday, 22nd September. The centre had its students participate in the tree planting.

The NEMA Deputy Director of Enforcement, Mrs. Salome Machue was present in the event and showed the students on how to correctly plant tree seedlings without damaging them.

The students were ready to learn how to plant the seedlings and then proceeded to the exercise accordingly. The institution's principal and administrators were also in participation of the exercise which encouraged the other students.

Ms. Machua insisted on the proper disposal of the plastic bags covering the seedling roots. "The plastic bags used for covering the seedlings' roots should be incinerated," she explained. "This will ensure that the environment around is kept clean."

The Chemchemi ya Uzima Institute for Formation is an institution that offers short courses such as the Formation of Formators programme.

{The writer is NEMA's Intern}

NEMA establishes a desk at KenInvest



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By Reagan Owino

NEMA has established a One Stop Centre (OSC) at KenInvest to help serve the investors. The OSC is meant to provide technical support in regards to the respective institutional mandates by facilitating the implementation of new investment projects and providing after Care (monitoring) services for new and existing investments.

On the 6th December 2016, a high level delegation led by the Cabinet Secretary Ministry of Industry, Trade and Cooperative Honorable Mr. Peter Munya, Principal Secretary Ms. Betty Maina, the representative of the Head of Public Service Mr. Francis Muraya and a Senior Economic Advisor to the Presidency visited the centre.

NEMA Director General was represented by Dr. Charles N. Lange, the Deputy Director for Environmental Planning and Research Coordination.

The aim of the visit was for the CS and his team to familiarize themselves with the One Stop Centre (OSC) that has been established by KenInvest, how it operates and possible ways of strengthening it further for it to meet its

objectives of facilitating the investors to undertake their investment opportunities in the country with easy.

A brief presentation on Kenya Investment Authority (KenInvest) was done by the KenInvest Chairlady Ms. Anne Kirima and the Managing Director Dr. Moses Ikiara. KenInvest is a statutory body established in 2004 through an Act of Parliament (Investment Promotion Act No. 6 of 2004) with the main objective of promoting investments in Kenya. It is responsible for facilitating the implementation of new investment projects, providing After Care services for new and existing investments, as well as organizing investment promotion activities both locally and internationally.

The NEMA officer at the OSC undertakes the following duties to assist the investors in the ease of doing business in the Country;

1) Advising and guiding of investors in regards to the environmental requirements and matters in the Country in line with NEMAs mandate by

giving of promote, accurate and timely information.

2) Facilitating the new investment projects applications that have been submitted to NEMA offices and providing a way forward/updates for the investors on the status of their applications. This is by making follow ups with the respective NEMA offices where the applications have been lodged within the confines of the law.

3) Providing of after care services (monitoring) for new and existing investments projects in order to ensure compliance to the various regulatory regimes within the mandate of NEMA. This includes ensuring that all the investment projects that are being endorsed by KenInvest are compliant with the various environmental legislations and requirements.

Attending of meetings that NEMAs input is required and giving the necessary advice and direction to the investors and or other institutions both government and private.

{The writer is NEMA's Desk Officer at One Stop Centre, KenInvest}

How NEMA letter helped Win Cortec case

By Sylvia Gitau

A letter from a State agency is what helped the Government to win the Sh6.2 trillion mining dispute in a US based tribunal. The NEMA rejection of any possible mining for Niobium and Rare Earth at Mrima Hills in Kwale County was critical in sealing the fate of the case.

According to the Kenyan lead lawyer Kamau Karori who is a partner with DLA Piper and IKM Advocates, on March 22, 2013, Prof Geoffrey Wahungu, NEMA Director General wrote to Cortec denying them the licence to the mining at Mrima Hills. He instead asked them to explore alternative sites.

In his reasons that later came to save the country a possible slap of billions of shillings at the International Centre for Settlement of Investments Disputes (ICSID), Prof Wahungu argued that there were archaeologically significant sites within the project area.

Part of the reason that Prof Wahungu gave for the rejection of the mining licence was if the project would be implemented within Mrima Hills within the forest, which is gazetted as a nature reserve, forest reserve and a national monument, the project would lead to massive destruction of the biodiversity.

Lawyer Karori said that victory of the case saved Kenyans tax payers cash and demonstrated an endorsement of the protected areas. Mr. Karori explained that the mining licence that Cortec used to prepare its planned investment was fraudulently obtained.

Karori added that the ruling by ICSID had helped to create a distinction from bonafide investment and those illegal deals that are obtained by flouting Kenyan laws.

NEMA has continued to stand firm on environmental matters especially on licensing where the Authority always ensures that due diligence is done before the proponent is given a green light to proceed with the proposed project.

Moreover, the Authority works closely with other lead agencies in the environmental sector to ensure environmental management is on high.

