ENVIRONMENT AND SOCIAL MANAGEMENT FRAMEWORK (ESMF) – DRAFT

PROGRAMME TITLE:

INTEGRATED PROGRAMME TO BUILD RESILIENCE TO CLIMATE CHANGE & ADAPTIVE CAPACITY OF VULNERABLE COMMUNITIES IN KENYA

National Implementing Entity, NEMA – KENYA

LIST OF ABBREVIATIONS

AF   Adaptation Fund

CDA   Coastal Development Authority

EE   Executing Entity

EIA   Environmental Impact Assessment

ES   Environmental and Social Policy of AF

ESMF   Environmental and Social Management Framework.

GRM   Grievance Redress Mechanism

HIV   Human Immuno-Deficiency Virus

AIDS   Acquired Immuno- Deficiency Virus

KEFRI   Kenya Forestry Research Institute

NEMA   National Environment Management Authority

NIE   National Implementation Entity

KCCAP   Kenya Climate Change Adaptation Programme

TARDA   Tana & Athi River Basin Development Authority

UN   United Nations

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INTRODUCTION

The National Environment Management Authority (NEMA) in its role as the National Implementing Entity (NIE) for Kenya submitted Kenya's Climate change Adaptation Programme titled 'Integrated programme to build resilience to vulnerable communities in Kenya'. This programme is now approved and funded by the Adaptation Fund Board. As a condition before implementation, NEMA is required to develop an Environment and Social Management Framework (ESMF) for the programme. This requirement is to ensure that Kenya's Climate Change Adaptation programme complies with the requirements of the Adaptation Fund's Environment and Social Policy of 2013.

In developing this framework NEMA has been guided by the current discourses and principles on ESMF development. NEMA as an institution, is the key environmental safeguard institution of the government of Kenya, and has inherent strengths in understanding, development and implementing a safeguard framework. All the Executing Entities have been consulted and engaged in developing this framework to ensure all relevant input and potential impacts are captured and profiled.NEMA is intent on full implementation of the proposed ESMF framework to ensure that the aspirations of Adaptation Funds ES Policy are met.

This Environmental and Social Management Framework (ESMF) is developed to manage the Environmental and social risks that may arise during the implementation of Kenya's NIE programme. The following steps were used during preparation of the ESMF:

- Review of AF safeguards and relating them to the program;
- Identification of environmental and social impacts of program activities;
- Formulation of action plans for the identified impacts;
- Preparation of a screening checklist to be used during project activities;
- Formulation of environmental and social monitoring plan;
- Preparation of a communication and training plan and
- Preparation of a disclosure mechanism for the ESMF

CHAPTER 1: CONTEXTUAL ANALYSIS FORESMF FOR KENYA'S NIE PROGRAMME

Kenya's NIE climate change adaptation Program is a set of projects designed to enhance resilience and adaptive capacity to climate change for selected communities in various Counties in Kenya in order. This programme has five main components namely, Food security, Water management, Coastal management, Disaster risk reduction, and Knowledge management. The programme will develop and implement integrated adaptive mechanisms to increase community livelihood resilience to climate through the following:

I.   Adoption of drought tolerant crops, and promotion of value chain approaches

II.   Development of water harvesting assets/structures

III. Promotion of forestry and agro forestry ecosystem-based strategies to enhance food security and resilience to climate change as well as water and soil conservation.

IV.   Promotion of pastoral ecosystem-based adaptations that will increase resilience through use of pasture conservation and emergency fodder bank, storage and supply of water to improve social life of the people in the district.

V.   Rehabilitation of mangrove ecosystem in the coastal area

VI.   Disaster risk reduction and preparedness through early warning system and flood control structures

VII. Establishment of a knowledge management system for this programme, development of institution capacity, and raising awareness on Climate Change (if necessary specific objectives to be included)

The program areas cut across various selected counties in the country that experience significant water deficit- Arid and Semi-Arid areas, that makes the inhabitants more vulnerable to climate change

Implementation of this programme will have three executing entities (EEs) namely, Kenya Forestry Research Institute (KEFRI), Tana and Athi River Development Authority (TARDA), and Coastal Development Authority (CDA). The three Executing Entities shall have contractual engagements with the NIE and will report directly to the NIE. In each of these

three Executing Agencies a project manager will be appointed s to oversee coordination, management, implementation, monitoring and reporting of programme activities. Aninter-ministerial committee comprising of membership from relevant ministries shall be established to play the role of oversight. This committee shall be appointed by the Designated authority, who shall also chair it. NIE shall offer secretariat role in this committee. An NIE steering committee (already in existence) at NEMA will have the role of supervision of the programme implementation, approving work plans and reviewing progress. This committee shall also undertake Monitoring and Evaluation of programme activities. It will as ensure there is prudent expenditure of financial resources and also undertake all the other stipulated NIE roles. Further at the project sites, a field implementation committee shall be established to oversee field level implementation process.

1.2   Environmental and Social Management Framework

This ESMF aims to provide a procedure for environmental and social screening which will allow the institutions in charge of the implementation of the sub projects to identifyassess and mitigate the environmental and social impacts of their activities. The framework also defines the institutional procedures to be taken during the program implementation, including those relating to capacity building.

1.3 Objectives of ESMF

The overall objective of this ESMF is to provide a framework for environmental and social management of the planned project activities under KCCAP and to identify the positive and negative aspects occasioned by the project, propose ways of managing each of the aspects and present in a matrix which should be used as a practical tool during project implementation. As such any identified negative environmental and socio-economic impacts can be properly managed .The ESMF is to ensure that the implementation of KCCAP adheres to an environmentally and socially sustainable pattern. It also provides a framework to assist communities/beneficiaries to screen sub-projects and institutional mechanisms and responsibilities to address adverse environmental and social impacts.

1.4 Specific objectives of ESMF

The specific objectives of this ESMF are:

1. To undertake an assessment in line with the National safeguards as well as safeguard principles of the adaptation fund and to identify and recommend the projects that may require application of the National safeguards (EIA) due diligence process.
2. To Identify the positive and negative aspects/impacts occasioned by the project
3. To establish specific procedures and methods for factoring environmental and social impacts during the implementation of projects financed under the program;
4. To development a framework for implementation of Environmental and social impacts Mitigation Plans
5. To ensure that grievances arising from affected communities and communications from other stakeholders are responded to and managed appropriately.

1.5 AN Analysis of the ES Policy of the Adaptation Fund

KCCAP is financed by the Adaptation Fund. One of the requirements by the AF is that all its programs and projects develop an Environmental and social monitoring framework adopting the AFs social and environmental safeguard policies to ensure that these development activities are socially and environmentally safe and do not result in unnecessary harm to the environment and the affected communities.

The AF has set fifteen safeguard principles which implementing entities should observe during their programs/projects implementation. In general these principles address on the environment, climate change, human rights, public health, vulnerable communities and the marginalized people. The fifteen safeguards are detailed in **chapter two** of this document and the impacts triggered by the program documented.

The Adaptation Fund policy requires that allprojects/programmes be screened for their environmental and social impacts, that those impacts be identified, and that the proposed project/programme be categorized according to its potential environmental and social impacts. Kenya's NIE programme is categorized as B. Category B projects are

Projects/programmes with potential adverse impacts that are less adverse than Category A projects/programmes, because for example they are fewer in number, smaller in scale, less widespread, reversible or easily mitigated. Those projects/programmes with no adverse environmental or social impacts should be categorized as Category C.

