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mazingira yetu | uhai wetu | wajibu wetu

**NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)
THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT
ENVIRONMENTAL IMPACT ASSESMENT LICENSE**

License No: NEMA/EIA/PSL/8001

Application Reference No: NEMA/EIA/SR/1395

This is to certify that the Environmental Impact Assessment Study Report received from

Kenya Electricity Transmission Company Limited.

P. O. Box 34942 - 00100, Nairobi.

submitted to the National Environment Management Authority in accordance with the Environmental Impact Assessment & Audit Regulations, 2003 regarding the:

Proposed Power Supply Components of the Mombasa Special Economic Zone.

whose objective is to carry on

Construction of a 53KM 22 kV transmission line and a substation.

located at

Mariakani - Dongo Kundu in Mombasa, Kilifi and Kwale Counties.

has been reviewed and a license is hereby issued for the implementation of the project, subject to attached conditions.

Issue Date : **13 June, 2019**

Signature

(Seal)

**Director-General
The National Environment
Management Authority.**

P.T.O.



ISO 9001: 2008 Certified

1.0 General Conditions

- 1.1 This project is for the construction of a 53 KM 220 kV transmission line and a substation traversing Kilifi, Kwale and Mombasa Counties at an estimated cost of Kshs. 5,700,000,000.
- 1.2 The license shall be valid for 24 months (time within which the project shall commence) from the date hereof.
- 1.3 The Director General shall be notified of any transfer, variation or surrender of this license.
- 1.4 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.
- 1.5 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, Cap 387 and regulations therein.
- 1.6 This license shall not be taken as statutory defence against charges of environmental degradation or pollution in respect of any manner of degradation/pollution not specified herein.
- 1.7 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.
- 1.8 The proponent shall submit an Environmental Audit report in the first year of occupation/operations/commissioning to confirm the efficacy and adequacy of the Environmental Management Plan.
- 1.9 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.
- 1.10 The proponent shall comply with NEMA's improvement orders throughout the project cycle.

2.0 Construction Conditions

- 2.1 The proponent shall obtain the requisite approvals from the respective County Governments and all other relevant Authorities prior to commencement of works.
- 2.2 The proponent shall ensure that the project is undertaken as per the approved designs and according to the stipulated regulations and conditions for such project.
- 2.3 In the event that the project site borders a river or a stream, the proponent, pursuant to Regulation 6 (c) of the Water Quality Regulations of 2006, 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) meters and a maximum of 30 meters on either side, based on the highest recorded flood level.
- 2.4 The proponent shall ensure that the cooling systems fitted are suitable alternatives with zero ozone depleting potential as per the Environmental Management and Coordination (Controlled Substances) Regulations of 2007.
- 2.5 The proponent shall submit detailed and legible site layout and engineering drawings by a professional engineer to the Energy and Petroleum Regulatory Authority for approval as per the requirements of Section 50 (2) of the Engineers Act of 2012, No. 43 of 2011.

- 2.6 The proponent shall put up a project signboard at the project office as per the Ministry of Transport and Infrastructure standards showing the NEMA EIA license number among other details.
- 2.7 The proponent shall adhere to all the conditions set out by the Energy and Petroleum Regulatory Authority and the Ministry of Energy, with regard to construction of the transmission line and the sub-stations.
- 2.8 The proponent shall ensure that transmission lines causes minimum disturbance to human settlement and where not possible, resettlement and compensation of affected persons is comprehensively undertaken.
- 2.9 The proponent shall ensure relocation, compensation and restoration of livelihoods for any project affected persons (PAPs) and develop a consultative plan for emerging issues and grievance redress mechanisms (GRM) as shall be prescribed in the Resettlement Action Plan (RAP).
- 2.10 The proponent shall ensure that the trenches dug are refilled as fast as practically possible.
- 2.11 The proponent shall install adequate safety signs showing areas of electrical hazards during the construction.
- 2.12 The proponent shall obtain a transmission license from the Energy and Petroleum Regulatory Authority as required under Section 27 of the Energy Act, No. 12 of 2006.
- 2.13 The proponent shall ensure that installation of adequate safety warning signs showing areas of electrical hazards is undertaken.
- 2.14 The proponent shall ensure that adequate mitigation measures against explosion and fire hazards are provided.
- 2.15 The proponent shall ensure that clearing of trees and vegetation for creating room for construction of transmission line and associated structure should be done as approved by the relevant Authorities.
- 2.16 The proponent shall ensure that transformer plinths in sub stations are surrounded by bund walls and potential spillages drained into sumps for recovery.
- 2.17 The proponent shall provide adequate surge and lightning protection and measures to mitigate against electrocution of birds.
- 2.18 The proponent shall ensure that the design of the equipment and site comply with Environmental Health and Safety Policy for the Electric Power Sub Sector.
- 2.19 The proponent shall install anti-vibration devices over the entire power transmission line length to dampen vibrations.
- 2.20 The proponent shall ensure that the transmission line route is within safety zone of aircrafts and comply with the requirements of the Kenya Civil Aviation Authority.
- 2.21 The proponent shall ensure that all excavated material and debris is collected, re-used and where need be, disposed off as per the Environmental Management and Coordination (Waste Management) Regulations of 2006.
- 2.22 The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Noise and Excessive Vibrations Pollution Control) Regulations of 2009.