{The writer is NEMA's a Intern}

NEMA developing its Strategic Plan

By Samwel Irungu

NEMA is developing its strategic plan 2018-2022. As a result, the Authority organized for a meeting from 5th to 9th November 2018 in Naivasha.

While making the opening remarks, NEMA Board of management chairman, Mr. John Konchellah noted that the Authority is committed to ensuring a clean and healthy environment for all Kenyans as provided for in the Constitution of Kenya, 2010 and the Environmental Management and Coordination Act (EMCA), Cap 387.

“The Authority initiated the process of developing a new strategic plan for 2018-2022. This is line with the Government policy direction that we align the strategic plan to MTP III which includes the “Big Four” Agenda among other national, regional and global sustainable development commitments. As such, and in consultation with the Strategy, Legal and Resource Mobilization Committee of the Board and the Consultants from Kenya School of Government, my Board planned for this workshop to formulate the strategic direction for the Authority in the next Five (5) years.” Mr. Konchellah said.

The NEMA Board and Management has put in place various interventions and allocated resources toward realization of the ultimate goal of a clean and healthy environment for its citizens.

{Writer is Communications Officer}

NEMA Develops Plastic Bag Regulations



NEMA's Deputy Director Environmental Planning and Research Coordination, Dr. Charles Lange making a presentation during the plastic bags validation workshop at Utalii Hotel, Nairobi [PHOTO: S. IRUNGU/NEMA]

By Samwel Irungu

The National Environment Management Authority (NEMA) has been developing the Plastic bags control and management regulations. The Authority held stakeholders' forums in the Coast, Western, Nyanza, Rift Valley, North Eastern, Eastern, Central and Nairobi regions to get their views on the draft regulations.

As a culmination of the meetings, the Authority held a National Validation Workshop at Utalii Hotel on 5th December 2018. The regulations are being developed in line with the Environmental Management and Coordination

Act, Cap 387 and in adherence to Statutory instruments Act, 2018.

The consultation meetings were held in the spirit of public participation. During the Validation workshop, NEMA's Deputy Director Environmental Planning and Research Coordination, Dr. Charles Lange thanked members for shelving their precious time and coming to give their views for development of the regulations.

NEMA's Senior Legal officer, Edward Wabwoto, made the presentation on the draft regulations that have been



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**NEMA's Head of M & E,
Ms. Betty Nzioka making a presentation
during the plastic bag regulations
validation workshop at Utalii Hotel, Nairobi**
[PHOTO: S. IRUNGU/NEMA]

improved through the meetings that have been held in various regions across the country. Deputy Director Monitoring and Evaluation, Ms. Betty Nzioka also appreciated the members for their selfless contribution towards bettering the regulations. The ban on plastic bags took place on 28th February 2017, when the then Cabinet Secretary, Ministry of Environment and Natural resources, Prof. Judi Wakhungu banned the use, manufacture and importation of all plastic bags used for commercial and household packaging in a Gazette Notice No. 2334 of 28th February 2017.

Prior to the ban, plastic bags were widely used

as a key packaging material in several sectors of the economy namely manufacturing, trade, transport, agriculture and hospitality. According to a research done by NEMA, United Nations Environment Programme (UNEP) and Public Policy Research and Analysis (KIPPRA) revealed that 100 million plastic bags were being handed out annually in Kenya by supermarkets. A separate research conducted by NEMA in 2017 revealed that more than 50 percent of cows had paper bags in their rumens in Kenya.

Development of the regulations will embed the ban on plastic bags within the law for posterity.

{The writer is NEMA's Corporate
Communications Officer}



**NEMA's Senior Legal Officer,
Edward Wabwoto making a
presentation during the validation
workshop at Utalii Hotel, Nairobi**
[PHOTO: S. IRUNGU/NEMA]

Key Services



**The Authority
Key Services include:**

**Registration and Licensing of
Environmental Impact Assessment (EIA)
and Environmental Audit (EA)**

**Environmental Impact Assessment
Licensing Environmental Auditing**

Environmental Incident Management

Environmental Inspection

**Environmental Information, education
and Communication (IEC)**

Environmental Reporting

**Environmental Planning
Development of Curriculum for
Training of Environmental Impact**

Assessment/Audit Experts

**Administration of
An Environmental Awards**

Scheme

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Our Vision

To be a World - Class
Environmental Management Authority

Mission Vision

To ensure a clean, healthy and sustainable environment
in Kenya through supervision and coordination
of all matters relating to environment

Our Motto

Our Environment, Our Life, Our responsibility
Mazingira Yetu, Uhai Wetu, Wajibu Wetu

PLEASE

Report Environment Incidents to:
Tel: 0786 101 100 | 0741 101 100
Email: incidence@nema.go.ke

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