

AL-SHERMAN LIMITED

**ENVIRONMENTAL IMPACT ASSESSMENT STUDY FOR THE
PROPOSED SALT WORKS**

**MINUTES OF THE THIRD PUBLIC BARAZA HELD AT KADZUYUNI
ON THE 29TH MARCH 2018**

Agenda

1. Stakeholders (community) consultation to gather views, concerns and suggestions regarding the proposed Al-Sherman Limited Salt Works.
2. A.O.B

List of attendees

Name	Address/Contact	ID No
1. Francis Kazungu Ngala	Senior Chief, Fundi-Issa Location	4965841
2. Seif Athman	Al-Sherman Limited Representative	22340318
3. Hon. Stanley Karisa Kenga	MCA-Adu Ward and Kilifi County Assembly Deputy Speaker	21903745
4. Samson Zia Kahindi	Adu Ward Liaison Officer- Magarini Constituency MPs Office	24928155
5. Vincent Yeri Chengo	Ward Administrator-Adu Ward	22184491
6. Mwamuye C. Yawa	Senior Assistant Chief Marereni Sub-Location	10092800
7. Festus Gunga Baya	Assistant Chief Fundisa Sub-Location	11494315
8. Patrick Gambo	Kenya Association of Manufacturers Salt-Belt Sub-Sector Liaison Officer.	22494409
9. Philip Manyi Omenge	EIA/EA Lead Expert	12530095
10. Jonnathan Katana Yeri	EIA/EA Associate Expert	27922743
11. Wanyama Christopher	EIA/EA Research Assistant	22823582
12. Nickson K. Charo	0714501993	2132616

13.	Justus Kithi Tsofa	0723357232	29342351
14.	Jeremiah K. Ngumbao	0702803570	13734792
15.	Karisa Kubanda	0702475989	
16.	Charo Popo Gona	0736716461	11374314
17.	Ngala Chome Ngala	0724664962	11374314
18.	Joram S. Kavaya	0726540560	503234
19.	Margaret Luganje	0717143317	11762928
20.	Saidi Kayaa	0773785420	33890555
21.	Charles C. Kahama	0720539225	0171591
22.	Gilbert K. Chibo	0719508287	5000282
23.	Emily Mwaka	0704214040	21750005
24.	Edison D. Pole	0734495748	1165878
25.	Boniface Sadi Mzungu	0725026946	10691653
26.	Salome N. Mwachilumo	0727483864	24031893
27.	Evancy Fondo Chengo	0728596231	3161466
28.	Ritson Khunu Katambo	0725704232	5033853
29.	William Kazungu		8521666
30.	Reckson K. Sheti	0720748883	22427699
31.	Justine K. Ngumbao	0726551181	12841510
32.	Sholo Benjamin Kambi	0725342472	11263028
33.	Shadrack Magambo	0723359889	2129137
34.	Samuel Menza	0742524303	9966875
35.	Edson Kahindi Nzai	0721741667	25486826

36.	Florence Nyevu Mramba	0716561179	30910405
37.	Grace Lefani Wanje	0790188350	32298734
38.	Elizabeth Kyalo	0719546304	14429073
39.	Julius Kadzungo Thoya	0729033280	13625198
40.	Joseph K. Chibo	0717192122	2128349
41.	Bidii Baya	0796448203	11375458
42.	Elizabeth Baya	0743625181	20253640
43.	Mwafundu Kandu	0792873136	8529849
44.	Elvis K. Kitsao	0728249324	21815764
45.	Stephen Kenga Kenya	0719166537	23585315
46.	Francis Masha Karisa	0725206773	21677742
47.	Mwaka Jambo		
48.	Mary Gayo	0746839395	
49.	Dume Janji		
50.	Tune Ndaa		0166144
51.	Kazungu Jonathan Kalu	0798863723	34140505
52.	Dominic Saitoti	0742161425	29362830
53.	Daniel Kadenge	0700371960	33053877
54.	Ziro Jackson	0290332664	11568392
55.	Mohamed Omar	0719265873	
56.	Manyeso John		
57.	Rehema Kirao		
58.	Janet Jambao	0799854793	24297565