However the policy states that regardless in which category a specific project/programme is screened, all environmental and social risks shall be adequately identified and assessed by the implementing entity in an open and transparent manner with appropriate consultation. The scope of the environmental and social assessment shall be commensurate with the scope and severity of potential risks. If an environmental and social assessment is required, the assessment should assess all potential environmental and social risks and include a proposed risk management plan.

The ES Policy of the Adaptation Fund further guides that requirements to assess and manage environmental and social risks by theimplementing entity will be integrated into existing requirements for risk assessment and management. The initial screening for environmental and social risks can be included in the project/programme proposal document. NEMA, as the Environmental safeguard of the country has other functional safeguard systems which shall be applied in this programme. One example is the Strategic Environmental Assessment (SEA), which is implemented by NEMA which shall be subjected to the NIE programme. Other safeguards are the Environmental Impact Assessments, which were already factored in at the programme design level.

CHAPTER TWO: IMPACTS AND ACTION PLANS FOR SAFEGUARDS

This chapter details how the fifteen safeguards relate to the NIE programme. An action plan has been developed for each safeguard.

Safeguard 1: Compliance with the Law

This safeguard requires that all projects/programmes funded by the Adaptation Fund (AF) abide to the relevant domestic and international laws.

Impact

Kenya's NIE programmes thematic areas are food security, water management, coastal management, disaster risk reduction and knowledge management. As such, based on the thematic focus of the NIE programme, various laws and regulations shall apply in the programme implementation process. Some of these laws are:

   i.   The Constitution of the Republic of Kenya, 2010
   ii. Environment Management & Coordination Act (EMCA), 1999
   iii. Water Act, 2002
   iv. Water Quality Regulations, 2006
   v.   Waste Management Regulations, 2006
   vi. Wildlife and Conservation Management Act, 2013
   vii. National Wetlands Conservation and Management Policy, 2014
   viii. Employment Act, 2007
   ix. Forest (charcoal) Regulations, 2009
   x.   Public Finance Management Act, 2012
   xi. Forest Act, 2005
   xii. Include compliance to relevant international laws and regulations that Kenya is a signatory. E.g. the Kyoto protocol.
   xiii. Meet set standards e.g. Kephis etc. (quality for materials)
   xiv. Land and Planning Act.

Action plan for safeguard 1

The NIE program, shall comply with the applicable domestic and international Laws by undertaking the following. During the programme implementation, the executing entities shall screen for applicable Laws in every proposed quarterly work plan. The proposed work plan activities shall inform the EEs, the international, national and even County By laws that must be adhered to. Where applicable Laws are established, compliance activities to these laws shall be spelt out as part of the work plan. The screening checklist shall also be submitted together with the work plan. EEs shall also report on ESMF implementation alongside quarterly progress reporting. NIE shall undertake monitoring of ESMF implementation alongside quarterly monitoring and evaluation activities. Activities like undertaking Environmental Impact assessments were already factored and budgeted for, during the programme design process.

Safeguard 2: Access & Equity

Projects/programmes supported by the Fund shall provide fair and equitable access to benefits in a manner that is inclusive and does not impede access to basic health services, clean water and sanitation, energy, education, housing, safe and decent working conditions, and land rights.

Impact:

This programme will involve delivery of public goods, namely free seed distribution, water harvesting structures, irrigation systems, afforestation programmes and mangrove rehabilitation programmes. Some of these public goods are accessed directly by everyone in equal measure. However, programmes like seed distribution that are targeting groups pose a risk of lack of equity and equal access due to group formation dynamics. Other aspects of this programme like flood control/ water structures will need a criteria-based approach to identify the actual points of construction.

Action Plan for Safeguard 2

For all the activities that will trigger this safeguard, the EEs shall

- Establish a criterion to ensure fair and equitable distribution of all benefits accrued during program implementation to the project beneficiaries.
- Create mechanisms within the project activity design that will promote accessibility to the program structure irrespective of individual gender, race, ethnic and social orientation.
- Have regular public forums where project beneficiaries can monitor and give their feedbacks on how the benefits re being accessed.
- Ensure that the project executers and beneficiaries are able to address the grievances on access and equity within the agreed GRM.

SAFEGUARD 3: MARGINALIZED AND VULNERABLE GROUPS

AF Projects/programmes supported by the Fund shall avoid imposing any disproportionate impact on marginalized and vulnerable groups including children; women and girls; the elderly; indigenous people; tribal groups; disabled people; and people at risk of, or affected by, HIV/AIDS.

Program impact

The selected target communities in the KCCAP programme are mostly in the Arid and Semi-Arid Lands in Kenya. The rural set ups in these areas comprise of different dynamics of people, the old, sickly, disabled, minority ethnic groups especially in coast, women and children who due to the dominant economic hardships that make them vulnerable are most often isolated or forgotten. Marginalization is thus a likely occurrence in the sharing of program benefits if there is no proper representation of these individuals. Further marginalization is likely to occur if the social context and underlying factors are not analyzed.

Action plan for safeguard 3

Each Executing Entity shall undertake an analysis of various vulnerabilities in each project site. Once the vulnerabilities have been profiled, there will be a deliberate plan to integrate

the vulnerable in the project implementation. Mainstreaming of vulnerable and marginalized groups at the various scales of program implementation will be achieved by ensuring their representation at the various established committees for program implementation and their inclusion as target beneficiaries.

In actualizing this safeguard, community based organizations, faith based organizations, local NGOs and local administration should be included in screening the various types of vulnerabilities in the various target areas to ensure they are incorporated in the various program sites.

SAFEGUARD 4: HUMAN RIGHTS

Projects/programmes supported by the Fund shall respect and where applicable promote international human rights.

Program impact

Human rights are rights inherent to all human beings, whatever the nationality, place of residence, sex, national or ethnic origin, color, religion, language, or any other status (United Nations Human Rights).According to provisions in Chapter four of the Kenyan Constitution – the Bill of Rights- The purpose of recognizing and protecting human rights and fundamental freedoms is to preserve the dignity of individuals and communities and to promote social justice and the realization of the potential of all human beings. Further, every person shall enjoy the rights and fundamental freedoms in the Bill of Rights to the greatest extent consistent with the nature of the right or fundamentalfreedom.

Action Plan for safeguard 4

The program implementation will be carried in such a way that the activities do not infringe on human rights. If any activity unprecedentedly infringes on the above, it shall be channeled through Grievance redress mechanism (GRM). Any activity that shall be deemed to cause abuse to human rights shall be discontinued.

SAFEGUARD 5: GENDER EQUALITY AND WOMEN'S EMPOWERMENT

Projects/programmes supported by the Fund shall be designed and implemented in such a way that both women and men (a) are able to participate fully and equally; (b) receive comparable social and economic benefits; and (c) do not suffer disproportionate adverse effects during the development process.

Program impact

This safeguard may be triggered in activities such as the distribution of drought tolerant seeds to farmer groups and during hiring of labor and recruiting of Program staff as these are some of the potential areas where gender disparities are likely to arise. NIE will therefore ensure a systematic consideration of gender dimensions so that both men and women do not suffer disproportionate adverse effects during the implementation process as well as promote gender aggregated benefit sharing from the project activities.

Action plan

Develop a gender action plan specific to the program that will seek to

1. Conduct GenderAnalysis and ensure that gender sensitive approaches are used that match local conditions
2. Ensure that project outcomes and benefits are engendered/ gender-aggregated
3. Ensure sex aggregated indicators are used in project monitoring
4. Identify and integrate the different needs, constraints, contributions and priorities of women and men during the programme implementation
5. Ensure no gender inequality in terms of access to, control over resources and the cumulative benefits of KCCAP.

