



NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY

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NEMA/SEA/5/2/060

28th August, 2019

The Managing Director,
Diaspora University Trust
P.O. Box 16891-00620
NAIROBI

**RE: APPROVAL FOR THE STRATEGIC ENVIRONMENT ASSESSMENT (SEA) FOR
THE PROPOSED DIASPORA UNIVERSITY TOWN DEVELOPMENT PLAN IN
TAITA TAVETA COUNTY**

1. General Conditions

- 1.1 The approval is for the Strategic Environment Assessment for the proposed Diaspora University Town Development Plan in Taita Taveta County.
- 1.2 The approval shall be valid for 24 months from the date of issue (Time within which the plan implementation should commence).
- 1.3 Without prejudice to the other conditions of this approval, the Plan owner 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 approval.
- 1.4 The Authority shall take appropriate action against the Plan owner 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 there under.
- 1.5 This approval shall not be taken as statutory defense against charges of environmental degradation in respect of any manner of environmental degradation not specified herein.
- 1.6 The Plan owner shall ensure that records on conditions of approval and monitoring and evaluation shall be available for inspection by NEMA's Environmental Inspectors.
- 1.7 The Plan owner shall engage a registered and licensed Environmental Expert to undertake periodic (biennially) monitoring and evaluation of the

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implementation plan to confirm the efficacy and adequacy of the Environmental Management and Monitoring Plan and submit a report to NEMA.

- 1.8 The Plan owner shall comply with NEMA's improvement orders throughout the plan implementation cycle.

2. Implementation Phase

- 2.1 The Plan owner shall ensure linkages between existing PPPs and the strategic actions at different tier levels are clearly indicated such as the Taita Taveta CIDP in relation to the Diaspora Master Plan.
- 2.2 The Plan owner shall in consultation with Kenya Wildlife Service prepare an Integrated Wildlife Management Plan to include conservation of wildlife dispersal areas among other factors and submit the plan to NEMA before submission of site specific Environmental Impact Assessments (EIAs).
- 2.3 The plan owner shall in consultation with Water Resources Authority (WRA) prepare an Integrated Wetlands and Riparian Reserve Management plan to include conservation of wetland areas and riparian reserves and submit the plan to NEMA before submission of site specific Environmental Impact Assessments (EIAs).
- 2.4 The Plan owner shall in consultation with Water Resources Authority (WRA), County Government of Taita Taveta and other stakeholders prepare a comprehensive water resource management plan and submit the plan to NEMA before submission of site specific Environmental Impact Assessments (EIAs).
- 2.5 The Plan owner shall in consultation with the County Government of Taita Taveta and other relevant stakeholders ensure that a comprehensive land use management plan is put in place and to ensure that the pressure on resources is minimised so as to secure the land resources from exploitative activities
- 2.6 The Plan owner shall undertake subsequent Environmental Impact Assessments (EIAs) for specific projects within the Plan and submit the same to NEMA before commencement of the projects.
- 2.7 The Plan owner shall ensure that there is adequate public participation in the design, oversight and approval of developments that conform to the management plan within the various and diverse ecosystems systems within the traverse.
- 2.8 The Plan owner shall ensure that all stakeholders are involved including the County Government in the management of the natural resources and the responsibility for protecting them is embraced by all for sustainability.
- 2.9 The Plan owner shall ensure that the best alternatives, (in terms of technologies and livelihood development, wildlife management, pastoral

management, energy solutions, water demand, water resource use and conservation), are implemented within the development of the Diaspora Plan.

- 2.10 The Plan owner shall ensure a working mechanism and co-operation between the National and County governments in order to support the operations and implementation of the projects within the Plan.
- 2.11 The Plan owner shall ensure that the implementation of the Plan adheres to zoning specifications, carrying capacities, open space requirement and land use plan as in the proposed Plan.
- 2.12 The Plan owner shall ensure strict adherence to the Environmental Management and Monitoring Plan developed during the implementation cycle with emphasis on livelihood development, wildlife management, pastoral management, water resource use, waste management plan/strategy, transport management plan, infrastructure and services management plan, pollution prevention management plan, Emergency Response Management Plan, protection and conservation of the wildlife corridors, aquifers, protection and conservation marine life and endangered species, Management Plan for the conservation of ecologically sensitive areas such migratory corridors, wetlands, marine parks, coastal forest and mangroves and protection of riparian areas.
- 2.13 The Plan owner shall comply with the relevant principle laws, by-laws and guidelines issued for development by the Ministry of Environment and Forestry, Ministry of Water and Irrigation, Ministry of Agriculture, Livestock and Fisheries, Ministry of Transport, Infrastructure, Housing and Urban Development, Ministry of Finance and National Treasury, Ministry of Land, Ministry of Health, Ministry of Devolution and Planning, Ministry of Interior and Coordination of National Government, Vision 2030 Secretariat, Council of Governors, National Land Commission, National Museums of Kenya, Kenya Marine Research Fisheries Institute, Kenya Wildlife Service, Kenya Maritime Authority, Kenya Forest Service, National Irrigation Board, National Pipeline and Water Conservation, Directorate of the Occupational Health and Safety Services and other relevant authorities.
- 2.14 The Plan owner shall, in consultation with the Ministry of Land, Housing and Urban Development and the neighboring County Governments, put measures in place to control the mushrooming of slums in the neighbourhood.
- 2.15 The Plan owner shall ensure that necessary infrastructure and utilities are constructed before implementation of specific projects.
- 2.16 The Plan owner shall ensure proper zoning specifications are developed while taking into consideration the different user types and the need for social amenities, conservation zones and environmentally significant areas.

3.0 Notification Conditions

- 3.1 The Plan owner shall seek written approval from the Authority for any implementation changes under this approval.
- 3.2 The Plan owner shall seek written approval from the Authority if they intend to deviate from the justified/acceptable alternative in terms of location, design, technology, etc.
- 3.3 The Plan owner shall notify the Authority of its intention to review the Plan.
- 3.4 The above conditions will ensure environmentally sustainable development and must be complied with.



MAMO B. MAMO
Ag. DIRECTOR GENERAL

Copy to:

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The Principal Secretary
Ministry of Interior and Coordination of National Government
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The Director
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The Chairman
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The Principal Secretary
Ministry of Agriculture
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The Principal Secretary
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The Principal Secretary
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The Director,
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The Chief Executive Officer,
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