59.	Matilda Khadija Ronald	0729842478	33491784
60.	Eunice Nyevu		
61.	Amina Issa		
62.	Lauzi Muye		11568748
63.	Maneno Baya		13142584
64.	Kanze Mweni		20360791
65.	Garama Charo Thoya	0729300295	13484169
66.	Safari Charo		5037859
67.	Jonathan Kalu Mwango	0725226425	16058020
68.	Josephine Karima	0718153613	23417634
69.	Loice Deche		
70.	Josephine Bongo		
71.	Rickson B. Barofia	0796187537	31670462
72.	Musa Katana	0796176323	30882093
73.	Festus Kalu Kithi	0729811864	25014639
74.	Patience Muhache	0723518876	
75.	Mariam Washe		
76.	Nyevu Ndaa		
77.	Masha Mwaragai	0726011167	4996790
78.	Matata Tsomta	0717432541	23225900
79.	Daniel Kenya	0708248462	32302117
80.	Mary Karisa Maitha		
81.	Asha Jambo		

82.	Karemba Sineno	0753021471	32551848
83.	Elius Mwatsuma	0718170016	23825939
84.	Glorian Sampuli	0731324605	
85.	Rehema Jahazi		
86.	Tabu Kenga		
87.	Elina Ngumbao	0797852594	
88.	Gladys Nzai		20265457
89.	Katana Samini	0718500250	26156822
90.	Mwalimu Ngumbao	0707525122	
91.	Joshua Masha	0731646398	
92.	Patrick Magadi	0797642302	28196200
93.	Sifa Tsola Ziro	0748511097	34055243
94.	Aman Japhet	0717787324	36607631
95.	Salim Chigawe		
96.	Shauri Garama		
97.	Baraka Karisa	0717787488	3658284
98.	Jumaa Kalume	0719534971	23796808
99.	Kahindi Dana		
100.	Khamis Katana		
101.	Michael Mele		36351121
102.	Ziro Jonathan	0723281169	23585279
103.	Jackson Muruu	0791644897	
104.	Chadi Charo		9474445

151.	Bahati Chengo Kenga	Kadzuyuni B	
152.	Samson K. Menza	Msumarini A	9391096
153.	Karisa Kitsao	Garithe C	
154.	Japhet Ngala	Kadzuyuni D	
155.	Jackson Kazungu	Kadzuyuni C	
156.	Maurice Lefani	Kadzuyuni B	
157.	Washe Mwarabu	Kadzuyuni A	
158.	Dama Kahindi	Kadzuyuni B	
159.	Karisa Fundi	Garithe	
160.	Kazungu Charo	Kadzuyuni B	
161.	Benson M. Munga	Kadzuyuni A	9966696
162.	Douglas K. Wandera	Kadzuyuni	10313558
163.	Sanita Ngumbao	Msumarini C	
164.	Janet Swaleh	Msumarini B	26818536
165.	Magret Jambo	Kadzuyuni D	
166.	Kanze Ngumbao	Kadzuyuni C	
167.	Samuel Unda	Kadzuyuni B	
168.	Josphat Karisa	Garithe B	
169.	Phandemon Katana	Garithe B	
170.	William Gona	Msumarini C	
171.	Christine Omar	Kadzuyuni B	
172.	Sadaka Nyanje	Muyu wa Kae	
173.	Kahonzi Katana	Msumarini C	

174.	Kadzo Katana	Msumarini C	
175.	Halima Jabu	Kadzuyuni B	
176.	Kadii Bayali	Kadzuyuni B	
177.	Magret Kalume	Kadzuyuni B	
178.	Neema Safari	Kadzuyuni A	
179.	Nelius Jilani	Kadzuyuni A	
180.	Safari Tambe	Kadzuyuni B.	
181.	Hamisi Ngumbao	Msumarini C	
182.	Juddy Emmanuel	Kadzuyuni	
183.	Loice Karo	Kadzuyuni	25486807
184.	Grace Wanje	Kadzuyuni	27162857
185.	Julius Charo Ziro		
186.	Mathius Charo Nzaro		11263596
187.	Kazungu Mwambire		30054963
188.	Rimond Katana		34051681
189.	Changawa Masha	0703441148	27742548
190.	Kenga Jahazi	0746969232	34140114
191.	Rullex Peter	0746969578	31949413
192.	Jefa Saidi	0712667873	32061126
193.	Karisa Charo	0720658371	23083811
194.	Ajabu Kashu	0746969233	
195.	Mtawali Tabu	0795130281	33270571
196.	Jonathan Chengo	0705829157	