SAFEGUARD 6: CORE LABOR RIGHTS

Projects/programmes supported by the Fund shall meet the core labor standards as identified by the International Labor Organization.

Relation to the program

KCCAP will trigger this safeguard due to the employment opportunities the program will offer both for casual laborers and employees on contract. All programme employees shall be employed in accordance with Labor Laws of the Country i.e. Kenyan employment Act Cap 226. This act states the fundamental rights of employees, provides basic conditions of employment of employees, regulates employment of children and provides for matters connected with the above-mentioned.

Action plan for safeguard 6

In order to address the impacts under this policy, all employees must produce their national identity cards during recruitment. The hiring process shall be open and transparent and available job openings and specific qualifications advertised via media where necessary or via any other appropriate mode of communication. Newly recruited staff together with those reassigned will be taken through an orientation and induction training. Program staff shall undergo continuous capacity building where necessary. Opportunities can be created for internships and apprenticeship especially for youth.

SAFEGUARD 7: INDIGENOUS PEOPLES

The Fund shall not support projects/programmes that are inconsistent with the rights and responsibilities set forth in the UN Declaration on the Rights of Indigenous Peoples and other applicable international instruments relating to indigenous peoples.

Impact

According to the UN declaration on the rights of indigenous peoples; A group is considered Indigenous if it defines itself in the following ways:

- Descend from the pre-colonial/pre-invasion inhabitants of our region.
- Maintain a close tie to our land in both our cultural and economic practices.
- Suffer from economic and political marginalization as a minority group.

Article 26of the declaration states

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

Some of the projects in NIE programme touch on areas that are inhabited by indigenous Kenyan communities. In Loitoktok Kajiado County, one of the programme sites, the region is dominantly inhabited by the Maasai community. The Maasai are mainly pastoralists and have a rich reserved culture.

A**ction plan**

It is worthwhile to note that he activities proposed in this area shall enhance the livelihoods of the indigenous people. Activities such as agroforestry, pastoral and agro-pastoral impact directly on the community's way of life and intensive public consultation and consideration of public concern is important. The program's executing entities will;

- observe all the set rules and regulations as well as any other applicable laws to ensure that the rights and culture of indigenous communities are not undermined during the program implementation;
- Consider Indigenous knowledge.
- Involve all the relevant stakeholders' inputs during the assessment process and through the entire implementation phases for example, inter alia, on the initial stages of the project implementation.

SAFEGUARD 8. INVOLUNTARY RESETTLEMENT

Projects/programmes supported by the Fund shall be designed and implemented in a way that avoids or minimizes the need for involuntary resettlement. When involuntary resettlement is unavoidable, displaced persons shall be informed of their rights, consulted on their options, and offered technically and economically feasible resettlement alternatives or fair and adequate compensation.

Impact.

This programme does not conceive to displace any persons during its implementation. However, in cases where there may be need to relocate communities in a selected programme, the NIE will discontinue its activities in such an area and search for more viable region within the programme area.

Action Plan for safeguard 8

The NIE programme shall not undertake involuntary resettlement of people. Any activity that shall trigger involuntary resettlement shall be discontinued. NIE in consultation with EEs and AFB shall agree on reallocation of funds for that activity

SAFEGUARD 9. PROTECTION OF NATURAL HABITATS

The Fund shall not support projects/programmes that would involve significant conversion or degradation of critical natural habitats, including those that are (a) legally protected, (b) officially proposed for protection, (c) identified by authoritative sources for their high conservation value, or (d) recognized as protected by traditional local communities.

Program impact

As the selected program areas are diverse with different landscape features and ecological diversities, there is potential threat to these habitats if environmental impact assessment is overlooked and appropriate mitigation measures not established.

Action plan for safeguard 9

1. Establish a holistic screening checklist to be used by the Executing Entities before programme implementation.
2. All projects that qualify (under schedule 2 of EMCA) shall be subjected to an EIA after which ESMPs (Environmental and Social Management Plans) and the proposed mitigations shall be implemented.

SAFEGUARD 10: CONSERVATION OF BIOLOGICAL DIVERSITY

Projects/programmes supported by the Fund shall be designed and implemented in a way that avoids any significant reduction or loss of biological diversity or the introduction of known invasive species.

Program impact

Introduction of drought tolerant and orphaned/high value crops such as sorghum, amaranthus, millet, green grams, cassava, cow peas, pigeon peas, water melons, pumpkins, butter nut in areas of Gwassi division, Lower Yatta district, Loitoktok district, Nyando Wetlands, Wajir, Garissa, and Waldaa in Kajiado West district may suppress other crops that previously thrived in the selected zones which could mean a threat to the biodiversity of these areas. None of these crops are likely to suppress other plant or animals species; they cannot dominate other crops.

Action plan for Safeguard 10

Introduction of new and existing crop species will only aim at improving the biological diversity of these areas. The capacity of the community must be built on importance of biodiversity management, crop husbandry and on ownership through participation for sustainability of the programme. Clearing of dominant and native plants to plant the proposed drought tolerant crops should be discouraged

SAFEGUARD 11. CLIMATE CHANGE

Projects/programmes supported by the Fund shall not result in any significant increase in greenhouse gas emissions or other drivers of climate change.

Program impact

During the implementation of projects, a lot of activities will take place which are bound to contribute to climate change challenge if mitigation measures are not outlined and observed. Among the activities are:

- Transportation of materials to the sites by use of vehicles such as lorries and tractors which use fuel and emit pollutant gases,

- New offices set up where tree products such as papers and books will be consumed on a frequent basis and energy in the form of electricity, and
- Water consumption

Action plan

1. Regular maintenance of vehicles and machines will be carried out as well as ensuring use offuel efficient machines. The entire vehicle engines shall remain turned off when not in operation to minimize on fuel consumption and air pollution.
2. Adopt efficient technologies such as reading; sending and storing documents in digital formats to minimize use of paper; print on both sides of the paper, turning off machines that are not in use and switching off unnecessary lights.
3. Promote use of clean and efficient technologies such as biogas, solar and efficient cook stoves to minimize emissions
4. Tree planting - but proper site matching should be ensured for different tree varieties and Use of water efficiently

SAFEGUARD 12: POLLUTION PREVENTION AND RESOURCE EFFICIENCY

Projects/programmes supported by the Fund shall be designed and implemented in a way that meets applicable local and international standards for maximizing energy efficiency and minimizing material resource use, the production of wastes, and the release of pollutants.

Program impact;

There is a probability that wastes will be generated during program implementation and operation from sources such as exhaust fumes from locomotive and other Machinery that is air polluting, solid wastes from polythene bags used for storage of agriculture inputs, wrapping of human consumption goods and liquid wastes from both agricultural activities and human activities.

Action Plan

1. Waste and pollution management strategies will be designed and used during project implementation. For example, an appropriate disposal site will be identified for disposal of excavated soil in the case of digging water pans.

2. The project will adhere to waste and pollution management practices provided for in EMCA, 1999 Part VIII.

SAFEGUARD 13. PUBLIC HEALTH

Projects/programmes supported by the Fund shall be designed and implemented in a way that avoids significant negative impacts on public health.

Program impact

There will be a lot of activities especially during the implementation phase that can trigger this safeguard. Examples: handling of pretreated seeds that are poisonous if ingested, operation of machinery and transportation and site accidents.

Action plan

All program implementers shall apply every lawful, necessary and reasonable measures to safeguard health and safety of the public. Maximum sanitation shall be maintained in the working areas

SAFEGUARD 14: PHYSICAL AND CULTURAL HERITAGE

Projects/programmes supported by the Fund shall be designed and implemented in a way that avoids the alteration, damage, or removal of any physical cultural resources, cultural sites, and sites with unique natural values recognized as such at the community, national or international level.