- 2.23 The proponent shall ensure strict adherence to the Occupational Safety and Health Act (OSHA), 2007.
- 2.24 The proponent shall ensure strict adherence to the provisions of the Environmental Management and Coordination (Air Quality) Regulations of 2014.
- 2.25 The proponent shall ensure that construction workers are provided with adequate personal protection equipment (PPE), sanitary facilities as well as adequate training.
- 2.26 The proponent shall ensure that construction activities are undertaken during the day (and not at night) between 08.00 hrs and 17.00 hrs; and that transportation of construction material to site are undertaken during weekdays (and not weekends) off peak hours.
- 2.27 The proponent shall ensure that the development adheres to zoning specifications issued for development of such a project within the jurisdiction of the County Governments of Kilifi, Kwale and Mombasa Counties with emphasis on approved land use for the area.
- 2.28 The proponent shall ensure strict adherence to the Environmental Management Plan developed throughout the project cycle.

3.0 Operational Conditions

- 3.1 The proponent shall ensure that regular maintenance of the system is done to prevent incidents and accidents accessioned by negligence on the part of the proponent.
- 3.2 The proponent shall ensure that all waste water is disposed as per the standards set out in the Environmental Management and Coordination (Water Quality) Regulations of 2006.
- 3.3 The proponent shall ensure that rain water harvesting facilities are provided to supplement surface and ground water.
- 3.4 The proponent shall ensure that all drainage facilities are fitted with adequate functional oil water separators and silt traps.
- 3.5 The proponent shall ensure that appropriate and functional efficient air pollution control mechanisms are installed in the facilities to control all air emissions.
- 3.6 The proponent shall ensure that all equipment used are well maintained in accordance with the Environmental Management and Coordination (Noise and Excessive Vibration Pollution Control) Regulations of 2009.
- 3.7 The proponent shall ensure that all solid waste is handled in accordance with the Environmental Management and Coordination (Waste Management) Regulations of 2006.
- 3.8 The proponent shall ensure that all workers are well protected and trained as per the Occupational Safety and Health Act (OSHA) of 2007.
- 3.9 The proponent shall comply with the relevant principal laws, by-laws and guidelines issued for development of such a project within the jurisdiction of the County Governments of Kilifi, Kwale and Mombasa Counties, Directorate of Occupational Health and Safety Services, National Construction Authority, Kenya Bureau of Standards, Ministry of Energy, Kenya Wildlife Service, Ministry of Lands, Housing and Urban Development, Energy and Petroleum Regulatory Authority, Kenya Forest Service, Water Resources Authority and other relevant Authorities.

3.10 The proponent shall ensure that environmental protection facilities or measures to prevent pollution and ecological deterioration such as landscaping, site securing, personal protective equipment, regular maintenance of the system, surge and lightening protection mechanisms, warning signs, mitigation against bird strikes etc, occupational health and safety mechanisms are designed, constructed and employed simultaneously with the proposed project.

4.0 Notification Conditions

4.1 The proponent shall report incidents and accidents to Energy and Petroleum Regulatory Authority (EPRA) in writing in accordance with Section 117 of the Energy Act, 2006.

4.2 The proponent shall seek written approval from the Authority for any operational changes under this license.

4.3 The proponent shall ensure that the Authority is notified of any malfunction of any system within 12 hours on the NEMA hotline No. **020 6006041 / 0786 101100** and mitigation measures put in place.

4.4 The proponent shall keep records of all pollution incidences and notify the Authority within 24 hours.

4.5 The proponent shall notify the Authority in writing of its intent to decommission the facility **three (3) months** in advance.

5.0 Decommissioning Conditions

5.1 The proponent shall ensure that a decommissioning plan is submitted to the Authority for approval at least three (3) months prior to decommissioning.

5.2 The proponent shall ensure that all pollutants and polluted material is contained and adequate mitigation measures provided during the phase.

The above conditions will ensure environmentally sustainable development and must be complied with.