197.	Margaret Kadii	0792458165	10669081
198.	Jumwa Ruwa		5021262
199.	Nyevu July		5002129

ABSENT WITH APOLOGY

1. Hon. Michael Kingi-Memembr of Parliament Magarini Constituency

MIN 01/03/2018: OPENING PRAYERS

The meeting was called to order by the Senior Chief Fundisa Location Mr Francis Kazungu Ngala at 1207 hours. He called upon Pastor Samuel Mbogo Menza to offer opening prayers. A self-introduction then followed, where those who were sited at the high table introduced each other by name while the rest of the attendees were identified by the villages they came from. Villages represented included; *Kadzuyuni A, Kadzuyuni B, Kadzuyuni C, Kadzuyuni D, Mkono wa Jongoo A, Mkono wa Jongoo B, Mkono wa Jongoo C, Msumarini A, Msumarini B, Msumarini C, Msumarini D, Muyu wa Kae A, Muyu wa Kae B, Muyu wa Kae C, Muyu wa Kae D and Garithe B.*

MIN/02/03/2018: REMARKS FROM THE CHAIRMAN OF THE BARAZA

In his opening remarks, the chairman, the Senior Chief-Fundisa Location; Mr. Francis Kazungu Ngala began by acknowledging those present including the Adu Ward Member of County Assembly who also doubles up as the deputy speaker of the Kilifi County Assembly, the Adu Ward Liaison Officer at the Office of the Magarini Constituency Member of Parliament, the Adu Ward Administrator, the Assistant Senior Chief-Marereri Sub-Location, the Assistant Chief-Fundisa Sub-Location, Village Elders representing various villages, the EIA Expert and his team and the rest of the attendants. He welcomed all present and urged them to remain calm and participate peacefully throughout the meeting. He told the people that they will be requested to give out their names and photos will be taken-he asked them to co-operate on the same. The chairman then welcomed the Alsherman representative to explain the agenda of the day to the attendants.

MIN 03/03/2018: REMARKS FROM AL-SHERMAN LIMITED REPRESENTATIVE, MR SEIF ATHMAN

Mr. Seif Athman began by first recognising those present including the Adu Ward Member of County Assembly who also doubles up as the deputy speaker of the Kilifi County Assembly, the Adu Ward Liaison Officer at the Office of the Magarini Constituency Member of Parliament, the Adu Ward Administrator, the Senior Chief Fundisa Location, the Assistant Senior Chief-Marereri Sub-Location, the Assistant Chief-Fundisa Sub-Location, Village Elders representing various villages, the Environmental Consultants and the rest of attendants. He explained the confusion in the names of the proponent, saying that Alsherman Limited is the proponent but it is a sister company to Malindi Salt Limited while solar salt could be a trade name keeping in mind that the technology they intend to use in the production of salt is the solar technology and not the vacuum one. Presenting the agenda of the meeting Mr. Seif said, Al-Sherman Limited proposes to put up a salt works at Msumarini area within Fundisa-Marereri Location within Magarini Sub-County, Kilifi County. He acknowledged that a part of their land has squatters and that the proposed development will begin with the section of the land that is without squatters pending resolution of the squatter issues in the other sections by the National Lands Commission. He went on to say that as per the requirement of the environmental laws Al-Sherman Limited is carrying out an environmental impact assessment study for the proposed salt works. He said that is why the baraza was convened to consult the community on the salt works. He encouraged all present to actively participate and present the views and concerns during the plenary session

MIN 04/3/2018: PRESENTATION BY THE LEAD EXPERT, MR. PHILIP MANYI OMENGE

The Lead Expert began by acknowledging those present including the Adu Ward Member of County Assembly who also doubles up as the deputy speaker of the Kilifi County Assembly, the Adu Ward Liaison Officer at the Office of the Magarini Constituency Member of Parliament, the Adu Ward Administrator, the Senior Chief Fundisa Location, the Assistant Senior Chief-Marereri Sub-Location, the Assistant Chief-Fundisa Sub-Location, Village Elders representing various villages, and the rest of the attendants. He then introduced himself together with his team. The Lead Expert said that the Environmental Management and Coordination Act (EMCA) No. 8 of 1999 (Amended) 2015 requires that planned projects that listed in the second schedule as outlined in Legal Notice Number 150 of 2016 are