Program impact

Though the proposed program sites include areas of ecological importance some that are already gazette,for example, mangrove forests, and coral reef and sea grass ecosystems and among others, the overall impact of the programme is anticipated to enhance the physical and cultural heritage in the programme implementation areas.

Action Plan for safeguard 14

EEs will put in the necessary mitigation measures during the implementation of NIE Programme:

1. To protect and manage physical and cultural heritage during its operations
2. To conserve physical and cultural heritage and avoid its alteration, damage or removal.

SAFEGUARD 15: AGRICULTURAL LANDS AND SOIL CONSERVATION

Projects/programmes supported by the Fund shall be designed and implemented in a way that promotes soil conservation and avoids degradation or conversion of productive agricultural land.

Program impact

Program activities relate direct to the use of land and soil. It will be therefore important for NIE and the executing entities to screen all the projects to check that they are aimed at improving on the quality of soil and the productivity of land.

Action plan

As all the projects are targeted at enhancing the productivity and resilience of ASALs, appropriate mitigation measures for any activities that may be a threat to the soil, landscape or productivity and use of the land should be designed prior to program implementation.
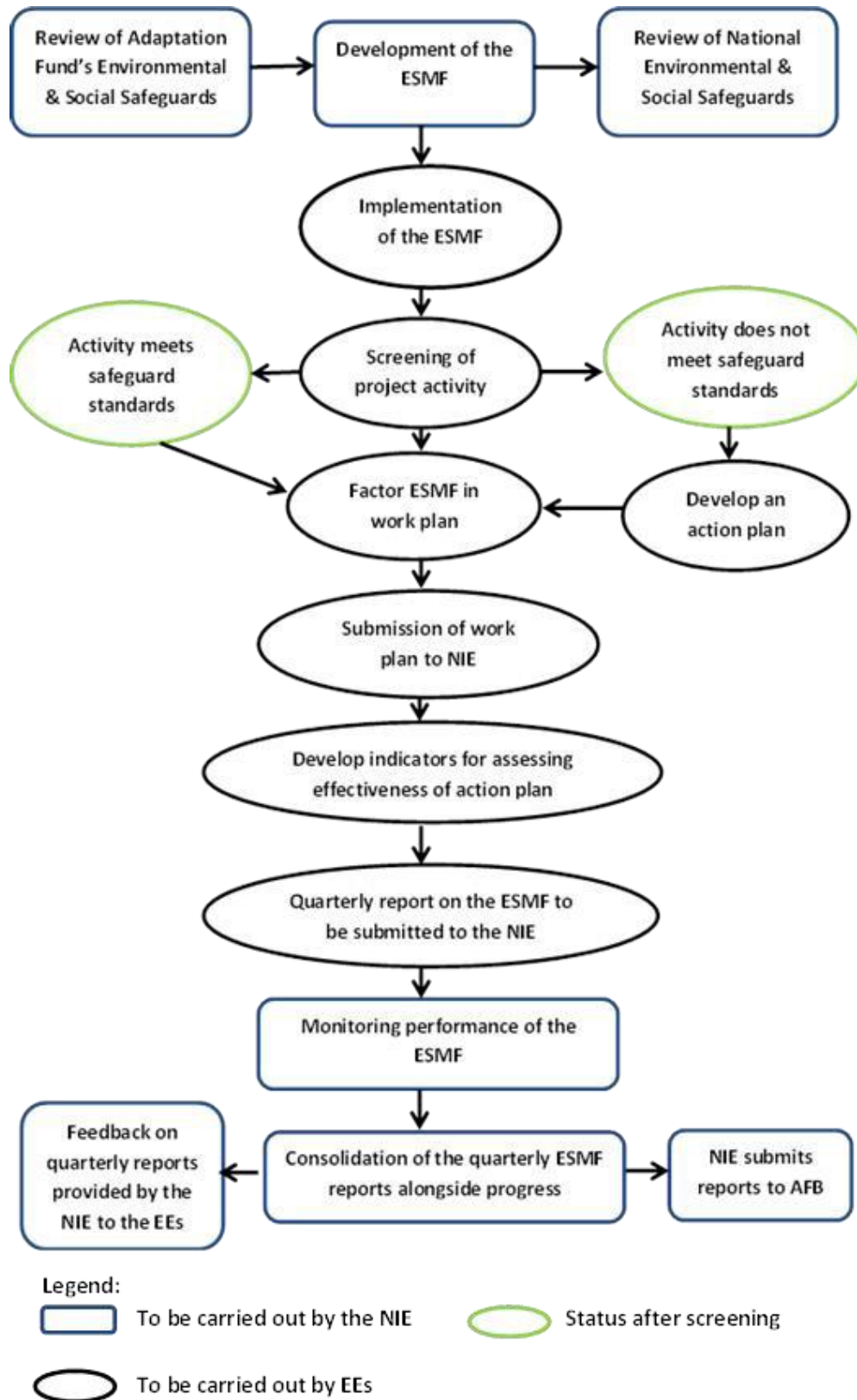
CHAPTER THREE: SCREENING CHECKLIST

This screening checklist is developed to help identify any potential environmental and social impacts of specific activities, and to determine whether such effects are minor and can be summarily addressed and managed; or whether there are any potentially significant effects upon natural habitats, physical or cultural resources at particular project works sites, which would require further and separate analysis due to these complexities;

Screening questions on factors to be considered for further guidance.	Answer; Yes/No.	Is this likely to result in a significant effect? briefly describe	Recommended Action plan

1. Is the activity likely to breach any of the laws listed below? Or any other law
  i. The Constitution of the Republic of Kenya, 2010
  ii. Environment Management & Coordination Act (EMCA), 1999
  iii. Water Act, 2002
  iv. Waste Management Regulations, 2006
  v. Wildlife and Conservation Management Act, 2013
  vi. National Wetlands Conservation and Management Policy, 2014
  vii. Employment Act, 2007
  viii. Forest (charcoal) Regulations, 2009
  ix. Public Finance Management Act, 2012
			If significant, refer to action plan for safeguard 1

2. Will there be inclusivity in the distribution of the public goods during proposed activity implementation?			If significant, refer to Action plan for safeguard 2.
3. Is there a specific criterion put in place to ensure that there is fair access to the project assets.			
4. Is there a possibility of social exclusion (both the marginalized and vulnerable) within the target groups during proposed activity implementation?			If significant, refer to action plan for safeguard 3.
5. Will the activity promote equality and freedom from discrimination?			If significant, refer to action plan for safeguard 4.
6. Does the activity adhere to the Bill of Rights as indicated in the Constitution of the Republic of Kenya, 2010?			
7. Is the proposed activity promoting and enhancing gender equality and equity and women's empowerment?			If no, refer to action plan for safeguard 5.

