

1. General Conditions

- 1.1 This project is for the proposed OUTPUT BASED AID(OBA) PROJECT FOR KISUMU WATER AND SEWERAGE COMPANY, WATER EXPANSION- PHASE 1&2 IN SEVEN SUB-LOCATIONS located in DAGO, MIKENDWA, KOGONY, KANYAKWAR, KORANDO "A" KONYA,WATHOREGO, KISUMU COUNTY, at a cost of 69,212,236.54. The license shall be valid for 24 months from the date of issue
- 1.2 Without prejudice to the other conditions of this license, the proponent shall implement and maintain an environmental management system, organizational structure and allocate resources that are sufficient to achieve compliance with the requirements and conditions of this license.
- 1.3 The Authority shall take appropriate action against the proponent in the event of breach of any of the conditions stated herein or any contravention to the Environmental Management and Coordination Act, 1999 and regulations there under.
- 1.4 This license shall not be taken as statutory defense against charges of pollution in respect of any manner of pollution not specified herein.
- 1.5 The proponent shall ensure that records on conditions of licenses/approval and project monitoring and evaluation shall be kept on the project site for inspection by NEMA's Environmental Inspectors.
- 1.6 The proponent shall submit an Environmental Audit Report in the first year of occupation/operation/commissioning to confirm the efficacy and adequacy of the Environmental Management Plan.
- 1.7 The proponent shall comply with NEMA's improvement orders throughout the project cycle.
- 1.8 The proponent shall provide the final project accounts (final project costs) on completion of construction phase. This should be done prior to project commissioning /operation /occupation.
- 1.9 The proponent shall comply with NEMA's improvement orders throughout the cycle.

2. Construction Conditions

- 2.1 In the event the project borders a river or stream, pursuant to regulation 6(C) of water quality regulations, 2006, the proponent shall protect the riparian reserve by ensuring that NO development activity is undertaken within the full width of the river or stream to a minimum of six (6) metres and a maximum of 30 metres on either sides based on the highest recorded low level.
- 2.2 The proponent shall ensure that all excavated material and debris is collected, re-used and where needed be disposed off as per the Environmental Management and Coordination (Waste Management) Regulations 2006.
- 2.3 The proponent shall put up a project signboard as per the Ministry of Works Standards indicating the NEMA license number among other information.
- 2.4 The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Noise and Excessive Vibrations Pollution Control) regulations 2009.
- 2.5 The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Wetlands, Riverbanks, Lakeshores and Sea shore management) Regulations 2009.
- 2.6 The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Water quality) Regulations 2006.
- 2.7 The proponent shall ensure strict adherence to the Occupational Safety and Health Act (OSHA), 2007.
- 2.8 The proponent shall ensure that construction workers are provided with adequate personal protection equipment (PPE), sanitary facilities as well as adequate training.
- 2.9 The proponent shall ensure strict adherence to the Water Act 2002 and its subsidiary legislations.
- 2.10 The proponent shall ensure that construction activities are undertaken during the day (and not at night) – between 08.00hrs and 17.00hrs; and that transportation of construction materials to and from the site are undertaken during weekdays (and not weekends) off peak hours.
- 2.11 The proponent shall ensure strict adherence to the Environmental Management Plan developed throughout the project cycle.
- 2.12 The proponent shall ensure that the development adheres to zoning specifications issued for development of such a project within the jurisdiction of the City Council of Kisumu and KIWAACO with emphasis on approved land use for the area.