required to undertake an Environmental Impact Assessment (EIA) before implementation. He went on to say that the proposed salt works by Al-Sherman Limited falls under the second schedule as outlined in Legal Notice Number 150 of 2016 and thus the reason why the company is undertaking the environmental impact assessment study for the proposed salt works. The Expert said the National Environment Management Authority (NEMA) has registered and licensed Environmental Impact Assessment/Environmental Audit experts to carry out EIAs, he said he is one of the licensed EIA experts. The expert went on to say that Al-Sherman Limited has contracted him and his team to carry out the EIA for the proposed salt. He went on to say that the Environmental (Impact Assessment and Audit) Regulation of 2003 outline the procedure to be followed in undertaking EIA. He said that regulation 17 of legal notice number 101 of 2003 provides for public participation during the EIA process. The expert went on to say that the baraza was an important forum for community participation in the EIA process. He urged all present to participate fully by airing their issues, concerns and suggestions. He said that this was the third public baraza for the proposed salt works. The expert said that a detailed questionnaire survey would be carried out within the project area after the public barazas are concluded. The expert said that other baseline studies would then follow with in the proposed project area. He said once data collection is completed, his team will compile an environmental impact assessment study report which will be submitted to the National Environment Management Authority. He said that the authority will call for comments on the report from the public and he urged the residents once they read the notices on the Kenya Gazette and the local daily papers to access the report, read it and present their comments to the Authority. He requested all the people present to participate fully in the baraza by presenting their views, suggestions and concerns regarding the proposed salt works by Al-Sherman Limited.

MIN/05/03/2018: REMARKS FROM THE AREA SENIOR CHIEF FUNDISA-LOCATION MR. FRANCIS KAZUNGU NGALA.

In his opening remarks, the senior chief welcomed all present including the representative of Al-Sherman Limited, the Environmental Impact Assessment Expert and his team and the residents. He reiterated the agenda of the day. He said that this was the third and final baraza. He mentioned that the proposed development is to take place at the parcel of the land not occupied by squatters. He said the parcels of the developer's land occupied by squatters are in the hands of the National Lands Commission, mentioning that the NLC chair recently visited the area and that the process of resolution is underway. He told the people that Environmental

Impact Assessments are provided for in the law and that this particular baraza is as a result of the environmental laws. He emphasized the importance of active participation to the agenda of the day by the residents. He urged those present to ask whatever questions they may have and put forward their suggestions on the proposed project, exercising tolerance while doing so.

MIN 06/03/2018: OPEN PLENARY

Kanze Mweni Maitha: Mama Kanze, a widow, acknowledged that she is a squatter at the developer's piece of land and that she has lived there for a number of years to the extent of growing coconut trees and other tree crops to maturity. It is these crops she says sustain her and enable her run her day to day life. She therefore didn't support the implementation of the proposed project fearing that she may be evicted from her home, her crops destroyed and therefore rendered helpless.

Mary Gafo: Mama Mary Gafo said that she supports the implementation of the proposed project as it shall create employment for the people. She however said that the areas occupied by the squatters should not be interfered with. She called for tolerance among the people and co-operation between the developer and the local community.

Margerate Gambo: Mama Margerate said she is opposed to the proposed project fearing that they may be evicted from the areas they occupy, their crops destroyed and their lives disoriented.

Safari Samini: Mr. Safari, a youth, said that he supports the proposed project as it will create employment opportunities for the many uneducated youths from the area and help the rate of crime rate such as petty theft come down. He however urged the developer to have the land with squatters allocated to them.

Loice Julius: Mama Loice, a mother of ten, said that she lived at a salt firm before where her husband had been working for many years but there was little or no growth at least not until they moved to the Kadzuyuni area where they settled, planted coconut trees and other tree crops which she said have enabled them take their children to school. She is therefore opposed to the proposed project saying that it will have them evicted and therefore negate the strides they have made.

Wanje Ziro: Mr. Wanje Ziro said that he would like to see the proposed project implemented because it will create employment opportunities for the people. He suggested that the local

administration and political leadership should sit down with the developer and resolve the squatter issues amicably.

Konde Kitsao: He said that the proposed project should not be allowed to proceed as it will negatively affect coconut trees and other tree crops in the area.

Safari Kambi: Mr. Safari Kambi said that the proposed project should not proceed because that's the only area they draw fresh drinking water from.

Daniel Baya: Mr Daniel said he feared implementation of the proposed project may have them evicted from the areas they occupy. He therefore said the project should not proceed, pausing "Makao Kwanza".

Kahindi Karisa: Mr. Kahindi Karisa said he was born and raised at the developer's piece of land. He said years back, the developer moved them from one section to another section of their land promising them that they will not be moved further. He however fears that they will be evicted completely from the area they occupy, he therefore said that he does not support the implementation of the proposed project.

Kadzo Julai: She said that she supports the implementation of the proposed project as it will create jobs for them which will help them pay school fees for their children.

Musa Katana: Mr Musa said that he does not support the implementation of the proposed project, at least not until the squatter issues are resolved and the project boundaries ascertained.

Phandenon Katana: He said that the proposed project should not proceed and the area be left as grazing area for herders in the area.

Japhet Ngala: He said that they had agreed with the developer before that the project be executed only on the areas without squatters but he said he fears that agreement may be negated. He said that once the proposed project is implemented, water wells be developed in the area for use by the community.