8. Do the proposed activities encourage both men and women to participate fully and equitably, have equitable access to programme and project resources, and receive social and economic benefits?			
9. Are the gender equations related to the gender action plan to reduce gender disparities that may emerge during programme implementation?			
10. Are measures to minimize the labor laws conflicts designed and included in the KCCAP design phase?			If significant, refer to action plan for safeguard 6.
11. Has On job training to meet the project's requirements been incorporated in the program activities?			
12. Are there any indigenous groups living within the boundaries of, or nearby the proposed project?			If significant, refer to action plan for safeguard 7.
13. (IF yes to question 12) are Members of indigenous groups in the project areas going to benefit wholly from the project?			
14. Are there any areas in or around the proposed activity locations which are sensitive or important for reasons of their ecology e.g. wetlands, water courses or other water bodies, the coastal zone, mountains or forests which could be affected by the program?			If significant, refer to action plan for safeguard 9.
15. Are there any areas or features of high landscape or scenic value on or around which could be affected by the program.			
16. Are there any program activities likely to affect the biodiversity of any of the target zones?			If significant, refer to action plan for safeguard 10.
17. Are the program activities likely to contribute to any of the climate change factors?			If yes, refer to action plan for safeguard 11.
18. Will the projects release pollutants or any, hazardous, toxic or noxious materials into the atmosphere?			If yes, refer to action plan for safeguard 12.
19. Will the projects implementation and operation cause noise and vibration?			
20. Will there be risks of accidents during implementation or operation of the project which could affect human health or the environment?			If significant, refer to action plan for safeguard 13.
21. Will the proposed project activity involve use, transport, storage or handling of substances or materials that could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?			
22. Are there any areas or features of historical or cultural importance or areas protected under international, national or local legislation for their ecological, landscape, cultural or other value on or around the location which could be affected by the proposed activity?			If significant, , refer to action plan for safeguard 14

23. Are there any areas on or around the locations which are occupied by sensitive land uses e.g. hospitals, schools and places pf worship which could be affected by the proposed activity?			If significant, refer to action plan for safeguard 15.
24. Are there existing land uses (e.g. tourism, recreation facilities, agriculture, private property, commerce, industries or public open place) on or around the locations which could be affected by the program?			

CHAPTER FOUR: SCREENING FLOW CHART FOR ESMF

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│ Review of       │      │ Development of  │      │ Review of       │
│ Adaptation      │─────▶│ the             │─────▶│ National        │
│ Fund's          │      │ ESMF            │      │ Environmental & │
│ Environmental   │      │                 │      │ Social          │
│ & Social        │      │                 │      │ Safeguards      │
│ Safeguards      │      │                 │      │                 │
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                         │  Implementation │
                         │   of the ESMF   │
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   ╭───────────────╮     ╭─────────────────╮     ╭─────────────────╮
   │ Activity meets│◀────│   Screening of  │────▶│ Activity does   │
   │ safeguard     │     │ project activity│     │ not meet        │
   │ standards     │     │                 │     │ safeguard       │
   ╰───────────────╯     ╰─────────────────╯     │ standards       │
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                         │  Factor ESMF in │     ╭─────────────────╮
                         │    work plan    │◀────│  Develop an     │
                         ╰─────────────────╯     │  action plan    │
                                  │               ╰─────────────────╯
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                         ╭─────────────────╮
                         │ Submission of   │
                         │ work plan to NIE│
                         ╰─────────────────╯
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                         │ Develop indicators for  │
                         │ assessing effectiveness │
                         │    of action plan       │
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                         │ Quarterly report on the │
                         │ ESMF to be submitted to │
                         │         the NIE         │
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                         ┌─────────────────────────┐
                         │ Monitoring performance  │
                         │     of the ESMF         │
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┌───────────────┐      ┌─────────────────────────┐      ┌───────────────┐
│ Feedback on   │      │ Consolidation of the    │      │ NIE submits   │
│ quarterly     │◀─────│ quarterly ESMF reports  │─────▶│ reports to    │
│ reports       │      │ alongside progress      │      │ AFB           │
│ provided by   │      │                         │      │               │
│ the NIE to    │      │                         │      │               │
│ the EEs       │      │                         │      │               │
└───────────────┘      └─────────────────────────┘      └───────────────┘
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Legend:

☐ To be carried out by the NIE   ⬭ Status after screening

⬭ To be carried out by EEs

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CHAPTER FIVE: IMPLEMENTATION PLAN FOR ESMF/ESMPS

The understanding is that this is a framework that will allow for screening of potential risks relating to all the safeguards. It is conceived that project level screening will be actioned during programme implementation process. Each Executing Entity shall screen for risks for every quarterly workplan submitted to the NIE. After screening the Executing entity shall develop a specific Environmental and Social management plan (ESMP), guided by the action plan per safeguard proposed in this chapter for the proposed set of activities in the workplan. Implementation of the ESMP shall be integrated and budgeted into the workplan activities. ESMP performance shall be reported alongside quarterly progress reporting. NIE shall undertake monitoring of ESMF implementation and performance and shall ensure continual improvement. At the NIE the programme officer responsible for Monitoring and Evaluation, is the one directly responsible for ESMF implementation and ESMF monitoring. At the EEs level, the project manager, shall be responsible for ESMF/ESMP implementation and reporting.

This monitoring and implementation plan is developed to in order to among other purposes, assess the effectiveness of the mitigation measures proposed under the ESMF. The M&E plan will also be used as a tool for constantly checking the progress of program implementation as well as performance of projects' activities. NEMA/NIE will carry out the monitoring and assessment of the program's ESMF and its implementation. The NIE will in return closely review these documents to assess success of the project's ESMF and lessons learnt, identify challenges and constraints and come up with appropriate recommendations for remedial actions as well as best practices for scaling up.

CHAPTER SIX: GRIEVANCE REDRESS MECHANISM

NEMA has developed a detailed GRM for NIE programme implementation. This was informed by the need to have a robust complaints handling process to ensure a smooth programme implementation process. This GRM is availed as an attachment to this document.

CHAPTER SEVEN: DISCLOSURE POLICY

ESMF will be disclosed to local communities and other stakeholders in a form, manner and language appropriate for the local context. The NIE will disclose information of approved sub-projects, including any safeguard issues, through its website. The website will list contact information where interested stakeholders can inquire further documentation and raise their concerns or recommendations to the NIEs. Further all the project offices, and NEMA County offices shall have a resident copy of ESMF, and ESMP for that specific area.

CHAPTER EIGHT: POLICY AND LEGAL FRAMEWORK

This section identifies and reviews the key components of existing legislations and policies and Outlines the requirements of the legal and institution arrangements that are relevant and would hinder or guide the implementation of the program. Kenya is a signatory to several international laws and conventions; it is therefore significant that national projects adhere to these rules and Laws. Some of the relevant international conventions are also reviewed in this section.

The Constitution of the Republic of Kenya

Kenya's new constitution was enacted on 27th August 2010, to replace the old one that had been in place since the country's independence in 1963. The promulgation of this new constitution marked the end of one of the longest journeys in Kenyan history; a two-decade struggle for reforms. The new constitution consists of a preamble, 18 chapters and six schedules. The preamble affirms the acceptance by all Kenyans to adopt the constitution for themselves and for all future generations

The Bill of Rights under chapter four expands the scope of the previously protected political and civil rights. Social, Economic and Cultural Rights which were not recognized or specifically protected under the previous constitution are identified and granted constitutional protection in the new order. Additionally, the rights of vulnerable persons such as women, the elderly, handicapped and the youth have been given recognition and emphasis. All persons have been given the right to institute petitions in the High Court to have their rights recognized and enforced either in their own individual capacity or on behalf of others.Courts have been mandated to listen and determine such petitions without due regard to technicalities of procedure and there is to be no filing fees charged for the institution of such petitions making it easier for people whose human rights have been violated to access justice.

Chapter five of the constitution requires that all use of land be equitable efficient, productive and sustainable. Land is categorized into public, private and community.

The right to a clean and healthy environment is also protected by this chapter. Among other things, the state must ensure that the environment is used in a sustainable manner and work towards covering at least 10% of Kenya's land mass in trees. Additionally, the state must protect the indigenous knowledge and resources of all communities in Kenya, protect biodiversity and stop all activities that may endanger the environment. Parliament is also given power to oversee concessions to exploit Kenya's natural resources such as minerals, fossil fuels and forests.

This constitution is very relevant in the implementation of the project as it is the supreme law of the land and prevails over all other laws, policies and regulations. NIE together with all the executing entities will be obligated to ensure that all the program activities are carried out without contradicting provisions in the Kenyan constitution.

Environment Management &Coordination Act (EMCA), 1999

The Environment Management and Coordination Act No 8 of 1999 was assented by the parliament of Kenya on 6th January, 2000 and commenced on 14th January, 2000. EMCA is a

provision for appropriate legal and institutional framework for environmental management and for the matters connected therewith and incidental thereto.

The administration; National Environment Council, the Authority (National Environment Management Authority- NEMA) and the various committees are provided for under EMCA and their compositions and functions. The Act further outlines sections on Environmental Protection and Conservation, Environmental Impact Assessment (EIA), Environmental Audit and Monitoring, Environmental Restoration Orders, Environmental Conservation Orders and Environmental Easements, Inspection, Analysis and Records, International treaties, conventions and agreements, National Environmental Tribunal and Environmental offences.

EMCA, 1999 will be a fundamental guiding tool in the implementation of the program as the Act regulates the protection, conservation and management of the environment in Kenya. All activities shall therefore adhere to all applicable regulations as provided for under EMCA.

The Environment Impact Assessment and Audit Regulations, 2003

The regulations state that no proponent shall implement a project that is likely to have a negative environmental impact or for which an Environmental impact assessment (EIA) is required under the Act unless an EIA has been concluded and approved in accordance with these regulations. The Act also provides for the need, procedures and applications for the following; Project Report, Environmental Impact Study Report and Environmental Audit and monitoring. This is aimed at ensuring environmentally sound and sustainable projects.

According to the Act, All proposals for public policy, plan or programs for implementation should be of maximum environmentally friendly and cost effective whether implemented individually or in combination with others. The use of natural resources; the protection and conservation of biodiversity; human settlement and cultural issues; socio-economic factors; and the protection, conservation of natural physical surroundings of scenic beauty as well as protection and conservation of built environment of historic or cultural significance should be put into consideration.

During the implementation of this program all projects that require an EIA process shall go through the EIA due diligence as provided for under this Act.

The Water Act, 2002

This Act is purposed to provide for the management, conservation and controlof water resources, the acquisition and regulation of rights to use water and regulation and management of water supply and sewerage services among other purposes.The Act establishes the Water Services Management Authority as the body in charge of regulating, managing and monitoring water resources and water use. Water services Regulatory Board is the board mandated to regulate water supply and sewerage.

Article 19 of the Act defines *public works for water use*.

In sub section 1."Community project" means a project approved by the Authority and operating under a permit for one or more purposes which are--

(a) Connected with the use of water or the drainage of land situate entirely, or for the most part, within a given area; and

(b) Classified by the Authority, with the approval of the Minister as communitypurposes;which has been declared by the Authority,by notice published in the Gazette, to be acommunity project for the purposes of thisAct.Conditions that require a permit both for the use of water and provision of water services and the procedures for obtaining the same are stated in the act. One of the program objectives is the construction of water pans and water harvesting structures, as these structures will mainly rely on rain water, this activity does not contradict provisions in this Act.

The Environment Management and Co-ordination (Wetlands, river banks, Lake Shores and Sea Shore Management) Regulations, 2006: Legal Notice No 19 of 2009

EMCA (wetlands, river banks, lake shores and sea shore management) regulation aims at management of wetlands and wetland resources and management of river banks, lake shores and sea shores. The identification of protected wetlands, permitted use of wetlands, identification of degraded river banks, lake shores and sea shores and resource use permit.

Most important to KCCAP is the management of the sea shore. The regulation recognizes the social, ecological, economic and aesthetic value of these resourcesand provides for principles to be observed in their management and conservation.

The regulation is relevant to this program due to the rehabilitation of Vanga and Gazi Mangrove ecosystems and the stabilization of the shoreline. This will control soil erosion and accretion, increase resilience to the effects of rise in sea levels and protect the shoreline.

The Agriculture Act (Cap 318)

An Act of Parliament to promote and maintain a stable agriculture, to provide for the conservation of the soil and its fertility and to stimulate the development of agricultural land in accordance with the accepted practices of good land management and good husbandry.

There are several projects in the KCCAP program that will be targeting on promoting agriculture and livestock farming and rehabilitation of land. These activities will be implemented in line with all applicable provisions in this Act.

The Land Planning Act (Cap. 303)

This Act provides for planning the use and development of land.

Of relevance to NIE program is the submission for approval of any development plans for an area or town to the commissioner of lands. Some of the activities under this program such as the integrated shoreline project, rehabilitation of Mangrove ecosystem, establishment of green zones for pasture production at Wajir and Garissa and construction of water harvesting structures will require consultation and consent of the relevant authorities.

CHAPTER EIGHT: COMMUNICATION & TRAINING PLAN FOR ESMF

This Communication plan aims to facilitate effective and coordinated communication between the NIE secretariat, funding body (AFB, AFB Secretariat), Executing Entities, project beneficiaries and the general public on Environmental and Social Management Framework (ESMF) for the Kenya Climate Change Adaptation Programme (KCCAP), its objectives, screening procedures, policy requirements and mitigation measures of identified risks.The ESMF communication plan outlines the structure to be used for project communications, information distribution, feedback and stakeholder management, and how these will be managed during the 3year implementation of KCCAP.

Communication plan objectives

Identify funding requirements and resources to ensure effective implementation of the framework.

The primary objective of the ESMF communication plan is to:

i)   Outline the ESMF policy framework, procedures, and methods for environmental and social planning, review, approval and implementation investments to be financed;

   Other objectives

ii)   Share information on ESMF procedures to the relevant stakeholders before and during programme implementation.

iii)   Develop a detailed communication methodology of disseminating ESMF information to the target audience

iv)   Foster collaboration with the implementers, funding bodies, project executors, project beneficiaries and the general public for successful environmental and social risks management during the implementation of KCCAP.

v)   Assign roles and responsibilities, including reporting procedures and monitoring and evaluation to the NIE Secretariat, EEs and sub EEs in regards to ESMF procedures and structure.