Menza Samson Kalume: Mr. Menza said that the proposed project should be allowed to proceed but be restricted only to the areas without squatters and the other areas be allocated to the squatters.

Karisa Kitsao Gona: Mr. Karisa Kitsao Gona said that he requests the developer and the government to find it in them that the land occupied by squatters be allocated to the squatters.

Maurice Lefani Wanje: Mr. Maurice mentioned that he works at a neighbouring salt firm- Kemu Salt- as a brine man and that he supports the proposed project as it will create more job opportunities for the people.

Furaha Charo Lungwi: He said he supports the implementation of the proposed project as it will create employment opportunities. He said that job opportunities should be given to the local people as the first priority.

William Gona: Mr. William Gona said that he objects the implementation of the proposed project, mentioning that there have been agreements before between the developer and the local community of the areas with squatters. Those agreements he said have since been disowned by the developer. He therefore that there should be an assurance in writing from the developer that they will not be evicted before the implementation of the proposed project takes effect.

Swalehe Makupe: He said he supports the implementation of the proposed project as it will create job opportunities for the people. He however said that there should be a written agreement between the developer and the local community on the fate of the squatters.

Benjamin Thoya: Mr Benjamin said that he does not support the implementation of the proposed project as it will most likely displace the squatters and disorient their way of life. He said the project will also destroy the watering points for the community.

Christine Awour: She suggested that there should be written agreements between the local community (squatters) and the developer on the fate of the developers before the proposed project is implemented, giving examples of how Kadzuhoni residents were allegedly forcefully evicted to pave way for a developer.

Paul John: He said that he supports the implementation of the proposed project as it will create employment for the local people.

MIN 07/03/2018: PRESENTATION BY REPRESENTATIVES OF LOCAL NGOs, CBOs, LOCAL OPINION LEADERS AND OTHER ORGANISED COMMUNITY GROUPS

Msumarini Youth/Msumarini Development Club: Mr. Katana Sheti Mbogo, the chairperson, Msumarini Youth said that he supports the Implementation of the proposed project saying it will create job opportunities of the hundreds of uneducated youths from the

area. Such jobs, he said will help them run their affairs as the youth smoothly mentioning that they have not been able to renew their license for the last six years because of lack of funds. Such job opportunities he said will also help reduce mangrove destruction and help parents pay schools fees for their children.

VDFCC: Mr. Jeremiah Ngumbao Tsofa the VDFCC chairperson said that they are involved in forest and mangrove conservation efforts in the area. He mentioned that they support fully the Deputy President's No-logging directive. Contributing to the agenda of the day, he urged the people to present their views without fear or favour. He mentioned that he has been part of so many meetings before geared towards resolving the squatter issue and paving way for implementation of the proposed project. He said that an agreement which he was part of had been reached to allow the project proceed in the areas without squatters pending resolution of the squatter issues by the National Land Commission. On second thought, he said he now does not support that idea rather any process towards the implementation of the proposed project should wait for the resolution the squatter issues by the National Lands Commission. He lamented that bush clearing at the proposed project site has began pending conclusion of the EIA process. He also said that recruitment of people to undertake bush clearing is not on merit accusing the person in charge of biasness. He mentioned that there are graves at the proposed project site housing the remains of his close family members including his late father.

Beach Management Unit (BMU): The BMU chair who also doubles up as the vice chair VDFCC Mr. Nickson Charo mentioned that section 42 of the Kenyan Constitution 2010 states that every person has the right to a clean and healthy environment, which includes the right to have the environment protected for the benefit of present and future generation. He therefore encouraged the people to present their views and concerns to help protect the environment. He said that at and around the proposed project site, there are trees some of them tree crops, he therefore said that such trees should be dealt with properly in efforts towards achieving the 10% forest cover target. He also said that an assessment of the crops in the areas and how they be affected by salt production be done during this EIA exercise. He also said that once the proposed project is implemented, a buffer zone be maintained between the salt pans and the neighbouring homesteads and farms. He said that all measures should be taken to reduce the negative effects of salt production on the environment.

Malindi Rights Forum (MRF). Mr. Charo Popo Gona of the MRF said that they have sought clarification into the ownership of the proposed project saying it is no clear as three different names keep on cropping up, namely Alsherman Limited, Solar Salt and Malindi Salt Limited. He lamented that there is very limited information coming down to the common mwananchi in various matters, he therefore urged the local administration and leadership to ensure that the people are informed appropriately. He mentioned that as MR, they have been taking minutes of their own on the barazas and that they will be available for anyone interested.

MMKADO: Mr. Anderson Kasiwa, speaking on behalf of MMKADO-a local community based organisation-began by acknowledging the presence of those present. He thanked the people for presenting their views. He noted that there has been a series of meetings in the past between the developer and members of the local community geared towards solving the squatter issues and paving way for the development of the salt works. Such meetings he noted resulted into some form of agreement that the squatters would not be evicted and that the salt works will only be developed on the parcel without squatters. He however noted those agreements have been disowned by the top management of the company saying that the person who entered into an agreement with them was just an employees and could not therefore make such decisions. He said therefore that implementation of the proposed project should wait the resolution of the squatter issues by the National lands Commission first.

CSR Committee Salt Sub-Sector. Ms. Margret Luganje mentioned that there have been agreements before between the developer and the local community of the issues of the squatters but such agreements have since been disowned by the developer. She therefore said that implementation of the proposed project should be preceded by a written agreement between the developer and the squatters on their fate.

Pastors 'Association. Pastor Justine Ngumbao of the Msumarini Baptist church said that there should be a written agreement first between the developer and the local community on the land with squatters before proceeding with the proposed project.

Kadzuyuni Primary School: Mr. Boniface Saidi Mzungu Chiriba, speaking on behalf of the head teacher Kadzuyuni Primary School said he supports the implementation of the proposed project, mentioning that it is the developer who built one of the two only decent buildings at the school-the rest a mud walled buildings. He urged the local administration and leadership

to engage and enter into an agreement with the developer on how to resolve the squatter issues and agree on CSR projects for the community.

Polytechnic: Mr. Edison Kahindi Nzao said that the implementation of the proposed project should wait until there is a written agreement between the developer and the local community on how the squatters are to be handled. He said on the implementation of the project, a buffer zone should be created between the salt pans and the neighbouring homesteads and farms.

Jonathan Kalu: Mr. Jonathan Kalu a teacher from the locality said that the proposed project should not take effect as he feared it will eventually lead to the eviction of the squatters.

Sholo Benjamin Kambi: Mr. Sholo, a teacher from the area and an opinion leader and the flowing contribution;

- i. He sought clarification on the name of the developer, whether it was Malindi Salt Limited, Solar Salt or Alsherman Limited.
- ii. He wanted to know whether the EIA/EA Experts have been engaged by the government or the developer.
- iii. He sought to know why the proposed project has stalled for several decades.
- iv. He wanted to know, why the developer should not wait until the National Lands Commission comes up with its decision on the fate of the squatters before proceeding with the implementation of the proposed project.
- v. He asked for surety from the developer that they will not be moved from the areas they occupy before the proposed project commences.
- vi. He challenged the local administration and leadership to be convening meetings often and educate the people on various issues and giving them hope.
- vii. He said once the proposed project site boundaries are ascertained, a perimeter wall should be put up all around the project site to shield the neighbouring homesteads from the glare of salt pans.

Natural Justice: Mr. Justus Kithi Thoya of the Natural Justice, a local NGO, mentioned that in the new Mining Act 2016, salt firms are enlisted under mining. He said the acquisition of the mining license requires that one defines the project boundaries. He therefore said that the proposed project should wait until the project boundaries are ascertained by the National Lands Commission.

Kenya Association of Manufacturers (KAM): Mr. Patrick Gambo, the KAM Salt-Belt Sub-Sector Liaison Officer said that as KAM, theirs is to attract as many investors as possible, he therefore suggested that the local leadership and administration should revisit the previous agreements with the developer, discuss and reach an amicable solution and have the proposed project proceed. He also urged the people to pursue and acquire the appropriate land documents for the pieces of land they own.

Community Forest Association (CFA). Mr. Shadrack Magambo, the chair Marereni Community Forest Association (CFA) challenged the local leadership and administration to take it upon them, face the developer and negotiate on behalf of the community on the fate of the squatters, reach an amicable solution and let the proposed project proceed. On implementation of the proposed project, he said that access routes to be used by the community should be provided for and mangrove areas should not be destroyed.

MIN. 8/03/2018. CONTRIBUTIONS FROM VILLAGE ELDERS

Kadzuyuni B. Mr. Gilbert Katana Chibo, the Kadzuyuni B village elder said that the proposed project will create employment opportunities for the people. He, however said that before the project commences, the squatters should be allocated the land they occupy.

Kadzuyuni A. Mr. William Kazungu a Mzee wa Nyumba Kumi within Kadzuyuni A village said that all efforts should be put in place to make sure that all parties are contented.