ESMF Stakeholder illustrative analysis and Target Audience

The NIE has aggregated its stakeholders as illustrated in the diagram below.
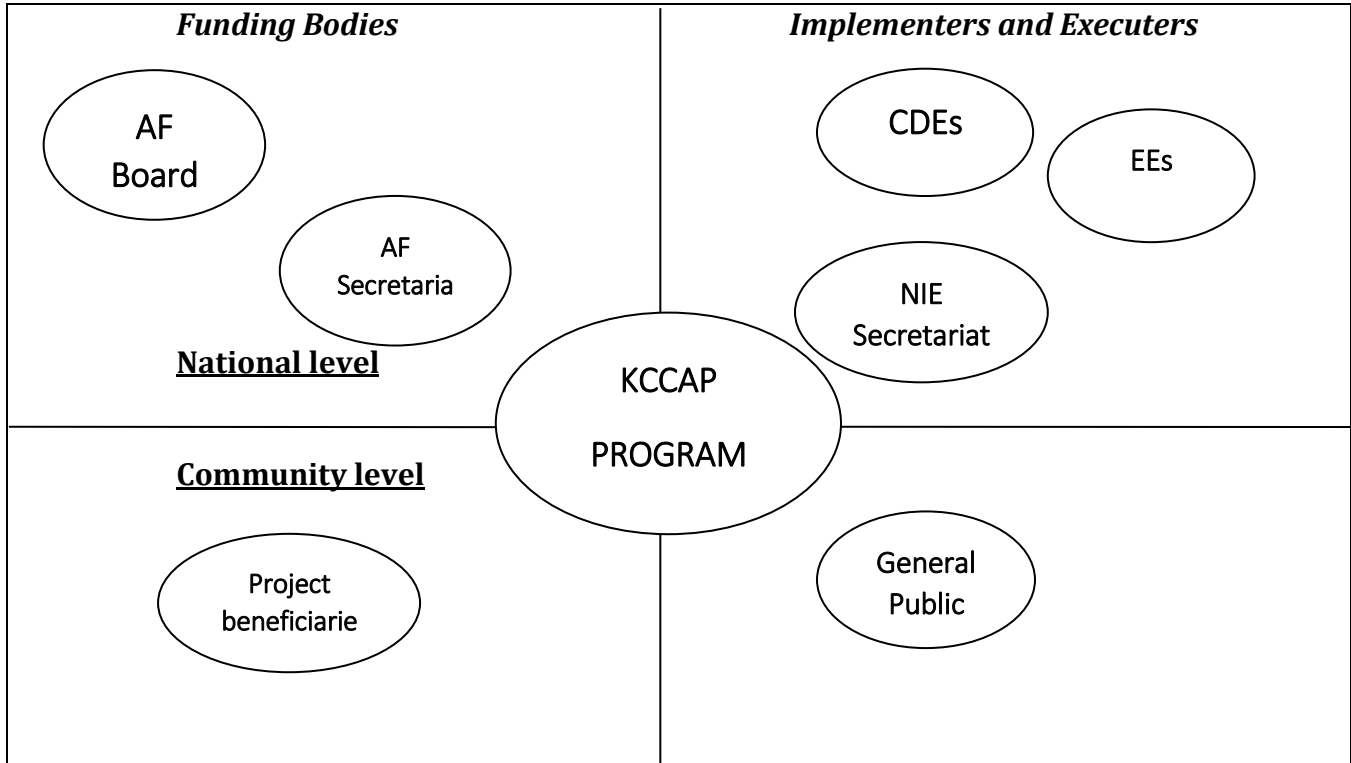
Target audiences

The targeted audiences for this plan are namely:

i. Funding agencies: Adaptation Fund, Adaptation Fund Board Secretariat, Adaptation Fund Trustee-World Bank and the UNFCCC Secretariat

ii. Implementers: NIE (NEMA) and Designated Authority (Ministry of Environment and Natural Resources), NIE Programme Coordinator, NIE Secretariat, Project officers from EEs and CDEs

iii. Executers: EEs (KEFRI, TARDA & CDA) and sub-executing entities (World Vision, Kenya Red Cross, NASARU, Horn Aid International, CARITAS, Kenyatta University, VIRED International and ADRA)

iv. Project beneficiaries: Recipient communities and their local institutions and counties.

ESMF Communication Structure and channels

This is a three-tier structure that outlines the types of information that the KCCAP implementers and executers will pass down to the targeted audience.

First tier of the ESMF communication structure

The targeted audiences for this tier are the project beneficiaries, local institutions and the general public.

This audience will be informed about:

- ESMF goals, objectives and procedures
- ESMF planned activities and deliverables, including start and end dates
- Details about officials who are involved in the ESMF procedures
- Contact details, including how people can reach the project offices
- Community members' right to provide feedback on the KCCAP implementation in regards to the Environmental and Social Management safeguards that have been put in place.

Second tier of the ESMF communication structure

The targeted audiences for this tier are the project implementers, executers, communities and project beneficiaries and their related local (county) institutions.

These stakeholders informed about:

- All first tier level information
- How people can participate in the ESMF procedures
- Points of receipts of grievances at the national level
- Mode of reporting and evaluating the applicability of the environmental and social safeguards

Third tier of the ESMF communication structure

The targeted audiences for this tier are the funding agencies, project implementers, executing entities, general public, project beneficiaries and their related institutions.

Communities are informed about:

- All First and Second tier information
- Progress of the application of Environmental and Social Management Framework in relation to programme implementation

- How input from ESMF progress reports has contributed to decisions
- Key KCCAP staff and their responsibilities in relation to ESMF procedures

ESMF communication channels

In order to communicate all information regarding the ESMF to the targeted audience, the NIE will set up platforms and utilize already existing avenues to reach all its stakeholders. It is noteworthy that the communication channels will vary for each target audience due to group dynamics and accessibility of such platforms especially to the project beneficiaries and local communities.

NIE Secretariat will use the following channels:

a) Print media; e.g. posters, flyers, booklets, notices
b) NEMA Website
c) Copies of ESMF in all NEMA offices in the project areas
d) Social media; that is Facebook, Twitter,
e) Use of ICT
f) Programme meetings

In addition, the following communication activities and methods will be conducted to promote a two way communication between NIE and all its relevant stakeholders, that is,

a) Setting up Program's Intranet
b) Public forums
c) Training on ESMF procedures and structure both for the EEs and at the community level

CONCLUSION

This Environmental and Social Management Framework (ESMF) has been developed with the aim of establishing a tool to identify and examine potential adverse environmental and social risks that KCCAP projects are likely to cause in order to establish mitigation measures.

The ESMF is purposed to see to it that implementation of the NIE Programme will be done in a socially and environmentally sustainable way. Through the screening questionnaire provided, the executing entities will be able to identify any potential environmental and social aspects of program activities and assess them in order to come up with appropriate mitigation measures, including site specific environmental assessments and management plans as need may require. This will be in line with EMCA, 1999 regulations particularly EIA and Audit regulations, 2003.

ESMP MATRIX

Safeguard	Impact	Action plan	Responsible Entity(s) and/ or Person(s)	Monitoring	Time frame
ONE: Compliance with the Law	Probability of breach to the following laws; • . The Constitution of the Republic of Kenya, 2010, • Environment Management & Coordination Act (EMCA), 1999, • Water Act, 2002, • Water Quality Regulations, 2006, • Waste Management Regulations, 2006,	• Screen for applicable Laws in every proposed quarterly work plan. • All projects that qualify (under schedule 2 of EMCA) to be subjected to an EIA after which ESMPs (Environmental and Social Management Plans) and the proposed mitigations will be implemented.	EE project managers and NIE program coordinator	• ESMP reports by EEs, • ESMP performance report from NEMA/NIE.	Quarterly for all activities.

	• Wildlife and Conservation Management Act, 2013, • National Wetlands Conservation and Management Policy, 2014, • Employment Act, 2007, • Forest (charcoal) Regulations, 2009, • Public Finance Management Act, 2012, • Forest Act, 2005, • Include compliance to relevant international laws and regulations that Kenya is a signatory. E.g. the Kyoto protocol. • Meet set standards e.g.	• EEs to Report to NIE on ESMF implementation alongside quarterly progress reporting. • NIE to undertake monitoring of ESMF implementation alongside quarterly monitoring and evaluation activities.			

	Kephis etc. (quality for materials), • Land and Planning Act.			
Two: Access & Equity	• Potential lack of equity and equal access to participation in the implementation and access to project benefits (for example due to group formation dynamics). • Consensus building on actual sites of project outputs.	• Establish a criterion to ensure fair and equitable distribution of all benefits accrued during program implementation to the project beneficiaries. • Create mechanisms within the project activity design that will promote accessibility to the program structure irrespective of individual gender, race, ethnic and social orientation.	EE project managers and NIE program coordinator	• ESMP reports by EEs, • ESMP performance report from NEMA/NIE.	