Kadzuyuni C. Mr. Mthawali Mwambegu, the Kadzuyuni C said that measures should be put in place not to destroy the water points for the community. He also called on the developer to allocate to the squatters the land they occupy.

Nyumba Kumi. The Nyumba Kumi representative, Mr. Julius Kadzungo said that he supports the implementation of the proposed project as it will create employment and help reduce petty crimes in the area like the theft of goats and chicken.

Ms Grace Kefani: She said that she does not support the implementation of the proposed project fearing that they may be evicted from the areas they occupy.

MIN. 09/03/2018. CONTRIBUTIONS FROM LOCAL ADMINISTRATION

Senior Assistant Chief Marereni Sub-Location: Mr. Mwamuye C. Yawa thanked the people for participation fully and said that he had attended the baraza to witness the

proceedings. He called the developer to give weight to the recommendations made by the community.

Assistant Chief Fundisa Sub-Location: Mr. Festus Gunga Baya urged the local to take their children to school and equip them with relevant skills for jobs.

MIN. 10/03/2018: PRESENTATION BY LOCAL LEADERSHIP

Adu Ward Administrator. The Adu Ward administrator Mr. Vincent Yeri began by acknowledging the presence of the attendees including the Adu Ward Member of County Assembly and also the deputy speaker of the Kilifi County Assembly, the Adu Ward Liaison Officer at the Office of the Magarini Constituency Member of Parliament, the Senior Chief-Fundisa Location, the Senior Assistant Chief Marereni Sub-Location, the Assistant Chief Fundisa Sub-Location, the EIA Expert and his team and the rest of the attendants. He thanked the people for their patience and for participating fully. He said he hoped that all the views have been taken on board. He urged the people to keep up with the spirit of attending barazas whenever they are convened. He therefore called for a continued dialogue of all parties within the law and co-existence.

Adu Liaison Officer for the Magarini Constituency Member of Parliament. Mr. Samson Zia Kahindi, the Adu Ward Liaison Officer in the office of the Magarini Constituency Member of parliament, began by acknowledging the presence of the attendees including the Adu Ward Member of County Assembly and also the deputy speaker of the Kilifi County Assembly, the Ward Administrator Adu Ward, the Senior Chief-Fundisa Location, the Senior Assistant Chief Marereni Sub-Location, the Assistant Chief Fundisa Sub-Location, the EIA Expert and his team and the rest of the attendants. He called on the wananchi to make their voices heard on their issues. He said that implementation of the proposed project must make sure that the squatters are not moves and that their coconut trees and other tree crops are not destroyed. He requested that a similar forum be convened to review the findings of the EIA report once the report is compiled. He said that the area Member of Parliament had the issues of settlement of the residents at heart. He urged the CSR committee to play its role well and make sure that the locals benefit from such developers who are coming to the area. He called on the local leadership and administration to co-operate and speak in one voice on serving their people.

Adu Ward Member of County Assembly and Kilifi County Assembly Deputy Speaker. Mr. Stanley Karisa Kenga the Adu Ward Member of County Assembly and Kilifi County

Assembly Deputy Speaker, began by acknowledging the Almighty God for the gist of life and having made the convening of the baraza possible on this particular day. He then acknowledged the presence of those attending including the Adu Ward Liaison Officer at the Office of the Magarini Constituency Member of Parliament, the Adu Ward Administrator, the Senior Chief-Fundisa Location, the Senior Assistant Chief Marereni Sub-Location, the Assistant Chief Fundisa Sub-Location, the EIA Expert and his team and the rest of the attendants. He thanked the people for participating fully and presenting their views. He reiterated the agenda of the day as being a stakeholders (community) consultation to gather views, concerns and suggestions as part of an environmental impact assessment study for a proposed salt works to be set up by Alsherman Limited. He noted that land is the most important aspect of the environment saying that all the rest including water, animals, fish, plants etc. are found on land. He said the land where the proposed project is to take place is controversial. He mentioned that there are about 500 families living in the area total to about 4000 people on average who live in the area and who he said will directly be affected by the implementation of the proposed project. He said that all these people occupied the area even before the developer came to the area. He said that the law requires that all the conflicts be resolved first before the proposed project is implemented. He mentioned that there have been a series of meetings before geared towards resolving the squatter issues and paving way for implementation of the proposed project. In the year 2008, he said there was a meeting between the developer and members of the local community geared towards solving the squatter issues and paving way for the development of the salt works. The meeting he noted resulted into some form of agreement that the squatters would not be evicted and that the salt works will only be developed on the parcel without squatters. Later, there was another meeting in Marereni Township that involved the human rights commission and it resolved that the squatters should be allocated the areas they occupy. That agreement, said led to the developer constructing a classroom block at Kadzuyuni Primary School and constructing the chief's office. He said that all these agreement has since been disowned by the developer on grounds that the person who entered into an agreement with the community-one Mr Mohammed Awadh was just but an employee and therefore had no powers to enter into such agreements. He therefore said that he knows that the people want employment but the issue of their areas of settlement is more important. He said that as a community, they need an assurance on the land issues in form of a written agreement first before any project activity commences. He mentioned that in the past, KENTRACO has tried to short change the people on their pieces of land they wanted to use but the people stood firm, he therefore urged the