		• Have regular public forums where project beneficiaries can monitor and give their feedbacks on how the benefits re being accessed. • Ensure that the project executers and beneficiaries are able to address the grievances on access and equity within the agreed GRM.			
Three: MARGINALIZED AND VULNERABLE GROUPS	• Marginalization of vulnerable groups for example aged, sickly, HIV/ AIDS, young, disabled, sex, ethnic groups and the poor.	• Undertake an analysis of various vulnerabilities in each project site and profile them. • Come up with a deliberate plan to integrate the vulnerable in the project implementation	EE project managers and NIE program coordinator	• ESMP reports by EEs, • ESMP performance report from NEMA/NIE.	

		• Ensure representation of the marginalized and vulnerable at the various established committees for program implementation and their inclusion as target beneficiaries.			
Four: HUMAN RIGHTS	Infringement on human rights.	• Report in real time any activity that unprecedentedly infringes on the human rights to the NIE coordinator. • Register complaints within the GRM framework of the AF project. • NIE steering committee meeting conceived in an	EE project managers and NIE program coordinator	• ESMP reports by EEs, • ESMP performance report from NEMA/NIE.	Report any incident immediately.

		urgent manner to resolve the issue.			
Five: GENDER EQUALITY AND WOMEN'S EMPOWERMENT	• Gender disparities in accessing program benefits • Gender disparities in participating in the NIE program..	• Conduct Gender Analysis and ensure that gender sensitive approaches are used that match local conditions • Ensure that project outcomes and benefits are engendered/ gender-aggregated • Ensure sex aggregated indicators are used in project monitoring • Identify and integrate the different needs, constraints, contributions and priorities of women and men during the programme implementation	EE project managers and NIE program coordinator		

		• Ensure no gender inequality in terms of access to, control over resources and the cumulative benefits of KCCAP.			
Six: CORE LABOR RIGHTS	• Noncompliance to core labor rights during hiring process , • Noncompliance to the employment Act. • Child labor.	• Hiring for the NIE program shall only consider applicable age- All employees must produce their national identity cards during recruitment. • Available job openings and specific qualifications to be advertised via media where necessary or via any other appropriate mode of communication.	EE project managers and NIE program coordinator	• ESMP reports by EEs, • ESMP performance report from NEMA/NIE.	

		• Newly recruited staff together with those reassigned to be taken through an orientation and induction training. • Program staff to undergo continuous capacity building where necessary.			
Seven: INDIGENOUS PEOPLES	• Marginalization of Maasai people in Loitoktok. (theMaasai people form one of the indigenous communities in Kenya and Loitoktok is one of the program target areas.)	• observe all the set rules and regulations as well as any other applicable laws to ensure that the rights and culture of indigenous communities are not undermined during the program implementation; • Consider Indigenous knowledge;	EE project managers and NIE program coordinator	• ESMP reports by EEs, • ESMP performance report from NEMA/NIE.	

		• Involve all the relevant stakeholders' inputs during the assessment process and through the entire implementation phases for example, inter alia, on the initial stages of the project implementation.			
Eight: INVOLUNTARY RESETTLEMENT	Programme does not conceive to displace any persons during its implementation.	• In case of unprecedented scenario that can cause involuntary resettlement, the related activity shall be discontinued. • NIE in consultation with EEs and AFB to agree on reallocation of funds for that activity	EE project managers and NIE program coordinator	• ESMP reports by EEs, • ESMP performance report from NEMA/NIE.	

Nine: PROTECTION OF NATURAL HABITATS	Potential threat to landscape features and ecological diversities for example the coastal beaches during Mangrove and Coral reefs rehabilitation.	• Screen for intrusion and destruction of natural habitats.	EE project managers and NIE program coordinator	• ESMP reports by EEs, • ESMP performance report from NEMA/NIE.	
Ten: CONSERVATION OF BIOLOGICAL DIVERSITY	Potential Suppression of other species that previously thrived in the selected zones by Introduction of drought tolerant and orphaned/high value crops such as sorghum, amaranthus, millet, green grams, cassava, cow peas, pigeon peas, water melons, pumpkins, butter nut in areas of Gwassi division, Lower Yatta district, Loitoktok district, Nyando Wetlands, Wajir, Garissa, and Waldaa	• Introduction of new and existing crop species should only aim at improving the biological diversity of these areas. • Capacity of the community must be built on importance of biodiversity management, crop husbandry and on ownership through participation for sustainability of the programme. • Clearing of dominant and	EE project managers and NIE program coordinator	• ESMP reports by EEs, • ESMP performance report from NEMA/NIE.	

	in Kajiado West district which could mean a threat to the biodiversity of these areas.	native plants to plant the proposed drought tolerant crops should be discouraged			
Eleven: CLIMATE CHANGE	Possible contribution to climate change by activities such as transportation, operation of machinery at the sites and use of natural resources such as water.	• Carry out regular maintenance of vehicles and machines as well as ensuring use of fuel efficient machines. • Adopt efficient technologies such as reading; sending and storing documents in digital formats to minimize use of paper; print on both sides of the paper, turning off machines that are not in use and switching off unnecessary lights.	EE project managers and NIE program coordinator	• ESMP reports by EEs, • ESMP performance report from NEMA/NIE.	

		- Promote use of clean and efficient technologies such as biogas, solar and efficient cook stoves to minimize emissions - Tree planting - proper site matching should be ensured for different tree varieties however and Use of water efficiently			
Twelve: **POLLUTION PREVENTION AND RESOURCE EFFICIENCY**	Waste generation during program implementation and operation from Sources such as; exhaust fumes from locomotive and other Machinery that is air polluting,	Design Waste and pollution management strategies and use them during project implementation. For example, identification of an appropriate disposal site for disposal of excavated soil in	EE project managers and NIE program coordinator	- ESMP reports by EEs, - ESMP performance report from NEMA/NIE.	

	• solid wastes from polythene bags used for storage of agriculture inputs, wrapping of human consumption goods and • Liquid wastes from both agricultural activities and human activities.	the case of digging water pans. • Adhere to waste and pollution management practices provided for in EMCA, 1999 Part VIII.			
Thirteen: PUBLIC HEALTH	Potential risk to health for example, ingestion of pretreated seeds that are poisonous.	• Apply every lawful, necessary and reasonable measures to safeguard health and safety of the public. • Maintain maximum sanitation in the working areas.	EE project managers and NIE program coordinator	• ESMP reports by EEs, • ESMP performance report from NEMA/NIE.	

Fourteen: PHYSICAL AND CULTURAL HERITAGE	Areas of ecological importance such as mangrove forests, coral reef and sea grass ecosystems could be threatened, though the overall impact of the programme is anticipated to enhance the physical and cultural heritage in the programme implementation areas.	- Consider all necessary mitigation measures during the implementation of NIE Programme: - To protect and manage physical and cultural heritage during its operations - To conserve physical and cultural heritage and avoid its alteration, damage or removal.	EE project managers and NIE program coordinator	- ESMP reports by EEs, - ESMP performance report from NEMA/NIE.	
Fifteen: AGRICULTURAL LANDS AND SOIL CONSERVATION	- Potential threat to land and soil productivity. - Likelihood of land degradation – most program activities relate direct to the use of land and soil.	Design appropriate mitigation measures for any activities that may be a threat to the soil, landscape or productivity and use of the land.	EE project managers and NIE program coordinator	- ESMP reports by EEs, - ESMP performance report from NEMA/NIE.	