people to stand their ground again in this matter. He said the developer should consider using other technologies in the production of salt which do not require expansive pieces of land e.g. the vacuum technology of producing salt. He lamented that previous leaders in the area have misdirected the people. He mentioned that on the 1st of February 2016, he and a few other stakeholders attended a grants review meeting on the salt firms convened by the NLC at the Red-Cross offices Malindi where they were promised the report on the findings would come out shortly, but up to date the report is not yet out. He called on the local leadership and wananchi to push for the release of this report. He said it has recently emerged that Alsherman Limited has for title deeds to the land in question but it is not clear the extent of the boundaries of their land. He reiterated that the land occupied by the squatters be allocated to the squatters before the proposed project commences, saying that he has brought the issue to the attention of the Cabinet Secretary Lands and the Deputy President.

MIN. 11/03/2018. REMARKS AND RESPONSES TO SOME OF THE QUESTIONS

Remarks/Responses by Mr. Seif Athman Representative Al-Sherman Limited

Mr. Seif clarified that the bush clearing going on at the proposed project site is not in any way related to the implementation of the proposed project but rather it is part of routine housekeeping programmes to keep way snakes from getting into the workers' quarters. This was reiterated by the caretaker in charge of the site Mr. Ziro.

Remarks by the Senior Chief Fundisa Location

The Senior Chief Fundisa Location Mr. Francis Kazungu Ngala clarified to the people that effective 2017 onwards, the age for qualifying for money for the elderly is 70 years and not 65 years as it used to be. He urged the people to take their children to school and not wait until they are compelled to do so by the local administration. He told the people that the petty theft of chicken should stop as it is a sin and it is against the law, saying that the penalty for such is harsh-it is seven years. He mentioned that there are plans to start feedings programmes in the schools. He also said that there have been cases where herders graze their animals in people crops, he urged them to exercise care. He urged the people to celebrate the Easter holidays responsibly telling them that the administration will be vigilant to enforce the law. He thanked all participants for actively participating and making the baraza a success. He said they will see into it that they hold regular community meetings to educate the people on various issues.

MIN 12/03/2018: AOB

Livestock Officer Adu Ward. Mr. Ngala Chome Ngala told the people that there is an outbreak of a certain livestock disease that is increasing becoming prevalent in the area especially during this rainy season. He urged the people to make sure that their livestock are given medication every now and then. He also urged the people to embrace the more productive exotic breeds as opposed to the indigenous breeds.

Youth Funds. The Adu Ward Liaison Officer at the office of the Magarini Constituency Member of Parliament, told the youth to form youth groups and access the youth fund that is available for them. This was reiterated by the MCA Adu Ward.

National Identity Cards. The Adu Ward Member of County Assembly called on the local administration to assist members of the community acquire national identity cards and use them to access important services such as the Women Enterprise Fund and the Youth Fund.

Petty Crimes: The Adu Ward Member of County Assembly said that the issue of petty theft is more of an issue of upbringing than unemployment. He therefore urged the parents to raise their children in good counsel.

Bursaries: The Adu Ward Member of County Assembly urged the youth to apply for the ward bursaries and use them to acquire relevant skills for employment.

MIN 13/03/2018: ADJOURN MENT

There being no any other business, the baraza adjourned at 1755 hours by a word of prayer from Pastor Justin Ngumbao.

MINUTES CONFIRMATION

These minutes are confirmed to be the correct entries of the proceedings of a Baraza held at Kadzuyuni Village, Marereni Sub-Location on the 29th March 2018.

Chairman: Francis Ngala Kazungu-Senior Chief Fundisa Location

Signature

SENIOR CHIEF
PUNDI - ISA LOCATION
P.O. Box 1-80207, MADINA
MAGARINI-SUB-COUNTY

Date

23/5/2018

Official Stamp

Secretary: Philip Manyi Omenge - Registered and Licensed EIA/EA Lead Expert

Signature

Date

23/May/2018